



**MEETING OF THE
TEXAS WORKFORCE COMMISSION**

DATE

JULY 28, 2020

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TUESDAY, JULY 28, 2020

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

LES TROBMAN: Good morning, Commission. Les Trobman General Counsel. We do have two individuals who have signed up to provide public comment this morning. First, we have Pat Smith. If you could unmute yourself and introduce your name and affiliation for the record. Oh, you still need to unmute yourself. There should be a microphone in the bottom left-hand corner of your screen.

JULIA: [Unintelligible] she is unmuted. I just - she may not have a microphone.

LES TROBMAN: [Unintelligible] Pat, while you continue to work on that, we could go to our second commenter and come on back if the technical difficulties can get resolved. Our second commenter is Christina Inclin (ph).

CHRISTINA INCLIN: Good morning.

COMMISSIONER DEMERSON: Good morning.

CHRISTINA INCLIN: Hello.

COMMISSIONER ALVAREZ: Good morning.

CHRISTINA INCLIN: Yes, sir.

LES TROBMAN: If you could introduce yourself and your affiliation for the record and then go ahead.

1 CHRISTINA INCLIN: My name is Christina
2 Inclin (ph). I am a grandmother raising three children. I am
3 also a physical therapist providing home health services to
4 Bexar County and the surrounding communities.

5 LES TROBMAN: And, did I hear - do you have
6 comments this morning to provide to the Commission?

7 CHRISTINA INCLIN: You guys are breaking up
8 or I'm breaking up. The reason I requested an opportunity to
9 address the committee today is I have had the - been grateful to
10 be able to receive from CCS funding for essential workers for
11 the last three months. Are you there?

12 COMMISSIONER ALVAREZ: Yes.

13 CHRISTINA INCLIN: Okay. I am told that
14 those funds haven't been exhausted and that my end-date is
15 August the 11th. I realize funds are tight and I'm appealing to
16 the committee or - to see if y'all are going to be able to bring
17 any additional funds for the CCS program for essential workers.
18 I do not qualify for regular CCS, so this has been a Godsend in
19 light of the pandemic, as our schedules and traveling and
20 meeting the needs of patients, which are more so homebound now
21 because of the pandemic. Once - with the schools not opening as
22 of August 11th, we cease to have daycare and, as you well know,
23 it's extremely expensive, which will cost me about \$2,400 a
24 month, which is not possible. So, I'm just reaching out to
25 express the appreciation first, and the need for continued

1 support for the CCS program, especially for essential workers,
2 but, of course, for everyone.

3 LES TROBMAN: Thank you very much.

4 CHRISTINA INCLIN: All right, thank you for
5 the opportunity to speak with you guys. I appreciate it, have a
6 good day and be safe.

7 CHAIRMAN DANIEL: Thank you, you too.

8 LES TROBMAN: One more time, Pat Smith?

9 JULIA: She has logged off.

10 LES TROBMAN: Okay. Commission, with that,
11 those are the two comments we had registered for this morning.

12 CHAIRMAN DANIEL: Great, thank you so
13 much. Let's move to Agenda Item 3. 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 moment or two to reset for the rest of the meeting. Okay.

18 COMMISSIONER ALVAREZ: We're back.

19 CHAIRMAN DANIEL: All right, you guys
20 ready to tackle the rest of this?

21 COMMISSIONER DEMERSON: Let's do it.

22 COMMISSIONER ALVAREZ: Yes, sir.

23 CHAIRMAN DANIEL: Item 8 has been deferred
24 to a later meeting. This will bring us to Agenda Item 9,
25 discussion, consideration and possible action regarding Policy

1 Concepts on [unintelligible] Chapter 815 regarding guidelines
2 for the issuance of unemployment insurance benefits to
3 individuals who refuse work during the COVID-19 pandemic.
4 Commissioner Alvarez, this was the item you asked to be placed
5 on the Agenda. I'm not sure exactly how we [unintelligible] to
6 proceed on this.

7 COMMISSIONER ALVAREZ: I was thinking
8 maybe Chris Oakley (ph) or someone from General Counsel may
9 provide with--

10 CHAIRMAN DANIEL: Okay.

11 COMMISSIONER ALVAREZ: We could go from
12 there, then I could provide some comments that I have, Chairman,
13 if that's okay.

14 CHAIRMAN DANIEL: Okay, absolutely. Thank
15 you.

16 COMMISSIONER ALVAREZ: Yes, sir.

17 LES TROBMAN: Good morning, Commissioners.
18 Les Trobman General Counsel, and with me today is Chris Oakley
19 from UI. We, pursuant to recent Commission [unintelligible],
20 took direction from [unintelligible] to prepare policy concepts
21 to reflect this portion of what had previously been a rule
22 submission externally. Staff has worked with your office,
23 Commissioner, to prepare this policy concept in line with your
24 direction, and we look forward to taking any further direction

25

1 that the Commission may have. Chris, did you have anything you
2 wanted to add?

3 CHRIS OAKLEY: I did not. Thank you, Mr.
4 Trobman.

5 LES TROBMAN: And with that, this item is
6 now before the Commission for their deliberations.

7 CHAIRMAN DANIEL: All right. Questions or
8 comments?

9 COMMISSIONER ALVAREZ: Chairman, so thank
10 you for allowing me to be able to go into detail a little bit
11 about what we had brought forth that we discussed back in June.
12 Before I move and before I actually make any remarks or any of
13 my comments, I did want to thank Chris Oakley and, of course,
14 Les Trobman for working so closely with our office on this.

15 Commissioners, on June 16, 2020, we took
16 action to clarify conditions under which claimants would not be
17 disqualified for refusing an offer of suitable work when any of
18 the outlined COVID-related conditions applied. At the
19 Commission meeting on June 30, 2020, I asked staff to develop a
20 policy concept to implement the suitable work guidelines and
21 rule to further clarify and refine that guidance.

22 Formal rule-making will ensure all
23 interested parties are aware of the requirements of the rule,
24 provide greater transparencies into the development of these
25 standards, and afford employers, claimants and other interested

1 parties with the opportunity to provide input. Formal rules
2 will also provide clear and consistent guidance to all
3 interested parties and agency adjudication staff. I agree that
4 these rules should be implemented on the emergency basis in
5 response to the COVID-19 pandemic for the purposes of carrying
6 out the intent of the CARES Act funding. That concludes my
7 remarks, Chairman.

8 CHAIRMAN DANIEL: All right. Additional
9 comments or questions, Commissioner Demerson?

10 COMMISSIONER DEMERSON: None right now,
11 just the same as I have on record as saying that I know staff -
12 we have the guidelines already established and I'm not sure - I
13 want to make sure that if we're doing anything, that we don't
14 box ourselves in through a rule-making process along those
15 lines. And, so I think staff's done a good job. The discussion
16 paper, I've looked at that [unintelligible] want to add to that,
17 but I think we have more flexibility when we have these things
18 up as guidelines. Once we put them into rule, it's hard to
19 change at that point. It's okay with changing, but there's a
20 process involved in doing that.

21 CHAIRMAN DANIEL: Well, and, you know, I
22 appreciate the spirit of what Commissioner Alvarez is wanting to
23 do here, and I think that the treatment of these, you know,
24 particular protections for people are important. But, while I
25 agree with the spirit of what he's doing, I have a similar

1 concern to Commissioner Demerson in terms of locking us in and
2 not having the ability to continue to make adjustments in light
3 of, you know, where the situation with the pandemic, you know,
4 may end up taking us. And, so I'm concerned about locking these
5 particular provisions into rule when they may necessitate
6 [unintelligible].

7 I'm assured by, at least my legal staff,
8 that the protections that the Commission has put in place here
9 as supportable by current statute and regulation and that people
10 would continue to enjoy these particular protections. So, while
11 I can sincerely appreciate what Commissioner Alvarez is wanting
12 to do here, my concern is the unintended consequence of putting
13 this in regulation and creating an additional process to add
14 things later, if that's what the situation dictates.

15 If I were to find out that, you know, for
16 some reason people weren't receiving these protections, even
17 though everyone I'm talking to says they're fully supported by
18 statute and regulation, you know, then I think we would want to
19 revisit this issue and try to understand why these protections
20 aren't in place and what additionally we would need to do.

21 So, it's a difficult kind of decision point
22 in the sense of I can understand the interest in
23 [unintelligible] these into an emergency rule to deal with the
24 COVID-19 pandemic, and I think that would be more appropriate if
25 these weren't so clearly supported by statute and regulations.

1 So, the - I'm supportive of the topic here, I'm just - I think
2 I'm in a bit of disagreement on, at least with Commissioner
3 Alvarez, hopefully a friendly disagreement, on the best way to
4 implement this to ensure that people get their protections.
5 And, my concern is the unintended consequence of not being able
6 to make modifications to these to provide people all the
7 protections that they may need with regard to this particular
8 situation. Having said that, Commissioner Alvarez, I would
9 certainly entertain any additional comments or questions you may
10 have and [unintelligible] it would be appropriate to bring this
11 forward [unintelligible].

12 COMMISSIONER ALVAREZ: Thank you,
13 Chairman. I appreciate the comments, both by you and
14 Commissioner Demerson. Again, I do just want to add, for the
15 record, that, you know, too much flexibility in guidance, you
16 know, can certainly cause inconsistencies and arbitrary. These
17 will not be an emergency basis, as you said. These will just be
18 - I should said, these will be on an emergency basis, as you
19 just referenced, just temporary in nature, and read. And, so I,
20 just for the record, just wanted to say that, again, this would
21 be on a temporary basis and it, again, because of what we've
22 experienced in our office, we just want to make sure that we
23 don't, you know, that we don't have too much inconsistencies,
24 and, again, this allows for too much flexibility. But, again,
25 those were just to be stated for the record. I appreciate the

1 comments that were made by both of you all. And, again, I can't
2 stress enough that this would just be during this time of COVID-
3 19 period, in temporary nature.

4 CHAIRMAN DANIEL: Do we have any motions
5 on this issue?

6 COMMISSIONER ALVAREZ: If no further
7 comments, I have a motion, sir. I move that we approve the
8 policy concept and allow staff to begin working on emergency
9 rules regarding individuals who refuse work during the COVID-19
10 pandemic.

11 CHAIRMAN DANIEL: So, we would need a
12 second for further consideration on the motion.

13 COMMISSIONER DEMERSON: I think I've been
14 pretty clear in regards to my [unintelligible] my intent.

15 CHAIRMAN DANIEL: Okay, I have my similar
16 concerns. Let me just say this, also for the record. I think
17 that Commissioner Alvarez raises a valid point here. I think
18 that, at least where I'm concerned, I think that his mechanism
19 here has a couple of concerns for me. I hope that, if we find
20 out that our current treatment of this issue is not effective
21 for the people it's designed to assist, in some way is failing
22 that we would bring this issue back up and revisit this issue.
23 I want to thank Commissioner Alvarez personally for keeping this
24 important issue in front of the Commission.

25 COMMISSIONER ALVAREZ: Thank you, sir.

1 CHAIRMAN DANIEL: I think that's a very
2 prudent thing to do. He takes very seriously his commitment to
3 his constituency, as do all of us, and I applaud that for him
4 and for you, Commissioner Demerson, as well. And, so,
5 reluctantly, without second, we'll have to move on from this
6 motion. But, I think this remains a live issue, one that I
7 suspect all three offices will continue to monitor, and I think
8 it would be appropriate to bring this back before the Commission
9 if anything with regard to this situation changes.

10 COMMISSIONER DEMERSON: Mr. Chair, if I
11 may, quick comment. I think in lieu of the situation here, and
12 it is something very important, Clay [unintelligible] from the
13 team can also re-emphasize the importance of this issue to their
14 staff members when they're looking at different cases and the
15 like, that if he wanted to communicate out to the team to re-
16 emphasize what we have here, in regards to the guidelines, if
17 they be implemented, that could be a good thing, as well.

18 CHAIRMAN DANIEL: All right, any further
19 comments on Agenda Item 9? All right, thank you. Let's move,
20 then, to Agenda Item 10. This is discussion, consideration, and
21 possible action regarding an order to adopt Fiscal Year 2021
22 allocations, funding distributions for local workforce
23 development areas.

24 CHRIS NELSON: Good morning, Chairman,
25 Commissioners. For the record, Chris Nelson, Chief Financial

1 Officer. This morning, you have before you the remaining FY
2 2021 allocations for the TANF choices SNAP E&T, Employment
3 Services, and childcare programs for approval, consistent with
4 TWC rules on allocations and available grant funding. Also
5 included are distributions for Migrant Seasonal Farmworker
6 Outreach Services and Smaller Workforce Area funding.

7 Most of the allocations will go into
8 contract effective October 1, 2020, and this entire packet
9 represents roughly half of the total FY 2021 budget we will
10 bring before the Commission for approval in late August.

11 Two additional things I would like to point
12 out with regard to the childcare allocation. On December 17,
13 2019, the Commission approved a methodology that uses factors,
14 as described in Chapter 800 of the TWC rules, using a three-year
15 average of factors versus one year. This childcare allocation
16 before you uses that approved three-year methodology.

17 Also, on September 24, 2019 and December
18 17, 2019, the Commission approved childcare allocation
19 modifications for several workforce areas. Page eight of your
20 packet reflects those previously approved modifications. As you
21 have already approved these actions, this is provided as
22 informational only and I am not seeking re-approval for those
23 items.

24 A second attachment in your packet is being
25 presented for your information on TWC factors used in the

1 allocation. The document provides the TWC factors from Chapter
2 800 that prescribed the methodology for the allocation and the
3 amount allocated by each factor. That concludes my remarks at
4 this time, and I would be happy to answer any questions.

5 CHAIRMAN DANIEL: All right, comments or
6 questions?

7 COMMISSIONER ALVAREZ: No comments,
8 Chairman.

9 COMMISSIONER DEMERSON: None here.

10 CHAIRMAN DANIEL: So, I have one comment
11 and it's actually, kind of, for future purposes, but I need to
12 do it now because of some timing issues. So, we make some
13 provisions for what we call small board funding, it gets
14 addressed here in the page one of eight of the spreadsheets. I
15 fully support what's in here. My comments here have nothing to
16 do with this Fiscal Year, it has to do with next Fiscal Year.
17 I'm encouraging staff to find a way to address the small board
18 funding issue in the formula so that we have some base rate for
19 all of our boards. I think that rule boards sometimes face a
20 challenge based on their geography, sometimes their population
21 density. There's a number of rural issues and, as both of you
22 know, I can [unintelligible] on rural issues for days at a time,
23 I will not do that today.

24 I think that our way of addressing this has
25 been effective, but I think we all acknowledge the need for some

1 base level to funding for boards to provide the level of support
2 that we've become accustomed to from Workforce Solutions. And,
3 so what I'm encouraging staff to do, not for today, not for this
4 vote today, but for the next Fiscal Year after this one, so it
5 would be - this would be, I guess, for Fiscal 22, I think this
6 one here is for 21, to find a way to incorporate that into the
7 base rate. That gives us a year to work on this. I'm raising
8 the issue now just simply to, kind of, highlight issues that
9 small boards may face. My support for some base level of
10 funding for boards and my desire to see that incorporated so
11 that small board funding is not left to, kind of, an annual up
12 or down vote, depending on the fortunes of the Commission
13 Reserve Funds.

14 So, that's my comment. I don't think it
15 requires any action today, but I just want staff to start
16 working on that. I think this is something we can pick up and
17 address at a different time.

18 CHRIS NELSON: Chairman, we'll work with
19 General Counsel in the [unintelligible] areas to implore future
20 alternatives for your comments.

21 CHAIRMAN DANIEL: Thank you. Are there
22 any additional comments or questions?

23 COMMISSIONER ALVAREZ: No, Chairman.

24 CHAIRMAN DANIEL: None. Okay, do we have
25 any motions on this issue?

1 COMMISSIONER ALVAREZ: Chairman and
2 Commissioner, I move that we approve and adopt the Fiscal Year
3 2021 program year 2020 Block Grant allocations and distributions
4 for childcare services, TANF Choices, Employment Services, SNAP
5 Employment and Training, and Small Board funding distributions,
6 in addition to the WIOA Title I Programs previously approved on
7 May 12, 2020, and the Adult Education and Literacy Program's
8 previously approved on June 30, 2020 and effective July 1, 2020,
9 pursuant to federal law and regulation as discussed. The
10 executive director is hereby ordered to administer these Block
11 Grant allocations in the most feasible and economical manner and
12 within all guidelines prescribed by HB1, General Appropriations
13 Act, 86th Legislature Regular Session, the Texas Labor Code, and
14 TWC Rules.

15 COMMISSIONER DEMERSON: I second.

16 CHAIRMAN DANIEL: It's been moved and
17 seconded. We're unanimous. Thank you, all.

18 COMMISSIONER DEMERSON: Thanks, Chris.

19 CHAIRMAN DANIEL: That'll bring us to
20 Agenda Item 11, discussion, consideration, and possible action
21 regarding the Fiscal Year 2021 Operating Budget and Legislative
22 Appropriations Request for 2022 through 2023 statewide
23 initiatives.

24 CHRIS NELSON: Chairman, Commissioners,
25 again for the record, Chris Nelson, Chief Financial Officer. As

1 you have just approved one piece of the FY 21 budget and the
2 allocations, the document before you brings forward the
3 statewide initiative portion of the FY 21 budget for your
4 approval and the eventual LAR submission for 22 and 23, expected
5 sometime in late August.

6 The document that has been briefed
7 represents the requested statewide initiatives budgeted amounts
8 for FY 21 through 23 for the childcare, TANF Choices, WIOA,
9 Adult Education, and Employment Services Programs, along with
10 any projected Commission Reserve Balance for each program. As
11 this packet represents the statewide initiatives budget, there
12 are intertwined programmatic aspects to this discussion. For
13 that [unintelligible] Reagan Miller, Kerry Ballast, and Courtney
14 Arbour are also on the line to help answer any program questions
15 that you may have. That concludes my remarks at this time, and
16 I would be happy to open it up for any questions or comments
17 that you have.

18 CHAIRMAN DANIEL: Questions or comments?

19 COMMISSIONER ALVAREZ: I have comments, if
20 that's okay, if this is appropriate [unintelligible]

21 CHAIRMAN DANIEL; [Unintelligible].

22 COMMISSIONER ALVAREZ: So, I'll break them
23 up into the childcare, TANF and, of course, the WIOA. And just
24 a couple of things that I would like to make comments on, and if
25

1 staff would like to respond back, that would be greatly
2 appreciated.

3 Specifically on the childcare, TWC Track
4 number 76040HHSC211 good resource for the agency, not anyone has
5 - on this particular item, this one talks about the, as you
6 know, the HHSC211 phone access. I think this is actually a
7 really good resource for the agency. I feel that way because
8 during this time, I know a lot of folks that are trying to make
9 contact with the Texas Workforce Commission do not have access
10 to internet, plus some of the offices are closed. Can we fund
11 at \$500,000 for 2022 and \$500,000 for 2023 as an LAR? That
12 would be my first one. And I'm not sure if someone would like
13 to discuss these as I go along or I can read all my comments,
14 Chairman, and they can come back to us. I'll leave that up to
15 you.

16 CHAIRMAN DANIEL: I think it's probably
17 better to discuss them as you lay out each one, that way--

18 COMMISSIONER ALVAREZ: Okay. So, this one
19 specifically deals with the HHSC211 phone access where we've had
20 no money funded for it.

21 CHRIS NELSON: Commissioner, Reagan may
22 weigh in as well, but this one actually represents, in a sense,
23 a negotiated contract with HHSC, so although the Commission
24 have, you know, large latitude in how much we appropriate toward
25 it, the final amount is typically subject to negotiation in

1 contract negotiations with HHSC. So, any amount that we approve
2 [unintelligible] we would have to wrestle that with HHSC as
3 well, as they would be the other partner involved in that. So,
4 but we definitely can take your request, as far as the projected
5 line item in the budget, for discussions.

6 REAGAN MILLER: And, Commissioner, we
7 have been [unintelligible] HHSC for a long period of time. Our
8 recommendation to make a modification to the amount of money was
9 based upon the percent of childcare-related calls that they
10 historically have received. But, we certainly do understand
11 that, especially during COVID, having a phone line can be an
12 important way for citizens all across the state to access needed
13 services. So, certainly your recommendation for \$500,000 could
14 be something that we work with HHSC on. I do think it's
15 important to ensure that we're talking with them quickly because
16 we do understand that they are in the process of drafting
17 competitive RFP to procure the local service delivery providers
18 in the coming year. So, any of our decisions are important
19 timing wise so that they can plan for whatever the final
20 approved amount is.

21 COMMISSIONER ALVAREZ: Thank you, Reagan.
22 Thank you.

23 REAGAN MILLER: Yes.

24 COMMISSIONER ALVAREZ: And, again, I only
25 bring this up because of the timing with COVID-19. Other than

1 that, that was the only reason. So, I'm not sure if we need to,
2 at the end, second this [unintelligible] if I need to make a
3 motion.

4 CHAIRMAN DANIEL: So, [unintelligible] if
5 you'll lay out all of your comments, issues, questions and then
6 if we could come back around at the end and take, you know, one
7 motion, if that works. If that doesn't work, we can do
8 something else, but I think it, in terms of organizing our
9 discussion for you to have the ability to lay out everything
10 you're interested in discussing, I think we can come back later
11 and put the motion on this.

12 COMMISSIONER ALVAREZ: Thank you,
13 Chairman. And, thank you, Reagan. That's very helpful. And,
14 thank you for working so closely with the office.

15 On the TANF portion, on TWC Track 750626.
16 This one specifically addresses the Texas Workforce Career in
17 Technical Educational Specialists. And so, as we looked at what
18 was presented to us, I noticed that there was a section on there
19 - and, of course, we've had some really good conversations with
20 Jenn Troke, Kerry Ballast and, of course, Courtney Arbour on
21 this, so we appreciate their involvement in this. But, just for
22 clarification purposes, I know that this Friday, the Career and
23 Technical Educational Specialists will be meeting and I think
24 we'll be addressing that group, the Commissioners will be

25

1 addressing that group, and, as you know, they had - it's
2 actually done really well.

3 So, what I'm asking on this one, this has
4 been a very popular initiative with the boards. Boards are
5 concerned, and this is what we're hearing from the boards, they
6 are concerned. They would like reassurance that we could fund
7 if ACF does not approve the state plan, and I know that we've
8 been working very closely with Dr. Jenn Troke and we appreciate
9 that. Can staff explore using WIOA reserve funding to support
10 this initiative? And, again, we like to go big, Chairman, for
11 all 28 workforce boards, as you say, and as we've all mentioned,
12 we like these big projects.

13 More than ever, the workforce specialists
14 are playing a bigger and more vital role, as we have seen with
15 Tesla, businesses are still coming to Texas and we need to make
16 sure that there is a ready workforce, connecting
17 [unintelligible] students to these careers, not jobs. I want to
18 make sure that people understand that these are not academic
19 counselors, these are individuals that are familiar with the
20 workforce services, labor market and career information data,
21 and in-demand careers. Can we go ahead and fund the workforce
22 specialists in 2022, 2023 [unintelligible] how is it that we can
23 use TANF Commission Reserve money in the past for these
24 workforce specialists and not during this time? So, again, I

25

1 want to thank Dr. Jenn Troke, Courtney Arbour and her staff for
2 working so closely with us, specifically on this initiative.

3 Any comments from staff would be
4 appropriate at this time before I move over to the WIOA portion,
5 if that's okay, Chairman.

6 CHAIRMAN DANIEL: Yes.

7 COURTNEY ARBOUR: Commissioner Alvarez,
8 I'll just comment that you are correct and for all others
9 listening, we have included language in the TANF State Plan to
10 allow funding - the boards to use their local allocated funds
11 for this purpose. We, staff, firmly believe that it's an
12 allowable use of funds under the TANF purposes, we're just
13 waiting for approval of that language. So, we are confident
14 that the language will be approved, which would allow the boards
15 to use their local dollars. And so, I'm happy to answer any
16 other questions you have. If we do use WIOA dollars for this,
17 there is some data gathering requirements that sometimes youth
18 may not be as apt to provide, but we definitely can consider
19 that also as a source of funding, should the TANF plan not be
20 approved as we hope it will be.

21 COMMISSIONER ALVAREZ: So, we have a
22 backup then?

23 COURTNEY ARBOUR: Yes. The WIOA dollars
24 require the gathering of all of those demographics
25 [unintelligible] as we have a little harder time getting from

1 youth, both because of privacy and their interest or ability to
2 provide some of the detail. But, yes, WIOA would be a second
3 option, it just has a little different level of requirement.

4 COMMISSIONER ALVAREZ: And, again, with
5 the support of my Commissioners, I know in the past we've talked
6 about increasing this, Chairman, from the pilot program that we
7 had where [unintelligible] were awarded to possibly going bigger
8 and allowing our 28 workforce boards to have access to this
9 funding. I think it would be appropriate, at this time, to
10 maybe bring that out. I know we've talked about it and I would,
11 at some point, like to see that all boards have an opportunity
12 to have some type of funding source for this type of initiative.

13 CHRIS NELSON: Commissioner Alvarez, this is
14 Chris. And, just to be clear, this initiative has enough
15 funding - for those boards that already have it, they have
16 enough funding to carry them through FY 21. And, also related
17 to, kind of, the mechanics of the document before you. So,
18 we're presenting items for approval for 2021 and then anything
19 you would approve [unintelligible] also bring forward into
20 22/23. But, if any item isn't funded, the Commission can, at
21 any time, decide to make a recommendation for a future
22 initiative. So, if we don't approve something for 22/23 today,
23 there's nothing that prevents you from bringing that up for a
24 vote at a later date. So, it's not - it's just our planning
25 document as we go into LAR season, but it's not something that -

1 it's a living document that's always subject to approval by the
2 Commission.

3 COMMISSIONER ALVAREZ: Thank you. Thank
4 you, Chris.

5 CHAIRMAN DANIEL: I have a question.
6 Courtney, if, indeed, this is allowable as a TANF expense under
7 the formula funding, as you anticipate, and I think you're
8 confidence level there's pretty high, that would mean that all
9 28 boards could stand up a program similar to this using the
10 funds that they've been allocated, which would take this out of
11 pilot status, at least with regards to how it's funded. Does
12 that, then, put the Commission in a position for us to at least
13 consider shifting our funding from operations, where we are
14 right now, because boards would have that covered under their
15 formula funding, and we can move into some training and some
16 things like that to ensure that it's [unintelligible] am I
17 correct in my assumptions on all that?

18 COURTNEY ARBOUR: You are correct. If
19 it's approved, the boards would be able to use their allocated
20 dollars and then we could support that effort through training
21 of the workforce specialist. So, we can continue our state
22 level support as we do on other types of technical assistance.

23 CHAIRMAN DANIEL: Yeah. Because I kind of
24 have a triple issue here, all related. One is, you know, I
25 think it's important, if this has value, that all the boards be

1 doing it, so that's one of my issues. My second issue is it
2 needs to be more sustainable than just finding dollars every
3 year at the state level and hoping we've got enough to continue
4 it. I think, if we [unintelligible] this TANF funding mechanism
5 that you just discussed, it gives us a lot more sustainability
6 in that regard.

7 And then three, and this is really a
8 [unintelligible] issue, but, you know, I'd love to see us work
9 more closely with TEA on this and maybe even, not necessarily
10 integrate this program with others that they may have, but
11 certainly find [unintelligible] programs that they have so that
12 we can really get our bang for our buck here. So - and I don't
13 think anything I'm saying is in disagreement with where
14 Commissioner Alvarez is on this issue. I think I just come at
15 it from a little different angle. And, if the TANF funding deal
16 works, I think it solves the issue of allowing all boards to
17 stand up some type of program related to this, and it puts us,
18 at least at TWC, in a much better position to provide technical
19 assistance and training to ensure quality for the program. All
20 right, other issues, Commissioner Alvarez?

21 COMMISSIONER ALVAREZ: Thank you,
22 Chairman, for that and for your support. On the WIOA, TWC Track
23 number 74061, Women's Entrepreneur Boot Camps. I noted that
24 there is no funding in the 2021 or in the 2022/2023 LAR. Can we
25 go ahead and fund this [unintelligible] we have money freed up

1 from some of the other items that we're going to be taking money
2 from? I have spoken at some of these boot camps and information
3 disseminated is important and differs from the small business
4 forums. Suggested funding amount would be \$300,000 biennium,
5 which is just a little more than what we do now for the 2021
6 operating budget of 150.

7 So, I was just wanting to see if we can put
8 money in there. And, then, of course, I understand and I
9 certainly value the small business forums, I think they're very
10 informative and I'd even be willing to discuss this just as long
11 as the information that the Women's Entrepreneur Boot Camps have
12 and the Small Business Forums are not duplicate. But, if they
13 are, then I would be okay with not even funding this. But, I
14 know this is - the mission of the Women's Entrepreneur Boot Camp
15 is a little different and that was brought onto us by a
16 legislator. So, I didn't know if anyone wanted to comment about
17 that from staff.

18 JENN TROKE: Well, this is Jenn. I would
19 just say that the boot camps have been successful, and I just
20 want to make sure I'm understanding your recommendation because
21 we would need - we'll put this as part of the motion. So, your
22 recommending \$150,000 in 21 and 22, correct?

23 COMMISSIONER ALVAREZ: It's \$150,000 for
24 2021 and \$150,000 for 2022 and 2023, which would be \$300,000 by
25 [unintelligible].

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JENN TROKE: Oh, gotcha. Okay, so--

COMMISSIONER ALVAREZ: Yes, ma'am.

JENN TROKE: --for both. Okay, excellent.

COMMISSIONER ALVAREZ: And, I only do this because we do have money that's been freed up as a result of some of the other things that we're going to be de-funding, I should say. And, again, Commissioner Demerson, I know does a really good job on the small business forums. I certainly don't want this to be duplicative of what he does there, but I do know that at the events that I have spoken at at the Women's Entrepreneur Boot Camps, the audience is a little different, the information that we've disseminated, both in English and Spanish, has been, you know, on other things, careers, things that are happening in their back yards [unintelligible] this was something that was brought to us by a legislator and I just wanted to see if we could continue funding it. But, I'd be willing to have some discussion on this. And, it specifically addresses the women's small businesses, so - or businesses period.

COMMISSIONER DEMERSON: Chairman, just a quick question. So, on WIOA, you see the reserve balance there. So, basically, Commissioner Alvarez, you're saying that that Women's Boot Camp is not reflective on this document here, what's being pushed forward, and what you'd like to do is to add

1 the Women's Boot Camp to this document and have it funded at
2 levels of \$150,000 and \$150,000?

3 COMMISSIONER ALVAREZ: That is correct,
4 Commissioner. As you can see on the line item, it's not been
5 funded for 2021, or in the--

6 CHRIS NELSON: That is row--

7 COMMISSIONER ALVAREZ: --or in the LARs.

8 CHRIS NELSON: And, Commissioner Demerson,
9 that is row 16 on the WIOA page--

10 COMMISSIONER DEMERSON: Okay.

11 CHRIS NELSON: --of your [unintelligible].

12 COMMISSIONER DEMERSON: Okay.

13 COMMISSIONER ALVAREZ: And, that concludes
14 my comments, Chairman. And, again, I appreciate the comments
15 that you made, the three strategies that you looked at. You
16 know, just a quick reminder on our Tri-Agency report that we
17 submitted, the workforce specialist was included on there and
18 so, I appreciate your comments and look forward to seeing what
19 options our boards have for using the funding in the future.

20 CHAIRMAN DANIEL: Right.

21 COMMISSIONER ALVAREZ: So, thank you for
22 that.

23 CHAIRMAN DANIEL: Yes, sir. Commissioner
24 Demerson?

25 COMMISSIONER DEMERSON: No comments.

1 CHAIRMAN DANIEL: All right, I have a few
2 comments, and then we'll take the resolution here. First, I
3 want to encourage staff to continue to work toward the evidence-
4 based framework efforts that they're already working toward with
5 regard to all these grants. You know, I think that we're doing
6 some significant things, in terms of workforce preparation and
7 workforce advancement, and really keeping Texas - at least
8 having the appropriate strategies to keep Texas moving forward,
9 in terms of our workforce needs. And, so, you know, inasmuch as
10 we can bring evidence-based frameworks into how we operate any
11 or all of these grants, the speed with which we can do that
12 should be fast. And, I know that these are things that you're
13 already working on and I just hope to encourage you to continue
14 to work toward those things.

15 I think that the kinds of metrics that
16 we're producing for our various programs that are represented
17 here in this Agenda Item, you know, I think we need to continue
18 to produce the kinds of talking points about these programs that
19 really exemplify the significance of differences that it makes
20 in helping people increase their wages, helping people get
21 different and better jobs due to some upskilling opportunities
22 that they have. This will be a continuing conversation with me,
23 I don't want to burden either my fellow Commissioners or staff
24 today with all of my thoughts on this issue [unintelligible]
25 over time. I think we have some significant programs here and I

1 want to be able to talk about these in the transformative way
2 that I think that the programs are operating.

3 And, so we're going to have to probably
4 work with our grantees to collect more data. I know that no one
5 objects to that. It will be a bit more burdensome for us in the
6 beginning, but I think the rewards for that will pay significant
7 dividends for the Commission, in terms of how we want
8 [unintelligible] Texans position themselves in the workforce.

9 Additionally, and this will, as we get
10 closer to a motion here, I'm going to talk about a couple
11 things. I've noted that we have a number of youth programs and
12 we have a number of programs that are designed to help position
13 Veterans better in the workforce. Two very important
14 [unintelligible] and programs that I think are worthy of this
15 Commission and, in fact, employers and others who are
16 participating, I think it's worthy of all of our
17 [unintelligible]. But, what I've noted is that these programs
18 are kind of stand-alone programs, yet they do have some inner
19 workings among the various grant programs.

20 And, so what I'll be proposing is that we
21 wrap up eight of our youth programs and seven of our Veterans
22 programs, that seem to have some relationship to each other,
23 into a larger funding bucket. What I'll be proposing today is
24 that we keep the funding as proposed by staff, we keep the
25 programs that have been proposed by staff, but we organize those

1 into programs that I'm going to be proposed be called Youth
2 Initiatives and Veteran's Initiatives. Because when you add up
3 the dollar amounts, you know, we're looking at a little over \$7
4 million in youth programs and it looks like nearly \$4 million
5 dollars in Veteran's programs. I want to kind of set that money
6 aside in that large block and encourage staff to look for ways
7 to improve effectiveness of the programs. If that means
8 eliminating redundancies, fine, but I want folks to see, sort
9 of, our commitment to resources to these two very important
10 groups.

11 But, I want us to start thinking in terms
12 of large programs. I want us to start thinking in terms of how
13 we can be transformative within a group, and I think this is a
14 good starting point because it doesn't actually change anything
15 from the staff recommendation, other than how we organize
16 things. And, I think when we come back to this exercise next
17 year, you know, I think it gives us a better platform to
18 position and structure both youth programs and Veteran programs
19 in a way that we might actually be able to get a little more out
20 of the resources that we're investing into these two very
21 important groups.

22 And, so really that's the extent of what I
23 wanted to say on that. I need to come back and make an
24 amendment to whatever motion comes forward to pass this, which I
25 can do, I think, fairly efficiently. But, that's the full

1 substances of what I'm trying to do. There's absolutely - I
2 won't be taking anything away, I won't be adding anything, I'm
3 simply, sort of, reorganizing things. And, so hopefully you'll
4 indulge me on that, we'll see when we get to that point. Are
5 there any other comments or questions that we have at this time
6 before we proceed to taking any motions?

7 CHRIS NELSON: Chairman, this is Chris. As
8 we proceed with the LAR build, as I talk about later in August,
9 we'll see what we can do to kind of revise this document as part
10 of that package to kind of reflect your comment.

11 CHAIRMAN DANIEL: Yes, sir. Thank you.

12 COMMISSIONER DEMERSON: Mr. Chairman, real
13 quick before Commissioner Alvarez is getting ready to make a
14 motion. Going back to childcare, and I think you were talking
15 about that Contract 7640. Commissioner Alvarez, are you clear
16 on the contract, because I know we have decreasing in \$700,000--

17 COMMISSIONER ALVAREZ: Yes.

18 COMMISSIONER DEMERSON: --and then there
19 was [unintelligible], as well. Are we all on the same page
20 there? Because Chris said something about it's negotiated, so
21 my comments around that were I wanted to make sure that, I have
22 expressed it to Reagan and the guys, that Early Education is
23 very important to that agency, and I think Reagan's mentioned
24 that they're getting ready to do their LAR and [unintelligible]
25 contracts along those lines. So, the earlier we can communicate

1 so that there are no surprises there is going to be beneficial
2 for us.

3 COMMISSIONER ALVAREZ: Yeah. When I
4 looked at that line item and saw that we were going to remove
5 \$700,000 from that, I think we had allocated, according to the
6 chart that I have in front of me, about \$250,000. And so, I
7 felt like, because of the times that we're experiencing right
8 now with COVID-19 and what we continue to hear, that they don't
9 have access to internet connectivity, I think it's important for
10 us to still have a phone line available for our constituents and
11 rule and in other parts of Texas. So, again, I'm open for any
12 discussions that Reagan may have with the HHSC group. And,
13 again, it's just, as of right now, just putting some money aside
14 for that, just during this difficult time.

15 COMMISSIONER DEMERSON: Okay.

16 COMMISSIONER ALVAREZ: But, we did free up
17 money and it still allows us to have money available to us.

18 COMMISSIONER DEMERSON: Okay. Thank you.

19 CHAIRMAN DANIEL: All right, do we have
20 any motions on this issue?

21 COMMISSIONER ALVAREZ: Chairman, thank you
22 for allowing me and Commissioner Demerson to provide input in
23 this. And, I also want to take this opportunity to thank Chris
24 Nelson, Courtney Arbour, Kerry Ballast, and, of course, Reagan

25

1 Miller for this. I know this is difficult and so I appreciate
2 them meeting with us regularly on this.

3 With that, I move that we approve the
4 Fiscal Year 2021 Operating Budget and Legislative Appropriations
5 Request 2022, 2023 statewide initiatives as discussed.

6 COMMISSIONER DEMERSON: I second.

7 CHAIRMAN DANIEL: All right, I'm going to
8 make an amendment to the motion. It's been moved and seconded.
9 The motion is before the Commission. I want to make an
10 amendment to the motion that would be as follows: I want to
11 take eight youth initiatives, including Foster Youth Workforce
12 Transition Centers, Governor's Summer Merit Program, Youth
13 Robotics Initiative, Camp Code, Careers in Texas Industries,
14 Texas Internship Initiative, Texas Science and Engineering Fair,
15 and Governor's Science and Technology Champions Academy, into
16 one youth statewide initiative. The funding for this is \$7.15
17 million from TANF, \$250,000 in WIOA. The funding amounts, I
18 would want to carry with each initiative to the new larger
19 initiative, as outlined by staff in the document. So, again,
20 this amendment is to reorganize, not to change any funding level
21 for any specific program.

22 The second part of my amendment is to roll
23 up seven Veteran's initiatives, Veteran's Workforce Outreach,
24 Veteran's Network, Military Family Support Pilot, College Credit
25 for Heroes [unintelligible], We Hire Vets Campaign, Leadership

1 Resources Administration, and Veteran's Job Fair
2 [unintelligible], into one Veteran's statewide initiative, which
3 would include \$3.238 million in TANF dollars and \$559,000 in
4 WIOA. Same principle here, I want each dollar amount that was
5 requested or specified by staff in the document to follow its
6 program to the new larger initiative and operate on the program
7 rules as they were laid out for [unintelligible], so the only
8 changes that should be [unintelligible] bring together. That's
9 my amendment to the motion. It would require a second for it to
10 be [unintelligible].

11 COMMISSIONER ALVAREZ: Chairman, I would
12 agree to that, but I made the motion.

13 CHAIRMAN DANIEL: Well, then it's
14 acceptable to the author, so we'll include that in the main
15 motion. Now, Commissioner Alvarez, I need to be clear. Your
16 motion seemed to adopt the staff recommendation page. I think
17 it's appropriate, if you tell us so, I just want to make sure
18 that Commissioner Demerson knows what he's seconding and what
19 we're voting on, so my amendment's not included in your motion.
20 You did not specifically reference the \$500,000, I think, you
21 were recommending for the HHSC phone line and the \$300,000 for
22 the Women's Entrepreneur Boot Camps. Was your intent that that
23 be included in your motion?

24 COMMISSIONER ALVAREZ: That's correct.

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1 CHAIRMAN DANIEL: Okay. Commissioner
2 Demerson, was that your understanding, as well, when you
3 seconded it?

4 COMMISSIONER DEMERSON: Yeah, he clarified
5 the \$300,000 for the Women's Boot Camp and also my last question
6 to him concerning this contract, that was clarified, as well, so
7 I second that motion.

8 CHAIRMAN DANIEL: All right
9 [unintelligible].

10 COMMISSIONER ALVAREZ: And, Chairman?

11 CHAIRMAN DANIEL: Yes, sir.

12 COMMISSIONER ALVAREZ: For clarification
13 on my motion was as initiatives - so, if I could read it again
14 and tell me if you think it's okay. I move that we approve
15 Fiscal Year 2021 Operating Budget and Legislative Appropriations
16 request 2022, 2023 statewide initiatives as discussed.

17 CHAIRMAN DANIEL: Okay. That is clear and
18 I think we have clarification. So, on the Career and Technical
19 Education, you and I discussed two separate things. I'll tell
20 you my understanding of the discussion, you'll need to, you
21 know, concur or we'll have to have a little discussion here--

22 COMMISSIONER ALVAREZ: Yes, sir.

23 CHAIRMAN DANIEL: --which is
24 [unintelligible] to this motion because we've got a motion
25 before the Commissioner. So, my understanding was is we would

1 let staff pursue having TANF money be available to every board
2 to operate this, and that we would come back soon and revisit
3 our role, in terms of training and technical assistance, and how
4 that might integrate into whatever TEA is doing with regard to
5 this under the Tri-Agency platform. So, we would not be putting
6 any additional money today, we would let the TANF formula funds
7 - we would seek final approval on that, hopefully that gives a
8 tool for boards, and then we would come back and revisit,
9 depending on what happens with that. Is that your understanding
10 of the discussion, as well?

11 COMMISSIONER ALVAREZ: Yes, sir. We will
12 revisit this at a later date. I'm in agreement with that, sir.

13 CHAIRMAN DANIEL: Yeah, okay, wonderful.
14 All right, any additional amendments, any additional discussion
15 on the motion?

16 CHRIS NELSON: Chairman, this is Chris.
17 Just to confirm Commissioner Alvarez's comment regarding the
18 Women's Boot Camp 74061, your request is \$150,000 for 2021,
19 \$150,000 for 2022, and \$150,000 for 2023, correct?

20 COMMISSIONER ALVAREZ: That's correct.
21 That's correct, Chris.

22 CHAIRMAN DANIEL: That's my understanding,
23 as well. If there's no further discussion, I think we probably
24 should proceed to vote here. Commissioner Alvarez?

25

1 COMMISSIONER ALVAREZ: Do you want the
2 motion again with your amendments added?

3 CHAIRMAN DANIEL: Motion [unintelligible],
4 yes.

5 COMMISSIONER ALVAREZ: Okay. I move that
6 we approve Fiscal Year 2021 Operating Budget and Legislative
7 Appropriation's request for 2022, 2023 statewide initiatives as
8 discussed with the addition of future amendments that we covered
9 during our discussion.

10 CHAIRMAN DANIEL: Okay, got it. And, you
11 support that, Commissioner Demerson? Do we still have your--

12 COMMISSIONER DEMERSON: Yeah, I seconded
13 that motion with your initiatives under youth and veterans being
14 broken off, as discussed.

15 CHAIRMAN DANIEL: I agree, so we're
16 unanimous on this issue. Staff, thank you so very much for your
17 work on this, both program staff and budget staff
18 [unintelligible] work here. We're making a few changes, I think
19 we're improving things, in terms of what our program offerings
20 are, and looking for flexibility for our Workforce Solutions
21 partners to make this work. So, thank you everyone involved
22 with this, and we appreciate all the hard work that went in.

23 COMMISSIONER ALVAREZ: Yes, yes. Thank
24 you.

25 CHRIS NELSON: Thank you.

1 CHAIRMAN DANIEL: So, this will bring us to
2 Agenda Item 12. This is discussion, consideration, and possible
3 action regarding statewide initiatives funding with Workforce
4 WIOA, TANF, AEL, and other state [unintelligible]. Staff does
5 not have anything to present for item 12. Item 13, discussion,
6 consideration, and possible action regarding guidance on
7 resource utilization [unintelligible] services and strategies to
8 target, disaster relief efforts and public health emergencies,
9 including those funded with the Department of Labor's Disaster
10 Dislocated Worker Grant. Normally, I would call on Mr. Serna,
11 but he was not able to be at the meeting today. I think Reagan
12 has something to present on this with regard to COVID childcare.

13 REAGAN MILLER: I do. Good morning,
14 again, Chairman, Commissioners. Reagan Miller with Childcare
15 and Early Learning Division. Today for your consideration, is a
16 supplemental distribution of about \$25 million in Childcare
17 CARES Act Funds to support the 25% enhanced reimbursement rate
18 currently in place. This distribution of funds will assist the
19 boards as they continue to support the higher cost of childcare
20 during COVID. This proposed distribution is based upon the
21 proportion of the enhanced reimbursement rate funds that boards
22 have received for payments through July. And, TWC would retain
23 a small portion, just over \$1 million of the \$100 million
24 currently budgeted, to try and address boards who have
25 additional demonstrated need. Attachment one provides the

1 details on this proposed distribution, and I'd be happy to
2 answer any questions that you have.

3 CHAIRMAN DANIEL: Comments or questions?

4 COMMISSIONER ALVAREZ: No, Chairman.

5 COMMISSIONER DEMERSON: None here.

6 CHAIRMAN DANIEL: None. Do we have a
7 motion?

8 COMMISSIONER ALVAREZ: Thank you, again,
9 Reagan, for everything. I move that we distribute the
10 \$25,183,826, which is 95% of the available balance, to support
11 the estimated need of the enhanced reimbursing rate and retain
12 \$1,325,465, which is 5% of the available balance, at the state
13 level and making those funds available to boards whose
14 distribution is determined insufficient, as discussed by staff.

15 COMMISSIONER DEMERSON: I second.

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

18 REAGAN MILLER: Thank you.

19 COMMISSIONER ALVAREZ: Thank you, Reagan.

20 CHAIRMAN DANIEL: Do we have anything else
21 under Agenda Item 13?

22 COURTNEY ARBOUR: Commissioner, we do have
23 two updates under Item 13--

24 CHAIRMAN DANIEL: Okay.

25

1 COURTNEY ARBOUR: --just general updates
2 for you. The first is Clay Cole from the Unemployment Insurance
3 Division who has both a COVID and a Hurricane Hannah update, if
4 this is the appropriate time to share those.

5 CLAY COLE: Good morning, Chairman
6 Daniel, Commissioner Demerson, Commissioner Alvarez. For the
7 record, Clay Cole, UI Division. Can y'all hear me?

8 CHAIRMAN DANIEL: We can.

9 CLAY COLE: Okay. I'll start off with
10 the UI claims and payment activity update. To date, we've
11 processed over four million claims and paid out over \$22 billion
12 in unemployment benefits. Last week, we experienced our highest
13 total payout since May 30th and the second highest per week
14 during COVID-19. The huge demand of our UI program resources
15 continues and the UI team continues to work creatively to meet
16 that demand. The last two weeks, we've seen initial claims
17 decrease, which is a trend we hope will continue.

18 UI is working closely with existing
19 partners to further expand resources, to deploy a tier two
20 specialist plan at the contract call centers as we continue to
21 up-scale contract staff and temporary resources to further
22 increase productivity. As our contract call center add staff,
23 we continue to see the number of unique customers trying to
24 reach us and toll free call attempts continue to drop, not as

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1 far as we would like, but, however, very positive trends that we
2 like seeing.

3 We're also pursuing options for partnering
4 with a UI national expert equipped to mentor and train appeals
5 resources on the complexity of the Unemployment Insurance
6 Appeals processes. Up-scaling our existing resources remains a
7 top priority and we continue our push for innovation in
8 utilizing all resources on hand to maximize our throughputs. UI
9 and External Relations continue to work very closely on
10 messaging outreach to UI customers. We continue to work to
11 identify areas where customers need helpful tips to successfully
12 navigate through our UI claims process.

13 We continue to see individuals that, for
14 whatever reason, have not requested payment and we're sending
15 text messages and e-mail reminders, advising customers to simply
16 go to "Request Payment" every two weeks. We've seen success in
17 these campaigns and we'll continue them on a bi-weekly basis, if
18 not weekly.

19 Last week, we started a new process for
20 those claimants who we cannot reach after repeated attempts.
21 The system is sending an automated e-mail informing them of our
22 efforts to resolve their issue and offering directions to submit
23 a new ticket if they still an issue with us. UI and External
24 Relations realize messaging is extremely important and a lot of
25 information is out there.

1 As I may have mentioned before, we've hired
2 a communication strategist that works directly with External
3 Relations in reviewing all messaging and reviewing all various
4 communication we have posted online and in print to make sure
5 it's clear and user-friendly. As much as we feel like we need
6 to do this every day, we can never do it too much.

7 For hurricane Hannah update, as you
8 probably read, the Governor has requested Emergency Declaration
9 for President Trump and FEMA for Public Assistance Category B,
10 which includes Disaster Federal Assistance and Hazard Mitigation
11 Statewide; however, this does not include Disaster Unemployment
12 Assistance. UI will continue to monitor the situation closely
13 and if anything should change, we'll let you know. We did
14 activate our disaster tracking features, and to date, we have
15 processed approximately 45 claims.

16 And, finally, I just want to add, as you
17 know, the US Senate Leadership released a series of bills aimed
18 to stimulate the economy, which includes information relative to
19 our customers, so please be assured we are monitoring and will
20 remain in close contact with our federal partners. And, this
21 concludes my update, and I'll be happy to answer any questions
22 you might have.

23 CHAIRMAN DANIEL: Thank you, Clay. Any
24 questions or comments?

25

1 COMMISSIONER ALVAREZ: Not at this time,
2 Chairman.

3 COMMISSIONER DEMERSON: Chairman, I'd like
4 to just, again, thank Clay, La Shea (ph) and Chris for the work
5 that they're doing. I know that we ended the \$600 and so there
6 may be an uptick in questions - well, not we, but at the federal
7 level it has been ended, so there may be an uptick in questions
8 around that. And, Clay, you mentioned a communication
9 strategist, I want to make sure that our team is tied into that
10 communication strategist from an employer standpoint. I'd love
11 to see the messages that are going out [unintelligible] you guys
12 with what we're hearing so that as you're communicating, that's
13 tailored to that group, as well, so looking forward to that
14 interaction. But, thank you, guys, for what you're doing.

15 CLAY COLE: Bet.

16 COMMISSIONER ALVAREZ: Yeah, I agree with
17 Commissioner Demerson. You know, continue the great work, Clay,
18 and your staff. You know, we still get folks that call in and,
19 of course, we understand that we still have folks that are
20 overwhelming our lines. But, I know that you and your staff are
21 doing a really good job, and I just want to thank, you know, the
22 call center folks that continue to represent this agency so
23 well, so thank you for that.

24 CLAY COLE: Thank you, Commissioner
25 Alvarez.

1 COMMISSIONER ALVAREZ: You're welcome.

2 COURTNEY ARBOUR: And, Commissioners, I
3 would just add that we are in [unintelligible] with workforce
4 boards who have been impacted by some of the hurricane winds and
5 flooding, and Vocational Rehab staff are also in contact, Sheryl
6 Fuller (ph) is in contact with the Vocational Rehab Offices and
7 with them and staying in touch with them to see if they need
8 anything from us. The majority of the damage, either through
9 wind and, you know, debris being pushed in or flooding, has been
10 pretty minimal, thankfully. And, so all of the workforce
11 boards, even if they do have some flooding or other minimal
12 damage to the buildings, have either been able to remain open or
13 they're providing services virtually. So, all areas of both the
14 Vocational Rehab and in our Workforce Solutions offices continue
15 to operate, either virtually or in-person.

16 CHAIRMAN DANIEL: Thank you. Any
17 additional comments or questions?

18 COMMISSIONER ALVAREZ: No, Chairman.

19 CHAIRMAN DANIEL: All right. Thank you
20 very much, Courtney. [Unintelligible] to agenda Item 14. This
21 is discussion, consideration, and possible action regarding the
22 Texas Workforce Commission Agency Strategic Plan for Fiscal
23 Years 2021 through 2025.

24 MARGARET HASHIN: Good morning, Chairman
25 Daniel, Commissioner Alvarez, Commissioner Demerson. For the

1 record, I'm Margaret Hashin (ph), Director of Communications.
2 You have before you the Fiscal Year 2021 through 25 TWC
3 Strategic Plan for your consideration and approval. I wanted to
4 thank, again, you and your members of your staff and other team
5 members from across the agency for all they've done to
6 contribute to the report.

7 For the report, as a whole, I'm requesting
8 approval for the plan with your permission to make any technical
9 corrections as necessary, and also to accept or take any
10 suggested revision from the Commissioners today. I'm happy to
11 answer any questions or accept any changes you have.

12 CHAIRMAN DANIEL: All right, comments or
13 questions?

14 COMMISSIONER ALVAREZ: Chairman, the only
15 thing I would like to add is I also want to take this
16 opportunity to thank Margaret and her team, Joe Shine (ph) and
17 the folks that work closely with her to provide us updates on
18 the messaging. I certainly don't want to delay this anymore
19 than we have to. Given to you earlier this morning, and
20 distributed by Les, was the proposed changes to the
21 Commissioners message. You should have them in front of you,
22 I'm not sure if you've had an opportunity to look at them.
23 Basically, it's pretty much the same things that I covered last
24 week. We were asked to make any revisions since last Tuesday.
25 There were a couple of things that we noted that Commissioner

1 Demerson had asked for, and so we actually infused them in the
2 report in some of our changes.

3 But, I have both the changes in front of me
4 that we made and also the changes that Commissioner Demerson has
5 laid before us. I'd be willing to discuss them, but I have
6 nothing else to add, except that, you know, I'm okay with the
7 changes that Commissioner Demerson has made. There are a couple
8 of things that I, you know, just for clarification, and they
9 make a lot of sense on what he's brought forth. But, at this
10 time, the proposed changes that were given to you this morning
11 are the only additions. And, I took into consideration the
12 discussion that we had last Tuesday.

13 CHAIRMAN DANIEL: Commissioner Demerson?

14 COMMISSIONER DEMERSON: Nothing
15 [unintelligible] go over. The ones that I added, I think you
16 guys have that before you in regards to the line items, and so
17 adding the word small business, some technical edits that are
18 there. I'm wanting the staff to just make sure they're clear on
19 four years of typical unemployment during the [unintelligible]
20 time period from March to June. We kind of added those
21 technical things there, and so I'll leave it to staff. If it's
22 three months or four months, they'll look at that. We've added
23 the hours of 7:00 AM to 7:00 PM, and the rest is lined up. I
24 think Commissioner Alvarez's comments are - some of them are
25 technical edits, as well, but nothing substantial along those

1 lines. And, so I think what we've provided - and one point, the
2 governor, the Texas Legislature and some partners
3 [unintelligible] we kind of just changed the structure there
4 instead of going partners first or whatever, we changed that
5 around, so I think it's pretty small things there.

6 CHAIRMAN DANIEL: Now that I have a chance
7 to see these related to this particular Agenda Item, these seem
8 to track what we were discussing last week, and, you know, I
9 would [unintelligible] similar comfort with what I'm looking at
10 here. I'm looking at it quickly now that I have it. So,
11 [unintelligible] any motions we do not have on this issue.

12 COMMISSIONER ALVAREZ: I have no
13 additional comments, but I do have a motion, like you said, sir,
14 so if you want me to, I can move forward on that--

15 CHAIRMAN DANIEL: Yes, please.

16 COMMISSIONER ALVAREZ: --unless there's
17 any additional comments from Commissioner Demerson. Again,
18 everything that he referenced, pretty much, last week was
19 incorporated in our comments using the word skills and other
20 things, and some of the words that you used, Chairman, about
21 going big and stuff like that were incorporated in some of our
22 remarks, as well. And, so with that, those are the only
23 comments I have and I'm ready for a motion if you'd like.

24 CHAIRMAN DANIEL: Commissioner Demerson,
25 any further comments?

1 COMMISSIONER DEMERSON: No, just those
2 little technicality things. There are 13 million individuals
3 ready to meet the needs of the more than 550,000 employers, just
4 make sure the staff, if it's 13 million or 11 million, wherever
5 we are in that regards, just making sure [unintelligible].

6 CHAIRMAN DANIEL: Okay. Yeah.

7 COMMISSIONER DEMERSON: Okay.

8 CHAIRMAN DANIEL: All right, do we have a
9 motion?

10 COMMISSIONER ALVAREZ: Well, with that
11 said, with that said, unfortunately, that's the only line item
12 that I deleted, if you look at what we passed forward, because
13 that number fluctuates, and so I would hate for us to stick to a
14 number that is not there. So, that's the only line item that I
15 - because it becomes redundant. We have it in other parts of
16 the report, but to put it in the messaging is not, probably,
17 where I would like to place it because that number changes. If
18 we put eight million and then in four years, we're back at 14
19 million - I would prefer that we delete that line, if that's
20 okay, Commissioner Demerson. I did include your 28 workforce
21 boards continue to provide services, we put the skills
22 development in there, but because that number fluctuates, I
23 didn't feel like it would be appropriate, and it is in the body
24 of the report.

25

1 COMMISSIONER DEMERSON: I agree with you.
2 The one that I received had 13 million, yours took it totally
3 out, and so I'd love to go with yours. And, I read yours, it
4 actually took it away so we don't have that problem of 13, 11,
5 14, or anything, so I agree, exactly [unintelligible]--

6 COMMISSIONER ALVAREZ: Great.

7 COMMISSIONER DEMERSON: --I wanted to make
8 sure staff had that clarification that [unintelligible]
9 included, that we go with what you have, which totally
10 eliminated it.

11 COMMISSIONER ALVAREZ: Thank you,
12 Commissioner.

13 COMMISSIONER DEMERSON: You got it.

14 COMMISSIONER ALVAREZ: So, Chairman, I
15 think we're in agreement that what was brought forward to you
16 and to the Commission is what I'm going to be making a motion
17 on.

18 CHAIRMAN DANIEL: Yes.

19 COMMISSIONER ALVAREZ: Okay. I move that
20 we approve the Texas Workforce Commission Agency Strategic Plan
21 for Fiscal Years 2019 to 2023 as amended, and allow staff to
22 make any technical corrections in addition to what we've
23 mentioned on the record.

24 COMMISSIONER DEMERSON: Second that motion.

25

1 CHAIRMAN DANIEL: Okay. I support the
2 motion. I'm going to need a little more discussion here. So,
3 my understanding of the motion is that both sets of written
4 changes that were submitted by Commissioner Alvarez and
5 Commissioner Demerson will be brought in under the motion. I do
6 not see any place where they're contradictory. And, on the one
7 area that we discussed, now for the second time, Commissioner
8 Demerson and Commissioner Alvarez are in agreement with regard
9 to how we represent some numbers. So, that is my understanding
10 of the motion. I do support the motion, I'll be voting for it.
11 If there's a different understanding of the motion, let's clear
12 that up now, but I think that's where we are.

13 COMMISSIONER ALVAREZ: From my
14 perspective, there is no changes. I agree with exactly what you
15 just stated, Chairman.

16 CHAIRMAN DANIEL: All right. I think
17 we're unanimous on this issue, and so the motion carries.
18 Gentlemen, thank you.

19 COMMISSIONER DEMERSON: Thank you.

20 COMMISSIONER ALVAREZ: Thank you,
21 Chairman. Thank you, Commissioner.

22 CHAIRMAN DANIEL: Do we have a legislative
23 report today?

24 MICHAEL BRICK: Good morning, Mr.
25 Chairman, Commissioner Alvarez, Commissioner Demerson. This is

1 Michael Brick, Governmental Relations. I do have a legislative
2 update for you this morning.

3 CHAIRMAN DANIEL: Great.

4 MICHAEL BRICK: Yesterday, US Senate
5 Leadership released the American Workers, Families and Employers
6 Assistance Act. The bill provides further assistance to
7 individuals affected by COVID-19. Specifically, the bill would
8 extend the Federal Pandemic Unemployment Compensation Program at
9 a flat rate of \$200 through September 2020. Beginning in
10 October, this payment would be replaced with a payment of up to
11 \$500 per week that, when combined with an individual's weekly
12 benefit amount, would replace 70% of their lost wages.

13 The bill would require states, beginning
14 30 days after the enactment of the legislation, to notify
15 recipients of unemployment insurance and employers about state
16 laws regarding return to work and suitable work requirements.

17 The bill would also allow states to handle
18 Pandemic Unemployment Assistance appeals in the same manner that
19 they handle appeals for state UI benefits, instead of requiring
20 PUA appeals to be handled in the same way Disaster Unemployment
21 Assistance appeals are handled.

22 The bill provides \$2 billion to assist
23 states in upgrading their state unemployment insurance systems
24 to be better prepared to handle a surge in claims, adjust wage
25 replacement levels, adjust earnings, and be able to vary

1 benefits over time, as well as automate processes that are done
2 manually in many states.

3 The bill also increases assistance to
4 reimburse non-profits, governmental agencies, and Indian tribes
5 for the costs they incur through December 31, 2020 to pay
6 unemployment benefits. This bill would increase the assistance
7 from 50%, which was provided under the CARES Act, to 75% of
8 these costs.

9 The bill also establishes a safe harbor for
10 marketplace platform companies so that they may provide certain
11 COVID-19 related assistance to service providers without
12 jeopardizing the service providers independent contractor
13 status.

14 Finally, the bill would provide a temporary
15 expansion of the Work Opportunity Tax Credit by creating a new
16 target group titled 2020 Qualified COVID-19 Unemployment
17 Recipients and would increase the credit amount for this group
18 to 50% of the first \$10,000 of qualified first-year wages.

19 Staff are continuing to review the bill to
20 determine other provisions and how it would impact TWC and our
21 programs. And with that, this concludes my remarks, and I'm
22 happy to answer any questions you may have.

23 CHAIRMAN DANIEL: Any questions or
24 comments?

25 COMMISSIONER ALVAREZ: No, Chairman.

1 COMMISSIONER DEMERSON: None here.

2 CHAIRMAN DANIEL: Thank you. Thank you,
3 Michael. Well, gentlemen, we have a tremendous opportunity
4 before us today. We have a special guest presenter for the
5 Executive Director's Report. So, all those questions we've been
6 wanting to ask, this may present our opportunity, we'll have to
7 find out. Courtney Arbour, do you have anything else to report
8 on for the Executive Director's report today?

9 COURTNEY ARBOUR: I do not have a thing to
10 add today. Thank you, sir, for asking.

11 CHAIRMAN DANIEL: All right. Questions or
12 comments?

13 COMMISSIONER ALVAREZ: I do know that the
14 acting Executive Director, Courtney Arbour, was making fun of my
15 slip and slide that I referenced earlier, but, Chairman Daniel
16 and I know what a slip and slide in South Texas is like, so.

17 CHAIRMAN DANIEL: Absolutely. And, it is
18 a different thing in its entirety and [unintelligible] fault,
19 so.

20 COMMISSIONER ALVAREZ: So, Courtney's on
21 record.

22 COURTNEY ARBOUR: Besides that, nothing
23 really. Yeah.

24 COMMISSIONER DEMERSON: Chairman, I have a
25 number of questions to ask here. Just asking, Courtney, how

1 many staff members do we have here and what's our LAR for this
2 year and will it be [unintelligible]?

3 COURTNEY ARBOUR: Chris, are you still on?

4 COMMISSIONER DEMERSON: Chris is gone.

5 CHRIS NELSON: I am. We are awaiting--

6 CHAIRMAN DANIEL: [Unintelligible]

7 CHRIS NELSON: --instructions from LBB.

8 We're [unintelligible], but we can't move forward--

9 COMMISSIONER DEMERSON: Chris, Chris. I
10 was okay.

11 COURTNEY ARBOUR: Thank you, Chris. I
12 can't disclose those until final, Commissioner Demerson.

13 COMMISSIONER DEMERSON: You got it. All
14 right. Mr. Chairman, back to you.

15 CHAIRMAN DANIEL: Well, now that we've
16 enjoyed that moment of panic, Courtney, thank you so much. Is
17 there any other order of business to come before the Commission?

18 COMMISSIONER ALVAREZ: Mr. Chairman, I'd
19 like to take this opportunity to thank staff, not just those
20 that reported to us, but those - our whole entire staff. You
21 know, as you know, we had a lot of Agenda Items and it takes
22 time for staff to meet with directors and they're able to make
23 it work. So, we - I know our office and the other Commissioners
24 offices all appreciate the hard work that our directors put
25 forth, so I just wanted to make that note and to thank them all.

1 These are challenging times, and so for us to be as creative as
2 we are - and, I also wanted to thank you, Chairman, for your
3 leadership and Commissioner Demerson, as well. I think, you
4 know, couldn't have asked for a better group of folks to work
5 with, so I appreciate that. With that said, I move that we
6 adjourn.

7 COMMISSIONER DEMERSON: Mr. Chairman,
8 before we adjourn, before I second, I wanted to take the
9 opportunity to thank - thank you, Commissioner Alvarez, for
10 those [unintelligible] and Mr. Chairman for what you're doing.
11 But, this week we're celebrating Americans with Disability Act.
12 That was signed July 26, 1990 and it was signed by a Texan
13 President, George H. W. Bush, in that regard. And, so I know
14 you guys are joining me in commemorating that moment for the
15 Americans with Disability Act for this week. And, we have
16 [unintelligible] both Rehab Teams have done a heck of a job for
17 us. And, so I just wanted to put that out there on the record,
18 as well, that we commend the signing of that that took place
19 July 26, 1990.

20 CHAIRMAN DANIEL: Absolutely, and I want
21 to echo your remarks, Commissioner Demerson, on the Americans
22 with Disabilities Act and, certainly, your remarks, Commissioner
23 Alvarez, in terms of the amount of effort staff has put in to
24 prepare many of these Agenda Items. We are dealing, daily, with
25 continuing to work with COVID-19 response, we've got a little

1 bit of [unintelligible] response that we're working on, and also
2 trying to secure, you know, our financial resources for next
3 year and the years after. So, there's a lot of different things
4 going on, many different issues that are being discussed and
5 talked about, and I just really appreciate the organization
6 before these things reach the Commission. I did hear a motion
7 to adjourn, if there's a second--

8 COMMISSIONER DEMERSON; There's a second.

9 COMMISSIONER ALVAREZ: There's a second.

10 CHAIRMAN DANIEL: Oh, it has been
11 seconded? It's been moved and seconded we adjourn, the
12 Commission is adjourned. Thank you all.

13 COMMISSIONER ALVAREZ: Thank you,
14 everyone.

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