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**XX.**

**TEXAS WORKFORCE COMMISSION**

The rules are adopted under Texas Labor Code §§301.0015 and 302.002(d), which provide the Texas Workforce Commission with the authority to adopt, amend, or repeal such rules as it deems necessary for the effective administration of Agency services and activities.

## **Chapter 843. JOB MATCHING SERVICES**

### **SUBCHAPTER A. GENERAL PROVISIONS**

#### **§843.1. Employer and Job Seeker Services**

- (a) Purpose. Job matching services provide the public with a clearinghouse for exchanging information on job postings and job seekers. This section sets forth for employers and job seekers the methods available for accessing the clearinghouse of employer and job seeker information.
- (b) Employer Postings of Job Openings. Employers may obtain access to the job matching services, including information to assist employers in posting job openings in the job matching system, by one or more of the following methods:
  - (1) registering directly using the Internet-based job matching system at [www.workintexas.com](http://www.workintexas.com);
  - (2) calling or visiting any Workforce Solutions Office in Texas; or
  - (3) through any other means approved by the Local Workforce Development Board (Board) in consultation with Workforce Solutions Office staff located in the local workforce development area (workforce area) in which the open position exists, including sending or requesting information by mail or facsimile.
- (c) Job Seeker Access to Job Opening Information and Posting Résumé. Job seekers can obtain access to the job matching services, including information to assist job seekers in posting a résumé, obtaining information on job openings posted in the job matching system, labor market information, and employment and training opportunities by one or more of the following methods:
  - (1) viewing online information available on the Internet;
  - (2) registering directly using the Internet-based job matching system at [www.workintexas.com](http://www.workintexas.com);
  - (3) calling or visiting any Workforce Solutions Office in Texas; or
  - (4) through any other means approved by the Board in consultation with Workforce Solutions Office staff located in the workforce area in which the open position exists, including sending or requesting information by mail or facsimile.
- (d) Confidentiality and Disclosure of Job Matching Services Information.
  - (1) "Job matching services information" is information in the records of the Agency that pertains to the job matching services system provided to employers, employing units, and job seekers through the Internet, Workforce Solutions Offices, or other means, that is maintained by the Agency and Boards and their workforce service providers.
  - (2) Job matching services information is not public information and shall be maintained as confidential to the same degree as unemployment compensation information as set forth in Chapter 815, Subchapter E, of this title.
  - (3) This subsection does not limit or waive the Agency's rights or obligations to invoke limitations or confidentiality requirements based on separate laws or regulations.
  - (4) Disclosure of job matching services information is permissible:

- (A) for the purposes of administering job matching services;
- (B) when disclosing information about a job seeker or employer to that job seeker or employer;
- (C) when there is a written information release signed by the job seeker or employer;
- (D) when the information is provided to a public official for use in the performance of his or her official duties; and
- (E) in other situations that do not violate the confidentiality of the job seeker or employer and that have been approved by the Agency's Open Records Unit.

*The provisions of this §843.1 adopted to be effective April 1, 2002, 27 TexReg 2537; amended to be effective October 1, 2012, 37 TexReg 7752.*

### **§843.2. Public Employer Requirements Regarding Veterans Preference**

- (a) A public entity or public work shall provide information to the Agency regarding any open position subject to the veterans preferences as specified in Texas Government Code §657.009, unless specifically exempted under the state statute.
- (b) A public entity or public work shall provide information by one or more of the methods indicated in §843.1 (b)(1)-(3) relating to the Employer Postings of Job Openings and submit basic information regarding the opening to the Agency as soon as practical, including the following:
  - (1) the name of the public entity;
  - (2) the location where the job is to be performed including city and state;
  - (3) a description of the job opening;
  - (4) the minimum educational and work experience required for the position; and
  - (5) contact information regarding the opening.

*The provisions of this §843.2 adopted to be effective April 1, 2002, 29 TexReg 2537.*

### **§843.3. Public Employer Requirements Regarding E-Verify**

- (a) State agencies and institutions of higher education, as defined by Texas Education Code §61.003, shall register and participate in the federal electronic verification of employment authorization program, E-Verify, for all newly hired employees, as specified in Texas Government Code §673.002, unless specifically exempted under the state statute.
- (b) In accordance with Texas Government Code §673.002, the Agency:
  - (1) shall provide notice, registration information, and online forms for the E-Verify program to state agencies; and
  - (2) may provide technical assistance, upon request.

*The provisions of this §843.3 adopted to be effective March 14, 2016, 41 TexReg 1976.*