



MEETING OF THE
TEXAS WORKFORCE COMMISSION

DATE

FEBRUARY 17, 2026

1 Tuesday, February 17, 2026

2 CHAIRMAN ESPARZA: OK, good morning,
3 everybody. This meeting is called to order. Les, uh, Mr.
4 Trobman, is any, anyone signed up for public comment?

5 MR. TROBMAN: Good afternoon, commissioners,
6 Les Trobman, general counsel. We do have one person registered
7 for public comment today. We have Vickie Flaughner. Ms. Flaughner,
8 if you could go ahead unmute yourself and then begin.

9 VICKY FLAUGHER: All right. Thank you very
10 much. Good after, uh, good afternoon, commissioners. My name is
11 Vickie Flaughner and I'm here as a member of the public helping a
12 loved one to navigate the unemployment system. I am reading
13 prepared remarks. The Commission Appeals Policy and Precedent
14 Manual available at twc.gov makes it clear that you consider
15 misconduct a serious finding. Section 201.012 defines misconduct
16 as intentional wrongdoing, malfeasance, or serious violations of
17 policy or law that require employer-provided proof to uphold.
18 Your own case rulings repeatedly show that if an employee is not
19 given the required steps under a policy, for example, or not
20 given an opportunity to comply with the requirement is not to be
21 considered misconduct. If accusations are made without evidence,
22 they cannot support misconduct. Your rulings have all shown the
23 same principle. Misconduct must be proven with evidence from the
24 employer. It cannot be inferred, assumed, or be upheld when the
25 employer does not show up and prove its case, yet in our case

1 this is exactly what's happened. The system has repeatedly
2 upheld the misconduct disqualification with no employer witness
3 documents or admissible evidence. In fact, before the first
4 hearing the employer sent a fax stating the facility was closed,
5 there was no evidence to provide. They abandoned the case and
6 became NPI. Faced with this tribunal loss my friend requested
7 commission review of that completed decision. [Inaudible] that
8 we understood to be the next step. Wildly, our friend was
9 rapidly forced quickly, faster than any scheduling we ever
10 experienced back into a new tribunal level appeal that he did
11 not request and your office directly refused to schedule a
12 review. [Inaudible] we're flabbergasted. Your office didn't tell
13 us that the commission had met and decided to ignore, dismiss,
14 or remand our case, but frankly, I think this may be the first
15 time we're hearing about it. And, and, and what are we to do
16 with this new hearing? We didn't know, we're not attorneys. We
17 didn't want it to go against us so we attended it. And this new
18 fresh hearing officer, dutybound to provide a meaningful review,
19 took less than an hour to decide the case. So there were a
20 hundred pages of evidence and the first, very first pages the
21 employer saying there is no evidence that we will be providing.
22 And yet, he did not see, still see if it's sufficient that that
23 fulfilled burden of proof for him to rule against the employer.
24 This has been going on almost a year. I, I really would—there's
25 something on your desk right now that could help this person and

1 when you think about 10 percent of your cases are mis, uh,
2 conduct, you've got thousands of people who potentially whose
3 rights have been trampled because your hearing officers don't
4 seem to understand that zero evidence is not sufficient to meet
5 burden of proof. I, please, humbly, respectfully beseech you to
6 help take action on the document that is your desks, the
7 commission review, and please give this individual relief. Thank
8 you very much.

9 MR. TROBMAN: Thank you. Commissioners,
10 those are the comments we have this morning, this afternoon.

11 CHAIRMAN ESPARZA: Commissioners, any
12 comments or questions you want to ask? No? Uh, I now turn the
13 meeting over to Commissioner Connett to preside over Agenda
14 Items 3 through 8. Commissioner Connett.

15 COMMISSIONER CONNETT: And the motion passes
16 with the exceptions noted. Uh, that concludes our work on Agenda
17 Items 3 through 8. Thank you, all, and Chairman Esparza, I hand
18 the meeting back over to you.

19 CHAIRMAN ESPARZA: OK, thank you,
20 Commissioner Connett. We'll pause for, uh, for the, for the
21 exchange. Thank you.

22 CHAIRMAN ESPARZA: OK, Agenda Item 9
23 regarding approval of local Workforce Board, uh, nominees.

24 KARA LEVY: Good afternoon, Chairman,
25 commissioners, Mr. Pier. For the record, Kara Levy, Workforce

1 Development Division. Today for your consideration we have
2 Workforce Board nominations for the following boards: Workforce
3 Solutions Capital Area; Workforce Solutions of Central Texas;
4 Workforce Solutions of South Plains. Staff present these
5 nominations for your consideration and I'm happy to answer any
6 questions you have.

7 CHAIRMAN ESPARZA: Very good. Thank you,
8 Kara. Uh, commissioners, any comments or questions?

9 COMMISSIONER TREVIÑO: Uh, nothing here.

10 COMMISSIONER CONNETT: No, none here, thank
11 you.

12 CHAIRMAN ESPARZA: Is there a motion?

13 COMMISSIONER TREVIÑO: Chairman, I move that
14 we approve the local Workforce Development Board member nominees
15 presented today for Workforce Solutions Capital Area, Central
16 Texas, and South Plains.

17 COMMISSIONER CONNETT: I second.

18 CHAIRMAN ESPARZA: I also vote yes. The
19 motion passes. Thank you, Kara.

20 KARA LEVY: Thank you.

21 CHAIRMAN ESPARZA: Agenda Item 10 regarding
22 acceptance of pledges in child care matching funds for board
23 contract years.

24 RYAN CLINTON: Good afternoon,
25 commissioners, Mr. Pier. For the record, Ryan Clinton, Workforce

1 Development Division. In accordance with federal regulations and
2 TWC Chapter 809, Child Care Services Rule, TWC encourages the
3 boards to secure and submit local matching funds to TWC in order
4 to receive portions of the CCDF funding. Supporting documents
5 for BCY 26 will include 42 BCY 2026 match donation agreements
6 from 11 different boards: Borderplex; Capital Area; Central
7 Texas; Coastal Bend; East Texas; Gulf Coast; Heart of Texas;
8 Lower Rio Grande; Middle Rio Grande; North Central Texas; and
9 Rural Capital totaling 13 million, 449, \$13,449,626.20. Boards
10 have currently secured 75.87 percent of the statewide child care
11 local match targets for BCY 26. Staff is recommending that TWC
12 accept child care pledges for expenses for BCY 25 in the amount
13 of \$13,449,626.20. I'm happy to answer any questions.

14 CHAIRMAN ESPARZA: Uh, commissioners, any
15 comments or questions?

16 COMMISSIONER TREVIÑO: Uh, nothing here.

17 COMMISSIONER CONNETT: No, thank you.

18 CHAIRMAN ESPARZA: No questions. Is there a
19 motion?

20 COMMISSIONER TREVIÑO: Chairman, I move that
21 we approve the acceptance of child care pledges for donations,
22 transfers, and certifications of expenses for board contract
23 year 2026 in the amount of \$13,449,626.20, as recommended today
24 by staff.

25 COMMISSIONER CONNETT: I second the motion.

1 CHAIRMAN ESPARZA: I also vote yes. The
2 motion passes. Thank you very much.

3 RYAN CLINTON: Thank you.

4 CHAIRMAN ESPARZA: Agenda Item 13. Michael
5 Britt, do we have anything? Nothing? Nope, I see him there. Uh,
6 uh, Item 14, Steve, the executive director's.

7 MR. PIER: Uh, yes, sir, Mr. Chairman,
8 commissioners. Uh, just wanted to, uh, make you aware of a
9 couple of things. First off on child care rules we will have an
10 expedited rule review for child care fraud deterrence. Uh, it
11 should be sent to you soon, hopefully end of the day today,
12 beginning of the day tomorrow. Uh, we are working on the, uh,
13 uh, final draft of the child care fraud report, uh, that we will
14 also circulate to you very soon, and lastly, uh, the letter
15 draft that you all requested, uh, following, uh, last week's
16 meeting, uh, will be circulated in the coming days, uh, so that
17 you all have time to contemplate that or, or request edits. Uh,
18 uh, the, I'm sorry. I failed to mention, uh, we are hoping on
19 the child care, uh, fraud, uh, deterrence rule review for, uh, a
20 vote to happen from you all on March 3rd. That's, uh, kind of the
21 timeline that we're, that we're on on this so, uh, if, uh,
22 that's at all possible, great, and otherwise we will react
23 accordingly so that concludes my remarks.

24 CHAIRMAN ESPARZA: Thank you, Steve. Uh,
25 commissioners, anything for Steve?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMISSIONER CONNETT: No, thank you.

CHAIRMAN ESPARZA: Comments or questions?

COMMISSIONER TREVIÑO: Nothing.

CHAIRMAN ESPARZA: Very good. That brings us
to the end of our agenda. Is there a motion?

COMMISSIONER TREVIÑO: Uh, Chairman, I move
to adjourn.

COMMISSIONER CONNETT: I second.

CHAIRMAN ESPARZA: We are adjourned. Thank
you, everybody.