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TRANSCRIPT OF PROCEEDINGS  
BEFORE THE  
TEXAS WORKFORCE COMMISSION  
AUSTIN, TEXAS

PUBLIC MEETING )  
FOR THE TEXAS )  
WORKFORCE COMMISSION )

COMMISSION MEETING  
TUESDAY, JANUARY 8, 2019

BE IT REMEMBERED THAT at 9:00 a.m. on  
Tuesday, the 9th day of January, 2019, the above-entitled  
matter came on for hearing at the Texas Workforce  
Commission, TWC Building, 101 East 15<sup>th</sup> Street, Room 244,  
Austin, Texas, before RUTH R. HUGHS, Chair; JULIAN ALVAREZ  
and ROBERT D. THOMAS, Commissioners.

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P R O C E E D I N G S

TUESDAY, JANUARY 8, 2019

(9:00 a.m.)

AGENDA ITEM NO. 1

CHAIR HUGHS: Good morning. This meeting is called to order.

AGENDA ITEM NO. 2

CHAIR HUGHS: Mr. Trobman, has anyone signed up for public comment?

MR. TROBMAN: No.

CHAIR HUGHS: All right, thank you. Before we begin, we do want to recognize that we are all mourning the loss of our Executive Director, Larry Temple, who passed away on Saturday. And while it is a great loss, we're also very committed to continuing his legacy of tremendous work. And I want to thank all of you for your role in that. The commissioners and I would like to take a moment of silence before we get started.

Thank you, all. I now turn the meeting over to Commissioner Thomas to preside over agenda items 3 through 7.

AGENDA ITEM NO. 3

Discussion, Consideration and Possible Action Regarding Whether to Assume Continuing Jurisdiction on Unemployment Compensation Cases, Wage Claim Cases, and/or

1 Tax Liability Cases and Reconsideration of Unemployment  
2 Compensation Cases, Wage Claim Cases, and/or Tax Liability  
3 Cases, if Any

4 No Discussion.

5 AGENDA ITEM NO. 4

6 Discussion, Consideration and Possible Action  
7 Regarding Tax Liability Cases Listed on the Texas Workforce  
8 Commission Dockets 52, 1 and 2.

9 The Commission considered and took action on  
10 all tax liability cases listed on Dockets 52, 1 and 2.

11 AGENDA ITEM NO. 5

12 Discussion, Consideration and Possible Action  
13 Regarding Fair Housing Cases listed on the Texas Workforce  
14 Commission Dockets 52, 1 and 2.

15 No Discussion.

16 AGENDA ITEM NO. 6

17 Discussion, Consideration and Possible Action  
18 Regarding Higher Level Appeals in Wage Claim Cases Listed on  
19 the Texas Workforce Commission Docket 52, 1 and 2.

20 The Commission considered and took action on  
21 all wage claim cases listed on Docket 52, 1 and 2.

22 AGENDA ITEM NO. 7

23 Discussion, Consideration and Possible Action  
24 Regarding Higher Level Appeals in Unemployment Compensation  
25 Cases Listed on the Texas Workforce Commission Dockets 52, 1

1 and 2.

2 The Commission considered and took action on  
3 all unemployment compensation cases listed on Dockets 52, 1  
4 and 2.

5 CHAIR HUGHS: Good morning. We are back in  
6 session and we did want to take a moment -- my fellow  
7 commissioners and I are all sharing in the grief that we're  
8 all experiencing with Larry's passing. So just want to  
9 recognize how our beloved Executive Director during this  
10 meeting and all of his tremendous work for our state and for  
11 our system. He will be truly missed.

12 As we mentioned earlier this morning, we are  
13 committed to continuing his legacy and his great work and we  
14 thank all of you for your role in that.

15 I may be taking this out of order, Les, but  
16 if it's okay I think each of us wanted to, you know, say a  
17 few words and then take a moment of silence before we begin.  
18 So, Commissioner Alvarez?

19 COMM. ALVAREZ: So, somebody asked me to --  
20 to describe Larry and what always comes to mind is he was a  
21 great man. So that's all I have to say.

22 COMM. THOMAS: I just appreciate the short  
23 time that I got to visit with him, and I appreciate that  
24 even though it was in the hospital multiple times it was  
25 genuine, it was sincere, and it was honest, and he gave me a

1 fundamental assessment of what I was getting into in a way  
2 that only a person who's very comfortable in his skin and  
3 his soul could do. So I appreciate that.

4 CHAIR HUGHS: Okay. We're going to take a  
5 moment of silence now.

6 (Pause)

7 CHAIR HUGHS: Okay, thank you. And with that  
8 I do need to get on with the business at hand, but I know  
9 we'll be keeping his family in our thoughts and prayers and  
10 continuing to find ways to -- to honor Larry going forward.

11 AGENDA ITEM NO. 8

12 CHAIR HUGHS: There is nothing for Agenda  
13 Item 8.

14 AGENDA ITEM NO. 9

15 CHAIR HUGHS: There is nothing for Agenda  
16 Item 9.

17 AGENDA ITEM NO. 10

18 CHAIR HUGHS: Item 10, Discussion,  
19 Consideration and Possible Action Regarding the Annual  
20 Report to the Governor, Lieutenant Governor, and Legislature  
21 Concerning Existing and Projected Shortages in High-Demand,  
22 High-Wage Occupations Pursuant to Texas Labor Code Section  
23 302.019.

24 MS. VEGA: Good morning, Chair Hughs,  
25 Commissioner Alvarez, Commissioner Thomas and Mr. Serna.

1                   For the record, my name is Mariana Vega, I'm  
2 with the -- or I am the -- the Director of the Labor Market  
3 Career Information Department.

4                   And today, for your consideration and  
5 possible action you have before you the annual Commission  
6 Report to the Governor, Lieutenant Governor, and Legislature  
7 regarding existing and projected shortages in high-wage,  
8 high-demand occupations.

9                   Your offices did receive a report and we also  
10 did brief everyone. For the report we did examine over 800  
11 occupations, and we did segment those occupations into the  
12 14 major industry sectors as specified by the Texas Labor  
13 Code 302.

14                   To produce a report, we did use a 2016-2026  
15 projections, long-term projections, to determine which  
16 occupations were adding the most jobs and which occupations  
17 were growing the fastest.

18                   We also reviewed the Quarterly Census of  
19 Employment and Wages and Current Employment Statistics to  
20 analyze the historical trend and used the 2017 occupational  
21 employment statistics wages.

22                   For this report we also incorporated help  
23 wanted online job posting analytics to determine which hard  
24 skills and which certifications employers were demanding the  
25 most for the occupations that are presented in the report.



1                   We did have one recommendation for your  
2 consideration. On page 4, line 9, the very first sentence,  
3 we did want to omit that sentence. It states,  
4 "Apprenticeships are very common within the Construction  
5 industry." While we do recognize that apprenticeships are  
6 prevalent in the construction industry, they are really  
7 well-represented throughout all industries.

8                   That statement was made -- taken into  
9 consideration only the top 10 occupations for the  
10 construction industry, so if you all agree we'd like to omit  
11 that statement.

12                   COMM. THOMAS: Tell me which page again,  
13 please.

14                   MS. VEGA: Page 4, line 9.

15                   COMM. THOMAS: Four -- four and nine, okay.  
16 I got it reversed.

17                   COMM. ALVAREZ: I have a question, Mariana,  
18 what was your rationale for omitting that?

19                   MS. VEGA: My rationale was that actually  
20 apprenticeships are well-represented across all industries,  
21 so apprenticeships are very prevalent in the construction  
22 industry. We actually did not research the percentage of  
23 apprentice-able occupations within the other industries.

24                   COMM. ALVAREZ: But it's still common in  
25 construction.

1 MS. VEGA: It is common. It is common, but  
2 it can be construed more as an opinion.

3 COMM. ALVAREZ: Well, that's not my opinion,  
4 but I would change line item 9 and say, "Apprentices are  
5 common with the construction industry."

6 MS. VEGA: Okay.

7 COMM. ALVAREZ: You don't have to put "very"  
8 and that --

9 COMM. THOMAS: I concur with that  
10 modification.

11 CHAIR HUGHS: Is that an accurate statement  
12 from your perspective?

13 MS. VEGA: Yes. That would be common. Yes.

14 COMM. ALVAREZ: And it's in the Tri-Agency  
15 Report as well.

16 MS. VEGA: Yes.

17 COMM. THOMAS: Exactly.

18 CHAIR HUGHS: That they're common?

19 COMM. ALVAREZ: Yes.

20 MS. VEGA: Well, and actually, out of the 181  
21 total construction occupations, 60 percent of those are  
22 apprentice-able. Like I said, we did not research what  
23 percentage exists in the other industries for comparison  
24 purposes. We can do that.

25 CHAIR HUGHS: I just want clarification. Is

1 60 percent are apprenticeships?

2 MS. VEGA: Apprentice-able occupations.

3 CHAIR HUGHS: Okay. So they're apprentice-  
4 able, but do we know if it's common that they are  
5 apprenticeships?

6 MS. VEGA: So we went off of the Department  
7 of Labor apprentice-able occupation list, so we know they're  
8 apprentice-able. We don't know how many apprentices are in  
9 each of those occupations.

10 CHAIR HUGHS: So is it more accurate to say  
11 the construction industry—something to the effect that  
12 they're apprentice-able versus that there are  
13 apprenticeships? I really defer to you on what's factually  
14 correct on this and agree with whatever staff recommends.

15 MS. VEGA: Sure. I think what would be --

16 COMM. ALVAREZ: Well, isn't it correct to say  
17 that apprentices are common in construction?

18 CHAIR HUGHS: I think that's what she was  
19 meaning to confirm.

20 COMM. THOMAS: I think we're beating the  
21 absolute fire out of this.

22 CHAIR HUGHS: Yeah.

23 COMM. THOMAS: Can you please just give us  
24 some guidance on what language, based upon what you're  
25 hearing up here, would be something you could recommend to

1 us, please?

2 MS. VEGA: Sure. I think what would be more  
3 factual if we stick to the actual numbers, and include a  
4 statement to the effect of, "60 percent of total  
5 construction occupations are apprentice-able."

6 CHAIR HUGHS: Sounds reasonable.

7 COMM. THOMAS: Are you okay with that,  
8 Julian?

9 COMM. ALVAREZ: If you are -- if you know that  
10 that'd be a fact, I would be okay with that.

11 MS. VEGA: That is a fact. Yes.

12 COMM. ALVAREZ: Okay. And I'd like for you  
13 to share that with my office when you give that information  
14 from the Department of Labor, please.

15 MS. VEGA: Definitely.

16 CHAIR HUGHS: Sounds like we're all in  
17 agreement. Are there any other amendments to the draft that  
18 we have before us to vote on?

19 MS. VEGA: So that was the only  
20 recommendation, so we are asking for Commission approval.  
21 With your permission to make minor changes that doesn't --  
22 that don't affect the context of the report as we prepare  
23 the final layout.

24 CHAIR HUGHS: All right. And Commissioner  
25 Thomas, any other comments or questions?

1                   COMM. THOMAS: Yeah. Nah, just ready to  
2 move.

3                   CHAIR HUGHS: Commissioner Alvarez, do you  
4 have any other comments or questions on the report?

5                   COMM. ALVAREZ: No.

6                   CHAIR HUGHS: All right. Is there a motion?

7                   COMM. THOMAS: Motion to approve that per  
8 staff's request and recommendation with the modification as  
9 discussed in the dais.

10                  COMM. ALVAREZ: I'll second that.

11                  CHAIR HUGHS: Good. We are unanimous. Thank  
12 you.

13                  MS. VEGA: Thank you.

14                  AGENDA ITEM NO. 11

15                  CHAIR HUGHS: All right. Item 11,  
16 Discussion, consideration and Possible Action Regarding the  
17 Fiscal Year 2018 Skills Development Fund Annual Report to  
18 the Goerner and the Texas Legislature Pursuant to Texas  
19 Labor Code Section 303.006.

20                         Good morning.

21                  MR. ROBERTSON: Good morning. Good morning,  
22 Chair Hughs, Commissioner Alvarez and Commissioner Thomas.

23                         For the record, my name is Dale Robinson, I'm  
24 the Manager of the Office of Employer Initiatives, Skills  
25 Development Fund, Outreach and Project Development Team.

1                   With me is Thomas Walker, who's a project  
2 lead on the Development of our annual report. In case I  
3 miss anything, he'll cover the ground.

4                   You have before you, as you mentioned, the  
5 Skills Development Funding Annual Report for FY 2018, which  
6 is required by the legislature and the governor. The report  
7 highlights the achievements of the Skills Development Fund  
8 in FY 2018 and meeting the customized training needs of  
9 businesses providing -- including providing equipment  
10 support for career and technical education dual-credit  
11 programs and supporting training for transitioning events.

12                   In FY 2018 through collaboration among  
13 businesses, public community and technical colleges, boards  
14 and economic development partners; the program funded 50  
15 grants that will serve 90 business and support the creation  
16 of over 4600 new jobs and 11,494 existing jobs to be  
17 trained, for a total of 16176 trainees.

18                   We thank our public community and technical  
19 colleges across the state, including the Texas A&M  
20 Engineering Extension Services, independent school  
21 districts, economic development partners and workforce  
22 development partners across the state for their contribution  
23 to skills programming FY 2018.

24                   We'd also like to thank your staff for their  
25 input on the annual report, as well as our team main members

1 across the state, across the agency, including our partners  
2 in the workforce development division; Christina Lamas,  
3 Jennifer Troke, Courtney Arbor, as well as the  
4 Communications Department for their input in laying out the  
5 final report.

6 We also -- finally, I would like to, you  
7 know, really in light of Mr. Temple's influence and  
8 direction over the many years, to dedicate this annual  
9 report in his memory. You know, Larry was a force behind  
10 the Skills Development Fund giving us direction and guidance  
11 and, you know, pretty much was, you know, led to the success  
12 of this program over the 20 plus years of his -- of its  
13 existence.

14 So, in conclusion, I am -- we're requesting  
15 your approval of the Skills Development Fund Annual Report  
16 for FY 2018, and when -- also with your permission to make  
17 any technical corrections necessary as prior to final  
18 submission of the report to the legislature or the governor.

19 CHAIR HUGHS: Thank you. Commissioner  
20 Alvarez, do you have any comments or questions?

21 COMM. ALVAREZ: No, I'm good. Great  
22 recommendation.

23 MR. ROBERTSON: Thank you.

24 CHAIR HUGHS: Commissioner Thomas?

25 COMM. THOMAS: No, thank you. Good job.

1 MR. ROBERTSON: Thank you.

2 CHAIR HUGHS: Thank you for this report.

3 It's very well presented and agree with all of your  
4 statements regarding the impact of the Skills Development  
5 Fund for our state and Larry's role in that.

6 MR. ROBERTSON: Thank you.

7 CHAIR HUGHS: Is there a motion?

8 COMM. ALVAREZ: I move that we approve Fiscal  
9 Year 2018 Skills Development Fund Annual Report with  
10 submissions to the Governor and the Texas Legislature as  
11 discussed and also with the recommendations that you've just  
12 shared with us.

13 COMM. THOMAS: Second.

14 MR. ROBERTSON: Thank you.

15 CHAIR HUGHS: Okay. We are unanimous. Thank  
16 you.

17 MR. ROBERTSON: Thank you.

18 AGENDA ITEM NO. 12

19 CHAIR HUGHS: Discussion, Consideration and  
20 Possible Action on the Submission of the 2018 Texas  
21 Workforce Commission Annual Report to the Governor and  
22 Legislature.

23 I understand that this item has been  
24 postponed by staff until next week.

25 AGENDA ITEM NO. 13



1 CHAIR HUGHS: That brings us to Item 13.  
2 Discussion, Consideration and Possible Action Regarding the  
3 Adoption of Final Rule Reviews Pursuant to Texas Government  
4 Code Section 2001.039, Relating to TAC Chapters 800, 801,  
5 803, 813, 815, and 843.

6 Good morning.

7 MR. VADEN: Good morning, commissioners. For  
8 the record, Jason Vaden, Workforce Division.

9 State agencies are required to review their  
10 rules every four years to determine if the rules are still  
11 needed.

12 On November 1st, 2018 you all approved the  
13 proposed rule review of eight chapters as set forth in your  
14 materials for publication in the Texas Register for a 30-day  
15 public comment period. No comments were received.

16 Staff have reviewed each of these chapters  
17 and have determined that each chapter is still needed. In  
18 accordance with the rule review requirements staff received  
19 some direction on the re-adoption of Chapters 800, 801, 803,  
20 813, 815, 817, 821 and 843.

21 Commissioners, this concludes my remarks and  
22 I'm happy to answer questions if you have any.

23 CHAIR HUGHS: Commissioners, any comments or  
24 questions? Okay, is there a motion?

25 COMM. THOMAS: Move to approve per staff's

1 recommendation.

2 COMM. ALVAREZ: I'll second that.

3 CHAIR HUGHS: We are unanimous. Thank you,  
4 Jason.

5 AGENDA ITEM NO. 14

6 CHAIR HUGHS: Item 14, Discussion,  
7 Consideration and Possible Action Regarding the Report  
8 Concerning the Effectiveness of the Child Care Program,  
9 Pursuant to Texas Labor Code Section 302.0043.

10 MS. VADEN: Again, for the record; Jason  
11 Vaden, Workforce Division.

12 By January 15th of each odd-numbered year the  
13 Commission is required to submit a report to the legislature  
14 on the effectiveness of the Child Care Program.

15 Texas Labor Code 302.0043 charges the agency  
16 with evaluating the effectiveness of the program in helping  
17 parents who receive subsidized child care to enter and  
18 maintain employment.

19 It also requires the agency to compile  
20 information regarding wages and employment status for  
21 parents receiving subsidized childcare to measure  
22 improvements in the training of childcare professionals, and  
23 facilitate collaboration with other state agencies.

24 Subsidized childcare provides vital support  
25 to both TANF and non-TANF families helping them enter and

1 remain in the Texas workforce.

2           For parents both receiving TANF and child  
3 care support in 2016, 85 percent found employment and for  
4 no-TANF working parents only receiving childcare support, 79  
5 percent maintained employment within the year. Those were  
6 both increases from 2015.

7           The report also highlights collaboration  
8 efforts with other state agencies, identifies several key  
9 program initiatives, and includes required wage and  
10 employment information as directed by statute.

11           Today we're seeking your direction on  
12 approval of the Childcare Effectiveness Reports as -- for  
13 submission to the Texas Legislature -- um, wow. That --  
14 that concludes my remarks, commissioners. I'm happy to  
15 answer questions if you have any.

16           CHAIR HUGHS: That's not a buzzer. All  
17 right, Commissioners, are there any questions or comments on  
18 this item?

19           COMM. THOMAS: I have no questions or  
20 comments. I have no questions or comments.

21           COMM. ALVAREZ: Neither do I.

22           CHAIR HUGHS: Is there a motion?

23           COMM. ALVAREZ: I move that we approve the  
24 reports that are recommended by staff.

25           COMM. THOMAS: Second.

1 CHAIR HUGHS: We are unanimous. I believe  
2 the microphone is acting up, but I'll try to get through it  
3 and turn it off in between.

4 AGENDA ITEM NO. 15

5 CHAIR HUGHS: Item 15, Discussion,  
6 Consideration and Possible Action Regarding Approval of  
7 Local Workforce Development Board Nominees.

8 MR. BELL: Good morning, Madam Chair,  
9 Commissioners, MR. Serna. Cameron Bell, Workforce  
10 Development Division. Happy New Year.

11 CHAIR HUGHS: Happy New Year.

12 COMM. THOMAS: Happy New Year.

13 MR. BELL: Thank you. Before you for  
14 approval are Workforce Development Board nominations for  
15 Workforce Solutions Borderplex, Deep East Texas, East Texas,  
16 Greater Dallas, Middle Rio Grande, North Texas, Central  
17 Texas, Capital -- excuse me, Rural Capital Area and South  
18 Plains.

19 CHAIR HUGHS: Thank you. Commissioners, are  
20 there any questions or comments?

21 COMM. THOMAS: Only to please have -- sorry.  
22 Go ahead, Julian.

23 COMM. ALVAREZ: Oh, no question.

24 COMM. THOMAS: I was just going to say only  
25 to please communicate to these folks thankful -- our

1 thankfulness for their willingness to serve.

2 CHAIR HUGHS: Absolutely. Is there a motion?

3 COMM. THOMAS: I move to approve per staff's  
4 recommendation.

5 COMM. ALVAREZ: I'll second that.

6 CHAIR HUGHS: All right, we are unanimous.

7 Thank you.

8 MR. BELL: Thank you.

9 AGENDA ITEM NO. 16

10 CHAIR HUGHS: Item -- there's nothing for  
11 Item 16.

12 AGENDA ITEM NO. 17

13 CHAIR HUGHS: Item 17, Discussion,  
14 Consideration and Possible Action Regarding Guidance on  
15 resources Utilization and Implementation of Services and  
16 Strategies, Including Those Funded with the Department of  
17 Labor's Disaster Dislocated Worker Grant, in Response to  
18 Hurricane Harvey, TX-32 Disaster Hurricane Harvey New  
19 Funding Request.

20 MS. TROKE: Good morning, Chair Hughs,  
21 commissioners and MR. Serna.

22 For the record, Jen Troke, Workforce  
23 Development Division.

24 For your consideration today is a discussion  
25 paper on a new funding request for boards impacted by

1 Hurricane Harvey.

2 To date TWC has approved and awarded grants  
3 totaling 22,950,000 to seven local boards to serve  
4 individuals impacted by Hurricane Harvey.

5 TWC and boards have been in frequent contact  
6 throughout the grant period to determine when additional  
7 funds might be needed to continue providing services,  
8 including temporary employment. These resources support a  
9 wide variety of jobs and long-term economic recovery  
10 including cleanup and humanitarian efforts.

11 Today I'm bringing forward to funding  
12 requests from Gulf Coast and Coastal Bend boards who are  
13 requesting additional funds to continue implementing  
14 Dislocated Worker Grant funded strategies.

15 Should you approve these requests the  
16 remaining unobligated balance in the Harvey Disaster  
17 Dislocated Worker Grant will be roughly 25,000. We're  
18 working closely with all of the Harvey-impacted boards on  
19 expenditure projections through the end of the grant, which  
20 is September 30, 2019.

21 Based on these projections we're also seeking  
22 your approval to request an additional \$5-million from  
23 Department of Labor along with a 3-month period of  
24 performance extension to ensure that all of the 700 plus  
25 participants who are currently working on Harvey projects

1 are able to complete their work successfully.

2 Staff seeks your direction on the following:

3 One, approval of an incremental increase for Gulf Coast  
4 Board in the amount of \$2.5-million and approval of \$1-  
5 million for Coastal Bend Board. Two, approval to move  
6 forward in requesting an additional \$5-million from  
7 Department of Labor and a 3-month period of performance  
8 extension taking the grant through December 31st, 2019 to  
9 ensure all programmatic needs are met.

10 Do you have any questions I might answer?

11 CHAIR HUGHS: All right, three no's. Is  
12 there a motion on the two requests?

13 COMM. THOMAS: Motion to approve per staff  
14 recommendations both points one and point two.

15 COMM. ALVAREZ: I'll second that.

16 MS. TROKE: Thanks.

17 CHAIR HUGHS: Thank you. We are unanimous.

18 MS. TROKE: Thank you.

19 AGENDA ITEM NO. 18

20 CHAIR HUGHS: There's nothing for Item 18.

21 AGENDA ITEM NO. 19

22 CHAIR HUGHS: Are there, on Item 19, are  
23 there any updates regarding enacted, proposed or considered  
24 federal or state legislation?

25 MR. McCARTY: Good morning, Commissioners,

1 and happy New Year. Thomas McCarty with External Relations.

2 Last Thursday the 116th Congress convened.  
3 Congresswoman Nancy Pelosi was elected Speaker of the House  
4 and Senator Mitch McConnell retained his position as Senate  
5 Majority Leader. The new Congress is continuing to work  
6 towards a resolution to the partial government shutdown that  
7 began on the 21st.

8 The House passed HR 21, the Consolidated  
9 Appropriations Act of 2019, last Thursday. The Senate has  
10 not brought it up for consideration.

11 Also being considered by Congress is a  
12 continuation of the TANF program. It is still expected that  
13 this will be included in legislation that will continue  
14 government funding.

15 Regarding the Texas Legislature, the 86th  
16 Legislature convenes today, and after it does will have 139  
17 days left before they sine die.

18 That concludes my remarks and I'm happy to  
19 answer any questions you have.

20 COMM. THOMAS: So what are you trying to say?

21 MR. McCARTY: Just looking forward.

22 COMM. THOMAS: Always planning ahead.

23 MR. McCARTY: Yes, sir.

24 COMM. THOMAS: All right.

25 CHAIR HUGHS: Thank you, Tom.



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AGENDA ITEM NO. 20

CHAIR HUGHS: And are there any updates under Item 20?

MR. SERNA: Just one thing very quickly. First of all, I want to join the Commissioners in expressing our grief at the loss of Larry, but I also wanted to assure the Commissioners that the Agency will continue to move forward.

There was -- Larry left a really good legacy that, of course, we'll want to continue to build on, and there are a lot of things that we'll continue to do. So I don't want any of y'all to think that we're going to be gridlocked or in any way slow down, especially with the session coming up.

And to that point I did want to mention that with regard to the federal shutdown, and each of your offices should have received an update from Clay, but with regard to federal shutdown, we've processed a little bit over 1800 applications for unemployment insurance, and that's just an example of how we'll continue to -- continue to do our job and move forward. So that's all I have now.

CHAIR HUGHS: Thank you. Commissioners, are there any comments or questions for Ed?

COMM. THOMAS: Yes. First, tell Clay -- Clay, congratulations and good job. Difficult period and

1 you always step up, so congrats on that.

2 Ed, in light of the -- all of the rule  
3 reviews that we've just went through, I really appreciate  
4 your staff and the hard work they did to -- to do that, as  
5 well as to get us up to speed.

6 In light of the Governor's expressed intent  
7 that we continue to do those things, and my new position on  
8 the agency, I was hoping for an update and report on the  
9 staff's efforts to look at additional approaches we're  
10 taking to review our extensive rules to reduce unnecessary  
11 or administrative burdens associated with our rules.

12 MR. SERNA: Yes, sir.

13 COMM. THOMAS: Thank you.

14 CHAIR HUGHS: Thank you, Ed, for your  
15 comments. I know you're going to continue to keep us  
16 updated during the federal shutdown on any taxable program.

17 AGENDA ITEM NO. 21

18 CHAIR HUGHS: So with that we're now going to  
19 go into executive session under Government Code 551.07481,  
20 to discuss the appointment, employment, evaluation,  
21 reassignment, duties, discipline or dismissal of the  
22 Executive Director, Internal Auditor, executive staff and  
23 other personnel. Thank you.

24 (Off record)

25 CHAIR HUGHS: All right. We are back in

1 session. We have -- I'm going to take one moment.

2 Okay. All right, we're back from executive  
3 session and we have a motion.

4 COMM. THOMAS: Move to appoint Ed Serna our  
5 Interim Executive Director, and we instruct staff to proceed  
6 with raising his compensation consistent with prior  
7 practices, consistent with the compensation that would be  
8 afforded our Executive Director.

9 COMM. ALVAREZ: I'll second that.

10 CHAIR HUGHS: We are unanimous.

11 MR. SERNA: I appreciate it. Thank you.

12 CHAIR HUGHS: Thank you.

13 COMM. ALVAREZ: Congratulations, Ed.

14 COMM. THOMAS: Thank you, Ed.

15 CHAIR HUGHS: Thank you.

16 AGENDA ITEM NO. 22

17 CHAIR HUGHS: Is there a motion to adjourn?

18 COMM. THOMAS: So moved.

19 COMM. ALVAREZ: I'll second that. Third.

20 CHAIR HUGHS: Thank you, we are adjourned.

21 (Proceedings concluded at 10:39:40 a.m.)  
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C E R T I F I C A T E

STATE OF TEXAS        )  
COUNTY OF TRAVIS    )

I, Kimberly C. McCright, Certified Vendor and Notary in and for the State of Texas, do hereby certify that the above-mentioned matter occurred as hereinbefore set out.

I FURTHER CERTIFY THAT the proceedings of such were reported by me or under my supervision, later reduced to typewritten form under my supervision and control and that the foregoing pages are a full, true and correct transcription of the original notes.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 22nd day of January, 2018.

/s/ Kimberly C. McCright  
Kimberly C. McCright  
Certified Vendor and Notary Public

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