

Chapter 805. JOB TRAINING PARTNERSHIP ACT RULES

Subchapter H. NONDISCRIMINATION AND EQUAL OPPORTUNITY

40 TAC §§805.260 - 805.269

(Editor's note: The text of the following sections proposed for repeal will not be published. The sections may be examined in the offices of the Texas Workforce Commission or in the Texas Register office, Room 245, James Earl Rudder Building, 1019 Brazos Street, Austin.)

The Texas Workforce Commission (Commission) proposes the repeal of Chapter 805, Subchapter H, §§805.260-805.269, relating to Nondiscrimination and Equal Opportunity.

Background and Purpose: The Job Training Partnership Act (JTPA) was repealed and the State has fully implemented the Workforce Investment Act (WIA) (29 U.S.C.A. §§2801 *et seq.*) program, which replaces the JTPA in Texas. The provisions in Chapter 805 Subchapter H are to be replaced with the provisions set forth in the new and amended rules proposed concurrently for Chapter 841, §§841.201-841.215 and Chapter 839, §839.11, contained in this issue of the *Texas Register* .

Randy Townsend, Chief Financial Officer, has determined that for the first five years the repeals are in effect, the following statements will apply:

there are no additional estimated costs to the state and to local governments expected as a result of enforcing or administering the repeals;

there are no estimated reductions in costs to the state or to local governments expected as a result of enforcing or administering the repeals;

there are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the repeals;

there are no foreseeable implications relating to costs or revenues to the state or to local governments expected as a result of enforcing or administering the repeals; and

there are no anticipated costs to persons who are required to comply with the repeals as proposed.

Mr. Townsend has also determined that there is no anticipated adverse impact on small businesses as a result of enforcing or administering the repeals because the costs required to comply with the repeals are costs directly required to comply with federal statute and regulations.

Barbara Cigainero, Director of Workforce Development, has determined that the public benefit anticipated as a result of the repeals as proposed will be to assure compliance with federal statutory and regulatory requirements for nondiscrimination and equal opportunity, and to assist the Boards in meeting these requirements and preventing any interruption in access to federal funds.

Mark Hughes, Director of Labor Market Information, has determined that there is no foreseeable negative impact upon employment conditions in this state as a result of these proposed repeals.

Comments on the proposed repeals may be submitted to Pat Garland, Equal Opportunity Office, Texas Workforce Commission, 101 East 15th Street, Room 220, Austin, Texas, 78778; Fax Number (512) 463-2444; or E-mail to pat.garland@twc.state.tx.us.

The repeals are proposed under Texas Labor Code §301.061 and §302.002, 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 Commission services and activities.

The proposal affects Texas Labor Code, Title 4, and Texas Government Code, Chapter 2308.

§805.260.State Equal Opportunity Officer.

§805.261.SDA/SSA Equal Opportunity Officers.

§805.262.Notice of Equal Opportunity.

§805.263.Accessibility Standards.

§805.264.Required Assurance of Compliance.

§805.265.Data Collection and Maintenance.

§805.266.Complaints of Discrimination.

§805.267.Jurisdiction.

§805.268.Corrective Actions and Remedies.

§805.269.Sanctions.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

Filed with the Office of the Secretary of State, on July 10, 2000.

TRD-200004748

J. Randel (Jerry) Hill

General Counsel

Texas Workforce Commission

Earliest possible date of adoption: August 20, 2000

For further information, please call: (512) 463-8812