

1 **CHAPTER 839. WELFARE TO WORK PROGRAM**

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3 **ADOPTED RULES WITH PREAMBLE TO BE SUBMITTED TO THE TEXAS**
4 **REGISTER. THIS DOCUMENT WILL HAVE NO SUBSTANTIVE CHANGES BUT IS**
5 **SUBJECT TO FORMATTING CHANGES AS REQUIRED BY THE TEXAS REGISTER.**
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7 The Texas Workforce Commission (Commission) adopts the repeal of Chapter 839 in its
8 entirety, relating to the Welfare to Work Program rules, without changes, as published in the
9 November 28, 2008, issue of the *Texas Register* (33 TexReg 9661):

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11 Subchapter A. General Provisions, §§839.1 - 839.3

12
13 Subchapter B. Nondiscrimination and Equal Opportunity, §839.11 and §839.12

14
15 Subchapter C. Welfare to Work Grievance Procedures, §§839.31 - 839.36 and §§839.38–
16 839.47

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18 **PART I. PURPOSE, BACKGROUND, AND AUTHORITY**

19 The purpose of the adopted repeal is to eliminate Chapter 839, relating to the Welfare to Work
20 Program rules.

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22 On January 23, 2004, Congress enacted the Consolidated Appropriations Act for 2004. The Act
23 rescinded unexpended Federal Fiscal Year 1999 (FFY'99) Welfare to Work (WtW) formula
24 funds as of that date, except for those funds needed to carry out closeout activities.

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26 On February 27, 2004, the U.S. Department of Labor (DOL) issued Training and Employment
27 Guidance Letter 19-03 to provide policy and procedures relating to program termination,
28 transition of participants, and closeout pursuant to the rescission of the FFY'99 WtW formula
29 funds. The closeout activities have been completed and the formula funds expended, therefore,
30 these rules are no longer required.

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32 No comments were received on the proposed repeal.

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34 The Agency hereby certifies that the repeal has been reviewed by legal counsel and found to be
35 within the Agency's legal authority to adopt.

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37 The repeal is adopted under Texas Labor Code §301.0015 and §302.002(d), which provide the
38 Commission with the authority to adopt, amend, or repeal such rules as it deems necessary for
39 the effective administration of Agency services and activities, and the Texas Human Resources
40 Code §44.002, regarding Administrative Rules.

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42 The adopted repeal affects Texas Labor Code, Title 4, and Texas Government Code, Chapter
43 2308.

1 **CHAPTER 839. WELFARE TO WORK PROGRAM**

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3 **SUBCHAPTER A. GENERAL PROVISIONS**

4 §839.1. Compliance with Federal Statute and Regulations

5 §839.2. Compliance with the State Plan

6 §839.3. Reimbursement of Funds

7
8 **SUBCHAPTER B. NONDISCRIMINATION AND EQUAL OPPORTUNITY**

9 §839.11. Applicability

10 §839.12. Gender Discrimination Excluded

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12 **SUBCHAPTER C. WELFARE TO WORK GRIEVANCE PROCEDURES**

13 §839.31. Purpose and Coverage

14 §839.32. Optional Forms Available

15 §839.33. Definitions

16 §839.34. Grievance Filing Procedures at the Local Level

17 §839.35. Time Limitations at Local Level

18 §839.36. Welfare to Work Provider Responsibilities

19 §839.38. Local Level Informal Conference Procedure

20 §839.39. Opportunity and Request for a Hearing

21 §839.40. Notice of Hearing

22 §839.41. Hearing Officer

23 §839.42. Hearing Procedure

24 §839.43. Written Decision

25 §839.44. Request for Review of a Written Decision

26 §839.45. Procedure for Review by SOAH

27 §839.46. Final Written Decision

28 §839.47. Remedies

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