



**MEETING OF THE  
TEXAS WORKFORCE COMMISSION**

**DATE**

**MAY 18, 2021**

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TUESDAY, MAY 18, 2021

CHAIRMAN DANIEL: All right, good morning, everyone. This meeting is called to order. Mr. Trobman, has anyone signed up for public comment?

MR. TROBMAN: [no audible response]

CHAIRMAN DANIEL: Thank you very much. Good morning.

MS. MILLER: Good morning, sir.

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

[pause - 00:39:22 - 00:41:49]

CHAIRMAN DANIEL: All right, this is Agenda Item 8, discussion, consideration, and possible action regarding apprenticeship training program funding for fiscal year 2022.

COMMISSIONER DEMERSON: They're gonna bust through the doors.

CHAIRMAN DANIEL: Oh, is there, like, walk-up music or something?

UNIDENTIFIED SPEAKER: I think [Inaudible].

CHAIRMAN DANIEL: Yeah. Get the smoke machine going. [applause]

MS. BALLAST: Again, so glad to be here. My apologies for that. Good morning, Chairman Daniel, Commissioner Alvarez, Commissioner Demerson, and Mr. Serna. For the record,

1 Kerry Ballast, Workforce Development Division. For your  
2 consideration today is the fiscal year 2022 planning estimates  
3 for apprenticeship training programs. Each year, the Texas  
4 Workforce Investment Council makes recommendations regarding the  
5 chapter 133 apprenticeship training program. TWIC's  
6 recommendations for FY '22 are as follows: A contact hour rate  
7 not to exceed \$4.25 an hour, and a 5 percent reserve fund for  
8 new programs or established programs not currently receiving  
9 funds. Commission decision points for the FY '22 funding are as  
10 follows: A planning estimate of 5,382,785, which includes  
11 3,732,785 in general revenue, and 1,650,000 in WIOA funds for FY  
12 '22 registered apprenticeship training programs, contingent on  
13 adoption of TWC's FY '22 operating budget. A contact hour rate  
14 not to exceed \$4.25, and a 5 percent reserve of planning  
15 estimate funds for new or established apprenticeship programs  
16 that did not receive chapter 133 funds in FY '21. As required by  
17 Texas Administrative Code rule 837.21, with the commission's  
18 approval we will provide public notice of the amount of funds  
19 available to support registered apprenticeship training programs  
20 for FY '22. That concludes my remarks. I'm happy to answer any  
21 questions.

22 CHAIRMAN DANIEL: Comments or questions?

23 COMMISSIONER ALVAREZ: None here, Chairman.

24 COMMISSIONER DEMERSON: None.

25 CHAIRMAN DANIEL: Do we have a motion?

1 COMMISSIONER ALVAREZ: Chairman, I move that  
2 we approve a planning estimate of \$3,732,785 in general revenue,  
3 and 1,650,000 in WIOA funds for fiscal year '22 registered  
4 apprenticeship funds, contingent on the adoption of TWC's fiscal  
5 year '22 operating budget, an FY '22 contact hour rate not to  
6 exceed \$4.25, a 5 percent reserve of planning estimate funds for  
7 new or established registered apprenticeship training programs  
8 that did not receive chapter 133 funds in fiscal year 2021.

9 COMMISSIONER DEMERSON: I second.

10 CHAIRMAN DANIEL: It's been moved and  
11 seconded. We're unanimous. Thank you.

12 MS. BALLAST: Thank you.

13 CHAIRMAN DANIEL: This is item 9,  
14 discussion, consideration, and possible action regarding the  
15 Workforce Innovation Opportunity Act local board plans for  
16 program years 2021 through 2024 for submission to the Texas  
17 Workforce Investment Council.

18 MR. MULLINS: Hi. Good morning, Chairman,  
19 commissioners, Mr. Serna. For the record, I'm Joel Mullins with  
20 Workforce Development. The Workforce Innovation and Opportunity  
21 Act requires each of the 28 local workforce development boards  
22 to develop and submit to TWC a comprehensive, four-year local  
23 board plan. These local plans must be developed openly in line  
24 with the state plan, and be posted for a public comment period.  
25 Boards must also submit target occupations, in-demand

1 industries, and in-demand occupations lists that identify key  
2 industries and occupations in their local areas. All boards  
3 developed their plans in accordance with WIOA regulations. Staff  
4 have reviewed the plans and provided feedback, receiving  
5 satisfactory responses to all questions and requested revisions.  
6 All issues have been adequately addressed. This morning, staff  
7 recommends approval of all board plans for submission to the  
8 Texas Workforce Investment Council for consideration. And I'll  
9 be happy to answer any questions.

10 CHAIRMAN DANIEL: Comments or questions?

11 COMMISSIONER ALVAREZ: None here, Chairman.

12 COMMISSIONER DEMERSON: None.

13 CHAIRMAN DANIEL: I have neither comment nor  
14 question, but I have a request. Assuming this passes, will you  
15 coordinate among staff to draw from all those plans any  
16 innovative approaches or any recognizable best practices, and  
17 make a summary of that and get that to me?

18 MR. MULLINS: Yes, and we have actually  
19 already developed that exact thing, and--

20 CHAIRMAN DANIEL: Perfect.

21 MR. MULLINS: --can provide that to you  
22 today.

23 CHAIRMAN DANIEL: Oh, awesome. Do we have a  
24 motion on this?

25

1 COMMISSIONER ALVAREZ: Yes, sir. Thanks,  
2 Joel, for the report.

3 MR. MULLINS: Yep.

4 COMMISSIONER ALVAREZ: I move that we  
5 approve all program year 2021 through 2024 local board plans for  
6 submission to TWIC for consideration and recommended for  
7 approval by the governor, as discussed by staff.

8 COMMISSIONER DEMERSON: Second.

9 CHAIRMAN DANIEL: It's been moved and  
10 seconded. We're unanimous.

11 MR. MULLINS: Thank you.

12 CHAIRMAN DANIEL: This is item 10,  
13 discussion, consideration, and possible action regarding  
14 recertification of community rehabilitations programs to  
15 participate in the Purchasing from People with Disabilities  
16 state use program.

17 MR. GARCIA: Good morning, commissioners,  
18 Mr. Serna. Juan Garcia with the voc rehab division. This morning  
19 for your consideration we have six CRPs that are reapplying for  
20 recertification. Texas Human Resources code chapter 122.013  
21 requires a workers commission to establish rules for the  
22 certification of community and rehab programs to participate in  
23 the Purchasing from People with Disabilities program. TWC  
24 chapter 806, purchases of products and services from people with  
25 disabilities rule 806.41 establishes requirements for

1 participation in the program and subsequent adherence for those  
2 requirements when a CRP has been certified. CRPs must reapply  
3 every three years, before the expiration date on the  
4 certificate. PPD staff reviews each completed application and  
5 required documentation, and if acceptable, presents the  
6 applicants to the commission for approval. The PPD program has  
7 reviewed six CRPs that are seeking recertification, and all CRPs  
8 pay minimum wage or higher, and they are as follows: Beacon  
9 Lighthouse in Wichita Falls, Beaumont Products and Services in  
10 Beaumont, [inaudible] Center in Lufkin, East Texas Lighthouse  
11 for the Blind in Tyler, Easter Seals Central Texas in Austin,  
12 and Gateway Community Partners in Jacksonville. Staff seeks  
13 direction on approving the six CRPs seeking recertification to  
14 continue participating in the PPD program. With that, I'll  
15 answer any questions you might have.

16 CHAIRMAN DANIEL: Comments or questions?

17 COMMISSIONER ALVAREZ: None here, chairman.

18 COMMISSIONER DEMERSON: None.

19 CHAIRMAN DANIEL: Do we have a motion?

20 COMMISSIONER ALVAREZ: I move that we  
21 approve the recertification of the community rehabilitation  
22 programs as discussed by staff.

23 COMMISSIONER DEMERSON: Second.

24 CHAIRMAN DANIEL: It's been moved and  
25 seconded. We're unanimous. Item 11--staff doesn't have anything

1 under item 11, but I do. We'll begin our next budgeting cycle  
2 very soon for fiscal '22. I think there are some outstanding  
3 balances in WIOA, TANF, and a couple of other statewide reserved  
4 funds. I think we're at a good time in here to analyze the  
5 outcomes of initiatives that we've been running from those  
6 statewide programs and then make a decision on how to utilize  
7 our remaining resources to create the most impact for the state.  
8 If there's no objection, I propose that we schedule a work  
9 session for the middle part of June where staff can present an  
10 analysis of initiatives that we've undertaken in the past year,  
11 and then the commissioners can discuss and make decisions on  
12 projects to be funded with the remaining balances in the  
13 statewide balances.

14 COMMISSIONER ALVAREZ: I'd be okay with  
15 that, Chairman.

16 COMMISSIONER DEMERSON: I think that's a  
17 good suggestion.

18 CHAIRMAN DANIEL: All right, so if I could  
19 ask general counsel, let's find a spot in the middle of June  
20 that's convenient for all three commissioners. We can schedule a  
21 work session. I would ask staff to hold any and all proposals  
22 dealing with balances from any other statewide reserve balances  
23 for that meeting. And commissioners, I'll be bringing forward a  
24 couple of ideas. I would love to hear your ideas as well. I  
25 found our last work session to be very, very productive. Great



1 exchange of ideas. I think we get better decisions for TWC when  
2 we do it that way, and I appreciate your support for this work  
3 session as well. Do we have anything on Agenda Item 12? No.  
4 Board nominations, Agenda Item 13.

5 MS. WILLIAMS: Hi, good morning, Chairman,  
6 commissioners, and Mr. Serna. For the record, Shunta Williams  
7 with the Workforce Development Division, and before you today  
8 for consideration we have workforce board nominations for three  
9 areas. Staff recommends approval for Workforce Solutions Heart  
10 of Texas, Gulf Coast, and Southeast Texas. That concludes my  
11 request, and I'm here to answer any questions you have.

12 CHAIRMAN DANIEL: Comments or questions?

13 COMMISSIONER ALVAREZ: None here, Chairman.

14 COMMISSIONER DEMERSON: None.

15 CHAIRMAN DANIEL: Do we have a motion?

16 COMMISSIONER ALVAREZ: With that, I move  
17 that we approve the board nominees for Heart of Texas, Gulf  
18 Coast, and Southeast Texas.

19 COMMISSIONER DEMERSON: I second the motion.

20 CHAIRMAN DANIEL: It's been moved and  
21 seconded. We're unanimous.

22 MS. WILLIAMS: Thank you.

23 CHAIRMAN DANIEL: Thank you. Is there a  
24 legislative report today?

25

1 MR. BRITT: Good morning, Chairman Daniel,  
2 Commissioner Alvarez, Commissioner Demerson, and Mr. Serna. For  
3 the record, Michael Britt, governmental relations. We are now  
4 less than two weeks away from the end of the 87th Texas  
5 Legislative session. Last Thursday, Governor Abbott signed into  
6 law House Bill 7 by Representative Button, which relates to the  
7 replenishment ratio used to determine an employer's unemployment  
8 compensation tax rate. Senate Bill 770, by Senator Hughes, is  
9 TWC's legislative proposal related to self-sufficiency fund  
10 program amendments. That bill has been sent to the governor and  
11 is awaiting his action. Senate Bill 695 by Senator Zaffirini is  
12 TWC's legislative proposal related to notice of assessments and  
13 methods of service. That bill is scheduled to be considered on  
14 today' House local and consent calendar. All of TWC's other  
15 legislative proposals are still moving their way through the  
16 legislative process. The only legislative proposal that has  
17 stalled due to not receiving a hearing in committee is Senate  
18 Bill 819 by Senator Powell, which is TWC's legislative proposal  
19 related to documentation for UI benefits for victims of domestic  
20 violence. This concludes my remarks. I'm happy to answer any  
21 questions you have.

22 CHAIRMAN DANIEL: Any comments or questions?

23 COMMISSIONER ALVAREZ: None here, Chairman.

24 COMMISSIONER DEMERSON: Just good work. No  
25 other comments.

1                   CHAIRMAN DANIEL: There's no question in my  
2 mind, a lot of people all across the capitol complex work very  
3 hard during legislative season. Can't really stress enough how  
4 hard House and Senate staff work preparing for the session and  
5 during the session. The members of the legislature certainly put  
6 in a lot of hours, a lot of executive branch folks do, too.  
7 Where I'm leading to is Michael, you and your team, we don't  
8 recognize you enough for the hours that you put in here. I saw a  
9 little bit of glee sweep over your face when you said two weeks  
10 are left in the session.

11                   COMMISSIONER DEMERSON: Big smile.

12                   CHAIRMAN DANIEL: I didn't wanna let you off  
13 easy without saying we really appreciate the time and effort  
14 that you guys put into this. There are so many moving parts, so  
15 many people to work with, so many issues at hand, I don't ever  
16 say thank you enough, so I'm just gonna do it right now. Thank  
17 you for all that you do. We appreciate what you guys are doing  
18 for TWC, and for all the Workforces of Texas.

19                   MR. BRITT: Thank you very much, sir.

20                   COMMISSIONER ALVAREZ: We can always tell  
21 when you go to bed, Mike.

22                   CHAIRMAN DANIEL: Then my phone stops  
23 [inaudible].

24                   MR. BRITT: Yeah, I was gonna say.

25

1 COMMISSIONER DEMERSON: Mr. Chairman, I'm  
2 glad you made reference to that smile. When Michael walked up, I  
3 saw that smile as well. It's amazing.

4 CHAIRMAN DANIEL: All right, an executive  
5 director's report?

6 MR. SERNA: Just a brief report. Staff are  
7 taking all the necessary steps to ensure that we implement the  
8 governor's decision concerning the pandemic [inaudible]  
9 assistance federal program. We'll make sure that computer  
10 systems and other necessary processes are in place to have a  
11 smooth transition off of that program on the effective date.  
12 [Inaudible] continue to do that. We do anticipate some increase  
13 in call volume, and we've anticipated that, and we have already  
14 put our contract call centers on notice, as well as our own call  
15 centers [inaudible] so we can address that as well.

16 CHAIRMAN DANIEL: Mm-hmm. Well, obviously we  
17 need to make sure that all of our mechanisms are working as  
18 efficient as possible. And then, you know, I would encourage us  
19 to, perhaps through the workforce division, to visit with boards  
20 and make sure that they are positioned to help people really  
21 maximize--whether it's Work in Texas, My Texas Career, or  
22 something else that they're doing--really maximize our ability  
23 to help folks as they're looking for a job. It's a big job,  
24 pairing employers with employees, and let's just make sure the  
25 boards have all the tools that they need so that we can move on

1 that quickly if there's something. And then we should probably  
2 take this time to look at all the processes we put in place  
3 during the pandemic, any rule changes that we made, any  
4 temporary adjustments of rules that we made, and just make sure  
5 that everything's still appropriate for the environment that  
6 we're in, and still operational, and then make any changes  
7 necessary to ensure that we can still maintain that efficiency.

8 MR. SERNA: Absolutely, yes, sir, we will.

9 One last thing with regard to something that you said on the  
10 workforce side, our workforce division have been working with  
11 the 28 local workforce boards, but we will probably also be  
12 taking some [inaudible] steps to provide some additional  
13 assistance to workers and employers from the state level.

14 CHAIRMAN DANIEL: Mm-hmm.

15 MR. SERNA: So, we're gonna do that as well,  
16 kind of like we did early on in the pandemic, when we shifted on  
17 the workforce side to do some things that traditionally we  
18 didn't do at a statewide level. We're gonna continue to do that.

19 CHAIRMAN DANIEL: Well, and I think that's  
20 certainly okay under the circumstances, and this might be,  
21 particularly the next six weeks, a period, while we're  
22 concluding some of these programs, this might be a time period  
23 where we really reinforce metrics and the training that we can  
24 make available to folks. So, several things--

25 MR. SERNA: Right.

1 CHAIRMAN DANIEL: --that we can be doing,  
2 absolutely.

3 MR. SERNA: And that concludes my report.

4 CHAIRMAN DANIEL: Other questions or  
5 comments for Ed?

6 COMMISSIONER ALVAREZ: Chairman, I would  
7 agree with you--the metrics work in Texas, all the other tools,  
8 and then just reinforcing the fact that we need to have at least  
9 one office open in each board area. So, I agree with the  
10 chairman. My comments were exactly the same. So, great remarks.

11 COMMISSIONER DEMERSON: No comments.

12 CHAIRMAN DANIEL: Is there any other order  
13 of business to come before the commission?

14 COMMISSIONER ALVAREZ: None here, Chairman.

15 COMMISSIONER DEMERSON: Two items, quickly.  
16 Number one, on May 20 this week we're gonna be holding a Texas  
17 back-to-work session, our office and the governor's Economic  
18 Development and Tourism office. [Inaudible] also have  
19 participated in the Workforce Solution offices, Texas Economic  
20 Development Corporation, Texas Association of Business, the  
21 Texas Association of Builders, the National Federation of  
22 Independent Business, the Texas Travel Alliance, the Texas  
23 Chamber of Commerce Executives, and the Texas Truckers  
24 Association, as we work to help employers get employees back to  
25 work. That'll take place on the 20th of this week. And then

1 lastly, I'm a proud parent of a SMU graduate, Cox School of  
2 Business. My oldest, Steven, graduated this past Friday, and  
3 send a shout-out to Steven and his team for that. Cox School of  
4 Business, business analytics. He'll be off the payroll June  
5 29th, so.

6 COMMISSIONER ALVAREZ: I don't have anybody  
7 graduating from college, but I know the chairman has a daughter  
8 graduating this Saturday, so congratulations to you, Chairman,  
9 and to you, Commissioner Demerson.

10 COMMISSIONER DEMERSON: Thank you.

11 CHAIRMAN DANIEL: Well, indeed I do, thank  
12 you for mentioning that.

13 COMMISSIONER ALVAREZ: Mm-hmm.

14 CHAIRMAN DANIEL: Emily graduates on  
15 Saturday. She's from Trinity University in San Antonio, degree  
16 in finance which she's gonna take to Lubbock, where she'll be at  
17 Texas Tech law school starting in the fall. So, she's pretty  
18 excited about that, and I wish her very well. She's worked hard.  
19 Did I mention that she played for the Trinity women's basketball  
20 team once or twice? Who were the conference champions this year.  
21 So, congratulations, Emily, and all of her crew. Speaking of  
22 champions, I have a really--I have a friend named John Garrett.  
23 He is the publisher of the community impact newspapers, and  
24 known him for probably nearly 20 years at this point. And I've  
25 never seen anyone more proudly represent Sam Houston State

1 University for 20 years than I have John Garrett. And all of his  
2 work, according to him, came to fruition on Sunday with our  
3 newest crowned FCS national champions, the Sam Houston State  
4 University Bearkats. So, congratulations Bearkats--

5 COMMISSIONER DEMERSON(?): Go, Bearkats.

6 CHAIRMAN DANIEL: --and all the Bearkat fans  
7 like John Garrett who stuck with them for all time. Good  
8 championship coming back to the state. Congratulations, all the  
9 graduating seniors throughout the state. It is a robust time in  
10 the job market, with a lot of movement. We hope you'll take  
11 advantage of TWC opportunities if you're graduating now and  
12 you're looking for a job. Let us help you do that. Gentlemen,  
13 any further comments?

14 COMMISSIONER ALVAREZ: Well, I guess I will  
15 acknowledge that the fastest 6A sprinter in the state is from  
16 Harlingen, Texas, ran in 10 flat, Mr. Garcia. So, proud to  
17 acknowledge that, since that's about the only thing I can  
18 acknowledge today. I have nobody graduating, but he is from  
19 Harlingen, and I know that we're very proud, south Texas, of  
20 this young man who ran it in 10 flat. Some Olympians don't even  
21 run it that fast. So, we're very excited for him.

22 CHAIRMAN DANIEL: Did you at any time coach  
23 a Little League team he was on or anything? Any claim that you--

24 COMMISSIONER ALVAREZ: No connection.

25



1 CHAIRMAN DANIEL: None whatsoever? "I read  
2 about it in the 'Valley [inaudible] News,'" okay.

3 COMMISSIONER ALVAREZ: That was about it,  
4 Chairman. I just read about it.

5 CHAIRMAN DANIEL: Let's don't take anything  
6 away from him.

7 COMMISSIONER ALVAREZ: No, thank you.

8 CHAIRMAN DANIEL: That's fast, fast, fast.  
9 All right, anything else to come before the commission?

10 COMMISSIONER ALVAREZ: Congratulations to  
11 you both. With that, I move that we adjourn.

12 COMMISSIONER DEMERSON: I second the motion.

13 CHAIRMAN DANIEL: It's been moved and  
14 seconded to adjourn; we're adjourned, thank you.

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