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TRANSCRIPT OF PROCEEDINGS  
BEFORE THE  
TEXAS WORKFORCE COMMISSION  
AUSTIN, TEXAS

PUBLIC MEETING )  
FOR THE TEXAS )  
WORKFORCE COMMISSION )

COMMISSION MEETING  
WEDNESDAY, APRIL 3, 2019

BE IT REMEMBERED THAT at 9:00 a.m. on  
Wednesday, the 3rd day of April, 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

WEDNESDAY, APRIL 3, 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, there's not.

CHAIR HUGHS: All right, thank you. 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 Tax Liability Cases and Reconsideration of Unemployment Compensation Cases, Wage Claim Cases, and/or Tax Liability Cases, if Any.

No Discussion.

AGENDA ITEM NO. 4

Discussion, Consideration and Possible Action Regarding Tax Liability Cases Listed on the Texas Workforce Commission Dockets 13 and 14.

1                   The Commission considered and took action on  
2 all tax liability cases listed on Dockets 13 and 14.

3                                   AGENDA ITEM NO. 5

4                   Discussion, Consideration and Possible Action  
5 Regarding Fair Housing Cases listed on the Texas Workforce  
6 Commission Dockets 13 and 14.

7                   No Discussion.

8                                   AGENDA ITEM NO. 6

9                   Discussion, Consideration and Possible Action  
10 Regarding Higher Level Appeals in Wage Claim Cases Listed on  
11 the Texas Workforce Commission Dockets 13 and 14.

12                   The Commission considered and took action on  
13 all wage claim cases listed on Dockets 13 and 14.

14                                   AGENDA ITEM NO. 7

15                   Discussion, Consideration and Possible Action  
16 Regarding Higher Level Appeals in Unemployment Compensation  
17 Cases Listed on the Texas Workforce Commission Dockets 13  
18 and 14.

19                   The Commission considered and took action on  
20 all unemployment compensation cases listed on Dockets 13 and  
21 14.

22                                   AGENDA ITEM NO. 8

23                   CHAIR HUGHS: All right, this meeting is back  
24 in session. Item 8, Discussion, Consideration and Possible  
25 Action Regarding an Order to Adopt Additional Fiscal Year

1 2019 SNAP E&T Applications to the Local Workforce  
2 Development Areas. Randy Townsend.

3 MR. TOWNSEND: Good morning Chair Hughs,  
4 commissioners. For the record, Randy Townsend, Chief  
5 Financial Officer.

6 Presenting this morning for your  
7 consideration a Fiscal Year 2019 Supplemental Allocation for  
8 the Supplemental Nutrition Assistance Program Employment  
9 Training, known as SNAP E&T. Just a little background; our  
10 SNAP E&T program prepares our SNAP recipients for employment  
11 through work-related education and training activities. The  
12 SNAP program, the employment training program, also assists  
13 in the -- in the SNAP recipients receiving employment.

14 Back in September 2018 the commissioners  
15 approved an allocation for the SNAP E&T of just under \$13-  
16 million, and then also, at that time, we had an estimate for  
17 our ABAWD funding, that's our Able Bodied Adults Without  
18 Dependents, of about \$3.8-million, and that has now been  
19 updated by -- with the known amount of being just under 4.9-  
20 million. That's all been included in contract with the  
21 board.

22 But this morning what I wanted to talk about  
23 is I'll present to you is that we've been notified by the  
24 food and nutrition services through Department of  
25 Agriculture about additional funding, 905,673 is additional

1 that's been made known to us recently, and then in addition,  
2 after we were going through the -- our information, we  
3 discovered that we had not -- we had failed, and this is a  
4 mistake on our part we need to -- we will correct for the  
5 future. We had failed to identify almost 1.5-million  
6 available, 100 percent SNAP E&T funds, that needs to be  
7 allocated as well.

8           So this morning for your consideration those  
9 two amounts combined would be increasing the 2019 allocation  
10 for SNAP E&T by 2,395,574 with your approval, to allocate  
11 those funds to each of the 28 workforce areas based on their  
12 percent of mandatory work registrants, we would get that  
13 into contract and increase those allocations for the  
14 remainder of this year.

15           If you have questions or comments.

16           CHAIR HUGHS: Thank you, Randy.

17           Commissioners, are there any comments or questions?

18           COMM. ALVAREZ: No, ma'am.

19           CHAIR HUGHS: Is there a motion?

20           COMM. ALVAREZ: I move that we allocate the  
21 additional 2 point -- \$2,395,574 in SNAP ET -- E&T funds to  
22 boards in Fiscal Year 2019 as recommended by staff.

23           COMM. THOMAS: Second.

24           CHAIR HUGHS: All right, we are unanimous.

25           Thank you.

1 MR. TOWNSEND: Thank you, Commissioner.

2 AGENDA ITEM NO. 9

3 CHAIR HUGHS: There is nothing for Item 9.

4 AGENDA ITEM NO. 10

5 CHAIR HUGHS: Item 10, Discussion,  
6 Consideration and Possible Action Regarding New  
7 Certification and Re-Certification of Community  
8 Rehabilitation Programs to Participate in the Purchasing  
9 from People with Disabilities State-Use Program. Kelvin  
10 Moore, good morning.

11 MR. MOORE: Good morning Chair,  
12 commissioners, Mr. Serna. For the record, my name's Kelvin  
13 Moore, Program Manager, Purchasing from People with  
14 Disabilities Program at the Texas Workforce Commission.

15 We have before you Agenda Item 10, the new  
16 certification of one community rehabilitation program, Hope  
17 Academy of Fort Worth, in Fort Worth, Texas. And the  
18 recertification of five community rehabilitation programs:  
19 Janie Clements Industries for Life Resources, Brownwood,  
20 Texas. The EB Foundation Incorporated, Corpus Christi,  
21 Texas. Goodwill Industries of East Texas in Tyler, Texas.  
22 A Lift for Life Outreach Center, Dallas, Texas. Marion Moss  
23 Enterprise, Lubbock, Texas.

24 Staff has reviewed all the materials  
25 presented by the CRPs. In addition, we worked with our



1 central non-profit agency. Staff recommends certification  
2 of these CRPs.

3 CHAIR HUGHS: Thank you. Commissioners, are  
4 there comments or questions?

5 COMM. THOMAS: No, ma'am.

6 COMM. ALVAREZ: No comment.

7 CHAIR HUGHS: Commissioner?

8 COMM. THOMAS: Kelvin, thank you so much for  
9 your hard work.

10 MR. MOORE: Mm-hmm, sure.

11 COMM. THOMAS: Working closely with my  
12 office, in particular Kim, I know you've worked really  
13 closely with her. There is a great desire that we work to -  
14 - with our -- the great work of our nonprofit partners in  
15 this program that we ensure that the benefits that they're  
16 providing to their families continue to -- that the work  
17 program continue to meet the needs of those families.

18 We're aware that both the House and the  
19 Senate have filed legislation this session looking at these  
20 kinds of issues. Our specific request, and my specific  
21 request, is that we continue to work with our CRPs, our  
22 central nonprofit, our employers and our families to do  
23 everything that we can to improve the wages for these  
24 individuals working in Texas. So, any help and assistance  
25 you can give and ensuring that we're doing what we can

1 through our agency subject to whatever direction we get from  
2 the legislature.

3 MR. MOORE: Yes, sir. Thank you. We will be  
4 working with our central nonprofit agency to make those  
5 things happen.

6 CHAIR HUGHS: Thank you, Commissioner Thomas.  
7 We're all in agreement on that. Is there a motion on this  
8 item?

9 COMM. THOMAS: With that, I move to approve  
10 the new certification of one CRP, and re-certification of  
11 four CRPs to participate in the Statue-Use Works Wonders  
12 program.

13 COMM. ALVAREZ: I'll second that.

14 MR. MOORE: That's five CRPs.

15 CHAIR HUGHS: There are five.

16 COMM. THOMAS: I'm sorry, correction, five.  
17 Five, yes.

18 MR. MOORE: Yes.

19 COMM. THOMAS: Yes, five.

20 COMM. ALVAREZ: With the correction to five  
21 I'll agree to that as well.

22 MR. MOORE: All right, thank you.

23 CHAIR HUGHS: thank you, we are unanimous.

24 AGENDA ITEM NO. 11

25 CHAIR HUGHS: Item 11, Discussion,

1 Consideration and Possible Action Regarding Approval of  
2 Products Offered by Certified Community Rehabilitation  
3 Programs Under the Purchasing from People with Disabilities  
4 State-Use Program.

5 MR. MOORE: Yes. For the record again, My  
6 name's Kelvin Moore, Program Manager, Purchasing from People  
7 with Disabilities Workforce Commission.

8 We have before you Agenda Item 11, the  
9 listing of nine new products that are being offered by four  
10 community rehabilitation programs through the State Use  
11 Works Wonders Program. Staff has recommended approval of  
12 all nine products.

13 CHAIR HUGHS: Commissioners, are there any  
14 comments or questions on this item?

15 COMM. ALVAREZ: No, Madam Chair.

16 COMM. THOMAS: No, Madam Chair.

17 CHAIR HUGHS: Okay. Is there a motion?

18 COMM. ALVAREZ: I move that we approve new  
19 product purchasing from CRPs as recommended by staff.

20 COMM. THOMAS: Second.

21 CHAIR HUGHS: We are unanimous. Thank you.

22 AGENDA ITEM NO. 12

23 CHAIR HUGHS: That brings us to Item 12,  
24 Discussion, Consideration and Possible Action Regarding  
25 Approval of Services Offered by Certified Community

1 Rehabilitation Programs Under the Purchasing from People  
2 with Disabilities State-Use Program. Howard Joseph.

3 MR. JOSEPH: Good morning, Chair Hughs,  
4 Commissioner Alvarez, Commissioner Thomas, Commissioner  
5 Serna. For the record, my name is Howard Joseph, Program  
6 Manager, Purchasing From People With Disabilities Program.

7 I have before you Agenda Item number 12 for  
8 the approval of services. In regard to services there are  
9 27 contracts completed under temporary authority employing  
10 103 individuals being paid above minimum wage. There are  
11 175 new and renewal contracts employing 704 individuals  
12 being paid at or above minimum wage. There are 7  
13 transferred contracts employing 27 individuals, all are paid  
14 above minimum wage.

15 Staff recommends approval of all service  
16 contracts. I'll be happy to answer any questions.

17 CHAIR HUGHS: Thank you. Are there any  
18 questions, or a motion?

19 COMM. THOMAS: I move to approve service  
20 contracts under the State-Use Program as recommended by  
21 staff.

22 COMM. ALVAREZ: I'll second that.

23 MR. JOSEPH: Thank you.

24 CHAIR HUGHS: We are unanimous.

25 MR. JOSEPH: Thank you.

1                   COMM. ALVAREZ: Thank you, Howard.

2                   COMM. THOMAS: I saw you pausing over there  
3 to give me a second, commissioner.

4                   COMM. ALVAREZ: I have that lazy eye, man.

5                                   AGENDA ITEM NO. 13

6                   CHAIR HUGHS: Item 13, Discussion,  
7 Consideration and Possible Action Regarding Statewide  
8 Initiatives Funded with Workforce Investment Opportunity  
9 Act, Temporary Assistance for needy Families, Adult  
10 Education and Literacy, Child Care or Other State Level  
11 Funds--High Concentrations of Youth Project. You do not  
12 look like Jason Vaden, so good morning, Courtney Arbour.

13                   MS. ARBOUR: Good morning, Chair Hughs,  
14 Commissioner Alvarez, Commissioner Thomas, Mr. Serna. I'm,  
15 in fact, Courtney Arbour, with the Workforce Division.

16                                   Workforce Investment and Opportunity Act  
17 Youth Funds are intended to serve youth aged 16 to 24 who  
18 have barriers to employment and to ensure that quality  
19 services are provided to them.

20                                   Given the strong economy in Texas and the low  
21 unemployment rate, we've had -- we've seen and heard a lot  
22 about individuals, including youth, who aren't connected to  
23 the workforce. And we've been thinking of ways to help  
24 prepare and connect them to employment.

25                                   With WIOA funds youth can receive, in

1 addition to other services and support services, assistance  
2 reaching their highschool equivalency, career and technical  
3 training, or other post-secondary education. Some areas of  
4 the state have significant concentrations of youth who are  
5 disconnected from employment and education opportunities.  
6 These services that are presented in the discussion paper  
7 that you've been briefed on, provide opportunities for them  
8 in employment to connect them to demand occupations in their  
9 local workforce areas.

10 So staff is seeking guidance today in  
11 distributing \$2.2-million in funding to five boards with the  
12 greatest percentages of dropouts in unemployment insurance  
13 claimants under age 24. With this initiative boards would  
14 be required to partner with other local community-based  
15 programs who can assist with recruitment and other types of  
16 wrap-around services in order to provide services to these  
17 youths. So, with that, I'm happy to answer any questions.

18 CHAIR HUGHS: Commissioners, are there any  
19 questions or comments on this item?

20 COMM. THOMAS: I have a couple comments and a  
21 request, colleagues. I am exceedingly supportive of this.  
22 I want to let staff and Mr. Serna know that this is  
23 absolutely outstanding work. This was unbelievably  
24 responsive to legislative and senate -- particularly senate  
25 inquiry, and the work that you all did to get -- dig into

1 our data, to analyze our options and look for ways that we  
2 can make a great -- bigger impact are simply outstanding.  
3 Nothing but kudos.

4           When I started looking at the data you all  
5 were giving me and looking at some of the demographics, I  
6 realized that particularly given some comments from Senator  
7 West and others, that the opportunity to make a significant  
8 and meaningful impact on our largest areas, particularly  
9 given that financially we had the opportunity to make it dig  
10 deeper allowed us to add a couple of more workforce boards.  
11 So, colleagues, my request to you, and I hope that you will  
12 support me, is that we dug deeper to pick up some other  
13 areas, and particularly areas that are recognized as having  
14 some socio-demographic issues, which are particularly  
15 challenging. And pointing to the distribution that you'll  
16 see that the staff were able to show that we could look at  
17 assisting additional populations with nominal -- literally  
18 less than, in instances, 18, 19, 21, less than \$3000 total  
19 impact. The point was to be able to reach more people on  
20 the -- what's distributed under the five, versus if we add  
21 the additional three, is negligible.

22           So, the ability for us to gather data, I  
23 understand we're going to work closely with Adam to develop  
24 strong metrics to maybe able to capture information of  
25 whomever, I guess our IT folks, to capture really good,

1 strong metrics. We needed some additional data points to be  
2 able to capture information, statically significant  
3 hopefully, on our greatest geographic areas. Because it's  
4 going to be my hope that we're going to come back to this  
5 and seek additional funding and possibly make this a bigger  
6 program. Potentially in the next session seeking additional  
7 assistance from the legislature. So, my request is that we  
8 add Central Texas, Upper Rio Grande, and Capital Area to  
9 this funding -- to this funding opportunity to try to  
10 address these young people who have, quite frankly, been  
11 many since -- forgotten by many folks in our community.

12 CHAIR HUGHS: All right. Thank you for that,  
13 Commissioner Thomas. Certainly think that the investment in  
14 these types of programs, as much of it as we can do in as  
15 many places as it can be helpful, are well worth our effort.  
16 I appreciate that this initiative specifically requires the  
17 boards to produce outcomes. So general concept that I'm in  
18 support of. Certainly want to try to better understand  
19 these numbers. Is this something that you have a copy of as  
20 well, Ms. Arbour? The sheet?

21 MS. ARBOUR: I do.

22 CHAIR HUGHS: Okay.

23 MS. ARBOUR: I do.

24 CHAIR HUGHS: So, the percent of total  
25 dropouts why -- so Gulf Coast, for -- taking that as an



1 example, it says 44.5, and then the letter it says 38.8.  
2 Does that mean that the five board will receive or impact  
3 less, or what does that mean?

4 MS. ARBOUR: To help describe this, the top  
5 five and then the bottom eight, if you add up the percent  
6 total, you'll get to 100 each time. The idea there is to  
7 show you, if you look at five, the percent of the dropouts  
8 in claimants in the board area that make up this group. If  
9 you look at the eight, Gulf Coast then has 38.8 percent of  
10 the dropouts in claimants of the eight boards that are  
11 listed here. So that's why it changed from 44-1/2 to 38.8.  
12 But it's still in ranked order of -- this still ranks by the  
13 boards in terms of the percentages of claimants and dropouts  
14 in their local area.

15 CHAIR HUGHS: Okay.

16 MR. SERNA: Madam Chair just -- and I know  
17 you understand this, because Courtney did a good job  
18 explaining it, but it's not a -- it's not a reduction in the  
19 population served. It simply changes what that particular -  
20 - using Gulf Coast as the example, what that particular  
21 board's population is of the now served total population.

22 CHAIR HUGHS: Okay.

23 MR. SERNA: So, but it's still the same  
24 number of people that we would be serving in either  
25 situation.

1 CHAIR HUGHS: Okay, so it doesn't dilute the  
2 other per the initial five boards that staff identified as  
3 needing that concentrated effort.

4 MR. SERNA: No. No, ma'am. Not at all.

5 CHAIR HUGHS: That's what I wanted to  
6 confirm. So, it's good to hear.

7 MS. ARBOUR: And to confirm, when we ran the  
8 numbers the second time for Commissioner Thomas, we made  
9 sure that the amounts initially planned for the five stayed  
10 at or above when we looked that three boards, so that the  
11 amount that was originally considered would not be reduced  
12 by adding any additional boards. And that's how we reached  
13 the 550,000 in additional funding to add Central, Upper and  
14 Capital.

15 CHAIR HUGHS: Okay. Commissioner Alvarez, do  
16 you have any comments or questions?

17 COMM. ALVAREZ: Yes. I have a comment. So,  
18 on March 25 of 2019 both you and Ed had been in my office  
19 regarding this initiative, and I love the initiative, so I  
20 just want you to know that Commissioner Thomas and Chair  
21 Hughs.

22 One of the things that I am concerned with,  
23 though, is if we -- and I think we discussed this on the  
24 25th, that when we start looking at these grants, and  
25 especially the population that we're looking at here, youth

1 and needing the assistance, I love the fact that you're  
2 using the focusing on individuals with barriers to  
3 employment, people with a disability, those people out of  
4 foster care or transitioning foster youths.

5           What I do like is, again, I love this whole  
6 concept. And I have no problem even funding additional  
7 workforce boards. But what I would like for you to consider  
8 is the -- whenever we start looking at these types of  
9 initiatives, that we also incorporate poverty in rural areas  
10 specifically to address others. Because I'm noticing that  
11 these boards continue to receive the same funding, and I'm  
12 not sure what we're using to -- what are we using on the  
13 description.

14           But, again, Gulf Coast seems to always be --  
15 and probably well intended, but there are some boards that  
16 I've seen that have not been on the receiving end, and I'm  
17 not sure exactly why, but I would like to use, you know,  
18 unemployment, poverty rate, and, of course, rural  
19 communities as we've defined earlier in the year.

20           I'd also want to make sure that our workforce  
21 boards, those that are awarded, also work with our nonprofit  
22 partners and those on the eligible training provider list.  
23 Am I correct that they would be eligible to receive funding  
24 for this?

25           MS. ARBOUR: Yes, with the WIOA funding the

1 boards would be providing funding training for programs on  
2 the eligible training provider list. And others, but the  
3 funds are directed toward the providers on that list.

4           COMM. ALVAREZ: Well, again, I want to thank  
5 you for coming by the office last week, you and Ed, and  
6 explaining this to me. I think it's a great initiative and  
7 thank you for that.

8           MR. SERNA: Commissioner Alvarez, just as a  
9 point of clarification, one of the things that we've talked  
10 about -- I've talked about with staff, or that we, staff and  
11 I, have talked about. Is looking at the criteria that we're  
12 -- that we're using when we make some of these  
13 recommendations to the commission, so that we can look at  
14 other factors that are very valuable to us to be able to  
15 target where we're applying the funds to the most -- not the  
16 most, but the most needy areas with broader -- with a  
17 broader number of factors.

18           One of the things that we mentioned before  
19 was that we wanted to start making proposals to you that --  
20 to you, the commissioner -- the commission that we're more  
21 targeted. Very specific areas versus just a broad brush,  
22 without diluting what we're doing, which are very clear from  
23 the Chair and the commission, so we'll continue to do that,  
24 sir.

25           COMM. ALVAREZ: Thank you, Mr. Serna, and

1 thank you, board.

2 CHAIR HUGHS: So, with that, and thank you  
3 for the explanation and for sharing this breakdown. It  
4 makes it easier to make decisions without further briefing  
5 afterwards, which sometimes we do require when we're  
6 changing numbers greatly and particularly using more  
7 funding. But I think in this case it makes sense and it's  
8 reasonable given the parameters that we're trying to  
9 address. So, with that, would you like to make a motion?

10 COMM. THOMAS: Yes, Madam Chair. I don't  
11 know if you were planning on making a motion, man.

12 COMM. ALVAREZ: Don't be making any backflips

13 COMM. THOMAS: You guys just gave me the  
14 first chance to bring something.

15 COMM. ALVAREZ: Yes, yes.

16 COMM. THOMAS: I'm really excited, so thank  
17 you both. I appreciate my colleagues. With that, I move to  
18 -- where is my language? I move to approve the distribution  
19 of 2.75-million in statewide WIOA funds for the 8 Texas  
20 local workforce development boards with the highest number  
21 of dropouts in unemployment claims under age 24 to provide  
22 enhanced employment and training services targeting the high  
23 concentrations of out-of-school youth without a secondary  
24 school diploma, or recognized equivalent in the these  
25 Workforce areas with the understanding that we will develop

1 the program associated with core metrics to be able to  
2 evaluate and analyze this to be able to follow then our  
3 guidance from our chair and Commissioner Alvarez.

4 COMM. ALVAREZ: Is that money to do with the  
5 other boards? The 2.7?

6 MS. ARBOUR: The 2.7 would --

7 COMM. ALVAREZ: Okay.

8 MS. ARBOUR: Would fund the eight boards,  
9 reflected in the second table there.

10 COMM. THOMAS: 2.75.

11 COMM. ALVAREZ: Perfect. I'm okay with that.  
12 I'll second that.

13 COMM. THOMAS: Just real quick clarification,  
14 Commissioner Alvarez, I have --

15 MS. ARBOUR: Sir, excuse me, 2.75.

16 COMM. THOMAS: 2.75-million. I apologize.

17 COMM. ALVAREZ: Okay, I'll give you that  
18 extra five. That's fine. I'll second that.

19 CHAIR HUGHS: All right, we are unanimous,  
20 thank you.

21 MS. ARBOUR: Thank you.

22 COMM. THOMAS: Thank you guys very much.

23 AGENDA ITEM NO. 14

24 CHAIR HUGHS: So, Item 14, Discussion,  
25 Consideration and Possible Action Regarding the Acceptance

1 of Pledges for Board Contract Year 2019 Child Care Matching  
2 Funds. Travis Weaver. Good morning.

3 MR. WEAVER: Good morning Chair Hughs,  
4 commissioners. For the record, Travis Weaver, Workforce  
5 Division.

6 Annually, local workforce development boards  
7 submit local match pledges to secure federal childcare funds  
8 pursuant to Commission Rule 800.73 from October through  
9 January 31st of any given year. All boards, as well as the  
10 state, have secured local match for BCY 19. Today two  
11 boards have submitted BCY 19 Child Care Local Match  
12 Agreements, as a cushion, in the event their local provider  
13 partners, or others throughout the state, fall short in  
14 providing certifications.

15 Today staff requests Commission acceptance of  
16 child care pledges for donations, transfers, and  
17 certifications of expense in the amount of \$178,500.

18 CHAIR HUGHS: Thank you. Are there any  
19 comments or questions?

20 COMM. THOMAS: No, Madam Chair.

21 CHAIR HUGHS: All right, is there a motion?

22 COMM. ALVAREZ: I move that we accept child  
23 care match in the amount of 178,500 for Board Contract Year  
24 2019.

25 COMM. THOMAS: Second.

1 CHAIR HUGHS: We are unanimous. Thank you.

2 MR. WEAVER: Thank you.

3 AGENDA ITEM NO. 16

4 CHAIR HUGHS: There is nothing for Item 15.  
5 Item 16, Discussion, Consideration and Possible Action  
6 Regarding the use of Child Care Development Funds for  
7 Statewide Expansion of the Texas Early Childhood  
8 Professional Development System Workforce Registry. Allison  
9 Wilson. Good morning.

10 MS. WILSON: Good morning Chair,  
11 commissioners and Mr. Serna. For the record, Allison  
12 Wilson, Workforce Division.

13 On August 19, 2016 the commission approved  
14 250,000 for the University of Texas Health Science Center's  
15 Children's Learning Institute to develop and pilot the Texas  
16 Workforce Registry, an expansion of the web-based Texas  
17 Early Childhood Professional Development System.

18 From February 2017 through August 2018 CLI  
19 worked with Workforce Solutions of Tarrant County to pilot  
20 the implementation of the Workforce Registry. Following the  
21 pilot 90 percent of surveyed pilot participants indicated  
22 that the Workforce Registry will be useful to track  
23 educational growth and to increase professionalism in early  
24 childhood.

25 Statewide expansion of the registry will



1 support early childhood professionals in all areas of the  
2 state to conveniently track their experience, education and  
3 training in a way that is portable across employers.  
4 Statewide expansion will also support childcare providers by  
5 modernizing record -- required record keeping, reducing  
6 administrative costs, and increasing management efficiency.

7 Robust validation of professional development  
8 activities will also ensure auditability and quality of the  
9 training received.

10 Additionally, statewide implementation will  
11 allow TWC to monitor progress of planned quality investments  
12 in professional development and respond to new reporting  
13 requirements in the recently revised federal quality  
14 progress report.

15 Staff recommends directing up to \$800,000 to  
16 Children's Learning Institute across Fiscal Years '19 and  
17 '20 to support statewide implementation of the -- and the  
18 maintenance of the Workforce Registry and related technology  
19 enhancements. And I would be glad to answer any questions  
20 you may have.

21 CHAIR HUGHES: Any questions? All right. I  
22 just want to thank you and staff for the work that's been  
23 done on this and for the information you provided to my  
24 office to seek further clarification. So is there a motion  
25 on this?

1                   COMM. ALVAREZ: I move that we approve a  
2 total of \$800,000 in Child Care Development Funds; 600,000  
3 for Fiscal Year 2019 and 200,000 for Fiscal Year 2020, which  
4 will allow the Children's Learning Institute to continue  
5 working to support the Texas Workforce Registry Statewide  
6 implementation, maintenance and related enhancements.

7                   COMM. THOMAS: Second.

8                   CHAIR HUGHS: We are unanimous. Thank you.

9                                   AGENDA ITEM NO. 17

10                   CHAIR HUGHS: Item 17, Discussion,  
11 Consideration and Possible Action Regarding a Request for  
12 Reallocation of Child Care Development Funds Pursuant to 40  
13 Texas Administrative Code Section 800.51(f).

14                   MS. WILSON: The Dallas County Local  
15 Workforce Development Board has requested that the  
16 commission exercise its authority as provided in TWC's  
17 General Administration Rules, Texas Administrative Code  
18 Section 800.51(f) to modify the board's Fiscal Year 2019  
19 Child Care Grant to ensure full utilization of funds in  
20 compliance with the state and federal requirements. Staff  
21 recommends modification of the Dallas County Local Workforce  
22 Development Board Child Care Development Funds allocation to  
23 add \$5,032,684.72 to the board's Fiscal Year 2019 Child Care  
24 Grant.

25                   I'm happy to answer any questions you have.

1 CHAIR HUGHS: Commissioners, are there any  
2 questions or a motion on this item?

3 COMM. THOMAS: No, ma'am.

4 CHAIR HUGHS: Okay. I'll take a motion then.

5 COMM. THOMAS: I move to approve the  
6 modification of the Dallas County Local Workforce  
7 Development Board Child Care Development Funds allocation to  
8 add \$5,032,684.72 to the board's Fiscal Year 2019 Child Care  
9 Grant.

10 COMM. ALVAREZ: I'll second that.

11 CHAIR HUGHS: We are unanimous. Thank you.

12 MS. WILSON: Thank you.

13 AGENDA ITEM NO. 18

14 CHAIR HUGHS: Item 18, Discussion,  
15 Consideration and Possible Action Regarding Local Workforce  
16 Development Area Child Care Target and Measure Status  
17 Methodologies. Adam Leonard. Good morning.

18 MR. LEONARD: Good morning Chair Hughs,  
19 commissioners. For the record, Adam Leonard, Operational  
20 Insight.

21 This morning I'm coming to you in follow-up  
22 to some material we presented to you last summer, or to the  
23 commission last summer, since obviously there's one changed  
24 chair in that time. Regarding the child care performance  
25 accountability for this year.

1                   Last year because of the influx of  
2 significant additional funding in child care late in the  
3 year we had rather unusually large amounts of carry-forward,  
4 meaning monies that were unspent in year '18 going into '19.  
5 And at that time the commission approved going ahead and  
6 setting targets on those amounts in order to kind of set  
7 expectations to spend that out in terms of kids in care.

8                   Today I'd like to present to you staff  
9 recommendation that we apply the same basic methodology we  
10 used to set targets originally last summer to these amounts  
11 of money, to specifically 95 percent of the CCF  
12 carryforward.

13                   The second piece I'm here to present on has  
14 to do with the way that we determine measure status from  
15 month to month. What we have been doing in the prior year  
16 was we had kind of a tighter restriction on it. We were  
17 more concerned about over enrollment as a possibility that  
18 we could get into a place under childcare reauthorization  
19 that we might kind of, I don't want to say run out of money,  
20 per se, but we might get into a bit of a bind on that. And  
21 so, we really tried to hew as closely to the 100 percent of  
22 target as possible.

23                   We've now come to realize that there's still  
24 enough churn in the system that we can move back towards  
25 normalcy on that. Meaning that, generally, less than 95

1 percent is bad, greater than 105 percent is good, as long as  
2 it's not too much above 105 percent, becomes unsustainable.  
3 And so, we would apply that methodology with regard to  
4 either their ramp-up target for those who are still ramping  
5 up, or their combined target for those who have reached the  
6 combined target that we're expecting for this year.

7           And I'm happy to answer any questions you  
8 might have about that.

9           CHAIR HUGHS: Thank you. Commissioners, are  
10 there any questions?

11           COMM. ALVAREZ: No questions.

12           CHAIR HUGHS: Do you have a comment? Go  
13 right ahead.

14           COMM. THOMAS: Adam, I just wanted tell you  
15 that I really appreciated -- I know that you had a chance to  
16 work on this long and hard, and had briefed the commission  
17 offices last summer, and so I had a whole bunch to catch up  
18 on pretty quickly. And it was -- it was fairly dense, but  
19 you really made it English for me, and helped me understand  
20 what this is, the significance of it, and quite frankly, the  
21 sophistication of the methodologies. So, thank you for your  
22 help with that.

23           MR. LEONARD: Thank you.

24           COMM. ALVAREZ: I'm glad he understands you,  
25 Adam, because --

1 CHAIR HUGHS: Yeah.

2 MR. LEONARD: Well, I'm fond of saying that  
3 it's just a big algebra problem. So, very big.

4 CHAIR HUGHS: Is there a motion?

5 COMM. ALVAREZ: Commissioner Thomas.

6 COMM. THOMAS: Yep. I move to approve staff  
7 recommendations regarding the methodology for setting  
8 targets on carry-forward amounts and the methodology for  
9 approving monthly performance status on the average children  
10 served per day measure.

11 COMM. ALVAREZ: I'll second that.

12 CHAIR HUGHS: All right, we're unanimous.  
13 Thank you, Adam.

14 MR. LEONARD: Thank you.

15 AGENDA ITEM NO. 19

16 CHAIR HUGHS: Item 19, Discussion,  
17 Consideration and Possible Action Regarding Approval of  
18 Local Workforce Development Board Nominees. Cam Bell.

19 MR. BELL: Madam Chair, commissioners, Mr.  
20 Serna. Cam Bell with the Workforce Development Division.

21 For you for consideration and approval are  
22 Workforce Development Board Nominations for Workforce  
23 Solutions Borderplex, Gulf Coast, North Texas, West Central  
24 Texas, Panhandle, South Plains and Southeast Texas.

25 CHAIR HUGHS: Thank you. Is there a motion?

1                   COMM. ALVAREZ: I move that we approve the  
2 board nominees for Borderplex, Gulf Coast, North Texas, West  
3 Central Texas, Panhandle South Plains and Southeast Texas.

4                   COMM. THOMAS: Second.

5                   CHAIR HUGHS: We are unanimous. Thank you.

6                   MR. BELL: Thank you.

7                                   AGENDA ITEM NO. 21

8                   CHAIR HUGHS: There is nothing for Item 20.  
9 Item 21, Discussion, Consideration and Possible Action  
10 Regarding Enacted, Proposed or Considered Federal  
11 Regulations, Executive Orders, or Federal or State Enacted  
12 or Proposed Legislation. Tom McCarty.

13                   MR. McCARTY: Good morning Chair Hughs,  
14 Commissioner Alvarez, Commissioner Thomas. Tom McCarty with  
15 External Relations.

16                   The U.S. House and Senate are in session this  
17 week. GR is monitoring a hearing today that's at 2 p.m.  
18 The U.S. House Appropriations Subcommittee on Labor H.  
19 They're holding a hearing on the Department of Labor's  
20 Fiscal Year 2020 budget, so we'll give you an update after  
21 that hearing concludes. Here at the state level we've got  
22 the Senate Committee on Natural Resources and Economic  
23 Development. They're going to take up Senate Bill 1516,  
24 which is a TWC initiative by Senator Birdwell at 1:30. This  
25 is the proposal on fruit overpayment recovery. Chuck Ross

1 will be a resource witness for us.

2           In the last week you're aware that HB1 was  
3 passed by the house last Wednesday, and then on Thursday the  
4 Senate Finance Committee took up their items in relation to  
5 the budget and adopted the following items for TWC. Full  
6 funding of TWC requests to restore 35.1-million in childcare  
7 funds for Fiscal Year 2021. Funding for an additional 3-  
8 million for the Child and Education for Texans Program and  
9 full funding TWC's capital budget request for the UI system  
10 replacement workforce case management system and eligible  
11 training providing career to school system.

12           They did not take -- adopt our request for  
13 1.3-million for the apprenticeship program, however it is in  
14 the House version of the bill, which means that it would be  
15 accomplishable item whenever that we get to that point, so  
16 we're still in the game there for that.

17           And then, the Senate Finance Committee went  
18 in this morning at 9:00 a.m., so they should be adopting out  
19 HB 1 today, and then we'll know probably today -- we'll  
20 probably know today if -- when it will be up on the Senate  
21 floor, and we expect that will probably be next week. And  
22 we'll get that confirmation.

23           That concludes my remarks and I'm available  
24 for any questions.

25           CHAIR HUGHS: Any questions?



1           COMM. ALVAREZ: I just have a -- I'd just  
2 like to state I appreciate you keeping us up to speed on  
3 what's happening both in the House and the Senate. You and  
4 Michael have done a really good job along with your team,  
5 Aaron and everyone else, so thank you for what you do, Tom.

6           MR. McCARTY: Great. Thank you. And it's  
7 definitely a team effort. Not only with GR, but also the  
8 agency, so thank you for those comments.

9           COMM. ALVAREZ: Great. Thanks for keeping us  
10 posted.

11           MR. McCARTY: Thank you, Tom.

12                           AGENDA ITEM NO. 22

13           CHAIR HUGHS: That brings us to Item 22, a  
14 report and update by the Executive Director.

15           MR. SERNA: Good morning, commissioners. I  
16 have two things that I'd like to share with you, actually,  
17 both of them sort of good use things. One in a slightly  
18 humorous vein, if you'll indulge me, but the first one is  
19 that, as a serious note, you know, we rarely receive --  
20 first of all, let me back up. We know our employees do an  
21 outstanding job and work as hard as they can to serve our  
22 customers, but we rarely receive positive comments. It's  
23 mostly -- and this is true in all business in government.  
24 It's mostly the people that are either dissatisfied with our  
25 service or frustrated.

1                   But I happened to receive an email from a  
2 gentleman by the name of Robert Anthony, who was assisted by  
3 Millie Newhouse (ph) in our North Texas Call Center. Mr.  
4 Anthony, in brief, wrote: I'm writing to tell you -- and I'm  
5 only going to pull extracts. I'm writing to tell you that  
6 Millie's customer services is outstanding. And then he goes  
7 on to say that she was very professional, polite, she took  
8 the time to explain everything that was needed. And he  
9 says: Even if the decision had not been in my favor, I would  
10 still be writing to tell you how impressive she was. When I  
11 managed a claims department, customer services was our  
12 number one initiative in a very competitive market. He was  
13 pleased to see that this was the same case for us where it's  
14 not a competitive for-profit market.

15                   He goes on to conclude: Even though there was  
16 no competing business, she treated me like a gold, quote,  
17 unquote, customer. She's a great asset to your agency, and  
18 I want to be sure that she was recognized as I doubt that  
19 many take the time to recognize your employees.

20                   I want you to know that I did take the time  
21 to call Millie and call the call center and visit with her.  
22 And I also sent her a copy of this, and I sent it to her  
23 manager, the department director, as well as the division  
24 director. And it's going to be a practice of mine when we  
25 receive a positive comment on one of our employees to either

1 visit the employee, or in this case, because she's in the  
2 North Texas Call Center, to call the employee and let them  
3 directly know that you've received this and then share it  
4 with them and their management team. But I wanted to share  
5 it with you all as well.

6 CHAIR HUGHS: Thank you, Ed. And thank you  
7 for sharing with us. It's great news.

8 COMM. ALVAREZ: Ed, if you could provide me  
9 with her contact information, I'd greatly appreciate it.

10 MR. SERNA: Yes, sir. I'll do that, and I'll  
11 send each of you all a copy of this email. I didn't want to  
12 send it advance, I kind of wanted to surprise you with  
13 having -- so --

14 COMM. ALVAREZ: That's also for our office.  
15 I was just reaching out to my staff going: Get that. Get  
16 that --

17 ED SERNA: Yes, sir. I'll forward a copy of  
18 this as well as Millie's contact information.

19 COMM. ALVAREZ: All right, thank you.

20 MR. SERNA: The other I wanted to say, this  
21 is the serious but semi-humorous one if you'll indulge me.  
22 We have the top collection program, which is where we notify  
23 the IRS of individuals, either benefit recipients or now  
24 taxpayers, that owe us money. And the program allows the  
25 IRS to then, if those individuals have a refund, to recover

1 that refund and forward it to us. We implemented that  
2 program at the end of 2016 for Fiscal Year 2017. I mean tax  
3 year, I'm sorry. Tax year 2017. So far, the recovery of  
4 the program has been \$56.8-million, so we're very pleased.  
5 The task portion of it just went into effect not too long  
6 ago and, voluntarily, these are individuals whom we had  
7 notified that we would be doing this. Voluntarily we  
8 received payments in excess of \$520,000, and that's through  
9 Friday, March the 29th.

10 I will say that as a part of our total 62.4-  
11 million, that we did receive our first tax recovery from the  
12 IRS in the amount of \$26.55, so we're well on our way.  
13 That's the humorous part. We're well on our way to what we  
14 submitted to the IRS, which is a total of 62.4-million, on  
15 the tax side. But I did want to report the success of the  
16 program and the RID Division's efforts in general. But I  
17 thought I would share the same humorous views that they  
18 shared with me of the \$26.55 first recovery. So --

19 COMM. ALVAREZ: Everybody's got to start  
20 somewhere.

21 MR. SERNA: Yes, sir. Absolutely. And  
22 that's all I have to report.

23 CHAIR HUGHS: Thank you, Ed.

24 AGENDA ITEM NO. 23

25 CHAIR HUGHS: If there are no other matters,

1 is there a motion to adjourn?

2 COMM. THOMAS: So moved, Madam Chair.

3 COMM. ALVAREZ: Second that.

4 CHAIR HUGHS: Thanks. We are adjourned.

5 Thank you.

6 (Proceedings concluded at 9:23:08 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 12th day of April, 2019.

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

Verbatim Reporting & Transcription, LLC  
1322 Space Park Drive, Suite C165  
Houston, Texas 77058  
281.724.8600