

CHAPTER 843. JOB MATCHING SERVICES

ADOPTED RULES TO BE PUBLISHED IN THE *TEXAS REGISTER*. THIS DOCUMENT WILL HAVE NO SUBSTANTIVE CHANGES BUT IS SUBJECT TO FORMATTING CHANGES AS REQUIRED BY THE OFFICE OF THE SECRETARY OF STATE.

ON **APRIL 30, 2024**, THE TEXAS WORKFORCE COMMISSION ADOPTED THE RULES BELOW WITH PREAMBLE TO BE SUBMITTED TO THE *TEXAS REGISTER*.

Publication Date of the Adoption in the *Texas Register*: **May 17, 2024**

The Rules are Effective: **May 20, 2024**

The Texas Workforce Commission (TWC) adopts amendments to the following section of Chapter 843, relating to Job Matching Services:

Subchapter A. General Provisions, §843.2

Amended §843.2 is adopted *without changes* to the proposal, as published in the March 8, 2024, issue of the *Texas Register* (49 TexReg 1452), and, therefore, the adopted rule text will not be published.

PART I. PURPOSE, BACKGROUND, AND AUTHORITY

The purpose of the Chapter 843 rule change is to amend references to "Veteran Preference for Public Employment" to "Military Employment Preference" in accordance with changes to Texas Government Code Chapters 656 and 657 resulting from the passage of Senate Bill (SB) 1376 by the 88th Texas Legislature, Regular Session (2023).

SB 1376 expands the categories of eligibility for military employment preference, formerly known as "veterans preference." The expanded eligibility provides military employment preference to spouses of active members of the United States armed forces or Texas National Guard, as well as spouses of veterans where the spouse is the primary source of income for the household.

Texas Government Code §2001.039 requires that every four years each state agency review and consider for readoption, revision, or repeal each rule adopted by that agency. TWC has conducted a rule review of Chapter 843, Job Matching Services, and any changes are described in Part II of this preamble.

PART II. EXPLANATION OF INDIVIDUAL PROVISIONS

(Note: Minor editorial changes are made that do not change the meaning of the rules and, therefore, are not discussed in the Explanation of Individual Provisions.)

SUBCHAPTER A. GENERAL PROVISIONS

TWC adopts the following amendments to Subchapter A:

§843.2. Public Employer Requirements Regarding Veterans Preference

Section 843.2 is amended to change "veterans preferences" to "military employment preferences." The section title is also amended to change Public Employer Requirements Regarding Veterans Preference to Public Employer Requirements Regarding Military Employment Preference.

TWC hereby certifies that the rules have been reviewed by legal counsel and found to be within TWC's legal authority to adopt.

PART III. PUBLIC COMMENTS

The public comment period closed on April 8, 2024. No comments were received.

PART IV. STATUTORY AUTHORITY

The rules are adopted under:

- Texas Government Code §657.009(c), which provides TWC with the specific authority to adopt rules to facilitate the exchange of employment information between state agencies and individuals entitled to military preference; and
- Texas Labor Code §301.0015 and §302.002(d), which provide TWC with the general authority to adopt, amend, or repeal such rules as it deems necessary for the effective administration of TWC services and activities.

The adopted rules implement changes made to Texas Government Code Chapters 656 and 657 by SB 1376 of the 88th Texas Legislature, Regular Session (2023).

CHAPTER 843. JOB MATCHING SERVICES

SUBCHAPTER A. GENERAL PROVISIONS

§843.2. Public Employer Requirements Regarding Military Employment Preference.

- (a) A public entity or public work shall provide information to the Agency, as specified in Texas Government Code §657.009, regarding any open position subject to the military employment preferences set forth in Texas Government Code Chapter 657, 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.