



**MEETING OF THE  
TEXAS WORKFORCE COMMISSION**

**DATE**

**OCTOBER 29, 2020**

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THURSDAY, OCTOBER 29, 2020

CHAIRMAN DANIEL: All right, I'm showing it's 2:00. Are we ready to tackle this?

COMMISSIONER ALVAREZ: Yes, Chairman, ready here.

COMMISSIONER DEMERSON: [Unintelligible].

CHAIRMAN DANIEL: Let's call this meeting to order. This is a work session the Commission needed for discussion, consideration, and possible action regarding publication of public comment of proposed amendments to 40 [unintelligible] Chapter 803 as the Skills Development Fund. Let's start off with public comment. I know that there's some folks that have indicated they would like to have public comment, so let me to turn it over to Mr. Trobman, and ask him to coordinate the public comment portion of the meeting here.

MR. TROBMAN: Sir, good afternoon, Commissioners. We have several people here, some of them are just here as a resource, so if you don't mind, when I call your name if you would please unmute yourself and go ahead and present [unintelligible] comments, introduce yourself and who you represent, and if you're just here as a resource, go ahead and state that, as well. So, off the top, we have Roger Harris. If you could unmute yourself. There you go.

ROGER HARRIS: Okay, this is Roger Harris. I think I'm unmuted, can you hear me okay?

1 MR. TROBMAN: Yes, sir.

2 ROGER HARRIS: Okay, do you want me to read  
3 my comments now or when you get into that Agenda Item?

4 MR. TROBMAN: This will be the appropriate  
5 time to go ahead and provide your comments.

6 ROGER HARRIS: Okay, very good. Chair  
7 Daniel, Commissioner Demerson, Commissioner Alvarez, Executive  
8 Director Serna, members of staff, ladies and gentlemen, my name  
9 is Roger Harris. I Chair the North Central Texas Workforce  
10 Development Board, Chair of the Texas Association of Workforce  
11 Board, and a local business owner and operator in Texas for over  
12 30 years. Thank you for the opportunity to address this  
13 meeting.

14 The Texas Association of Workforce Board,  
15 which represents 28 local Workforce Development Boards in Texas,  
16 opposes the Texas Workforce Commission proposed rule changes to  
17 Chapter 803.14A of the Texas Labor Code for administration of  
18 the Texas Skills Development Fund. The changes would remove the  
19 requirement that local Workforce Development Boards review non-  
20 board Skill Development Fund applications before submission to  
21 TWC. We believe removing this requirement will diminish the  
22 leadership role and local authority of employer-driven Workforce  
23 Development Boards in the planning, coordination, and aligning  
24 of training within their regions, as well as their ability to  
25 leverage regional resources and expertise to facilitate the

1 implementation of sector strategies. This proposed rule change  
2 violates the bedrock principle of local control expressed in the  
3 state and federal legislation establishing local Workforce  
4 Development Boards.

5                   Through the Skill Development Fund, the  
6 state of Texas invests in training programs that align with the  
7 employer demand as needed for long-term regional economic  
8 vitality. This important and effective funding mechanism  
9 ensures that regional employer-led projects will support the  
10 goals in both economic development and Workforce Development  
11 stakeholders. The Skill Development Fund Grants also are a way  
12 of policymakers to institutionalize collaboration within  
13 regions.

14                   According to the Texas Workforce  
15 Commission, the Skilled Development Fund is Texas' premiere job  
16 training program providing local customized training  
17 opportunities for Texas businesses and workers to increase skill  
18 levels and wages of the Texas workforce. Success is achieved  
19 through collaboration among business, public community,  
20 technical colleges, Workforce Development Boards, and economic  
21 development parts. Texas Workforce Commission has gone to great  
22 lengths to develop policies to recognize Workforce Development  
23 Boards as the leaders in their region when it comes to workforce  
24 development by requiring information sharing and collaboration.



1                   Following the adoption of HB700 by the 86th  
2 Texas Legislature, Texas Association of Workforce Boards submits  
3 that the premise of the proposed rules that the addition of  
4 Workforce Development Board, as eligible Skill Development Fund  
5 grantees creates a conflict of interest or unfair advantage is  
6 misguided. The Workforce Development Board, itself, is  
7 prevented by existing law from actually delivering training or  
8 educational services of this nature and any competition between  
9 a Workforce Development Board and another potential Skill  
10 Development Fund Grantee involving preparation of the curriculum  
11 for the same training and benefiting the same employer is highly  
12 speculative and unlikely. And even if there is justification  
13 for these concerns, which Texas Association of Workforce Board  
14 does not concede, alternative rules could be easily put in place  
15 that do not violate the principle of local control by entirely  
16 shutting employer-driven Workforce Development Boards out of the  
17 Skill Development Fund grant applications, particularly where  
18 Workforce Development Boards have not submitted any application.

19                   First, Texas Workforce Commission, and not  
20 the local Workforce Developments Boards, make the final decision  
21 on Skill Development Fund Grant applications, so there is  
22 arguably no conflict at all. Second, HB700 limits the  
23 participation of Workforce Development Boards to certain  
24 activities and limited circumstances. HB700, when read in  
25 connection with the other applicable laws, provides the

1 Workforce Development Boards may only use Skilled Development  
2 Funds for limited purposes, as emergency or startup funds for  
3 developing, and not providing or delivering, customized training  
4 programs. For example, content and curriculum for business and  
5 trade unions and for sponsoring small and medium-sized business  
6 networks or consortiums.

7                   The purpose of HB700 [unintelligible],  
8 which added local Workforce Development Boards as eligible Skill  
9 Development Fund Grant recipients, is to accelerate progress  
10 toward achievement of the goals of the 60 x 30 Higher Education  
11 Strategic Plan. The authors of HB700 recognize that in some  
12 instances community colleges and other providers are unable to  
13 provide the desired training in an area and by adding local  
14 Workforce Development Boards as eligible applicants, employer or  
15 labor union requested training could be provided by another  
16 Workforce Development Board contracted provider using curriculum  
17 developed under the Skill Development Fund Grant to the  
18 Workforce Development Board. Allowing an additional avenue to  
19 develop and provide curriculum for customized training programs  
20 serves to achieve the purposes of HB700 and 60 x 30 by  
21 increasing them of individuals receiving training services,  
22 potentially obtaining a post-secondary credential.

23                   Workforce Development Boards have unique,  
24 non-competitive roles in their communities owing to their  
25 government structures and to the requirement to subcontract

1 direct services, equating Workforce Development Boards and  
2 education and training providers, which may also apply for the  
3 Skill Development Fund Grants in which can directly provide  
4 education and training services is a false comparison.

5           As such, there really is not an inherent  
6 conflict. Even if there could be, we do not anticipate that it  
7 would arise frequently, if at all, as we do not believe the  
8 addition of Workforce Development Boards as eligible Skill  
9 Development Fund Grant recipients will result in numerous Skill  
10 Development Fund Grant applications for the same or similar  
11 projects for more than one eligible applicant within a single  
12 Workforce Development Board area. Workforce Development Boards  
13 have every incentive to partner with the qualified education and  
14 training providers in the region. Likewise, we believe vast  
15 majority of training providers in Texas value the input and  
16 collaboration of Workforce Development Boards, which helps them  
17 to provide timely skills training in their area.

18           Texas Association of Workforce Boards also  
19 urges Texas Workforce Commission to consider the unique value  
20 that the local Workforce Development Boards provide in their  
21 communities in fulfilling the roles as [unintelligible]  
22 coordinators, which include coordinating and working closely  
23 with their local education and training providers. Texas  
24 Workforce Commission should also consider the unintended  
25 consequences of undermining boards by removing their ability to



1 sign, at a high level, the Nexus of Education Training and  
2 Economic Development that occurs through the Skill Development  
3 Fund Projects and weakening the results of the Skill Development  
4 Fund Projects as a consequence of not having the local Workforce  
5 Development Board involved in them.

6           Even if there was some lingering concern  
7 about perceived conflicts of interest, alternatives also exist  
8 that do not violate the principle of local control and shut  
9 Workforce Development Boards out of the Skilled Development Fund  
10 Grants, but their own. Texas Workforce Commission could,  
11 instead, enact a rule that provides that a local Workforce  
12 Development Board should refrain from comment on a competing SDF  
13 Grant application that targets the same employers and the  
14 development of the same skills. Texas Workforce Commission  
15 could also enact a rule that restricts the Workforce Development  
16 Board from submitting a Skilled Development Fund Grant  
17 application unless it certifies that no other qualified  
18 organization was reasonably available to fill the Workforce  
19 Development Boards' contemplated role in the grant. Neither of  
20 these would have the impact on local control and either or both  
21 would adequately address any issue arising from the limited  
22 inclusion of Workforce Development Boards in the Skilled  
23 Development Fund Grants, as authorized by HB700.

24           In summary, Texas Association of Workforce  
25 Boards believes that employer-driven Workforce Development

1 Boards add unique value, not competition, to fulfill the Skill  
2 Development Fund Grant program in the state of Texas. Supplier-  
3 driven concerns about competition for their services have no  
4 place in the employer-driven system and should be recognized for  
5 what they are. Workforce Development Boards should be allowed  
6 to continue operating in their required oversight, planning,  
7 coordination roles in concert with the Texas Workforce  
8 Commission and there is no good reason to violate the principles  
9 of local control here where alternatives exist to address any  
10 legitimate concern. Texas Association of Workforce Boards  
11 appreciate the opportunity to provide public comment on these  
12 proposed rule changes, stand ready to explore these issues  
13 further with Texas Workforce Commission leadership so that we  
14 can continue to foster a premiere Workforce Development system  
15 in Texas. Thank you very much for your time today.

16 MR. TROBMAN: [Unintelligible].

17 GREG VAUGHN: Yes, this is Greg Vaughn.  
18 Thank you, I'm just here today to serve as a resource.

19 MR. TROBMAN: Excellent, thank you. We  
20 have David Setzer (ph).

21 DAVID SETZER: [Unintelligible] I need to  
22 add. I think that was stated very well in the position paper  
23 from the Association, so I'm just here to answer any questions,  
24 if you might have some.

25

1 MR. TROBMAN: Okay, thank you. And,  
2 finally, we have Leighton Schubert.

3 LEIGHTON SCHUBERT: This is Leighton  
4 Schubert. Thank you, Mr. Chairman, fellow Commissioners. I am  
5 [unintelligible] here, but I'm the Executive Vice Chancellor at  
6 Blinn College District, which is based in Brenham, but having  
7 five campuses around the, kind of, Eastern Central Texas Area.  
8 I'm very thankful for the opportunity to provide comment today  
9 on HB700. I'm joined today by a couple other Blinn Personnel  
10 who are available to provide any additional information the  
11 Commission may need. Just for your information, they include  
12 Karen Buck (ph), who's our Vice Chancellor of Administration.  
13 They also have Jay Anderson, who's our Vice Chancellor for  
14 Health Sciences, Technical Education and Community programs, as  
15 well. The only thing that I ask, Commissioners, is that you  
16 address all the tough questions to them instead of me if you  
17 have any.

18 We are here today as a resource for the  
19 Commission as you work through the rule-making process in  
20 regards to this legislation that was passed last session. For  
21 the last several years, Blinn has made a concerted effort to  
22 increase our involvement in SDF Grants. Since FY2016/17, the  
23 college has handled over \$5.5 million in SDF Grant funds. The  
24 college has done this in an effort to help our local businesses  
25 develop and strengthen the workforce. And, of course, one of

1 the other goals of SDF Grants is to increase the capacity of  
2 community colleges to provide such services, and we, at the  
3 college, are proud to have partnered with TWC to use SDF Grant  
4 funds to achieve both of these goals.

5           As you know, HB700 adds local Workforce  
6 Development Boards to the list of entities that are eligible to  
7 apply for SDF Grants. We, at the college, work with our local  
8 Workforce Board on a regular basis and we enjoy a very positive  
9 working relationship with this important group. Developing the  
10 next generation of the Texas workforce is a group effort and it  
11 will take everyone's cooperation to achieve this critical goal.  
12 Also, as you know, currently the local Workforce Boards are  
13 involved in the approval process of an SDF Grant from the  
14 community college.

15           Now that the local boards are eligible to  
16 apply for SDF Grants, in order to maintain the positive working  
17 relationship, it's vital that the rule-making process contain  
18 very specific language laying out the parameters of local  
19 boards' involvement in the approval process while taking into  
20 account their ability to now make their own SDF Grant  
21 application. The ability to be involved in the approval process  
22 while also wearing a secondary hat of applicant can be right for  
23 issuing confusion.

24           I believe both the local boards and  
25 community colleges play a key role in training the next

1 generation of Texans and we're just looking for some  
2 clarification in the rule-making process that lays out these new  
3 roles as we go forward. Thank you, once again, for allowing the  
4 college to be a part of the rule-making process in regards to  
5 HB700. I appreciate all the work of the Commission and the  
6 relationship the college shares with TWC. Further, I want to  
7 continue to offer the assistance of Blinn College in any way  
8 possible, both on this matter and any matter in the future.  
9 And, thank you, once again, for allowing us to make comment  
10 today.

11 MR. TROBMAN: Thank you. I believe those  
12 are all of our registrants. This would be the appropriate time  
13 if someone else would like to provide comment. Commissioners,  
14 this matter is now before you for your deliberation.

15 CHAIRMAN DANIEL: Thank you, Mr. Trobman.  
16 Commissioners, if I could by way of, kind of, an opening - I was  
17 prepared today, and remain prepared today, to go through these  
18 amendments that have been laid out over the last couple of  
19 weeks. I think there's been a lot of work and thought and  
20 effort put into finding ways to improve the program, and I'm  
21 very happy about that. I think everybody's focused on making  
22 sure that we have the best possible program that we can have to  
23 help Texas employers and our Texas Workforce find each other and  
24 find ways that the state can continue to be successful  
25 economically.

1                   But, I received an email yesterday from  
2 staff that lays out a timeline for how this would get done and I  
3 have to [unintelligible] I've become very concerned about this  
4 timeline overnight, as we came into the meeting today. And,  
5 this has kind of altered maybe a little bit of my thinking of  
6 where I think we might be. I, you know, I think my amendments,  
7 which I certainly would like to explain further if needed, sort  
8 of lay out a vision for how to improve the program. I think -  
9 at the same time, I think Commissioner Alvarez laid out some  
10 excellent ideas and some things that need to be considered and  
11 discussed, and while it's likely we don't agree 100% with each  
12 other, I even found a couple of amendments of his that I thought  
13 definitely gave some strength to the program.

14                   But, as I lay those types of longer-term,  
15 kind of, improvements to the program up against this timeline  
16 that we're looking at, I'm starting to think that the need to  
17 implement at least the eligibility changes from House Bill 700  
18 may outweigh my interest in making these improvements,  
19 particularly since I can come back at a later time to do that.

20                   I guess, if I were to sum up my  
21 [unintelligible] feelings at this moment, it would be this. I  
22 would be in favor of just, in some way, postponing further  
23 consideration of amendments, going ahead and passing out the  
24 staff proposal that was laid out on October 6th, letting that go  
25 to the Register. I think we can see from today's commentary

1 that there'll be public comments. What goes to the Register is  
2 a preliminary rule, we would have an opportunity to come back  
3 and revisit things that people have concerns about. The  
4 commentary that I heard today leads me to believe that there's  
5 some well-thought out concerns with that rule package. I think  
6 there's always going to be concerns with whatever we do.

7           But, what I'm suggesting is that I'm  
8 prepared to make a motion to postpone consideration of  
9 amendments until next year sometime so that we can focus on some  
10 of our economic recovery efforts and prepare for the upcoming  
11 legislative session, and then be able to push this rule package  
12 out and go ahead and make these eligibility changes from House  
13 Bill 700 and a couple of the reporting changes by passing out  
14 staff's proposal that they laid out on October 6th.

15           But, before I make that motion, I certainly  
16 always want to hear from you guys and make sure that everybody's  
17 concerns and ideas and thoughts are on the table before we start  
18 into the decision-making part of that. So, you know my thoughts  
19 and now, if I could, I'd ask you to maybe share some of your  
20 thoughts with me.

21           COMMISSIONER DEMERSON: I'm going to defer  
22 to Commissioner Alvarez first.

23           COMMISSIONER ALVAREZ: Chairman, let me  
24 just get all my paperwork together. You've given me a lot of  
25 homework, so.

1 CHAIRMAN DANIEL: I'm sorry about that  
2 [unintelligible].

3 COMMISSIONER ALVAREZ: Let me just get my  
4 stuff in line, partner. Hold on.

5 CHAIRMAN DANIEL: Okay.

6 COMMISSIONER ALVAREZ: Thank you, sir.  
7 All right, Chairman, I got a lot of work here, man, a lot of  
8 things you've given me in the last couple of weeks, so let me -  
9 you can bear with me. So, before I respond to your  
10 recommendation, I do have some comments that I'd like to read,  
11 especially considering the position of Blinn College, and I  
12 think them for taking part in today's discussion, and, of  
13 course, the gentleman who represents not only our Workforce  
14 Boards, but Greg Vaughn, if I may.

15 My revisions contained in today's meeting  
16 material speak for themselves. I would like to thank Greg  
17 Vaughn and Board Chair Roger Harris and other members of the  
18 boards that are listening today, for their comments and for  
19 their participation.

20 As I have stated previously, Chapter 803  
21 Skills Rule should clearly set forth the core requirements of  
22 the law, Chapter 303 of the Labor Code. The rule shall provide  
23 standards that supports the core mission of the law, that is to  
24 increase the skills level and wages of all workforce. We must  
25 ensure that the rule clearly articulates standards that meet



1 those objectives. Too little rule leaves the agency open to  
2 litigation. Guidelines are not enforceable, rules are. Any  
3 changes to the proposed rules deviating from the Bill authors'  
4 intent may open us to further legislative changes during the  
5 upcoming session. These rules have been before the Commission  
6 since last year.

7 I would like to take notice that we  
8 received two letters from the Bill authors, one in December 2019  
9 and the other one in December 2020 (sic). The June 22nd, 2020  
10 letter from Representative Guillen and Senator Powell, who  
11 serves on the Education Committee, clearly articulates the  
12 importance of continued involvement of the local Workforce  
13 Boards in the development and evaluation of the Skills  
14 proposals. The June 2020 letter clarified that Workforce Boards  
15 and non-board applicants are not competitors, since Workforce  
16 Boards cannot provide customized training services and the final  
17 decision on the grant application is made by TWC and not the  
18 boards. Again, TWC and not the boards. Let me repeat,  
19 Workforce Boards and non-board applicants are not competitors,  
20 since Workforce Boards cannot provide customized training  
21 services and the final decision on the grant applications is  
22 made by TWC and not the boards. The Bill authors would not have  
23 sent two letters, one in June and the other one in December, if  
24 they didn't want the boards involvement.

1 I want to ensure that the intent of the  
2 Bill authors is considered in this rule development. Also, we  
3 should not lose our focus on the importance of incumbent worker  
4 training. Enclosing Workforce Boards are the eyes and ears of  
5 the agency at the local level. They understand the training  
6 needs of their employers and workers. I think we can all agree  
7 that the Skills Development Program has been a success and the  
8 boards have been a big part of that success. Our boards are  
9 critical partners, conveners and not competitors. They are  
10 looking out for the workers and employers. Those conclude my  
11 remarks regarding my comments. And, let me see, I have  
12 something else on another page. Okay. I apologize for the  
13 delay, Chairman.

14 CHAIRMAN DANIEL: No, don't apologize.

15 COMMISSIONER ALVAREZ: Chairman, I am also  
16 concerned about the timeline. We have been working on these  
17 rules since last year. I would agree to postpone, but would not  
18 support posting staff's proposal to the Texas Register at this  
19 time. I would like to work on a revised rule, then post to the  
20 Texas Register. My concern is that the staff's proposals do not  
21 adequately reflect the address from the concerns of the Board.  
22 Those conclude my remarks.

23 CHAIRMAN DANIEL: All right, thank you.

24 COMMISSIONER ALVAREZ: Yes, sir.

25 CHAIRMAN DANIEL: Commissioner Demerson?



1 the other Commissioners, if they don't know as well, is if  
2 public comments made on this rule posting, the Commission can  
3 craft a rule revision for the final rule based on what we see in  
4 that public comment. Is my understanding of that correct?

5 MR. TROBMAN: That's correct. Comments  
6 that are raised - issues that are raised during comment period,  
7 of course, need to be responded to, but certainly provide the  
8 Commission and the agency the flexibility to respond and make  
9 changes, adjustments before adoption, whether the agency - as  
10 long as the issue is raised, the changes can certainly be  
11 considered and made at that stage.

12 CHAIRMAN DANIEL: So, that being the case,  
13 if we were to move the staff recommendation to the Texas  
14 Register with action today and even today's public commenters  
15 were to submit their commentary to the Register in response to  
16 that rule revision, that would place the Commission in a  
17 position to consider the solutions that they offer and allow us  
18 to, before we publish the final rule, to make revisions based on  
19 their comments?

20 MR. TROBMAN: That's correct. Yes, sir.

21 CHAIRMAN DANIEL: Okay. All right, thank  
22 you. That--

23 COMMISSIONER ALVAREZ: Chairman, may I ask  
24 if Mr. Roger Harris, Board Chair can provide us with some input  
25 on what he feels about the postponement?

1 CHAIRMAN DANIEL: I missed the last part  
2 of that, Commissioner. Could you repeat [unintelligible]?

3 COMMISSIONER ALVAREZ: If we could ask  
4 Roger Harris or Greg Vaughn any thoughts on our next action and  
5 what's being proposed?

6 CHAIRMAN DANIEL: We can certainly ask.

7 COMMISSIONER ALVAREZ: Mr. Harris, are you  
8 on?

9 ROGER HARRIS: Yes, I am, Commissioner. Go  
10 ahead with your question.

11 COMMISSIONER ALVAREZ: Were you able to  
12 hear the question that was proposed to us?

13 ROGER HARRIS: Not very clearly, go ahead  
14 and repeat it if you would.

15 COMMISSIONER ALVAREZ: Chairman, would you  
16 mind repeating that?

17 CHAIRMAN DANIEL: So, in the interest of  
18 keeping this process on an adequate timetable, one that we can  
19 finish up [unintelligible] by the end of the year, there's a  
20 couple ways to proceed on this. I've suggested that I would ask  
21 to postpone further consideration of all the amendments that  
22 have been laid out and ask that staff's recommendation that they  
23 presented us on October 6th, be [unintelligible] the Texas  
24 Register as a preliminary rule, open for public comment.

25

1                   What we were discussing with Mr. Trobman  
2 was is the fact that if there are any public commenters during  
3 the rule-making process, the Commission would then be in a  
4 position to discuss and act on commentary or suggestions made  
5 for improvement during [unintelligible] during that time. And,  
6 Commissioner Alvarez, I'm not sure of the nature of your  
7 inquiry. I think it was if we were to just publish staff rules  
8 as laid out on October 6th, I think you're wanting to know what  
9 his thoughts are on that, in terms of the public comment process  
10 and how we might work together to address those public comments.

11                   ROGER HARRIS: So, you - my input on that  
12 question - and the video and the telephone are on different  
13 syncs, so it's kind of difficult to follow. But, I would need  
14 clarification, my file is quite thick, I probably have them, but  
15 I would need clarification on the 10-06 staff recommendations.

16                   Having said that, knowing that the clock is  
17 running, and I suspect Mr. Trobman would say that we need the  
18 30-day period regardless of what the decision is here, I would  
19 propose that you move forward with the 30-day period. If the  
20 agreement on the Commissioner's is to go with the 10-06 staff  
21 recommendations, then I would propose or suggest that we do  
22 that. And during that period of time, the TAB, the Association,  
23 will get with Mr. Schubert and see if we can't resolve any of  
24 the concerns there between us, and then get back during that 30-  
25 day period and make a statement accordingly.

1 MR. TROBMAN: That's awesome.

2 CHAIRMAN DANIEL: Thank you, Mr. Harris.

3 COMMISSIONER ALVAREZ: Chairman, I have  
4 [unintelligible] question for Les. If we make substantial  
5 revisions, Les, to the posted rules, do we have to post them  
6 again to the Register?

7 MR. TROBMAN: The changes that we would be  
8 talking about that would need to stem from the comments that  
9 were received during the comment period, but we would not need  
10 to go back through the proposal stage with changes that are  
11 made, you know, based upon the comments that were received  
12 during the comment period. I hope that answers your question.

13 COMMISSIONER DEMERSON: [Unintelligible] a  
14 lot of the staff recommendations are [unintelligible] to the  
15 actual House Bill, where our intent was to add Workforce Boards  
16 and add Texas A&M and different things of that nature. So,  
17 that's primarily - and then there was that issue of competition.  
18 But, as the Chairman has stated, I think we're in a position to  
19 post it and whatever comes back, we're in a position to act on  
20 that from that standpoint.

21 COMMISSIONER ALVAREZ: Chairman, I'd like  
22 to take this time to thank you for that recommendation. So,  
23 great recommendation, and I certainly support that.

24 CHAIRMAN DANIEL: Okay. Thank you,  
25 Commissioner. Let me make this in the form of a motion, then,

1 so that we can take action today. I don't say that to limit  
2 further commentary from the Commissioners. Is there anything  
3 else we need to say? We can even talk after we make the motion,  
4 let's see if somebody wants to second this. I move we postpone  
5 further consideration of all amendments and [unintelligible] the  
6 rules proposal as presented by staff at the October 6, 2020  
7 Commission Meeting with instructions to staff to proceed with  
8 publishing the proposed rule in the Texas Register.

9 COMMISSIONER DEMERSON: Second.

10 CHAIRMAN DANIEL: It's been moved and  
11 seconded [unintelligible]--

12 COMMISSIONER ALVAREZ: I agree to that.

13 CHAIRMAN DANIEL: --at this point, so we  
14 can engage in discussion if you'd like.

15 COMMISSIONER ALVAREZ: I agree, as well,  
16 Chairman.

17 CHAIRMAN DANIEL: Okay, let's - then,  
18 let's go ahead and take a vote. Commissioner Alvarez, how would  
19 you vote?

20 COMMISSIONER ALVAREZ: I agree with your  
21 motion.

22 CHAIRMAN DANIEL: Commissioner Demerson?

23 COMMISSIONER DEMERSON: In favor.

24

25



1                   CHAIRMAN DANIEL:   And, I'm voting aye, as  
2 well.  Mr. Trobman, do we need to do anything else at this point  
3 with regard to this particular item or this action?

4                   MR. TROBMAN:  No, sir, it's covered.

5                   CHAIRMAN DANIEL:  Let me, before we close  
6 out of here today, just say a couple things.  One to Mr. Harris,  
7 very thoughtful comments and I appreciate that very much.  
8 You've laid out an exceptional amount of material.  And, to Mr.  
9 Schubert, I think also the same.  You've laid out some things  
10 for us to think about.  I appreciate, really, what I heard  
11 today.  There seemed like a real willingness to work to resolve  
12 an issue that you may have.  I appreciate your willingness to  
13 help us work through this process and help us move toward some  
14 conclusion here.

15                   I know that staff worked very hard on this  
16 and I appreciate it.  I seldom do this and so this will come  
17 as a shock to the folks that work with me on a daily basis.  I  
18 usually don't give COVID credit for very much, but it did slow  
19 us down on this one.  And, we've been so busy working on our  
20 Unemployment Insurance side of the house that we haven't had as  
21 much attention to give to what I think is an exceptional program  
22 and one that really helps drive the economy in the state of  
23 Texas.  And so, to staff, thank you.

24                   To everyone who had amendments and concerns  
25 and questions, you know, a lot of those have been postponed

1 today and I apologize for that, but I think we can do a lot  
2 better job for TWC and help the agency be stronger if we just  
3 postpone commentary for that to a later time. At this point,  
4 I'm ready to adjourn, but, Commissioners, I took personal  
5 privilege to make some comments and I offer the same to you.

6 COMMISSIONER ALVAREZ: Aaron, you want to  
7 say anything?

8 COMMISSIONER DEMERSON: I always defer to  
9 my senior, yes.

10 COMMISSIONER ALVAREZ: Okay, to the  
11 tallest guy? So, Chairman, I just want to take this opportunity  
12 - thank you for putting this exercise in front of us. It  
13 certainly prepares us, but I agree with you. The importance of  
14 other things are certainly important, all matters that come to  
15 the Commission are important to all of us. And, I do want to  
16 take an opportunity to thank all of those that did provide  
17 public comment.

18 Blinn College was my second Skills  
19 Development check signing event, so there's a special spot for  
20 Blinn College, and then, of course, what they do at  
21 [unintelligible] with Texas A&M, being able to tour the facility  
22 with Regent Mike Hernandez was a treat. And, so we're very  
23 excited about all the great things that Blinn College is doing.  
24 And, again, Chairman, thank you for taking the lead on this. We

25

1 look forward to further discussions on this and continue to work  
2 with your office.

3                   And, again, I also would like to take this  
4 opportunity to thank Les, his team, and all the members of staff  
5 who have put many hours in this. For the last three weekends, I  
6 know, we've been working on it, so thank you for that. And, so  
7 we look forward to discussions in the future on this. And, to  
8 the boards, thank you.

9                   COMMISSIONER DEMERSON: Yeah. And, I say  
10 let's just continue to make progress. We're moving along.

11                   CHAIRMAN DANIEL: Well, gentlemen, as  
12 always, when we come together as a team, we seem to be able to  
13 do good things. It would be appropriate to consider a motion to  
14 adjourn at this point.

15                   COMMISSIONER ALVAREZ: Chairman, if we all  
16 put our hands in there and we say, you ready? Go, Labor.

17                   CHAIRMAN DANIEL: Labor, employers, it  
18 takes all of this to make this economy hum.

19                   COMMISSIONER ALVAREZ: It does. Thank  
20 you, Chairman. Have a good day, enjoy the rest of the weekend.  
21 I look forward to seeing you--

22                   CHAIRMAN DANIEL: Move to adjourn.

23                   COMMISSIONER DEMERSON: Let's do this  
24 proper.

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CHAIRMAN DANIEL: Somebody needs to move  
to adjourn.

COMMISSIONER DEMERSON: Has he moved?

COMMISSIONER ALVAREZ: I move to adjourn.

COMMISSIONER DEMERSON: Thank you. I  
second.

CHAIRMAN DANIEL: Okay, it's been moved  
and seconded to adjourn. I'm very much in agreement with that.  
And, everybody, really appreciate it and have a great week.

COMMISSIONER DEMERSON: Rock on.

CHAIRMAN DANIEL: Thank you.

COMMISSIONER DEMERSON: All right.