

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

TRANSCRIPT OF PROCEEDINGS
BEFORE THE
TEXAS WORKFORCE COMMISSION
AUSTIN, TEXAS

PUBLIC MEETING)
FOR THE TEXAS)
WORKFORCE COMMISSION)

COMMISSION MEETING
TUESDAY, MAY 8, 2018

BE IT REMEMBERED THAT at 9:00 a.m. on
Tuesday, the 8th day of May, 2018, the above-entitled matter
came on for hearing at the Texas Workforce Commission, TWC
Building, 101 East 15th Street, Room 244, Austin, Texas,
before ANDRES ALCANTAR, Chairman; JULIAN ALVAREZ and RUTH R.
HUGHS, Commissioners

TABLE OF CONTENTS

1		
2		PAGE
3	PROCEEDINGS, TUESDAY, MAY 8, 2018	
4	AGENDA ITEM NO. 1	4
5	CHAIRMAN ALCANTAR	
6	AGENDA ITEM NO. 2	4
7	SHERRI MILLER	
8	AGENDA ITEM NO. 3	4
9	JENNIFER TURNER	
10	AGENDA ITEM NO. 4	4
11	JENNIFER TURNER	
12	AGENDA ITEM NO. 5	5
13	SHERRI MILLER	
14	AGENDA ITEM NO. 6	5
15	SHERRI MILLER	
16	AGENDA ITEM NO. 7	5
17	LES TROBMAN	
18	AGENDA ITEM NO. 8	5
19	NO UPDATE	
20	AGENDA ITEM NO. 9	30
21	COMMISSIONER HUGHS	
22	AGENDA ITEM NO. 10	6
23	JASON VADEN	
24	AGENDA ITEM NO. 11	7
25	JASON VADEN	
26	AGENDA ITEM NO. 12	11
27	JASON VADEN	
28	AGENDA ITEM NO. 13	9
29	JASON VADEN	
30	AGENDA ITEM NO. 14	12
31	JASON VADEN	
32	AGENDA ITEM NO. 15	14
33	MICHAEL HOOKS	

1 AGENDA ITEM NO. 1616
CAMERON BELL

2

3 AGENDA ITEM NO. 1717
CASSIE FISHER

4 AGENDA ITEM NO. 1819
JENNIFER TROKE

5

6 AGENDA ITEM NO. 1926
MICHAEL BRITT

7 AGENDA ITEM NO. 2028
LARRY TEMPLE

8

9 AGENDA ITEM NO. 2437
ADJOURNMENT

10 REPORTER'S CERTIFICATE38

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

P R O C E E D I N G S

TUESDAY, MAY 8, 2018

(9:00 a.m.)

AGENDA ITEM NO. 1

CHAIRMAN ALCANTAR: Good morning, everyone.

This meeting is now called to order. Good morning, Ms. Miller.

MS. MILLER: Good morning.

AGENDA ITEM NO. 2

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. 3

Discussion, Consideration and Possible Action Regarding Tax Liability Cases Listed on the Texas Workforce Commission Docket 19.

The Commission considered and took action on all tax liability cases listed on Docket 19.

AGENDA ITEM NO. 4

Discussion, Consideration and Possible Action Regarding Fair Housing Cases listed on the Texas Workforce

1 Commission Docket 19.

2 No Discussion.

3 AGENDA ITEM NO. 5

4 Discussion, Consideration and Possible Action
5 Regarding Higher Level Appeals in Wage Claim Cases Listed on
6 the Texas Workforce Commission Docket 19.

7 The Commission considered and took action on
8 all wage claim cases listed on Docket 5.

9 AGENDA ITEM NO. 6

10 Discussion, Consideration and Possible Action
11 Regarding Higher Level Appeals in Unemployment Compensation
12 Cases Listed on the Texas Workforce Commission Docket 19.

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

15 AGENDA ITEM NO. 7

16 CHAIRMAN ALCANTAR: Good morning, everyone.
17 We are back in session. Les, has anyone signed up for
18 public comment?

19 MR. TROBMAN: No.

20 CHAIRMAN ALCANTAR: We have no public
21 comment.

22 AGENDA ITEM NOS. 8 and 9

23 CHAIRMAN ALCANTAR: We have no updates on
24 Item 8 or Item 9.

25 AGENDA ITEM NO. 10

1 CHAIRMAN ALCANTAR: Item 10 is
2 Discussion, Consideration and Possible Action
3 Regarding Support Services and the
4 Reasonable Cost of Training for the Trade Adjustment
5 Assistance Program. Jason Vaden. Good morning,
6 Jason.
7

8 MR. VADEN: Good morning,
9 Commissioners. For the record, Jason Vaden,
10 Workforce Division.
11

12 The Trade Adjustment Assistance Program
13 helps workers who have been adversely affected by
14 foreign trade or outsourcing of jobs to foreign
15 countries. The Commission last took action on the
16 reasonable cost of training and local community area
17 for trade-impacted workers and training in 2010.
18 Modifications to these two areas can support the
19 quality and effectiveness of training programs and
20 increase the number of trade-affected workers who
21 are successfully enrolled and participate in
22 approved training.
23

24 This morning Staff seeks direction on
25

1 reducing the local community area from 50 miles to
2 25 miles one-way, and increasing the reasonable cost
3 of training standard from 17,000 to \$25,000 to
4 account for increases in the cost of training.
5

6 That concludes my remarks and I'm happy
7 to answer questions if you have any.

8 CHAIRMAN ALCANTAR: Any questions?

9 COMM. ALVAREZ: No, sir.

10 CHAIRMAN ALCANTAR: Commissioner Hughs?

11 COMM. HUGHS: I move that we approve
12 reducing the local community area from 50 miles one-
13 way to 25 miles one-way and to increase the
14 reasonable cost of training standard from 17,000 to
15 25,000 as recommended by Staff.
16

17 COMM. ALVAREZ: I'll second that.

18 CHAIRMAN ALCANTAR: We are unanimous.

19 AGENDA ITEM NO. 11

20 CHAIRMAN ALCANTAR: Item 11,
21 Discussion, Consideration and Possible Action
22 Regarding Approval of Adopted Rule
23 Reviews under Texas Government Code, Section
24
25

1 2001.039 Relating to TWC and Apprenticeship Program;
2 Jason.

3 MR. VADEN: State agencies are required
4 to review their rules every four years to determine
5 if the rules are still needed. On February 13th,
6 the Commission approved a proposed rule review of
7 Chapters 819 and Chapter 837 for publication in the
8 Texas Register for a 30-day public comment period.
9 No comments were received.
10

11 Staff had reviewed each of these rule
12 chapters and have determined that each chapter is
13 still needed. In accordance with the rule review
14 requirements, Staff are seeking direction on the re-
15 adoption of Chapters 819 and 837.
16

17 Happy to answer questions if you have
18 any.
19

20 CHAIRMAN ALCANTAR: Commissioner Hughs?

21 COMM. HUGHS: I move that we readopt
22 the rules contained in Chapters 819 and 837 without
23 changes.

24 COMM. ALVAREZ: I'll second that.
25

1 CHAIRMAN ALCANTAR: We are unanimous.

2 AGENDA ITEM NO. 12

3 CHAIRMAN ALCANTAR: We have no update
4 on Item 12, that's correct?

5 MR. VADEN: Correct.

6 AGENDA ITEM NO. 13

7 CHAIRMAN ALCANTAR: Item 13, Discussion,
8 Consideration and Possible Action Regarding a Policy Concept
9 on Amendments to 40 TAC Chapter 802, Integrity of TWC Rules.

10 MR. VADEN: In 2015, the Commission adopted a
11 rule amendment to allow TWC to change the specific criteria
12 used for evaluating board capacity on an as-needed basis.
13 The amended rule states that the Agency shall evaluate, at
14 least annually, each Board's oversight capacity. This
15 morning Staff seeks direction on amending 40 Texas
16 Administrative Code 802.67, to broaden the definition of the
17 types of Board oversight problems that can be evaluated by
18 the Board. Specifically, Staff seeks direction on amending
19 802.67(b)(6), to encompass severe Board oversight problems
20 and to include definition of the term severe and
21 longstanding.

22 With your approval, the policy concept will
23 be posted online for a 3-week public comment period. Happy
24 to answer questions if you have any.
25

1 COMM. ALVAREZ: No questions, Chairman.

2 CHAIRMAN ALCANTAR: Commissioner Hughs?

3 COMM. HUGHS: I move that we approve the
4 discussed policy concept regarding Chapter 802 relating to
5 Board oversight capacity.

6 COMM. ALVAREZ: I'll second that.

7 CHAIRMAN ALCANTAR: We are unanimous.

8 COMM. ALVAREZ: Yeah.

9 COMM. HUGHS: Obviously that's moved. There
10 was an Item 12, was it removed, with respect to Chapter 801?

11 COMM. ALVAREZ: That's correct.

12 CHAIRMAN ALCANTAR: Staff wasn't -- Staff was
13 still working on it; is that correct?

14 MR. VADEN: I think we still need that one,
15 sir.

16 CHAIRMAN ALCANTAR: I'm sorry?

17 MR. VADEN: I think we still need Item 12.

18 CHAIRMAN ALCANTAR: Right. We're just
19 deferring action on it or -- you had indicated you weren't
20 ready to move on it.

21 MR. VADEN: I think we're ready for Item 12
22 today.

23 CHAIRMAN ALCANTAR: Oh.

24 MR. VADEN: I apologize for any confusion
25 there.

1 CHAIRMAN ALCANTAR: You had marked it off
2 here on the list.

3 MR. VADEN: I might have marked the wrong
4 one; I apologize.

5 CHAIRMAN ALCANTAR: All right. Thank you.
6 All right. Back to Item 12.

7 AGENDA ITEM NO. 12

8 CHAIRMAN ALCANTAR: Back to Item 12,
9 Discussion, Consideration and Possible Action Regarding a
10 Policy Concept on Amendments to 40 TAC Chapter 801 Local
11 Board Rules Related to Alignment with the WIOA. Jason.

12 MR. VADEN: Again, for the record, Jason
13 Vaden, Workforce Division.

14 TWC's Chapter 801 Rules were last amended in
15 2011 before the Workforce Innovation and Opportunity Act
16 took effect. These Rules are directly affected by some of
17 WIOA's provisions and therefore require amendments. In
18 addition, certain changes to State law are not reflected in
19 the current Rules.

20 This morning, Staff seeks direction on
21 amending these Rules to update cross-references in
22 terminology, provisions for one-stop certification
23 requirements, and required in optional partners, modifying
24 the list of services available and priority of service,
25 consistent with WIOA. And then finally, matching the Texas

1 Family Code's definition of current and former foster youth.
2 With your approval, this policy concept will be posted
3 online for a 3-week public comment period, and I'm happy to
4 answer questions if you have any.

5 CHAIRMAN ALCANTAR: Commissioner Hughs?

6 COMM. HUGHS: I move that we approve the
7 discussed policy concept regarding Chapter 801 relating to
8 alignment with the Workforce Innovation and Opportunity Act.

9 COMM. ALVAREZ: I'll second that.

10 CHAIRMAN ALCANTAR: We are unanimous.

11 AGENDA ITEM NO. 14

12 CHAIRMAN ALCANTAR: Item 14, Discussion,
13 Consideration and Possible Action Regarding a Policy Concept
14 on Amendments to Childcare Services Rules Related to TRS.
15 Jason.

16 MR. VADEN: All right. One final time for
17 the record, Jason Vaden, Workforce Division.

18 State law regarding the Texas Rising Star
19 program requires the Commission to adopt the timeline and
20 process for regularly reviewing and updating the quality
21 standards used to determine the TRS rating system. The
22 statute mandates Commission consideration of input from
23 interested parties regarding these quality standards.

24 A work group was convened in February,
25 composed of Workforce System, the community stakeholders, to

1 discuss TWC's quality initiatives, including a review of the
2 Rules of the TRS program. The work group provided input on
3 a number of issues, including eligibility for the TRS
4 program, the impact of certain deficiencies on TRS
5 certification, and the minimum qualifications for TRS
6 assessors and mentors.

7 This morning, Staff seeks direction on
8 amending TWC's Chapter 809 Childcare Services Rules, to
9 consistently change the star level reduction when
10 deficiencies occur from two-star levels to one across the
11 board. Second, to reduce the minimum sit out timeframe by
12 allowing providers to apply -- to reapply for TRS
13 certification at six months if no current deficiencies are
14 recited and no additional license deficiencies are cited
15 during the disqualification period. Third, to amend the
16 amount of professional development and continuing education
17 required for assessors and mentors to align with the current
18 standards required for TRS center directors. And then
19 finally, incorporating minor changes in terminology to
20 reflect state agency responsibilities.

21 Again, with your approval, this policy
22 concept will be posted online for a 3-week comment period.
23 I'm happy to answer questions if you have any.

24 CHAIRMAN ALCANTAR: Any questions?

25 COMM. ALVAREZ: No questions.

1 CHAIRMAN ALCANTAR: Commissioner Hughs?

2 COMM. HUGHS: I move that we approve the
3 discussed policy concept regarding Chapter 809 relating to
4 Texas Rising Star guidelines.

5 COMM. ALVAREZ: I'll second that.

6 CHAIRMAN ALCANTAR: We are unanimous. Thank
7 you, Jason.

8 AGENDA ITEM NO. 15

9 CHAIRMAN ALCANTAR: Item 15, Discussion,
10 Consideration and Possible Action Regarding a Policy Concept
11 on Amendments to the Business Enterprises of Texas program.
12 Morning, Michael.

13 MR. HOOKS: Good morning, Mr. Chairman,
14 Commissioners, Mr. Temple. For the record, I'm Michael
15 Hooks with the Vocational Rehabilitation Division.

16 This morning I'm bringing for your
17 consideration and approval a policy concept for amendments
18 to Chapter 854 pertaining to the Business Enterprises of
19 Texas.

20 The BET program is a competitive integrated
21 training and employment program that operates under the
22 authority of the Randolph-Sheppard Act. The program
23 provides training and remunerative employment opportunities
24 for eligible Texans who are legally blind. Participants
25 maintain vending and food services on State and Federal

1 properties throughout Texas, including office buildings,
2 prisons, post offices, military installations and highway
3 rest areas. All applicants of the program are qualified and
4 referred to BET by the Texas Workforce Commission Vocational
5 Rehabilitation Services.

6 Although BET is not a VR-program, it provides
7 competitive employment for VR-customers and successful case
8 closures for the VR-program. TWC is a State Agency
9 authorized to administer BET. BET program managers
10 collaborate with the federally mandated elected committee of
11 managers, our advisory committee, to evaluate rules, make
12 recommendations.

13 The BET rules were last revised in 2012 under
14 BET's predecessor agency The Texas Department of Assisted
15 and Rehabilitative Services. BET rules are currently in
16 Chapter 854(N), Division for Blind Services, and will be re-
17 lettered to (A), to comply with the Texas Labor Code
18 352.101. To better align BET Rules with TWC's operation of
19 the program, rule revisions are therefore proposed to
20 address or clarify agency and agency-position titles,
21 program eligibility and performance criteria, facility host
22 requirements, assignment and advancement opportunities for
23 licensed managers of BET facilities, conflict of interest
24 standards, use, maintenance and transfer requirements for
25 equipment, and TWC's monitoring of all program participants'

1 compliance with State and Federal tax laws.

2 Revisions are also suggested to clarify and
3 streamline the rule language for the benefit of the licensed
4 managers of BET facilities who use the rules. If approved,
5 Staff will move forward with the development of proposed
6 rules for further consideration by the Commission.

7 I'm glad to answer any questions you may
8 have.

9 CHAIRMAN ALCANTAR: Commissioner Hughs?

10 COMM. HUGHS: I just want to say as I travel
11 across the State, I'm always so incredibly impressed with
12 your BET vendors and they really stand out in the work that
13 they provide in this wonderful opportunity to be
14 entrepreneurs. But that aside, I move that we approve the
15 discussed policy concept regarding Chapter 854 relating to
16 business enterprises of Texas.

17 COMM. ALVAREZ: I'll second that.

18 CHAIRMAN ALCANTAR: We are unanimous. Thank
19 you, Michael.

20 MR. HOOKS: Thank you.

21 AGENDA ITEM NO. 16

22 CHAIRMAN ALCANTAR: Item 16, Discussion,
23 Consideration and Possible Action Regarding the Approval of
24 Local Board Nominees. Cam Bell. Good morning, Cam.

25 MR. BELL: Morning, Mr. Chairman,

1 Commissioners, Mr. Temple. Cameron Bell, Workforce
2 Development Division.

3 Before you for your consideration and
4 approval are Workforce Development Board nominations for the
5 following Boards:

6 Workforce Solutions Borderplex; Capital Area;
7 Deep East Texas; Lower Rio Grande Valley; North Texas; and
8 Southeast Texas.

9 CHAIRMAN ALCANTAR: Commissioner Hughs?

10 COMM. HUGHS: I move that we approve Local
11 Workforce Development Board nominees for Borderplex, Capital
12 Area, Deep East Texas, Lower Rio Grande, North Texas, and
13 Southeast Texas.

14 COMM. ALVAREZ: I'll second that.

15 CHAIRMAN ALCANTAR: We are unanimous. Thank
16 you, Cam.

17 MR. BELL: Thank you.

18 AGENDA ITEM NO. 17

19 CHAIRMAN ALCANTAR: Item 17, Discussion,
20 Consideration and Possible Action Regarding the 2017-2018
21 Customer Service Report for Submission to the LBB and the
22 Governor. Good morning.

23 MS. FISHER: Good morning. My name is Cassie
24 Fisher, I'm with the External Relations Division here at the
25 Workforce Commission. Thank you, Chairman and

1 Commissioners, for having me this morning.

2 Today I am presenting to you the TWC Customer
3 Service report for 2017 and 2018. This report is required
4 by statute to be submitted to the Governor's Office and the
5 Legislative Budget Board June 1 every even-numbered year.

6 I had the opportunity to speak with you and
7 your Staff about this year's report and incorporate their
8 edits and recommendations. A couple of highlights include
9 Vocational Rehabilitation program, the Work In Texas
10 updates, and information on modernizing the wage claim
11 process through electronic wage claim filing.

12 I am seeking your approval of the 2017-2018
13 Customer Service Report and if necessary, allow for any
14 technical and non-substantial changes for the final
15 publication submission of this report.

16 Do you have any questions?

17 CHAIRMAN ALCANTAR: Thank you. Commissioner
18 Hughs?

19 COMM. HUGHS: Thank you for all the work on
20 this. I move that we approve the 2017-2018 Customer Service
21 Report as discussed and for Staff to make any technical
22 corrections before submitting it to the Legislative Budget
23 Board and the Governor.

24 COMM. ALVAREZ: Thank you, Cassie and Tom. I
25 also with that, second this motion.

1 CHAIRMAN ALCANTAR: We are unanimous.

2 MS. FISHER: Thank you.

3 AGENDA ITEM NO. 18

4 CHAIRMAN ALCANTAR: Item 18, Discussion,
5 Consideration and Possible Action Regarding Guidance on
6 Resource Utilization and Implementation of Services and
7 Strategies, related to Hurricane Harvey. Morning, Jen.

8 MS. TROKE: Hi and good morning,
9 Commissioners and Mr. Temple. For the record, Jen Troke,
10 Workforce Division.

11 Today I seek your guidance and approval on
12 four items related to additional Hurricane Harvey funding
13 for Boards and Community Colleges. First, two Boards have
14 expressed a need for additional dislocated worker grant
15 funding based on current obligations beyond 70 percent of
16 their original award. Additional funds are needed for the
17 Boards to continue implementing the Hurricane Harvey
18 rebuilding strategies.

19 Second, Boards have been providing services
20 through mobile units where brick and mortar facilities no
21 longer exist or were damaged by the hurricane. Boards have
22 expressed a need for dedicated mobile units in their
23 communities to facilitate and maintain outreach to Harvey-
24 impacted individuals.

25 Third, colleges and impacted workforce areas

1 have noted that expanding courses into new, high demand
2 industries that support rebuilding will further their
3 efforts in addressing the impact of Hurricane Harvey.
4 Colleges may use funds to develop curriculum and pay for
5 other start-up costs, as well as to conduct outreach to
6 identify eligible trainees.

7 And fourth and finally, colleges have also
8 indicated a need to support additional trainees in logistics
9 and transportation. Boards and colleges must coordinate in
10 the identification of eligible students, in co-enrolling
11 such students in the Boards' disclosed worker grant, and in
12 the colleges' training offerings. This onetime investment
13 in logistics and transportation will be distributed to the
14 Boards based upon the numbers of eligible trainees they
15 commit to identifying and based upon the colleges' existing
16 capacity to provide such training.

17 Staff seeks direction from the Commission on
18 approving the following:

19 One-million in additional funding for
20 Southeast Texas and one-million in additional funding for
21 Coastal Bend, to continue implementing dislocated worker
22 grant funded strategies; up to 1.4-million to purchase
23 mobile units for four workforce areas, including Southeast
24 Texas, Golden Crescent, Coastal Bend, and Deep East; up to
25 3-million to be made available to impacted workforce areas,

1 colleges to expand courses into demand industries beyond
2 construction; and finally, funding for up to 550,000 to
3 support direct training costs in logistics and
4 transportation to be provided to the Boards.

5 Thank you. Any questions?

6 CHAIRMAN ALCANTAR: Commissioners, any
7 questions?

8 COMM. ALVAREZ: I have some questions. So,
9 do you know how many -- what -- I have a couple of
10 questions.

11 Do we know how many have been trained so far?

12 MS. TROKE: Yes, sir, I do. Currently we
13 have 151 participants trained, out of a total being served
14 of 1183 through the Harvey grant.

15 CHAIRMAN ALCANTAR: Is that your question?
16 Do you have a follow-up?

17 COMM. ALVAREZ: That's one of them. I mean,
18 I certainly think that the money is -- for the mobile units
19 and there are some things here; travel and transportation,
20 is certainly justified. 121 (sic) that have been trained
21 seems a little low for asking for additional money.

22 CHAIRMAN ALCANTAR: It is -- it is very low
23 and the issue is, we have focused on construction, we worked
24 with the -- with the sector to identify and prioritize that
25 in terms of the rebuild. There are other industries that

1 have been impacted in the area. This allows for funding to
2 be used to assist these other industries.

3 COMM. ALVAREZ: What industries would those
4 be?

5 CHAIRMAN ALCANTAR: I think they're
6 highlighted.

7 COMM. ALVAREZ: Are they?

8 MS. TROKE: IT, healthcare, manufacturing.
9 Any that are on the demand-sector occupation list.

10 CHAIRMAN ALCANTAR: And transportation
11 logistics would be the other one.

12 MS. TROKE: Yes, sir. Right.

13 COMM. HUGHS: The 3-million is to expand
14 beyond construction.

15 CHAIRMAN ALCANTAR: That's right. And it
16 would be spent or unspent, depending on the availability of
17 our local boards to identify and refer individuals for
18 training, just like the first one. And it's laid out in a
19 way that allows us to pull it back if we could identify
20 other spending items that are actually spending.

21 COMM. HUGHS: Did you say you had more -- any
22 other questions?

23 COMM. ALVAREZ: No other questions.

24 COMM. HUGHS: Okay. I was wondering about
25 the 550,000 for logistics and transportation and how we came

1 about that amount and if you could just explain that a
2 little further.

3 MS. TROKE: That figure is related to what we
4 believe is the demand based on what we're hearing from
5 boards and colleges. We know that truck driving cost an
6 average about \$4500, can be lower, can be higher, and so
7 that just seemed like the -- the right amount.

8 COMM. HUGHS: Okay.

9 CHAIRMAN ALCANTAR: The -- the colleges --

10 COMM. ALVAREZ: We'll evaluate that going
11 forward.

12 CHAIRMAN ALCANTAR: The colleges have
13 consistently highlighted that they continue to hear from
14 employers in that area, particularly in the Gulf Coast,
15 about the ongoing need. They highlight that they understand
16 that we have individuals like we do in other sectors who are
17 in Work In Texas, but there are other underlying issues
18 preventing those individuals to go back to work within the
19 sector and they believe that with some flexibility they --
20 that they would build some transportation training programs,
21 have some entrepreneurial components, and then building some
22 logistics. And if the demand presents itself at a higher
23 level and if spending's not incurring in other areas, that
24 certainly allows us to go back and do more or do less,
25 depending on the amount of interest and their ability to

1 serve.

2 The -- the underlying limiting factor here is
3 the -- the number of eligible individuals who have been
4 identified. And that's the challenge that we've had with
5 each dollar is they're very narrowly tailored to individuals
6 who were impacted by the hurricane and have not yet gone to
7 work. And that's been the challenge with these dollars.

8 COMM. HUGHS: All right. Well, it's good to
9 hear that we got that input from the boards as well on the
10 need. I look forward to seeing how we're doing that. I
11 want to commend Staff on figuring out the mobile units,
12 which I know we heard from the boards at all of our
13 stakeholder meetings were such an important component in the
14 outreach for the impacted areas.

15 So, with that, I move that we approve the
16 discussed additional funding and the way it was laid out and
17 recommended by Staff for approval.

18 COMM. ALVAREZ: Commissioner, I have one more
19 question; I'm sorry.

20 COMM. HUGHS: Sorry, I've already voted.

21 (Laughter)

22 COMM. ALVAREZ: So we did talk about --

23 COMM. HUGHS: You didn't persuade my vote.

24 (Laughter)

25 COMM. ALVAREZ: And I -- I'm glad that you

1 referenced transportation logistics, IT fundamentals. So
2 could we include an emphasis on reaching out to
3 underemployed and those with barriers to employment, such as
4 female ex-offenders in a disaster impacted area and
5 expanding training not only to logistics and transportation,
6 but also in IT fundamentals and entry level PC computer
7 service training? Would you object to that?

8 COMM. HUGHS: I would defer to the Federal
9 Law on this in terms of who we're reaching out to. I think
10 we're reaching out to everyone --

11 CHAIRMAN ALCANTAR: Yeah.

12 COMM. HUGHS: -- that qualifies and has been
13 impacted by the storm, whether they've committed a crime in
14 the past or not. So I --

15 COMM. ALVAREZ: For the record, I just wanted
16 to make that clear, though.

17 CHAIRMAN ALCANTAR: The issue is we just have
18 not, through our local boards, been able to identify and
19 refer enough people for training. And that includes all the
20 above. And -- and our interest is in making sure that all
21 people that are legible under the -- under these very
22 limited eligibility restricted dollars are served, and that
23 would include the individuals that you've identified.

24 COMM. ALVAREZ: And I totally agree with both
25 of you. I just wanted for the record to indicate that.

1 Thank you, Chairman.

2 CHAIRMAN ALCANTAR: Is there a second?

3 COMM. ALVAREZ: And there's a second on that
4 motion.

5 CHAIRMAN ALCANTAR: Okay. We are unanimous.
6 Thank you, Jen.

7 MS. TROKE: Thank you.

8 CHAIRMAN ALCANTAR: All right.

9 AGENDA ITEM NO. 19

10 CHAIRMAN ALCANTAR: Item 19, Discussion,
11 Consideration and Possible Action Regarding Enacted,
12 Proposed or Considered Federal Regulations, Executive
13 Orders, or Federal or State Legislation. Michael Britt.
14 Good morning, Michael.

15 MR. BRITT: Good morning, Mr. Chairman,
16 Commissioners. For the record, Michael Britt, Governmental
17 Relations.

18 Just this morning, the U.S. House Ways and
19 Means committee leadership released a draft of legislation
20 to reauthorize the Temporary Assistance for Needy Families
21 program through fiscal year 2023. The measure allows
22 greater flexibility, strengthens work requirements and
23 aligns outcome measures with WIOA. A detailed summary and
24 text of the legislation has been provided to your offices.

25 Also this week, GR will be monitoring several

1 Congressional hearings:

2 This morning at 10 a.m., the U.S. House
3 Veterans Affairs Committee is marking up pending
4 legislation.

5 Tomorrow at 10 a.m., the U.S. House Education
6 and the Workforce Subcommittee on Higher Education will be
7 holding a hearing on Closing the Skills Gap. Also tomorrow
8 at 10 a.m., the U.S House Ways and Means Subcommittee on
9 Human Resources will hold a hearing on Jobs and Opportunity
10 that will examine legislative options to address the jobs
11 gap.

12 Finally, tomorrow at 11 a.m., the U.S. House
13 Committee on Small Business will be holding a hearing to
14 discuss how small businesses employers help individuals with
15 developmental disabilities.

16 Also, for -- as far as the State Legislature
17 is concerned, next week, TWC has been requested to testify
18 before two legislative committees on Tuesday, May 15th. TWC
19 has been requested to testify before a joint hearing between
20 the House Committees on Defense and Veterans' Affairs and
21 Economic and Small Business Development at 10 a.m. on the
22 Agency's Veterans programs. And also next Tuesday at 1
23 p.m., the Agency has been requested to testify before the
24 House Economic and Small Business Development Committee and
25 provide general agency update and overview of the Agency's

1 response to Hurricane Harvey and a report from the Skills
2 Development Fund.

3 This concludes my remarks and I'm happy to
4 answer any questions you may have.

5 CHAIRMAN ALCANTAR: All right. Thank you,
6 Michael. Any questions?

7 COMM. ALVAREZ: No, Chairman.

8 CHAIRMAN ALCANTAR: Thank you. Appreciate
9 it, Michael.

10 AGENDA ITEM NO. 20

11 CHAIRMAN ALCANTAR: Item 20, report and
12 update by the Executive Director. Larry, what do you have
13 for us this morning?

14 MR. TEMPLE: Nothing new, just want to
15 express my thanks and gratitude to all the support when I
16 was out. Great to be back. Can't wait to really get back
17 in the saddle; think I've got one foot in the stirrup right
18 now.

19 And I want to thank Staff who really kept
20 everything going. I had to get back before you guys figured
21 out you didn't need me because they were doing such a good
22 job. But -- and yay, St. David's. They're good folks.

23 CHAIRMAN ALCANTAR: Yes.

24 MR. TEMPLE: And that's all.

25 CHAIRMAN ALCANTAR: And Commissioner Hughs?

1 COMM. HUGHS: We're glad you're back, Larry.
2 Couple of things I wanted to mention. One, I know that a
3 new ethics training was made available. I'm looking at Les,
4 our ethics officer, and I know that there's an agency-wide
5 deadline for all of us to complete our training by May 31st.
6 I want to thank you all for the work that you did to put
7 that together, even though I think it took me about close to
8 an hour to finish it, it's a really great reminder, not only
9 about avoiding an ethics violation or -- but an actual -- in
10 a conflict, but also the appearance of one. So I appreciate
11 that and I hope that everyone will be in compliance by May
12 31st.

13 Secondly, I know Staff is working on an ex-
14 offender female program and while I appreciate that that's
15 still ongoing, my initial review of that I just want to
16 mention now, we'll discuss it more thoroughly when we see
17 how it plays out, is a little bit of concern. Because I
18 know that we have had senators ask us to look at attainment
19 for minority males, for example. I know that that
20 population of ex-offender females already falls under our
21 at-risk population that we serve. I am concerned about
22 creating a funding stream for our correctional facilities
23 outside of the responsibilities that we already have. I am
24 concerned that it goes into a specific, very narrowly-
25 tailored industry versus high demand occupations in general

1 and I worry about women who haven't committed crimes that
2 have childcare issues and have training concerns that would
3 not benefit from this program. So I will remain openminded
4 about it, but I do want to share with you all concerns I
5 have about it.

6 AGENDA ITEM NO. 9

7 CHAIRMAN ALCANTAR: Okay. Going back to Item
8 9, Discussion, Consideration and Possible Action Regarding
9 Statewide Initiatives Funded by WIOA, TANF, AEL, and can you
10 continue your conversation, Commissioner Hughs?

11 COMM. HUGHS: That's all I had to say and I
12 thought I was done making those comments in the appropriate
13 part of the agenda, so my apologies.

14 CHAIRMAN ALCANTAR: No, that's okay.
15 Anything else?

16 COMM. ALVAREZ: No, the -- I appreciate the
17 comments made by Commissioner Hughs. I know the Staff has
18 been working really hard. We are looking at some options.
19 I do feel that I have continuously received from some of
20 those that are in this room articles regarding the lack of
21 training that women behind bars and those that have been
22 released and paroled are receiving. And so, I will continue
23 to -- to -- and I appreciate that you're looking -- that
24 you're going to be openminded about it. But this is a
25 population that many boards have con -- have shared with me

1 that there is a population and there is a demand for this
2 type of field and interest.

3 I feel like we do need to do a better job of
4 reaching out to those that have been touched by the justice
5 system, whether they're male or female, but it's been my --
6 my research in over a year now that we still need to tap
7 into those females that unfortunately find more barriers
8 than just being incarcerated, but those that, as I
9 referenced in my remarks, those that when they're
10 incarcerated, children are taken away and just contribute to
11 our foster care system. And so I will continue to support
12 my interest in facilitating a way to train women that are
13 incarcerated.

14 CHAIRMAN ALCANTAR: Thank you both.
15 Certainly, both your comments are under advisement and I
16 think there are certainly legitimate points, both sides,
17 perspectives. There is a number of -- the percentages in
18 terms of the number of females that we have in both
19 secondary computer science programs, it does present some
20 significant challenges. At the same -- having said that, at
21 the same time, our female post-secondary numbers in terms of
22 attainment and completion, have far outpaced the performance
23 of our -- of males in these -- in these different
24 demographic groups. So, I think there are certainly some
25 strong, valid points from the perspective of -- perspectives

1 that have been articulated.

2 Having said that, under Agenda Item 9, I
3 would ask Staff to -- we've done work and continue to work
4 through the Tri-Agency with -- with the co-board. This
5 Agency has in fact in the past invested on the work to
6 advance the advised Texas capabilities with that wonderful
7 work behind us and have very positive experience in terms of
8 the return on that investment. Co-board was able to
9 continue those initiatives and those services after we had
10 provided our onetime funding.

11 But since that time, we've really been
12 examining ways in which we can better use or expand the use
13 of our pre-ETS dollars and would ask staff to really dig
14 deep and examine to what extent we can look to build upon
15 that strategy, focusing on -- and really strengthening the
16 guidance, mentoring and post-secondary exploration
17 opportunities, increase -- using this as a way to increase
18 the number of our students with disabilities aware and
19 pursuing a post-secondary journey, and to bring forward a
20 recommendation on how and what level we can sustain and
21 really consider an investment through that partnership with
22 the co-board, using these available pre-ETS dollars.

23 COMM. HUGHS: With the co-board?

24 CHAIRMAN ALCANTAR: With the co-board.

25 COMM. HUGHS: Okay. We'll see what that

1 looks like.

2 CHAIRMAN ALCANTAR: Yes, ma'am -- Yes,
3 Commissioner Hughs.

4 And secondly, I -- in terms of this item,
5 I've been talking about it, we've been hearing from our
6 board chairs, from the boards, and consistently have
7 highlighted a focus on -- on addressing and enhancing the
8 possibilities for our rural communities. We've talked about
9 it with Tom and really am asking Staff to really move
10 aggressively in terms of bringing us some options in terms
11 of how we enhance the capability of our minimum service one-
12 stops and really provide some additional capacity for the
13 one to three people in these offices -- one to five people,
14 to really have the capability to do more and really come up
15 with ways in your discussions, Courtney, with the -- with
16 the Boards to present us with different alternatives to
17 really increase the reach and the effect, and enhance the
18 effect of our services to employers and job seekers in these
19 communities. Examining the ways in which we might have
20 better labor market capabilities, better business
21 development capabilities with employers in those
22 communities, providing them with the ability to more
23 effectively build partnerships with our -- with our middle
24 and high school students in those communities, and any other
25 things that might -- that the Board ED's and Board Staff

1 might bring forward for our consideration.

2 COMM. HUGHS: And Chairman, we know from our
3 stakeholder meetings they all seem to really like NPRS (ph)
4 and these other programs.

5 CHAIRMAN ALCANTAR: Right.

6 COMM. HUGHS: It will be interesting to see
7 what we can come up with to really make an impact in those
8 areas going forward.

9 CHAIRMAN ALCANTAR: I think you make a
10 wonderful point, Commissioner Hughs. Those type of tools we
11 need to do a better job of bringing them into the broad
12 array of services. They are generally free and there's an
13 interest to build around that expressed by our Boards and
14 our Economic Development Corporations are operating in these
15 rural areas. They are affirming the value that they see in
16 it and so let's consider in addition to NPRS, but also we
17 need to bring into the overall mix of what we're trying to
18 equip individuals with.

19 COMM. HUGHS: And they have simple asks like
20 broadband across rural Texas, but we can get around to
21 those.

22 (Laughter)

23 CHAIRMAN ALCANTAR: And --

24 COMM. HUGHS: I'm joking, Larry.

25 CHAIRMAN ALCANTAR: But I -- you actually

1 make another wonderful point, Commissioner Hughs. And I
2 think we need to examine how we partner with corporate
3 America and really support the efforts of the TEA, but
4 partnering with corporate America to see if there's a way
5 that we can use our mobile units and other capabilities to
6 create hot spots or other sort of things that do provide
7 access. If our -- if our units are out there, why don't we
8 do a little bit more with our units.

9 COMM. ALVAREZ: I totally agree with you.

10 CHAIRMAN ALCANTAR: And -- and so, I -- I was
11 speaking to a couple of EDs yesterday and that's something
12 that I indicated that I would be examining is to what extent
13 we can get corporate America to help us in creating some of
14 these. If we're going to have a moving asset --

15 COMM. HUGHS: Right.

16 CHAIRMAN ALCANTAR: -- to what extent can we
17 have these kids have somewhere else to go other than the
18 parking outside the high school or the library.

19 COMM. HUGHS: Exactly. And that's some
20 conversations I've been having with employers as well and I
21 second --

22 CHAIRMAN ALCANTAR: Love to work with you on
23 that, Commissioner.

24 COMM. ALVAREZ: So Chairman, I agree with
25 you. We had a conversation, I think -- I forgot who was

1 with me when we went to the Governor's Office to speak about
2 that. The Governor's Initiative has brought out
3 opportunities for school districts as you know with TEA to
4 work with those K through 12 to receive broadband in the
5 schools. And then of course, there was a bill passed that
6 allowed 911 facilities to also have access to it. But the
7 disconnect is what I'm concerned with is those adult
8 learners, those after high school, that don't have the
9 availability for internet connectivity. And so I totally
10 agree with you. We've done a great job K through 12, it's
11 that disconnect for those distance learners or for those --
12 that population of the 20 -- the -- the Tri-Agency charge
13 that we've been asked to do, that -- that population of 24
14 to 35-year-olds is that population that I'm concerned with
15 and I agree with you. I know that there are some
16 communities around, whether it's Rockdale, Far Texas, or
17 some of the other small communities, that have money but
18 they are looking for opportunities with corporate America to
19 leverage funding, whether it's through us or through the
20 Governor's Office, but those conversations have been taking
21 place.

22 I know the Secretary of State is certainly
23 involved in that.

24 CHAIRMAN ALCANTAR: And we will be, too. We
25 have -- we leverage our investments, that's what we do, and

1 I think we just go ahead and think bigger as we're doing
2 these kind of things that we're involved in.

3 So with that, anything else? Anything
4 further on Item -- what item was that -- on Item 9?
5 Statewide initiatives?

6 AGENDA ITEM NO. 20

7 CHAIRMAN ALCANTAR: Okay. Going back to --

8 COMM. HUGHS: Good discussion.

9 CHAIRMAN ALCANTAR: Going back to Item 20.
10 Larry, anything else?

11 MR. TEMPLE: Nothing else, Commissioner.

12 AGENDA ITEM NO. 24

13 CHAIRMAN ALCANTAR: Do we have a motion to
14 adjourn this meeting?

15 COMM. HUGHS: Yeah, I think the directive to
16 Staff is abundantly clear, so with that, I move that we
17 adjourn.

18 COMM. ALVAREZ: I'll second that.

19 CHAIRMAN ALCANTAR: We are adjourned. Thank
20 you.

21 (Proceedings concluded at 10:15:44 a.m.)

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 May, 2018.

/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