

AN ORDER OF THE TEXAS WORKFORCE COMMISSION REGARDING TEMPORARY SUSPENSION OF
PURCHASING FROM PEOPLE WITH DISABILITIES PROGRAM 40 TAC §806.41(F)(9)

WHEREAS, 40 Texas Administrative Code (TAC) §800.8 authorizes the Commission to suspend the operation of a TAC provision, if the Commission finds a public emergency or imperative public necessity exists, and the Commission finds that the suspension will best serve the public health, safety, or welfare; and

WHEREAS, a Disaster Declaration was issued by Governor Greg Abbott on March 13, 2020 and extended on April 12, 2020, due to the COVID-19 pandemic; and

WHEREAS, 40 TAC §806.41(f)(9) requires at least 75 percent of a Community Rehabilitation Program's (CRP) total hours of direct labor to be performed by individuals with documented disabilities; and

WHEREAS, there is currently a shortage of available employees with documented disabilities to contribute direct labor hours to produce products and services provided by CRPs in the Purchasing from People with Disabilities program due to the COVID-19 pandemic; and

WHEREAS, temporarily suspending 40 TAC §806.41(f)(9) retroactively from March 1, 2020 to August 31, 2020 would provide support to CRPs with fewer available employees with disabilities due to the COVID-19 pandemic to maintain product sales and service provision so employment continues to be available for returning employees with disabilities; and

NOW THEREFORE, based on these considerations and findings, the Commission suspends 40 TAC §806.41(f)(9) retroactively from March 1, 2020 to August 31, 2020, in accordance with 40 TAC §800.8.

Signed this 2nd day of June, 2020, upon the affirmative vote of a majority of the Commission present and voting.

Bryan Daniel, Chairman and Commissioner representing the Public

Julian Alvarez, Commissioner representing Labor

Aaron Demerson, Commissioner representing Employers