



**MEETING OF THE  
TEXAS WORKFORCE COMMISSION**

**DATE**

**APRIL 27, 2021**

1 TUESDAY, APRIL 27, 2021

2 CHAIRMAN DANIEL: All right, good morning,  
3 everyone. The meeting is called to order. Mr. Trobman? Is  
4 anyone signed up for public comment?

5 MR. TROBMAN: Yes. Good morning,  
6 Commissioners. [unintelligible] general council, we do have a  
7 few, uh, individuals who are here to speak public comment this  
8 morning. Um, when I call your name, go ahead and unmute  
9 yourself, then, uh, state your name, uh, for the record and--and  
10 then go ahead and begin with your comments. First, we have Ms.,  
11 uh, Yvonne Robinson.

12 YVONNE ROBINSON: Good morning, I'm Yvonne  
13 Robinson.

14 MR. TROBMAN: Good morning. Go ahead and--  
15 and proceed.

16 YVONNE ROBINSON: I'm speaking today,  
17 because I have applied for my unemployment and I have been  
18 denied for my, uh, UCTUA and DUA. Um, unfortunately last year  
19 when COVID came through, I was under a disaster claim from 2019,  
20 storm Imelda here in the Gulf Coast. However, uh, in reading  
21 your documentation that you have from the, uh, advisory, the  
22 unemployment insurance program letter number, 1620 change one,  
23 it states in there, that an individual must self-certify that he  
24 or she are unemployed partially, unemployed or unable or  
25 unavailable to work, because of COVID-19, related risk issues,

1 issued under Section 2102 A3A11, II, excuse me, one Cares Act.  
2 It says under this, an individual that is filing for PUA does  
3 not need to provide proof of employment [unintelligible]. I am  
4 a self, uh, employed contractor--an independent contractor.  
5 However, it goes on to state that on number six, it says can  
6 [unintelligible] convert an ineligible regular UC claim to a PUA  
7 claim. The answer is--it says it depends. And it says,  
8 including self-employment individuals that have one of the  
9 COVID-19 related reasons listed in section 2102 A3A11  
10 [unintelligible] Cares Act. Another question, it states here,  
11 number 33, it says, if an individual disqualifies for regular  
12 UC, because of a job separation that occurred prior to the  
13 individuals unemployment, due to COVID-19, he or she is  
14 potential elig--eligible for PUA, the answer is yes.  
15 I was told that my claim was denied because, uh, I was already  
16 receiving a DUA prior and it didn't cover that, uh, again, it  
17 states in here too that, um, anyone who does not qualify for UC  
18 program and who would be able and available to work, if it was  
19 for not one or more of the COVID-19 related reasons listed in  
20 section 2102 of the Cares Act. In addition to that, under the  
21 section UIPL, 16 through 20, it all--and if you look at the  
22 statements steps 5, 7 and 10, that relates to me as an  
23 independent contractor. It also, uh, states also--too, that the  
24 independent contractor who have--has suspended or severely  
25 limited their customer and work activities, as a direct result

1 of COVID-19 Public Health Emergency, may be eligible for PUA  
2 benefits, even if they do not squarely fit into that criteria.  
3 And it gives the following examples for that. I would just like  
4 to know, uh, what do I need to do? I've talked to my senator,  
5 John Cornyn, I've been on there with my state representative,  
6 Andrew Weber, also I've seen my representative, um, Mr., um,  
7 [unintelligible] office in trying to relentlessly get someone to  
8 talk to me, listen to me and hear what I have to say, in regards  
9 to this. Because for the last year, I have not received  
10 anything from the unemployment, and I have been severely  
11 impacted, because of it. And the work and being an independent  
12 contractor, I just think it's unfair that you get swooped in  
13 this and there's no recourse. And again, trying to get through  
14 to the system is horrible. You're on hold three or four hours,  
15 then it clips you off and you have to try again. Um, I would  
16 just like today, for that to be noted on the record so somebody  
17 can possibly look at this and possibly assist me and telling me,  
18 what do I need to do. I did apply for a, uh, appeal, April, I  
19 did not get heard until August. And again, during that time, I  
20 kept following, like they told me to, and again, at this time  
21 and date, I still filed and I have not received anything from  
22 TWC. Thank you.

23 MR. TROBMAN: Thank you, Ms. Robinson for  
24 your comments. We will be having unemployment insurance, uh,  
25 uh, specialist be reaching out to you shortly, thank you.

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YVONNE ROBINSON: Thank you.

MR. TROBMAN: Next we have, uh, Alysia Lassiter?

ALYSIA LASSITER: Good morning.

MR. TROBMAN: Good morning, please proceed.

ALYSIA LASSITER: Um, first off, I would like to thank the commission for allowing me this time to address the court. My name is Alysia Lassiter and I'm the claimant in--in the appeal and I'm in favor of the tri, uh, reversing the Tribunal Division. Um, due to COVID-19, [unintelligible] for my eleven and thirteen year old, and the school transition to remote learning at home. The daycare centers also closed for my three and five year old, due to the pandemic. At the present time, my eleven and thirteen year old continue to hybrid learn. My thirteen year old son has some challenges that requires [unintelligible] when he's at school. To ensure his needs are met, he would need constant supervision, motivation, direction and support. This includes during the summer months. The summer camps closed, um, during the pandemic as well. I would like to provide clarification about lack of my family support. Without elaborating into too many details, I will say a few years back, I made a decision to insure the safety of myself and three young children. I left my hometown of Providence Rhode Island. We travelled in the Greyhound, it was a long three days before we got here to Texas. Besides my

1 sister who arrived before my delivery, I have no other adult or  
2 immediate family here. I only know a handful of people and due  
3 to COVID concerns, no one would care for my--my kids. During my  
4 employment, I endured racial slurs--slurs, excuse me. I've  
5 dealt with an irate guest that resulted in a police call. On  
6 three occasions my paycheck bounced, but I remained because I'm  
7 a single mom of four and they rely on me. I will always have my  
8 children's best interests first. Each shift that I work, put my  
9 children in jeopardy. I couldn't continue risking going to  
10 jail, risking my children possibly taken from me or keep risking  
11 their safety, because of lack of proper, um, excuse me, because  
12 of lack of a proper adult supervision. COVID-19 disrupted my  
13 child care arrangement that I relied on so that I can provide  
14 and work for my family. Unfortunately, due to lack of  
15 childcare, my only option was to resign. I provided my job with  
16 a notice of resignation, stating COVID concerns. I do have an  
17 eleven year old son who has underlying health conditions. He  
18 did require hospital--hospitalization, um, when we lived in  
19 Rhode Island for bronchiolitis and it did require treatment. I  
20 did enroll him back into school when it was offered, um, in  
21 November and then with--within one month of that, he--I received  
22 a call, from the school nurse, and he was ordered to, uh, self-  
23 quarantine to prevent any COVID symptoms. He wasn't able to  
24 return until, January of this year. In addition to the COVID  
25 concerns, I provided my job with the most important factor, and

1 that was that I needed to resign due to lack of proper  
2 childcare. Although, I was really disappointed with the  
3 tribunal decision, I do appreciate talking, um, being able to  
4 talk this morning. And the commission, um, taking the time to  
5 review my case. I asked that, if you haven't already, to please  
6 look at all the supporting documentation that I have sent in.  
7 There are so many guidelines and factors that do apply to my  
8 family's situation. My hope is that the commission votes to  
9 overturn the tribunal decision, um, next week on the fourth and  
10 reinstate my benefits under PUA in which I believe I'm eligible  
11 for benefits. Finally, I would like to acknowledge that I am  
12 responsible for a \$405 overpayment. I never did intend to be  
13 fraud or gain anybody, um, the hours at my job were reduced, due  
14 to COVID, that's why we ended up applying for the benefits. Um,  
15 if offered, that same day, I would pick up any hours, any, um,  
16 maybe the manager had to do a supply run or, um, before this,  
17 everybody started getting sick, so was there a lot of calls.  
18 Um, so I would pickup, maybe, an extra hour or two and  
19 unfortunately, it resulted in an overpayment, um, because my job  
20 scheduled in TWC schedule differed by a week, um, so when  
21 registering for payment, I did input, um, what the hours were  
22 posted. Um, I am a dedicated and honest person. I'm just  
23 trying to be a good mom, a good person and a good citizen. It  
24 has been rough these past few months, um, for me and my family  
25 without an income, but I do have faith that everything will

1 workout. I will not keep you long. I once--once again, thank  
2 the commission for allowing me this time to speak and present  
3 my--my own testimony. Um, may the commission and the courts and  
4 all the members have a great day. Y'all stay safe and, um,  
5 thank you again.

6 MR. TROBMAN: Thank you, Ms. Lassiter. Our  
7 final commenter this morning is Lesa Gibson.

8 UNKNOWN SPEAKER: Good girl, baby. You did  
9 good [unintelligible].

10 MR. TROBMAN: Go ahead, um, if everyone will  
11 mute themselves, um, so we can see if Ms. Gibson--Ms. Gibson may  
12 not have joined us, um, this morning. And so with that, uh,  
13 commissioners, uh, we have concluded our public comment.

14 CHAIRMAN DANIEL: Thank you. Good morning,  
15 Ms. Miller.

16 MS. MILLER: Good morning, sir.

17 CHAIRMAN DANIEL: Thank you. This brings us  
18 to the end of Agenda Items 3 through 7. We'll take a short  
19 break while we prepare for the rest of the meeting. Thank you.

20 CHAIRMAN DANIEL: All right. Let's pick  
21 back up. This is Agenda Item 8 discussion [unintelligible]  
22 reallocation of Adult Education Literacy funds.

23 MAHALIA BALDINI: Good morning, Chair  
24 Daniel, Commissioner Alvarez, Commissioner Demerson and Mr.  
25 Serna, for the record, Mahalia Baldini, with the WorkForce

1 Development Division Adult Education and Literacy. In April 20,  
2 2021 commission meeting, the commission approved both to accept  
3 the voluntary deobligation in the amount of \$460,761 from  
4 Grayson College and to proportionally reduce the performance  
5 targets for that grantee. In last week's meeting, the  
6 commission discussed the reallocation of those deobligated funds  
7 to three Adult Education and Literacy Grantees who have met the  
8 objective criteria to receive the reallocated funds. The  
9 commission requested that the reallocation item and associated  
10 performance targets be presented in today's meeting. So at this  
11 time, staff seeks direction on the following as reflected in  
12 your notebook materials. First, to accept the plan to  
13 reallocate the \$460,761 of those deobligated funds to AEL  
14 Grantees; Austin Community College, Community Action Inc of  
15 Central Texas and Southwest Texas Junior College, as shown in  
16 table one. Secondly, to increase the program year 2021  
17 performance targets associated with the reallocated funds for  
18 those same grantees as shown in table two. Thank you for your  
19 time and considerations today and I'm happy to answer any  
20 questions.

21 CHAIRMAN DANIEL: Questions or comments?

22 COMMISSIONER ALVAREZ: None here, Chairman.

23 COMMISSIONER DEMERSON: None here.

24 CHAIRMAN DANIEL: Do we have a motion?

25

1 COMMISSIONER ALVAREZ: Chairman, I move that  
2 we accept the plan to reallocate 460,761 deobligated funds to  
3 AEL Grant recipients; Austin Community College, Community Action  
4 Inc of Central Texas and Southwest Texas Junior Colleges. As  
5 detailed in the discussion paper on table--table one, and that  
6 we adjust the program year 2021 performance targets for  
7 recipients of the re--reallocated funds, as detailed in  
8 discussion paper in table two.

9 COMMISSIONER DEMERSON: Second.

10 CHAIRMAN DANIEL: Been moved and seconded,  
11 we're unanimous.

12 MAHALIA BALDINI: Thank you.

13 CHAIRMAN DANIEL: Yeah, thank you. Nothing  
14 on Agenda 9, do we have anything on 10? No. Moving on. No  
15 legislative proposals to discuss, there's no legislative report  
16 today?

17 MR. SERNA: No, sir.

18 CHAIRMAN DANIEL: Executive director's  
19 report?

20 MR. SERNA: Um, the only thing I have to  
21 report is, I think, Commissioner Alvarez had something he wanted  
22 to mention, I thought.

23 COMMISSIONER ALVAREZ: I do. Is this an  
24 appropriate time?

25 MR. SERNA: Yes, sir.

1 COMMISSIONER ALVAREZ: All right. Thank  
2 you. Chairman, if I may?

3 CHAIRMAN DANIEL: Please.

4 COMMISSIONER ALVAREZ: Chairman, last week,  
5 we visited South Texas, where we received from the Rio Grande  
6 Valley Teach For America, uh, Association, the institution--this  
7 institutional catalyst award, uh, presented to the Texas  
8 Workforce Commission. I was humbled to receive the award on  
9 behalf of the agency, but again, it's a reflection of everyone  
10 that's up here. My fellow commissioners, office of employer  
11 initiatives, uh, and that group and the whole agency. Uh, we  
12 were recognized for the work that we do with AEL, people with  
13 disability, veterans, and again, as I reference office of  
14 employer initiatives. So on behalf of, uh, uh, the Teach For  
15 America Rio Grande Valley [unintelligible] they wanted me to  
16 present this to the agency. And if I may present it to you as  
17 the director? I would like to present this on behalf  
18 [unintelligible]. Then I have another announcement, if I may?

19 CHAIRMAN DANIEL: Please.

20 COMMISSIONER ALVAREZ: Chairman I was  
21 fortunate enough--I was fortunate enough this past weekend to  
22 attend Waco's, um, uh, um, I--I guess it's somewhat of a CTE  
23 signing day where employers were present, uh, and participated  
24 in the MC3, um, signing day in--in Waco and, um, local 72 and  
25 local 5-29, uh, had, uh, recipients receiving, uh, continued ed

1 courses from Frank Graves, from McLennan Community College, glad  
2 to be a participant in that. So I just wanted to acknowledge  
3 them at this time that we did, uh, attend our first signing day  
4 of the year, uh, and local 72 and of course at local 5-29.  
5 Thank you for allowing me to state that.

6 CHAIRMAN DANIEL: Thank you. Any--any other  
7 order of business?

8 COMMISSIONER DEMERSON: Um, uh, uh, two--two  
9 quick points, I'd like to, uh, uh, have--have the team work with  
10 our--our team on back to work efforts--returning back work.  
11 Employers are, um, have concerns about, uh, bringing folks back  
12 to work and so I'm real curious to see if there are any best  
13 practices [unintelligible] so that we can help our employers,  
14 uh, get employees, uh, back to work and so on, yeah, initiatives  
15 around that effort would be fine. And then, uh, secondly, just  
16 a recognition, uh, I have, uh, two individuals that, uh, have  
17 served--have anniversaries and so Bonnie Downs--Sergeant Bonnie  
18 Downs, uh, came to us from the Veterans Commission, is  
19 celebrating ten years and then Kimberly Br--Brown is celebrating  
20 twenty years. And so I wanted to send kudos out to those  
21 individuals for, uh, their work and their dedication over the  
22 years. That's it.

23 CHAIRMAN DANIEL: All right. Anything else?

24 COMMISSIONER ALVAREZ: Nothing here,  
25 Chairman.

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CHAIRMAN DANIEL: Do we have a motion to adjourn?

COMMISSIONER ALVAREZ: Chairman, I move that we adjourn.

COMMISSIONER DEMERSON: Second that motion.

CHAIRMAN DANIEL: Been moved and seconded to adjourn and we are adjourned. Thank you.