

Texas Business Today

Chairman Joe Esparza
Commissioner Representing Employers

February 2026

Texas Employers,

This February, the Texas Workforce Commission is proud to celebrate Career and Technical Education (CTE) Month. CTE programs are helping students across Texas prepare for high-skill, high-demand careers in more than 460 different fields.

Students enrolled in CTE courses are more likely to graduate high school, enroll in a two-year college, be employed after high school, and earn more in the year after high school. Through programs like Dual Credit and the Jobs and Education for Texans Grant, TWC has helped more than 67,000 students gain hands-on training aligned with local workforce needs.

I encourage employers to continue building bridges between education and industry so that curriculum is aligned with real employer demand, ensuring Texans aren't just earning credentials, but credentials that matter in the labor market. The education of young Texans not only strengthens our workforce system, but also Texas' reputation as the best state for doing business.

- Joe Esparza



A stylized, handwritten signature in black ink, appearing to read 'Joe Esparza'. The signature is fluid and extends to the right with a long horizontal stroke.

Chairman Joe Esparza
Commissioner Representing Employers
Texas Workforce Commission

Texas Business Minute



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Texas Conference for Employers



- February 6: Big Spring - [Sign Up](#)
- March 13: Lubbock - [Sign Up](#)
- March 27: College Station - [Sign Up](#)
- April 17: Baytown - [Sign Up](#)
- May 1: Lancaster - [Sign Up](#)
- May 29: Corpus Christi - [Sign Up](#)
- June 26: Harlingen - [Sign Up](#)
- August 6-7: Waco
- September 18: San Angelo - [Sign Up](#)

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Unemployment Claims & Arrests

By: Samantha Acuña

Legal Counsel to Chairman Esparza

When an employee has an altercation with the law, there can be different questions employers have as it relates to the working relationship. These scenarios are intended to shed some light on the impact arrests have on an unemployment claim. Although this will not encompass all questions that may come to mind, employers are welcome to contact the Employer

Hotline by calling 800-832-9394.

An employee has been a no-call/no-show at work lately. Am I required to keep them onboard?

Generally, if an employee has violated an attendance policy, employers should follow the disciplinary action outlined in their policies. If an employer has a no-call/no-show policy, it is important to follow the policies the employer has in place about this.

Many employers have policies stating three consecutive days of no-call/no-show is considered job abandonment; or, perhaps you have a more tight-knit policy related to a no-call/no-show in the workplace. In these situations, the discharge would not be tied to the law enforcement encounter, rather the discharge is for failure to abide by the company's attendance policy. For more information about job abandonment and unemployment claims, please visit:

https://efte.twc.texas.gov/types_of_work_separations.html#volun.

In an unemployment claim, would an arrest be considered misconduct?

It depends. Being arrested does not necessarily equal misconduct in an unemployment claim. Unlawful arrests may be a possibility; so, it could be that the employee is not guilty of any wrongdoing under the law.

For instance, where a claimant was unable to report to work after an unlawful arrest, it was found that there was no misconduct as the claimant not coming into work was involuntary (Appeal No. 869-CA-77). However, misconduct was found in a case where the claimant did not keep the employer advised of his whereabouts for missing work due to his incarceration (Appeal No. 3673-CA-75).



The cases mentioned above, and others relating to this topic, can be found on this page: <https://www.twc.texas.gov/sites/default/files/appeals/docs/appeals-policy-precedent-manual-twc.pdf#page=408>. As these situations are evaluated on a

case-by-case basis, it is a best practice to review TWC's Appeals Policy and Precedent Manual's section on violations of law.

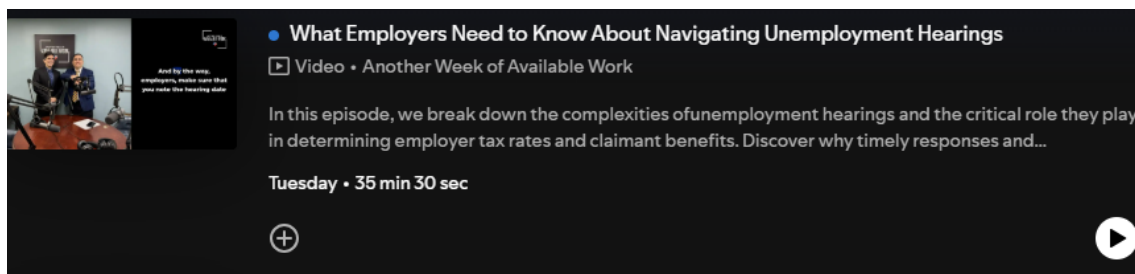
My employee's arrest has been publicized in the community, and it is now impacting my business. Is this misconduct?

This answer will vary depending on the circumstances surrounding the violation of law. In some instances, the news outlets will tie the employee to the employer's business, which may impact the employer's reputation and recognition. As stated, depending on the circumstances (type of charge, amount of news coverage, severity of the charge, etc.), the employer may choose to discharge the employee to preserve its reputation and image. However, if this results in an unemployment claim being filed, the employer will be required to establish misconduct connected to the work through evidence and testimony to disqualify the claimant from benefits.

Conclusion

As there are many scenarios that arise when it comes to arrests, it is important to keep up-to-date and relevant documentation, policies, and procedures at your workplace. Policies and procedures are crucial in situations like this, and employers are welcome to review relevant details related to this in the Texas Guidebook for Employers here: <https://efte.twc.texas.gov/indexmain.html>.

Spotify: What Employers Need to Know About Navigating Unemployment Hearings



In this episode, we break down the complexities of unemployment hearings and the critical role they play in determining employer tax rates and claimant benefits. Discover why timely responses and understanding the appeal process can safeguard your business from unexpected financial burdens. Tune in to learn how

these insights could directly impact your bottom line and ensure you're prepared for any employment-related challenges.

Free Employer Hotline: 800-832-9394

Employer Email: employerinfo@twc.texas.gov

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TEXAS EMPLOYER HOTLINE
1-800-832-9394

Hiring Issues | Medical Leave-Related Laws | Personnel Policies and Handbooks
Independent Contractors and Unemployment Tax Issues | The Unemployment Claims and Appeals Process | Texas and Federal Wage and Hour Laws



Employer Hotline Hours: M-F, 8am - 5pm

Information provided by employment law attorneys in the Office of the Commissioner Representing Employers at the Texas Workforce Commission

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