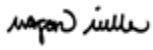


TEXAS WORKFORCE COMMISSION LETTER

ID/No:	WD 28-15
Date:	November 13, 2015
Keyword:	Competitive Employment; Employment First
Effective:	30 days after issuance

To: Local Workforce Development Board Executive Directors
Commission Executive Offices
Integrated Service Area Managers



From: Reagan Miller, Director, Workforce Development Division

Subject: **Employment-First Policy**

PURPOSE:

To provide Local Workforce Development Boards (Boards) with information and guidance regarding the Texas Workforce Commission's (TWC) three-member Commission's (Commission) adoption of an employment-first policy for individuals with disabilities.

BACKGROUND:

Senate Bill (SB) 1226, passed by the 83rd Texas Legislature, Regular Session (2013), required the creation of an interagency employment-first task force. SB 1226 directs the task force to:

- promote competitive employment of individuals with disabilities;
- promote the expectation that individuals with disabilities are able to meet the same employment standards, responsibilities, and expectations as other working-age adults; and
- develop recommendations for policy, procedure, and rule changes to allow the employment-first policy to be adopted and implemented by the Texas Education Agency (TEA), the Texas Health and Human Services Commission (HHSC), and TWC.

SB 208, passed by the 84th Texas Legislature, Regular Session (2015), approved the transfer of the Vocational Rehabilitation program from the Texas Rehabilitation Commission to TWC beginning September 1, 2016.

On October 21, 2015, the Commission adopted the following policy and guiding principles:

Employment-First Policy Statement

TWC will promote competitive employment of individuals with disabilities and the expectation that they are able to meet the same employment standards, responsibilities, and expectations as other working-age adults. TWC acknowledges that it is the policy of the state, as set forth in Texas Government Code §531.02447, that:

. . . earning a living wage through competitive employment in the general workforce is the priority and preferred outcome for working-age individuals with disabilities who receive public benefits.

Employment-First Guiding Principles

In accordance with Texas Government Code §531.02447(b), TWC's employment-first policy is based on the following guiding principles:

1. An individual with a disability is able to meet the same employment standards as an individual who does not have a disability;
2. All working-age individuals with disabilities, including young adults, are offered factual information regarding employment as an individual with a disability, including the relationship between an individual's earned income and the individual's public benefits;
3. Individuals with disabilities are given the opportunity to understand and explore options for education and training, including postsecondary, graduate, and postgraduate education, vocational or technical training, or other training, as pathways to employment;
4. TWC will take steps to promote the availability and accessibility of individualized training designed to prepare an individual with a disability for the individual's preferred employment;
5. TWC will promote partnerships with employers to overcome barriers to meeting workforce needs with the creative use of assistive technology and innovation;
6. TWC will take steps to ensure that the staff of the agency, Boards, and Texas Workforce Solutions partners and their service providers, as well as the staff of public schools, vocational service programs, and community providers are trained and supported to assist all individuals with disabilities in achieving the goal of competitive employment; and
7. TWC acknowledges that competitive employment, while being the priority and preferred outcome, is not required of an individual with a disability to secure or maintain public benefits for which the individual is otherwise eligible.

PROCEDURES:

NLF: Boards must be aware of TWC’s employment-first policy, which can be found on TWC’s website at <http://www.twc.state.tx.us/businesses/twc-employment-first-policy>.

INQUIRIES:

Direct inquiries regarding this WD Letter to wfpolicy.clarifications@twc.state.tx.us.

RESCISSIONS:

None

REFERENCES:

Texas Government Code §531.02447
Senate Bill 1226, 83rd Texas Legislature, Regular Session (2013)
Senate Bill 208, 84th Texas Legislature, Regular Session (2015)

FLEXIBILITY RATINGS:

No Local Flexibility (NLF): This rating indicates that Boards must comply with the federal and state laws, rules, policies, and required procedures set forth in this WD Letter and have no local flexibility in determining whether and/or how to comply. All information with an NLF rating is indicated by “must” or “shall.”

Local Flexibility (LF): This rating indicates that Boards have local flexibility in determining whether and/or how to implement guidance or recommended practices set forth in this WD Letter. All information with an LF rating is indicated by “may” or “recommend.”