# PART B, CHAPTER 2.2: COMPETITIVE INTEGRATED EMPLOYMENT (CIE)

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| **Policy Number** | **Authority** | **Scope** | **Effective Date** |
| Part B, Chapter 2.2 | 34 CFR [§361.5(c)(9)](https://www.ecfr.gov/current/title-34/part-361#p-361.5(c)(9)), and [§361.5(c)(15)](https://www.ecfr.gov/current/title-34/part-361#p-361.5(c)(15)) | All TWC-VR staff | 9/3/2024 |

## PURPOSE

In accordance with the authority (Federal and State) listed above, this policy is issued by the Texas Workforce Commission Vocational Rehabilitation Division (TWC-VR). Adherence to these rules and regulations issued under the Rehabilitation Act of 1973, as amended by Title IV of the Workforce Innovation and Opportunity Act (WIOA), supports Texans with disabilities in gaining, maintaining, and advancing in competitive integrated employment (CIE).

Specifically, the purpose of this policy and these procedures is to ensure adherence to the requirement of TWC-VR supporting individuals with disabilities in the achievement of employment that meets the definition of Competitive Integrated Employment (CIE).

## DEFINITIONS

There are no specific definitions for this policy and these procedures.

## POLICY

### General Overview

TWC-VR is dedicated to assisting individuals with disabilities in achieving an employment outcome. Employment outcomes means, with respect to an individual, entering, advancing in, or retaining full-time or, if appropriate, part-time CIE that is consistent with an individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

### Competitive Integrated Employment

CIE is work that—

1. Is performed on a full-time or part-time basis (including self-employment) and for which an individual is compensated at a rate that—
   1. Is not less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 ([29 U.S.C. 206(a)(1)](https://www.govinfo.gov/link/uscode/29/206)) or the rate required under the applicable State or local minimum wage law for the place of employment;
   2. Is not less than the customary rate paid by the employer for the same or similar work performed by other employees who are not individuals with disabilities and who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills; and
   3. In the case of an individual who is self-employed, yields an income that is comparable to the income received by other individuals who are not individuals with disabilities and who are self-employed in similar occupations or on similar tasks and who have similar training, experience, and skills; and
   4. Is eligible for the level of benefits provided to other employees; and
2. Is at a location—
   1. Typically found in the community; and
   2. Where the employee with a disability interacts for the purpose of performing the duties of the position with other employees within the particular work unit and the entire work site, and, as appropriate, to the work performed, other persons (e.g., customers and vendors) who are not individuals with disabilities (excluding supervisory personnel or individuals who are providing services to such employee) to the same extent that employees who are not individuals with disabilities and who are in comparable positions interact with these persons; and
3. Presents, as appropriate, opportunities for advancement that are similar to those for other employees who are not individuals with disabilities and who have similar positions.

TWC-VR supports a variety of CIE types, including Self-Employment, Randolph-Sheppard Business Enterprises of Texas Program (BET), and Supported Employment in CIE.

## PROCEDURES

### Determining CIE

When conducting a case-by-case analysis to determine when a job position (based on the unique facts of the particular position) is integrated, the following steps must be followed—

1. The VR Counselor will review the requirements of an employment outcome in CIE with the customer throughout the VR process. The CIE Checklist may be used to assist in explaining requirements of an employment outcome.
2. If a customer is employed with an employer on the Searchable List of Employers, one of the following TWC-VR staff must complete the CIE Checklist and a worksite visit:
   * Regional Program Specialist;
   * Regional Program Support Specialist;
   * Regional Quality Assurance Specialist;
   * Program Improvement Specialist;
   * Regional Blind Services Specialist;
   * Program Support Manager;
   * VR Supervisor;
   * VR Manager;
   * Process Improvement Specialist;
   * Purchasing Specialist; or
   * Business Relations Coordinator.

The VR Counselor may accompany TWC-VR staff during the worksite visit but cannot complete the CIE Checklist.

1. The CIE Checklist and supporting documentation is forwarded to the State Office CIE team mailbox at [vr.cie@twc.texas.gov](mailto:vr.cie@twc.texas.gov) for review.
2. After receiving the CIE checklist and supporting documentation, the State Office CIE team will make a recommendation regarding the employment setting. TWC-VR Executive Management will review and make the final determination if the customer's position meets the criteria for CIE.
3. The determination will be emailed back to the TWC-VR staff who submitted the checklist.
4. The TWC-VR staff who completed the CIE Checklist must inform the VR Counselor as soon as possible as not to delay the customer's informed choice.
5. Employment settings that do not meet the criteria for CIE cannot be supported as the employment goal in the Individualized Plan for Employment (IPE) or outcome of successful employment.
6. A customer who chooses to pursue non-CIE positions or to remain employed in a non-CIE position will be—
   * Provided VR counseling and guidance on how a non-CIE position may help the customer prepare for CIE;
   * Referred to local workforce centers for further assistance;
   * Provided contact information for the non-CIE employer;
   * Provided a *Checklist for Determining Significance of Disability (VR1390)* or letter if needed to verify disability with the employer;
   * Referred to extended service providers for long-term supports; and/or
   * Provided information on closing the TWC-VR case due to extended employment (i.e., employed in a non-integrated setting).

The VR Counselor documents the outcome of the CIE review determination and corresponding VR counseling and guidance in a case note.

## APPROVALS & CONSULTATIONS

There are no approvals or consultations for this policy and these procedures.

**REVIEW**

The Policy Planning and Statewide Initiatives Team, or designee, is responsible for reviewing this policy and these procedures and will update the Document History log if necessary.

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| **Date** | **Type** | **Change Description** |
| 9/3/2024 | New | VRSM Policy and Procedure Rewrite |