



**MEETING OF THE
TEXAS WORKFORCE COMMISSION**

DATE

JANUARY 7, 2025

1 Tuesday, January 7, 2025

2 CHAIRMAN DANIEL: Good morning, all. This
3 meeting is called to order. Mr. Trobman, has anyone signed up
4 for public comment?

5 MR. TROBMAN: No, sir.

6 CHAIRMAN DANIEL: Thank you very much. Good
7 morning, Ms. Miller.

8 MS. MILLER: Good morning.

9 CHAIRMAN DANIEL: Thank you. This brings us
10 to the end of Agenda Items 1 through 8. We'll take a short
11 recess.

12 CHAIRMAN DANIEL: All right, we're back.
13 This is Agenda Item 9, Submission of Fiscal Year 2025 Civilian
14 Workforce Composition, Hiring Practices, and EEO Report.

15 KATHIE NGUYEN: Good morning, Executive
16 Director Ed Serna. Good morning, Commissioner Esparza,
17 Commissioner Treviño, and Chairman Daniel. My name is Kathie,
18 Civil Rights Division. I am presenting biannual hiring practices
19 EEO report, equal employment opportunity report, fiscal year
20 2021 to 2022 corresponding to TLC Chapter 21.0035 504, 553,
21 Civilian Workforce Composition EEO report. This is mostly the
22 same data that was approved last year. The division has wanted
23 to get all our reports timely produced and due to so much of our
24 data coming from organizations outside our agency, the
25 comptroller, and the Texas demographer, the data requested won't

1 be received until well after the legislative session starts.
2 This year we have been attempting to get the necessary lead time
3 to ensure data accuracy, ensure timely delivers before the next
4 legislative session starts. I am happy to take any questions you
5 may have. Thank you.

6 CHAIRMAN DANIEL: Any comments or questions?

7 COMMISSIONER TREVIÑO: None here other than,
8 Kathie, thank you. Is this your first time presenting before the
9 commission?

10 KATHIE NGUYEN: Yes, it is.

11 COMMISSIONER TREVIÑO: Thank you. You did a
12 good job. Thank you. Happy new year.

13 KATHIE NGUYEN: Happy new year. Thank you
14 all.

15 COMMISSIONER ESPARZA: Thank you, Kathie.

16 CHAIRMAN DANIEL: I have some questions.

17 COMMISSIONER ESPARZA: She got away too
18 soon.

19 CHAIRMAN DANIEL: So this is three reports
20 that have been combined into one.

21 KATHIE NGUYEN: Yes.

22 CHAIRMAN DANIEL: So it's three statutory
23 citations that have been combined into one report, and each of
24 those statutory reporting requirements have a different due
25 date. Two of them, the due date was January 1st. This is January

1 7th so we're already late on two of the three reports. That's a
2 problem. The other due date is the fifth day of the legislative
3 session which—what day does the legislature start, Mr. Serna?
4 The 14th, so the 19th would be—so we're still on time for that one
5 so we're starting off the year with two of our reports already
6 late. In that statute or statutes, one of them says it gives the
7 commission the explicit authority and more or less the latitude
8 to make statutory recommendations to the legislature. If there
9 is a data problem, if we're having a hard time getting data, we
10 should have made a recommendation in this report to the
11 legislature that we look at these statutory deadlines for when
12 this data is due and when this reporting is due. I'm also
13 concerned about the fact that in Section 21.504 of the Labor
14 Code, which is one of the requirements for these reports, it
15 says that we're supposed to use the data from the preceding
16 state fiscal year which for this report would be fiscal year
17 2024 but the only data I see in the entire report is from 2021
18 and 2022. If we're waiting on data, I mean we should at least
19 have 2023. We're supposed to be reporting on 2024 so I don't
20 think statutorily we're even reporting on the correct data. If
21 that's part of the data issue, then we really need to make a
22 legislative recommendation so that we can adjust the calendar so
23 that we can catch up to this. There are measures in the statute
24 for agencies that don't comply with sending us the information
25 on time. There are ways for us to work with the comptroller to

1 do that. It is impossible I think for us to in good faith
2 enforce those when we're not on time ourselves with our
3 reporting. This is the second year we've been late with these
4 reports. Mr. Serna, we can't really continue to be late with
5 these reports. We've got to put some measures in place. We
6 either need to make some sort of legislative request. We're
7 already late with two of them. We can just be later. I think we
8 can make our 19th deadline if we--no, we can't because we don't
9 have a commission meeting next week so we need to figure out
10 what it is that's wrong with--if it's a data problem, I don't
11 understand why we haven't solved it yet. If it's a, you know, if
12 the agencies aren't complying, I think there's some ways we can
13 work with them. I wish I understood the issue but I just--I can't
14 understand--I can understand if we had had this conversation at
15 our last meeting in December and we asked for changes and the
16 reports were late because this commission decided that we wanted
17 it to be right rather than on time but we're not even taking
18 this up for consideration until after two-thirds of the reports
19 are already late, and I mean this is obviously a staff issue so
20 I'm going to leave it to you but it's--if there's something that
21 needs to change, this is our chance to make those legislative
22 recommendations and I think we should really do that, and I
23 think this has become a chronic issue at this point, probably
24 deserves some look-see to see what we can do to resolve this.

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1 MR. SERNA: I would recommend that we get—as
2 you pointed out, we're already late with two of the three
3 reports. The third report, we won't have a meeting until after
4 that to bring it back to you but I would recommend that we bring
5 back a revised report. We can't adjust the data but that
6 includes language for recommended changes to the deadlines of
7 the report submission. We'll also review the current statutory
8 language to see if we have enough authority and I believe that
9 we do but if we have enough authority to enforce the submission
10 of the data to us by the agencies that are required to submit
11 the data to us, whether it is an accumulating agency like the
12 comptroller's office or whether it's the individual agencies, if
13 we have that, then we'll just move forward with using that tool.
14 If we don't, then we'll add that to the legislative
15 recommendations that we include in the report. If it's the
16 commission's desire to not include those recommendations in the
17 report, I would recommend that we do and the reinforce it with
18 our own efforts at seeking legislative changes but if it's the
19 commission's decision at that point not to, then we would
20 probably still come to the commission with recommended
21 legislative changes to address this one issue.

22 CHAIRMAN DANIEL: Excellent points. Well,
23 commissioners, it would appear then that our decision point
24 today is to either approve this and let it go forward or to make

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1 a change to this to put a legislative recommendation in to
2 adjust the timing which appears to be an issue for us.

3 MR. SERNA: I would recommend that—staff
4 recommends that we delay action on the report until the 21st.
5 We'll put it back on the agenda. We'll be late on the third
6 report but we put it back on the agenda for action on the 21st
7 and that it simply be tabled at today's meeting.

8 CHAIRMAN DANIEL: Is there objection?

9 COMMISSIONER ESPARZA: I wouldn't object to
10 that.

11 COMMISSIONER TREVIÑO: No objection.

12 CHAIRMAN DANIEL: No objections. We'll do as
13 you've advised. I would also ask when it comes back perhaps some
14 explanation as to why we're not doing the [inaudible]Fiscal Year
15 data.

16 MR. SERNA: We will provide that.

17 CHAIRMAN DANIEL: A year ago, yeah.

18 MR. SERNA: We'll provide that as well.

19 CHAIRMAN DANIEL: All right. Commissioners,
20 anything further? All right, thank you very much.

21 KATHIE NGUYEN: Thank you.

22 CHAIRMAN DANIEL: This is Agenda Item 10,
23 Evaluation of The Effectiveness of the Child Care Program Report
24 for Fiscal Year 23 and 24.

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1 ALLISON WILSON: Good morning,
2 commissioners, Mr. Serna. For the record, Allison Wilson with
3 the Child Care & Early Learning Division. Texas Labor Code
4 requires TWC to evaluate the effectiveness of the commission's
5 child care program. TWC must report the results of the
6 evaluation to the legislature no later than January 15th of each
7 odd-numbered year. The report includes information on employment
8 and wage outcomes for parents who receive subsidized child care,
9 the reach and impact of the Texas Rising Star program, and
10 collaborative interagency efforts to improve child care and
11 early learning across Texas. I also want to highlight that while
12 this report is only required once every two years, we make much
13 of this data available publicly on an ongoing basis on TWC's
14 Child Care by the Numbers website. We also continue to roll out
15 enhancements to Child Care by the Numbers and new datapoints
16 that are responsive to our stakeholders' needs. Staff recommends
17 approving this report for submission to the legislature and
18 authorizing staff to make any nonsubstantive changes needed
19 prior to submission. That concludes my remarks and I'm happy to
20 answer any questions.

21 CHAIRMAN DANIEL: Questions or comments?

22 COMMISSIONER TREVIÑO: None here.

23 COMMISSIONER ESPARZA: No, chairman.

24 CHAIRMAN DANIEL: Is there a motion?

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1 COMMISSIONER TREVIÑO: Chairman, I move that
2 we approve the evaluation of effectiveness of the child care
3 program report for fiscal years 2023 and 2024 for submission to
4 the legislature as recommended today by staff.

5 COMMISSIONER ESPARZA: I second.

6 CHAIRMAN DANIEL: It's been moved and
7 seconded, the vote is unanimous, and the motion carries. This is
8 Agenda Item 11, board nominees.

9 PATRICIA MARTINEZ: Good morning, chairman,
10 commissioners, Mr. Serna, and happy new year. For the record,
11 Patricia Martinez, Workforce Development Division. Today for
12 your consideration we have Workforce Board nominations for
13 Workforce Solutions Concho Valley, East Texas, Heart of Texas,
14 Coastal Bend, and Southeast Texas. Staff recommends approval on
15 the presented nominees and I'm here to answer any questions you
16 may have.

17 CHAIRMAN DANIEL: Any comments or questions?

18 COMMISSIONER TREVIÑO: None here.

19 COMMISSIONER ESPARZA: None.

20 CHAIRMAN DANIEL: Is there a motion?

21 COMMISSIONER TREVIÑO: Chairman, I move that
22 we approve the local Workforce Development Board member nominees
23 presented today for the following: Workforce Solutions Concho
24 Valley; East Texas; Heart of Texas; Coastal Bend; and Southeast
25 Texas.

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COMMISSIONER ESPARZA: I second.

CHAIRMAN DANIEL: It's been moved and seconded, the vote is unanimous, and the motion carries. Is there an executive director's report?

MR. SERNA: I do have a very brief one, information to share with the commission. First off, I want to let you know that effective yesterday, Tammy Martin is the director of Vocational Rehabilitation. Tammy completed what I believe to be a relatively arduous interview process with two rounds of interviews with six people but she succeeds Cheryl. I also want to commend Scott for doing a great job for two months as the interim including during our conference, and then second, I want to announce that Adam Leonard has accepted a position at Natcast, a nonprofit that's associated with the national semiconductor effort. We're very pleased with Adam's move though we're very sad to see Adam go but it simply demonstrates that we've got some very qualified individuals that are sought after working with us. So those are the only two announcements that I have to make right now and that's all I have, and happy new year.

CHAIRMAN DANIEL: Happy new year. Thank you. Six-two interviews with six people is by definition an inquisition, not an interview just historically speaking. Any other order of business to come before the commission?

1 COMMISSIONER TREVIÑO: No, I just want to
2 congratulate Tammy and I'm sure the other six were probably
3 equally as qualified but thank you.

4 CHAIRMAN DANIEL: I have one point of
5 personal privilege I'd just like to take just because I just
6 have this pathological need to get the last word. Micah Cantu is
7 leaving my office. She ditched today's meeting because she
8 didn't want to hear me say nice things about her but I'm going
9 to anyway. When I first started at the commission in 2019 in
10 August, the person that read the case numbers sat right there in
11 the bailiff spots right there and she would read the numbers. So
12 every day what--so I was new and I don't particularly care for
13 all the pomp and circumstance of commission meetings, still
14 don't if anybody was wondering the answer to that question but
15 you've got to have it. It's part of the procedure so here this
16 woman sat and she always had the most confident look on her face
17 so I would ask her every time I'd come in here do you have
18 everything under control, and every day that I did that, every
19 Tuesday that I did that she would say, yeah, I got it under
20 control, and in my mind I'm like I'm glad one person at this
21 agency has everything under control and it's Micah so this goes
22 on for a few weeks and she quit answering to start rolling her
23 eyes at me which I took as, you know, we were starting to form
24 some sort of relationship, and I told Kim finally, I said I
25 don't care whatever else we do, let's get her hired to come to

1 our office. She has had three or four different roles in my
2 office. They have all been incredible. During COVID there were a
3 lot of times it was just Micah and I in the office all day long,
4 and generally speaking there would be chaos at about 9:00 a.m.
5 with Ed and Randy were complicit. We were all there and then we
6 would have to wait all day for something to happen, and then the
7 answer to all that would come at five or six that evening so the
8 middle of the day was just like just, you know, playing hurry up
9 and wait with somebody, usually Washington, sometimes here, just
10 depending on what was going on, and it was like that for days on
11 end, and so Micah and I we just—we had a wonderful opportunity
12 to just talk about whatever we needed to talk about, and it—she
13 never really hid the fact that she tried community college when
14 she was—I'm telling all her business—that she tried community
15 college, she didn't really like it, it wasn't for her. This is
16 when she came to work here, started off as a mail clerk, worked
17 her way up through the ranks but like every time I talk to her
18 about this, she said she always wanted to have a health care
19 role. What she really wanted to be was a nurse. That's what she
20 set out to be in life, and didn't like school so she got a job
21 here, liked it here, liked the people, and just kept working
22 here but just couldn't get away from this idea that, yeah, she
23 could help a lot of people here and we do help a lot of people
24 here and I'm proud of that but that she really needed to be in
25 health care so she started taking a night class to be an

1 emergency medical technician, an ambulance person, and she
2 passed. When she got done they said so if you really want to be
3 an ambulance person, driver or medic, you really have to go to
4 this other training because you have to get this other license
5 and it's kind of a full-time deal so she applied to Austin here
6 and got one of two slots to become an emergency medical
7 technician on the advanced training so last thing I'll say about
8 Micah today is I am exceptionally proud of a person who has a
9 goal, sticks to a goal, does all the things that you've got to
10 do to take care of yourself while never losing sight of that
11 goal and then getting that goal. She is a lesson for all of us
12 in the sense that perseverance can often see us through.
13 Incredible hard worker, super intelligent, the list goes on and
14 on and on but at the end of the day it's a good lesson to me.
15 Perseverance is the key. Stick to the goal. If you're right,
16 you're right, and if you're right, it's meant to be and I hope
17 she can be an example for all of us. We're going to miss her.
18 She's going to do great. If I get updates, I'll give them to
19 you. I realize that I'm probably more keen on her than everybody
20 else but so much potential and I think she's really going to
21 realize that and TWC played a big part of that, and I think, Mr.
22 Serna, we can be very proud of that. So goodbye Micah but big
23 things to come. I think it's going to be incredible. Gentlemen,
24 anything else? Do we have a motion to adjourn?

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COMMISSIONER TREVIÑO: Chairman, I move to
adjourn.

COMMISSIONER ESPARZA: I second.

CHAIRMAN DANIEL: It has been moved and
seconded to adjourn and we are adjourned.