



**MEETING OF THE  
TEXAS WORKFORCE COMMISSION**

**October 27, 2020**

1 TUESDAY, OCTOBER 27, 2020

2 CHAIRMAN DANIEL: All right, I'm showing  
3 it's 9:01. Are you guys ready to get started?

4 COMMISSIONER ALVAREZ: Yes, Chairman.

5 COMMISSIONER DEMERSON: Let's rock and  
6 roll.

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

10 MR. TROBMAN: Good morning, Commissioners.  
11 No, we have no public commenters this morning.

12 CHAIRMAN DANIEL: Thank you very much.  
13 Good morning, Ms. Miller.

14 MS. MILLER: Good morning, sir.

15 CHAIRMAN DANIEL: Thank you. This brings  
16 us to the end of Agenda Items 3 through 7. Let's pause for a  
17 few minutes to reset for the rest of the meeting. All right,  
18 let's pick back up. We're going to go to Agenda Item 8, staff  
19 does not have anything to present for this item. Agenda Item 9,  
20 2021 internal audit, discussion, consideration and possible  
21 action regarding accrual of FY2021 Internal Audit Plan.

22 ASHLEY SAGEBIEL: Good morning, Chairman,  
23 Commissioners. For the record, Ashley Sagebiel, Internal Audit.  
24 Today, I'm here to present the Fiscal Year 2021 Audit Plan for  
25 your consideration and approval. Starting on page 6 of the

1 document I provided, you will find the proposed performance  
2 audits, [unintelligible] audits and administrative functions as  
3 briefed with your offices. I'm available if you have any  
4 questions.

5 CHAIRMAN DANIEL: Questions or comments?

6 COMMISSIONER ALVAREZ: None here,  
7 Chairman.

8 COMMISSIONER DEMERSON: None.

9 CHAIRMAN DANIEL: Thank you. Do we have a  
10 motion?  
11

12 COMMISSIONER ALVAREZ: Great report,  
13 Ashley. I move that we approve the Fiscal Year 2021 Audit Plan  
14 as presented.

15 COMMISSIONER DEMERSON: I second.

16 CHAIRMAN DANIEL: It's been moved and  
17 seconded, and I concur, so we're unanimous.

18 ASHLEY SAGEBIEL: Thank you.

19 CHAIRMAN DANIEL: Thank you. This is Item  
20 10 discussion, consideration, and possible action regarding  
21 Adult Education and Literacy Performance Funding  
22 [unintelligible] Program Year 2020-2021.

23 FABIANA RAMIREZ: Good morning, Chair  
24 Daniel, Commissioner Alvarez, Commissioner Demerson, and Mr.  
25 Serna. For the record, my name is Fabiana Ramirez, Program

1 Specialist with Adult Education and Literacy. TWC Rules Chapter  
2 800.68 provides that TWC set performance accountability  
3 benchmarks that AEL grant recipients must meet in order to  
4 access up to 10% of their allocated funding. We refer to this  
5 as the performance-based holdback. The program year 2020  
6 performance-based holdback, as approved by the Commission back  
7 in June, is 2% of an AEL grantees' overall allocation.

8  
9 The following is a brief description of the  
10 items outlined under issue 1 of your notebook material. Issue 2  
11 outlines items which will be taken to the Commission at a future  
12 date. Last October, the Commission approved the performance-  
13 based funding criteria, which incorporated measures under House  
14 Bill 1949, as passed in the 86th legislature regular session.  
15 The Commission also approved the holdback for this measure at  
16 that time, which was 33.33% of a grantees' allocation for this  
17 current program year. So, this is described in your notebook  
18 materials as measure 1.

19 Measure 2 criteria relates to a student  
20 retention and measure scale gained criteria and AEL grantees  
21 which meet this measure are able to access the remaining 66.66%  
22 of that performance-based holdback this current program year.  
23 Attachment 1 of your notebook materials show the amounts for  
24 both measure 1 and measure 2.  
25

1                   Finally, there's a forward application of  
2 the criteria found in House Bill 1949, so next program year's,  
3 Program Year 2021, this will be known as measure 1.

4                   So, at this time, staff seeks direction on  
5 the following items: first, to rescind program year 20s measure  
6 1 to release that 33.33% of the program year 20 performance-  
7 based allocation to grant recipients. Second, to assigning the  
8 performance-based criteria described in measure 2, giving grant  
9 recipients access to approximately 66.66% of the remaining  
10 program year 20 performance-based allocation. And, third and  
11 last, to assign that criteria to continue the implementation of  
12 House Bill 1949 in program year 2021, so this will be program  
13 year 2021 measure 1. That's all I have, and I'm happy to answer  
14 any questions you might have.  
15

16                   CHAIRMAN DANIEL:    Comments or questions?

17                   COMMISSIONER ALVAREZ:   None here,  
18 Chairman.

19                   COMMISSIONER DEMERSON:   None.

20                   CHAIRMAN DANIEL:    All right, do we have a  
21 motion?

22                   COMMISSIONER ALVAREZ:    Chairman, I move  
23 that we rescind the program year 20 measure 1, releasing 33.33%  
24 of the program year 20 performance-based allocations to the  
25 grant recipients, assign the performance-based criteria

1 described in measure 2, giving grant recipients access to  
2 approximately 66.66% of the program year 20 performance-based  
3 allocation, and assign criteria to continue implementation of  
4 House Bill 1949 in program year 21 measure 1, allowing grant  
5 recipients to earn performance-based funding to be awarded in  
6 program year 21, 22 for program year 20s' performance.

7 COMMISSIONER DEMERSON: Second.

8 CHAIRMAN DANIEL: It's been moved and  
9 seconded. The motion carries.

10 FABIANA RAMIREZ: All right, thank you.

11 CHAIRMAN DANIEL: All right, on Item 11,  
12 staff does not have anything to present for statewide  
13 initiatives. Item 12, which is short-hand of the COVID-19  
14 report, we don't have anything under this one either, right?

15 COMMISSIONER ALVAREZ: No, sir.

16 CHAIRMAN DANIEL: Item 13, board  
17 nominations, discussions, consideration and possible action  
18 regarding approval of local workforce development board  
19 nominees.  
20

21 SHUNTA WILLIAMS: Good morning, Chairman  
22 Daniel, Commissioner Alvarez, Commissioner Demerson, and Mr.  
23 Serna. For the record, Shunta Williams with the Workforce  
24 Development Division. And, before you for consideration are  
25 workforce board nominees previously presented on October 20,

1 2020. The Commission directed staff to delay the items for one  
2 week to allow for further review and consideration. This  
3 includes workforce solutions North Central Texas, Golden  
4 Crescent, Middle Rio Grande, Permian Basin, Rural Capital Area,  
5 and Texalmaal. This concludes my request, and I'm here to answer  
6 any questions you have.

7  
8 CHAIRMAN DANIEL: Okay, comments or  
9 questions?

10 COMMISSIONER ALVAREZ: Chairman, I have  
11 comments. Regarding the nominees for the Middle Rio Grande, I  
12 would like to thank both nominees for their interest in serving  
13 as board members. Both the nominees represent entities that do  
14 not have any active employees. While this may be a worthwhile  
15 perspective within a board, this board already has similarly  
16 situated members to provide such a perspective. In general, it  
17 would be my preference to see private sector representatives  
18 actively engage in supervision, hiring, firing, promoting, and  
19 otherwise managing employees within the workforce area.

20 This board is already well-above the  
21 minimum board member size, so the minimum board size is not a  
22 concern here. We should not, at this time, approve the nominees  
23 for the Middle Rio Grande.

24 CHAIRMAN DANIEL: Other questions or  
25 comments?

1 COMMISSIONER DEMERSON: Mr. Chairman, I'd  
2 like to, on behalf of the Workforce Solutions Middle Rio Grande  
3 Group, the two individuals that have been submitted are  
4 submitted by the local Chamber of Commerce and so they are put  
5 forth by that Chamber and the board feels that they need those  
6 individuals to serve in that capacity. And, so I'm in full  
7 support of the suggestion that is coming forth from that board.

8  
9 CHAIRMAN DANIEL: Okay. Additional  
10 comments or questions? Do we have a motion on this item?

11 COMMISSIONER DEMERSON: Mr. Chairman, I'm  
12 going to move that we move forward with the recommendations as  
13 submitted by staff.

14 CHAIRMAN DANIEL: All right, I second that  
15 motion. Any further discussion on the motion?

16 COMMISSIONER ALVAREZ: I vote for all of  
17 them with the exception of those from Middle Rio Grande that  
18 were presented to us by staff.

19 CHAIRMAN DANIEL: Okay. The motion was to  
20 approve the staff recommendations, and I believe there's two  
21 votes for that. Commissioner Alvarez, it's not important that  
22 we show your dissent, but we've heard your dissent--

23 COMMISSIONER ALVAREZ: Yes, sir.

24 CHAIRMAN DANIEL: --and it's duly noted in  
25 the record. All right, gentlemen.



1 SHUNTA WILLIAMS: Thank you.

2 COMMISSIONER DEMERSON: Thank you.

3 CHAIRMAN DANIEL: We have nothing on Item  
4 14, legislative proposals. No legislative report today. Ed,  
5 have you changed your mind? Still no executive directors  
6 report?

7 ED SERNA: No, sir. I have nothing to  
8 report this week.

9 CHAIRMAN DANIEL: All right, no executive  
10 directors report. Is there any other order of business to come  
11 before the Commission?  
12

13 COMMISSIONER DEMERSON: Mr. Serna, I'm  
14 going to defer to Commissioner Alvarez first and then, I do have  
15 an order that I would like to bring up real quick. Commissioner  
16 Alvarez, anything?

17 COMMISSIONER ALVAREZ: Do I have anything?

18 COMMISSIONER DEMERSON: Yes.

19 COMMISSIONER ALVAREZ: Not right now.  
20 Maybe after you say something.

21 COMMISSIONER DEMERSON: Okay, then.

22 COMMISSIONER ALVAREZ: I got to protect  
23 myself, man, so--

24 COMMISSIONER DEMERSON: No, it's not like  
25 that.

1 COMMISSIONER ALVAREZ: Are you going to  
2 make fun of my Beretta jacket?

3 CHAIRMAN DANIEL: You guys, on my screen,  
4 you're side-by-side, so this is getting more interesting by  
5 [unintelligible].

6 COMMISSIONER DEMERSON: Oh, my goodness.  
7 Let's see what we can [unintelligible]. In all seriousness, you  
8 know, internships are something that's of great importance to me  
9 and so, Governor Abbott actually has provided [unintelligible]  
10 to those agencies that have partaken in the internship ramp.  
11 During this pandemic, there was an opportunity for us to really  
12 just say we probably can't do that, but Ed and the team stepped  
13 out to really make a difference and the agency did have  
14 internships, as did a number of other agencies, as well. And  
15 so, I'm going to read this certificate that came from Governor  
16 Abbott and I'll be presenting this to Ed, as well.

17  
18 But, it says [unintelligible] Governor to  
19 all, to whom these presents shall come. Greetings, know ye that  
20 this official recognition is presented to the Texas Workforce  
21 Commission. It is my pleasure to send my appreciation and  
22 recognition to your agency for your diligence and perseverance  
23 in offering internship opportunities for hardworking students  
24 during the Novel Coronavirus COVID-19 pandemic.  
25

1                   While COVID-19 has disrupted many aspects  
2 of our daily lives, the continuation of your internship program  
3 during this time highlights how Texas continues to prepare for  
4 the future by adapting to the unexpected challenges of today.  
5 Utilizing creative, digital and virtual methods to ensure your  
6 interns were presented with valuable learning experiences and  
7 opportunities, your agency has showcased the bright potential of  
8 future employment opportunities in state government. By  
9 providing interns with the skills and tools to success, you are  
10 empowering our students and young adults for their next steps in  
11 helping solidify the future of Texas.

12                   With agencies and organizations like yours  
13 leading the way, the Lone Star State will continue to prosper  
14 and thrive. First Lady, Cecilia Abbott joins me in  
15 congratulating you on your success and extending best wishes for  
16 the future. In testimony where have I signed my name and cause  
17 to the seal of State of Texas to be affixed at the City of  
18 Austin, this 13th day of October, 2020. Greg Abbott, Governor  
19 of Texas.

20                   And, so I'll be providing this certificate  
21 to Ed and just congratulating the agency and the team for  
22 stepping out during this pandemic and really making a  
23 difference, not only in the lives of those students, but  
24  
25

1 preparing for our future talent pipeline, as well. Thank you  
2 for the opportunity, Mr. Chairman.

3 COMMISSIONER ALVAREZ: Thank you, sir.  
4 Congratulations, Aaron, for the great work that you do with the  
5 interns and, of course, all the Commission office and the  
6 agency, especially. So, thanks to everyone.

7 CHAIRMAN DANIEL: Absolutely.

8 COMMISSIONER DEMERSON: [Unintelligible]  
9 goes to the agency and the work that you guys are doing. And,  
10 so, internships is very, very important [unintelligible] our  
11 Higher Education Coordinating Board Harris and Keller is very  
12 interested in doing some things down the line. So, we're going  
13 to push this even further, in spite of the pandemic, as we move  
14 forward.  
15

16 CHAIRMAN DANIEL: Absolutely. Thank you  
17 for that. Is there any other business to come before the  
18 Commission?

19 COMMISSIONER ALVAREZ: None here,  
20 Chairman. Oh, I would like to congratulate Mary York on a great  
21 meeting last week, take this opportunity since she's a new  
22 addition to the agency. She did a really good job of putting  
23 together a really good meeting last Friday where we all had an  
24 opportunity to make some comments and listen to some of the  
25 successes that were going around the state. So, I just wanted



1 CHAIRMAN DANIEL: All right. Do we have a  
2 motion to adjourn?

3 COMMISSIONER ALVAREZ: Chairman, I move  
4 that we adjourn.

5 COMMISSIONER DEMERSON: I second that  
6 motion.

7 CHAIRMAN DANIEL: And, if it's moved and  
8 seconded, I think we're unanimous and we are.

9 COMMISSIONER DEMERSON: Yeah.  
10

11 COMMISSIONER ALVAREZ: Bye-bye, everyone.

12 CHAIRMAN DANIEL: Have a good week.

13 COMMISSIONER DEMERSON: Good luck tonight,  
14 Commissioner Alvarez, [unintelligible] you ref.

15 COMMISSIONER ALVAREZ: Remember, don't boo  
16 me. Do not boo the refs.

17 COMMISSIONER DEMERSON: Okay.  
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