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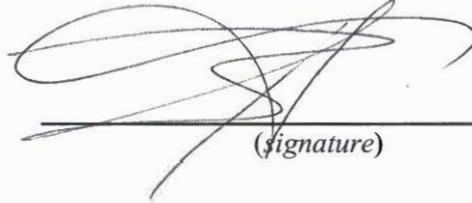
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Valeriia Fedorova, to me well known, and who, after being by me duly sworn, deposes and says:

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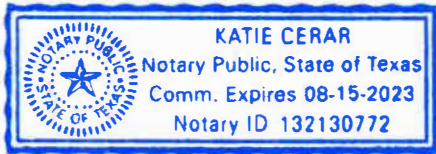
- Texas Workforce Commission Meeting 10-08-19 (29:05-39:34, 1:18:50-1:20:06)

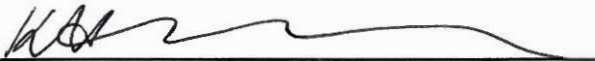
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 (signature)

SUBSCRIBED AND SWORN to before me on this 24th day of October, 2019,





Notary Public in and for the State of TEXAS

Print Name: Katie Cerar

Comm. expires: August 15, 2023

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TWC MEETING October 8, 2019	
Chairman Daniel (00:29:10)	Item 8: Discussion consideration and possible action regarding adult education and literacy performance funding benchmarks for program year 2019 through 2020.
Fabiana Ramirez (00:29:27)	<p>Good morning, Chair Daniel, Commissioner Alvarez, Commissioner Demerson and Mr. Serna. For the record, my name is Fabiana Ramirez, Program Specialist with Adult Education and Literacy. TWC Rule Chapter 800.68 provides that TWC set performance accountability benchmarks that AEL grant recipients must meet in order to access up to 10% of their allocated funding. On April 30, the Commission approved allocations for AEL program year 19-20 which included the holdback for performance base funding totally nearly 1.5 million dollars. The commission has established a performance-based criterion for this holdback. Additionally, House Bill 1949 which passed this past 86 Legislature Session --- Legislative Session introduces the measure related to enrollment and credential achievement performance in high school equivalency or ability to benefit programs, which must now be included as part of performance-based funding criteria. ---Per--- Criteria for performance-based criteria outlined in your notebook materials are as --- follow --- follows: Both Categories A and B are similar to criteria from previous AEL program years. Category A will allow grant recipients to access 33.33% of program year 19-20 performance-based funding allocation for the remaining 65% of total participants served by the end of the second quarter. Category B allows grant recipients to access the remaining 66.67% of this allocation for meeting measurable skills gains target. Category C criteria implements HB1949 as provided in statute and will be awarded to current recipients out of program year 2020</p>



	<p>funds as designated by the Commission after the end of the first quarter in the next program year. Category D provides that staff will make future recommendations to the Commission for capacity building milestones towards meeting HB1949 for implementation during program year –19-- 2019. Today, staff seeks direction on identifying and assigning criteria for Categories A and B for grant recipients to access performance-based funding for program year 2019 to 2020 and assigning criteria for Category C in order to implement HB 1949. With that, I am available to answer any questions you may have.</p>
Chairman Daniel (00:31:47)	Commissioner Alvarez
Alvarez (00:31:48)	No questions, Chairman.
Chairman Daniel (00:31:51)	Commissioner Demerson
Demerson (00:31:52)	No questions here.
Chairman Daniel (00:31:53)	Is there a motion here?
Alvarez (00:31:55)	<p>Chairman, I move that we approve AEL performance funding benchmarks for program year 2019 through 2020 as discussed by staff and --- instruct sta --- instruct staff to bring back to the Commission recommendations regarding performance criteria for the awards of funds based on milestones toward meeting HB1949's performance standards. Additionally, staff would develop and bring back rules related to this measure.</p>
Demerson (00:32:24)	Second the motion.



Chairman Daniel (00:32:25)	It has been moved and seconded. I concur. The motion passes.
Fabiana Ramirez (00:32:26)	Thank you.
Chairman Daniel (00:32:34)	Commissioners, Item number 9, Foundational Skills Discussion Paper will be postponed to a future Commission meeting to allow additional time for staff analysis. That brings us to item number 10, discussion, consideration and possible action regarding local workforce development area revising, performance expectations for Board contract year 2019.
Adam Leonard (00:33:01)	Morning, for the record, Adam Leonard, Operational Insight. As you know, TWC implemented a new work in Texas system going on about 7 weeks ago now and the system has proven to be very popular with a lot of our users, especially employers and the job seekers, but on the back end, there are certain data differences between the way that the new system works and the way the old system works and it is making it difficult for us to kind of run this measure that counts the numbers of employers receiving workforce assistance consistently across the period, meaning the pre/old WIT, post/new WIT (00:33:34) data. We are going to get it resolved eventually, but given the timeframe we are working on for year end reporting, we are making a recommendation to change the performance period backwards. So sliding it from what would have been October through September back to August through July so that we have 12 complete months of data from the same system and, therefore, it's an apples to apples comparison and coupled with that we could take a weighted average of the target from last year and this year in order to scale expectations appropriately and the discussion paper shows how that would work on



	page 2. I'm happy to answer any questions you may have.
Chairman Daniel (00:34:13)	Commissioner Alvarez
Alvarez (00:34:15)	No questions, Chairman.
Chairman Daniel (00:34:16)	Mr. Demerson
Demerson (00:34:17)	No questions.
Chairman Daniel (00:34:18)	Is there a motion?
Alvarez (00:34:19)	I move that we approve the modifications to the Board Contract year 2019 Employer Workforce Assistance Performance period and local targets using the methodology recommended by staff.
Demerson (00:34:28)	Second
Chairman Daniel (00:34:30)	It's been moved and seconded. We are unanimous.
Adam Leonard (00:34:31)	Thank you.
Chairman Daniel (00:34:39)	I don't show any discussion items from staff for item 11 so we will continue to item 12. Discussion, consideration and possible action regarding approval of local workforce development board nominees.
Shunta Williams (00:34:56)	Good morning, Commissioners and Mr. Serna. I am Shanta Williams, with the workforce development division and before you for consideration and approval



	are workforce board nominees for workforce solutions Alamo, Concho Valley, North Central Texas, Golden Crescent, Middle Rio Grande, Coastal Bend, Rural Capital and South Plains. If there are no questions, we ask that all nominees be approved.
Chairman Daniel (00:35:16)	Alright. Commissioner Alvarez, comments or questions.
Alvarez (00:35:18)	No questions.
Chairman Daniel (00:35:19)	Commissioner Demerson, comments or questions.
Demerson (00:35:20)	No questions.
Chairman Daniel (00:35:21)	Is there a motion?
Alvarez (00:35:22)	I move that we --- a port--- approve the board nominees for Alamo, Concho Valley, North Central Texas, Golden Crescent, Middle Rio Grande, Coastal Bend, Rural Capital area and South Plains as recommended by staff.
Demerson (00:35:37)	Second.
Chairman Daniel (00:35:38)	I concur with the motion.
Shunta Williams (00:35:39)	Thank you.
Chairman Daniel (00:35:44)	Okay. Let's see. Tom says there's nothing for him under Item 13. Ed, do you have anything to report today?



Ed Serna (00:35:49)	Two things today. First of all, I'm getting rid of one of the two hats I've been wearing and have selected Randy Townsend to serve as my deputy executive director, effective yesterday.
(00:36:02)	Inaudible. Applause.
Ed Serna (00:36:10)	<p>So now --- he --- he gets to wear 2 hats as the interim CIO and the Deputy Executive Director. One of us will eventually get rid of a hat. So --- the other thing I have is we received a recognition from the governor on ombudsman's day. In case, you didn't know that there was an ombudsman day. There is on the 10th of October. We have a great staff that in our ombudsman's shops, both at the agency level and in UI that everyday work with our customers to make sure that issues that they raise are being addressed and successfully handled and I was going to take the opportunity, if you will indulge me, Mr. Chairman to read this proclamation that we received from the governor --- to all --- To all, to whom these presence shall come, greetings, know ye, that this official recognition is presented to all observing ombudsman's day, October 10, 2019. An ombudsman, through ethical, impartial and competent conduct, maintains a mutual trust and accountability with the Citizens of Texas. This allows them to serve as a representative of the people and assist them with resolving disagreements, complaints, confusions and questions that arise as they work with large entities. Ombudsman programs come in many forms and adhere to standards of practice depending on their role and function in helping Texans address a broad range of issues, the fair and effective resolution of such issues is in the best interest of all parties involved. I encourage all Texans to become familiar with ombudsman offices and make use of these critical services. First Lady Cecilia Abbott joins me in wishing you the best. In testimony, I have signed my name and</p>



	signed Governor Greg Abbott. We have our ombudsmen present to receive these.
Chairman Daniel (00:38:01)	Wonderful.
	Applause.
Chairman Daniel (00:38:11)	You've got to come forward because they're going to take a bunch of pictures, I'm pretty sure.
	Picture taking and more applause.
Mr. Serna (00:38:58)	And sir, with that I have nothing else to report.
Chairman Daniel (00:39:00)	Thank you, Mr. Serna. Alright, the time is 9:39. The Texas Workforce Commission is now going into Executive Session pursuant to Texas Government Code 551.0711 concerning pending or contemplated litigation titled, "Harris County District Attorney's Office vs. Texas Workforce Commission and Tiffany Johnson and to discuss the appointment and employment evaluation reassignment duties, discipline or dismissal of the Executive Director, internal auditor, executive staff or other personnel pursuant to Texas Government Code 551.07481.
(00:39:50)	
Chairman Daniel (1:19:02)	Alright, the Executive Session is now concluded and the time is 10:19. Do we have a motion coming out of Executive Session?
Commissioner Alvarez (1:19:13)	Yes, Chairman, I move that we approve the filing of an appeal of the Harris County District Court Order and Decision in Litigation styled as "Cause No. 2017-52728 Harris County District Attorney's Office vs Texas Workforce Commission and Tiffany Johnson.



Demerson (1:19:33)	Second
Chairman Daniel (1:19:35)	It's been moved and seconded. I concur with the motion. So, we will approve the filing of the appeal of the Harris County District Court Order and Decision in Litigation styled as Cause No. 2017- ---5278 --- 52728, Harris County District Attorney's Office vs Texas Workforce Commission and Tiffany Johnson. Is there any other order of business that needs to come before us?
Demerson (1:19:54)	Congratulations to Randy.
Chairman Daniel (1:19:55)	Oh, yeah.
Demerson (1:19:57)	Too bad he's not here. But congratulations.
Chairman Daniel (1:19:59)	Well done. Alright. Do we have a motion to adjourn?
Alvarez (1:20:03)	I move that we adjourn.
Demerson (1:20:05)	Second
Chairman Daniel (1:20:07)	I concur. We're adjourned.