



**MEETING OF THE  
TEXAS WORKFORCE COMMISSION**

**DATE**

**APRIL 6, 2021**

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TUESDAY, APRIL 6, 2021

CHAIRMAN DANIEL: Good morning, everyone.

The meeting's called to order. Mr. Trobman, has anyone signed up for public comment?

MR. TROBMAN: Morning, Commissioners. Les Trobman, general counsel. We had one person register for comment this morning. Robin Harrison, if you're on the line, you'll go ahead and unmute yourself and introduce your name for the record. Comment will be limited to three minutes.

MR. TROBMAN: Does not appear that she's on the line.

CHAIRMAN DANIEL: Okay.

MR. TROBMAN: We have no further registrants for comment this morning.

CHAIRMAN DANIEL: All right, thank you very much. Well, good morning.

MS. MILLER: Good morning, sir.

CHAIRMAN DANIEL: Well, thank you. This brings us to the end of Agenda Items 3 through 7. Let's pause for just a few moments to reset for the rest of the meeting.

MR. TROBMAN: I believe that our public commenter has arrived at the meeting. Robin Harrison, if you'll go ahead and unmute yourself, introduce yourself for the record, and begin with your comments. You have three minutes public comment. Ms. Harrison?

1 COMMISSIONER DEMERSON: This is a telephone  
2 call?

3 MR. TROBMAN: I believe so. I think Ms.  
4 Mercado [SP] was going to ensure that she was still on the line.

5 COMMISSIONER DEMERSON: [Inaudible] star six  
6 or something like that, I'm not sure [inaudible] unmute.

7 MR. TROBMAN: Thank you for your patience.  
8 Ms. Harrison, go ahead.

9 ROBIN HARRISON: [inaudible] hear me?

10 MR. TROBMAN: We can hear you, go ahead and  
11 introduce your name for the record, and please proceed.

12 ROBIN HARRISON: My name is Robin Harrison.

13 MR. TROBMAN: All right, please provide your  
14 comments now.

15 ROBIN HARRISON: [Inaudible] there are  
16 several [inaudible] and many [inaudible] documents that  
17 legitimize my concerns. I'm asking that there be an  
18 investigation of the actions of TWC's civil rights division  
19 holding [inaudible] staff involved [inaudible] for what they  
20 knew [inaudible] and chose not to do. As an attorney [inaudible]  
21 should be ethical in everything that he does when dealing with  
22 those he may believe aren't deserving of fair and [inaudible]  
23 treatment and investigation. [inaudible] I was [inaudible]  
24 things that were written about me based on William Cooper, the  
25 investigator, seeing another client, Jessica [inaudible] record,

1 December, 2020, [sounds like] as of DocuSign. On December 23  
2 [sounds like] four confusing yet similar DocuSigns were emailed  
3 in one hour from Cooper and Randall [inaudible] to confuse me  
4 rather than proofreading or recalling them. It was intentionally  
5 deceptive that Cooper called me on December 23, seeking my  
6 signature on the [inaudible] case that had been closed five days  
7 earlier, and missed the opportunity to be truthful about the  
8 case being closed when I asked about the new investigation  
9 timeline. TWC's [inaudible] separating [inaudible] from Houston  
10 Housing Authority on December 14, the same day of the HHA  
11 conciliation attempt. It was closed with no discussion of fact-  
12 finding December the 18 [inaudible]. The outcome of the claim  
13 was driven by the way that it was written, by altering my story  
14 [inaudible] as well as my son as an aggrieved party that used  
15 their positions and influence to sway the outcome, adding more  
16 pain to my experience [inaudible]. Brian [inaudible] David  
17 Pernell [SP], Patrick Williams, William Cooper [inaudible]  
18 Pierce, and Randall [inaudible] were all men that were involved  
19 with my case. Furthermore, Corra Dunigan, as a white female  
20 attorney, used her privilege in a conversation to imply that the  
21 offer from HHA was reasonable. What gave her that right? TWC  
22 failed to clearly inform of the investigation process, and acted  
23 out of malice. A determination [sounds like] of cause was found,  
24 but instead of moving the case to litigation, Cooper [inaudible]  
25 prematurely offer me \$2,500 in conciliation [inaudible] respond

1 to remove from my case after the attorney supervising the main  
2 cause of the case abused his attorney status. As many times as I  
3 reference the problematic issue of [sounds like] Louis  
4 representing the housing authority when he was a party to the  
5 issue, TWC ignored me. But Lewis and [inaudible] graduated from  
6 CSU law school four years apart, and [inaudible] the failure.  
7 These calls are on the record. The request [sounds like] from  
8 you was mishandled and lacked the proper response addressing the  
9 fact that TWC conveniently [inaudible] the original  
10 investigation of the case. In an email last week [inaudible]  
11 stated that he had sent information to HUD to investigate  
12 [inaudible] second look findings are questionable. Cynthia  
13 [inaudible] confirm that [inaudible] case would not be reopened,  
14 which is [inaudible] problematic and contributed to Mr.  
15 [inaudible] statement. This call needs to be heard, reviewed,  
16 and compared to [inaudible] findings. I have rights, and they  
17 have been violated many ways by men who judge me with implied  
18 stigma. Accountability is required. The process [inaudible] with  
19 TWC administrators [inaudible] review and [sounds like]  
20 partially beyond those who failed to act when it was required of  
21 them. Thank you.

22 MR. TROBMAN: Thank you, Ms. Harrison. That  
23 concludes our public comment for this morning.

24 CHAIRMAN DANIEL: Thank you very much. Let's  
25 move to Agenda Item 8, discussion, consideration, and possible

1 action regarding approval of Adult Education And Literacy  
2 Advisory Committee membership.

3 FABIANA RAMIREZ: Good morning. Can everyone  
4 hear me clearly? Hello? Good morning?

5 MR. SERNA: Fabiana [inaudible] speak up,  
6 please.

7 FABIANA RAMIREZ: Okay.

8 MR. SERNA: Speak up.

9 FABIANA RAMIREZ: Good morning. Is that  
10 better, Mr. Serna?

11 MR. SERNA: Yes, thank you, it's a little  
12 bit better [inaudible].

13 FABIANA RAMIREZ: Okay, great. Good morning,  
14 Chair Daniel, Commissioner Alvarez, Commissioner Demerson, and  
15 Mr. Serna. For the record, my name is Fabiana Ramirez with adult  
16 education and literacy. Texas Labor Code chapter 315.005 and  
17 Texas Administrative Code 805.43 require that TWC to establish  
18 an adult education and literacy advisory committee. The advisory  
19 committee must not be composed of more than nine members, and  
20 must include at least one representative of the business  
21 community and one representative of a local workforce  
22 development board. Two committee members' terms ended in  
23 December 2020. At this time, the commission may appoint two  
24 members to fill those vacancies, and staff seeks direction on  
25 appointing Dr. Rita [inaudible] the president of the Cameron

1 County Education Initiative, and Brenda Scofield, the director  
2 of Adult Education and Literacy [inaudible] Education Service  
3 Center to serve on the AEL advisory committee for a two-year  
4 term. Thank you, and I'm available to answer any questions you  
5 may have.

6 CHAIRMAN DANIEL: Comments or questions?

7 COMMISSIONER ALVAREZ: Chairman, I'd like to  
8 thank Tiffany Johnson [sounds like] from Victoria and Mary Jo  
9 [inaudible] for the work they did during their appointment  
10 period.

11 COMMISSIONER DEMERSON: No questions.

12 CHAIRMAN DANIEL: Do we have a motion?

13 COMMISSIONER ALVAREZ: Chairman, I move that  
14 we appoint Brenda Scofield and Dr. Rita [inaudible] to serve on  
15 the AEL Advisory Committee for a two-year term, which will  
16 expire in April of 2023.

17 COMMISSIONER DEMERSON: I second.

18 CHAIRMAN DANIEL: It's been moved and  
19 seconded. We're unanimous, thank you.

20 FABIANA RAMIREZ: Thank you.

21 CHAIRMAN DANIEL: We don't have anything  
22 under Agenda Item 9. Do we have anything under Agenda Item 10?  
23 No, nothing under Agenda Item 10. Agenda Item 11 is discussion,  
24 consideration, and possible action regarding approval of local  
25 workforce development board nominees.

1 SHUNTA WILLIAMS: Good morning, Chairman  
2 Daniel, commissioners, and Mr. Serna. For the record, Shunta  
3 Williams with the Workforce Development Division. Before you for  
4 consideration today are workforce board nominations for five  
5 workforce boards this week. We have Workforce Solutions Gulf  
6 Coast, Lower Rio Grande Valley, Middle Rio Grande, Panhandle,  
7 and Southeast Texas. Staff recommends that all nominees be  
8 approved, and I'm here to answer any questions you may have.

9 CHAIRMAN DANIEL: Comments or questions?

10 COMMISSIONER ALVAREZ: None here, Chairman.

11 COMMISSIONER DEMERSON: None here.

12 CHAIRMAN DANIEL: Is there a motion?

13 COMMISSIONER ALVAREZ: Chairman, I move that  
14 we approve the board nominees for Gulf Coast, Lower Rio Grande  
15 Valley, Middle Rio Grande, West Central Texas, Panhandle, and  
16 Southeast Texas.

17 COMMISSIONER DEMERSON: Second.

18 CHAIRMAN DANIEL: It's been moved and  
19 seconded. We're unanimous. No legislative proposal report--is  
20 there a [sounds like] legislative report? Yeah.

21 MICHAEL BRITT: Good morning, Chairman  
22 Daniel, Commissioner Alvarez, Commissioner Demerson, and Mr.  
23 Serna. For the record, Michael Britt, governmental relations.  
24 Last Thursday, the Texas house passed House Bill 7, which  
25 relates to the computation of the replenishment ratio used to



1 determine an employer's unemployment compensation tax rate. This  
2 bill will now go to the Texas senate for their consideration.  
3 Also last week, the senate committee on finance voted out Senate  
4 Bill 1, which is the General Appropriations Act, and the Texas  
5 senate is expected to consider Senate Bill 1 on the senate floor  
6 later today. The House Appropriations Committee also concluded  
7 their considerations and subcommittee recommendations on House  
8 Bill 1, which is the house version of the General Appropriations  
9 Act, last week, and they are expected to hold their final vote  
10 on House Bill 1 soon. That concludes my remarks. I'm happy to  
11 answer any questions that you all have.

12 CHAIRMAN DANIEL: Any comments or questions?

13 COMMISSIONER ALVAREZ: None here, Chairman.

14 COMMISSIONER DEMERSON: None, thank you.

15 CHAIRMAN DANIEL: Thank you, sir. Mr. Serna,  
16 an executive director's report?

17 MR. SERNA: Nothing today, sir.

18 CHAIRMAN DANIEL: Nothing today. Is there  
19 any other order of business to come before the commission?

20 COMMISSIONER ALVAREZ: Chairman, I do have a  
21 few things I'd like to say today, if that's okay.

22 CHAIRMAN DANIEL: Yep.

23 COMMISSIONER ALVAREZ: Commissioners and Ed  
24 Serna, a few weeks ago, the offices were briefed regarding the  
25 return of 1.5 million to WIOA statewide reserve funding. I am

1 told that currently we have a balance of approximately 7  
2 million, and that is without the additional 1.5. Ed, I would  
3 like staff to explore using the 1.5 WIOA statewide to support  
4 the Texas industry recognized apprenticeship grant program,  
5 which was created by House Bill 2784, 86 legislative session.  
6 House Bill 2784, as we know, authored by Speaker Phelan and  
7 coauthored by Senator Alvarado, now section 302, subchapter 1 of  
8 the Labor Code, was created to address the immediate industry--  
9 correction, immediate industrial workforce needs of the state  
10 resulting from natural disasters and overall workforce  
11 shortages. In February of this year, Texans endured a  
12 devastating winter storm which caused extensive property damage,  
13 which intensified the already existing shortage of skilled  
14 workers. The pandemic, although negatively impacting various  
15 industries and occupations, did not curb the demand for skilled  
16 workers. The Texas industry recognized apprenticeship grant  
17 program will provide the type of training to upskill dislocated  
18 workers and connect them with occupations that are in demand in  
19 the skilled trades, and will help address shortage in the state.  
20 In 2019, Commissioner Demerson and I were honored to be at the  
21 governor's signing of the bill 2784 and heard the impactful  
22 story of the homeless veteran who benefitted from the same type  
23 of training to lift herself out of homelessness and into a life  
24 of a sustaining career for herself and her family. No one  
25 training model fits all, and this would just add another tool to

1 our training tool belt. I look forward to seeing this discussion  
2 paper. Thank you, commissioners and Ed, for allowing me to state  
3 this. The other thing I would like to say is I would like for  
4 everyone to keep Desi Holmes and her family in our prayers.  
5 That's it.

6 COMMISSIONER DEMERSON: Chairman and  
7 commissioners, I look forward to working with you and the team  
8 on this discussion paper that comes forth. One point I wanted to  
9 make, not for that, but there continues to be jobs remaining in  
10 Texas, jobs that are available here in Texas, and employers are  
11 emphatically in support of bringing workers back to work. And  
12 so, down the line I'd love to look at a campaign to really  
13 promote the jobs that are available here in our state. The  
14 employers are looking for those individuals, and so if a Texan  
15 wants a job, needs a job, we do have those jobs available. And  
16 so, work with the local workforce solution offices, the team  
17 here, to promote employers and employees having an opportunity  
18 to go back to work and to take over those jobs. I look forward  
19 to working in that vein, so.

20 CHAIRMAN DANIEL: I'm looking forward to  
21 evaluating Commissioner Alvarez's request and the subsequent  
22 work by staff. This seems to be altering a funding formula that  
23 the commission passed, this additional 1.5 million. Is staff  
24 planning on bringing that alteration before the commission for  
25 us to consider?

1 MR. SERNA: Yes, sir.

2 CHAIRMAN DANIEL: Will that be done jointly  
3 or separately?

4 MR. SERNA: We can combine it, or we can  
5 [inaudible]--

6 CHAIRMAN DANIEL: I would prefer not to  
7 combine it, but they probably need to come roughly about the  
8 same time.

9 MR. SERNA: Yes, sir, I can do that.

10 CHAIRMAN DANIEL: Yeah. Okay, great. And  
11 then also, what Commissioner Demerson said--there are jobs  
12 showing up on all of our platforms. If folks think they can't  
13 get there because of their current skill set, you should  
14 definitely talk to TWC. We have a number of training programs in  
15 place that you could avail yourself of, and I think those would  
16 be beneficial. Anything else, gentlemen?

17 COMMISSIONER ALVAREZ: None here, Chairman.

18 CHAIRMAN DANIEL: [Inaudible] do we have a  
19 motion to adjourn?

20 COMMISSIONER ALVAREZ: Chairman, I move that  
21 we adjourn.

22 COMMISSIONER DEMERSON: I can't believe you  
23 guys. I'll second that motion, but I was at Baylor Bears last  
24 night, and I know we wanna put that on record.

25

1 CHAIRMAN DANIEL: I am proud of the Baylor  
2 Bears, but I--my alma mater's also in the Big 12, so I will  
3 confine my congratulations to this season. But congratulations  
4 to the Bears [inaudible].

5 COMMISSIONER ALVAREZ: Yes, I appreciate--I  
6 appreciate the [inaudible] technology in this great state of  
7 Texas, and we're bringing back the national championship back to  
8 this great state of ours.

9 COMMISSIONER DEMERSON: So, I second that  
10 motion, with all that being said.

11 CHAIRMAN DANIEL: No, you amended it by  
12 saying "Sic 'em, Bears," is what you did. So moved and seconded  
13 to adjourn. We're adjourned, thank you.

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