



**MEETING OF THE
TEXAS WORKFORCE COMMISSION**

DATE

SEPTEMBER 8, 2020

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SEPTEMBER 8, 2020

CHAIRMAN DANIEL: Hello. Good afternoon, everyone. This meeting is called to order. Mr. Trobman, has anyone signed up for public comment?

MR. TROBMAN: Good afternoon, Commissioners. I believe we have one individual who would like to address the Commission. Cynthia Pearson? Go ahead and unmute yourself and indicate your name and affiliation for the record. Ms. Pearson, you may be on mute.

FEMALE: Mr. Trobman, she's not in the room yet.

MR. TROBMAN: Commissioners, that is all the individuals that we had pre-registered for public comments this afternoon.

CHAIRMAN DANIEL: Thank you, Mr. Trobman. Good afternoon, Ms. Miller.

CHAIRMAN DANIEL: Thank you. And this brings us to the end of Agenda Items three through seven. We're going to pause for a few minutes to (inaudible) for the rest of the meeting.

CHAIRMAN DANIEL: All right, gentlemen. Are we ready to proceed with the rest of this?

COMMISSIONER ALVAREZ: Yes, Chairman.

CHAIRMAN DANIEL: Thank you. We're going to move to Agenda Item Eight. This is a discussion for

1 consideration of (inaudible) action regarding publication of
2 public comment. (inaudible).

3 FABIANA RAMIREZ: Good morning or good
4 afternoon, Chair Daniel, Commission Alvarez, Commissioner
5 Demerson and Mr. Serna. For the record, my name is Fabiana
6 Ramirez, Program Specialist with Adult Education and Literacy.
7 House Bill 3-1949 and House Bill 3 both inactive by the 86th
8 Texas Legislature regular session required TWC to develop rules
9 to implement legislation (inaudible) time proposed to develop
10 these rules in Chapter 800-805 of the Texas Administrative Code.
11 House Bill 1949 introduces an ADL performance measure related to
12 enrollment and credential achievement in high school equivalency
13 program (inaudible) benefit programs that must be included in
14 TWC's ADL performance-based funding criteria. In February 2019,
15 the Commission approved the implementation of House Bill 1949,
16 adding that criteria for performance-based funding as outlined
17 in the legislation. (Inaudible) rules in Chapter 800 as shown
18 in Item 8A of the (inaudible) materials to define (inaudible)
19 benefits outlined in performance criteria in House Bill 1949
20 (inaudible) that requires the Commission to approve milestones
21 toward meeting criteria in each program year. (Inaudible)
22 proposed ruling which states the Commission will review and
23 approve the award of AEL Grant funds to be issued as required in
24 House Bill 1949. Section 1.046 of House Bill 3 required TEA or
25 Texas Education Agency to enter into an MOU with TWC when

1 transferring funds to provide a subsidy for the cost of the high
2 school equivalency exam for individuals who are 21 years of age
3 or older. House Bill 3 also requires TWC to develop rules
4 addressing eligibility requirements for individuals
5 participating in the program. (Inaudible) proposed developing
6 rules in Chapter 800 to describe this MOU also reflected in
7 notebook material Item 8A and to create a new sub-chapter in
8 Chapter 805 shown in item 8E of your notebook material entitled
9 "High School Equivalency Subsidy Program". (inaudible) of both
10 House Bill 1949 and House Bill 3 began prior to final rule
11 adoption. The policy concept for this rule's development was
12 posted as a notice in the Texas Register for a 30-day comment
13 period, which ended May 11, 2020. (Inaudible) comments received
14 during that period as reflected in the proposed rule documents
15 in your notebook materials. At this time, staff seeks direction
16 on approving proposed rules for Chapter 800 and 805 to be
17 published in the Texas Register for a 30-day comment period as
18 reflected in notebook material 8A and 8B to implement House Bill
19 1949 and House Bill 3. Thank you. That concludes my remarks
20 and I'm available to answer any questions you may have.

21 CHAIRMAN DANIEL: Comments or questions?

22 COMMISSIONER ALVAREZ: Not here, Chairman.

23 COMMISSIONER DEMERSON: None.

24 CHAIRMAN DANIEL: All right. Do we have a
25 motion?

1 COMMISSIONER ALVAREZ: I move that we
2 publish the proposed rules to amend Chapter 800 and 805 relating
3 to the AEL program to the Texas Register as discussed.

4 CHAIRMAN DANIEL: I second the motion.
5 (Inaudible). Thank you.

6 FABIANA RAMIREZ: All right. Thank you.

7 CHAIRMAN DANIEL: This will bring us to
8 Agenda Item (inaudible). Discussion (inaudible) possible action
9 regarding publication for public comment. Proposed rules
10 related to the repeal of 40 (Inaudible) Chapter 81 and
11 (inaudible) Chapter 840, new Chapter 842 and new Chapter 802.

12 JOEL MULLINS: Hi. Good afternoon, Chair
13 Daniel, Commissioners, Mr. Serna. For the record, my name is
14 Joel Mullins with the Workforce Development Division. TWC's
15 Chapter 841, Workforce Investment Act Rules set forth provisions
16 related to the maintenance of a one-stop delivery system,
17 training providers certification, non-discrimination and equal
18 opportunity and appeals of denial of local work force
19 development area certifications. On March 17 of this year, the
20 Commission approved a policy concept outlining the repeal of
21 Chapter 841 to eliminate rules that are specific (inaudible)
22 implementation of the Work Force Investment Act and to update
23 and maintain new and existing chapters elements of Chapter 841
24 that are relevant to agency operations. This policy concept was
25 posted at TWC's website for a three-week board comment period

1 and no comments were received. This afternoon, staff seeks
2 direction on proposed amendments for publication in the Texas
3 Register for the following chapters as provided in your meeting
4 materials: Chapter 841, Work Force Investment Act, new Chapter
5 840 on eligible training providers, new Chapter 842 on WIOA non-
6 discrimination and equal opportunity, new Chapter 802, sub-
7 chapter J, local work force development area appeals. Staff
8 would like to be able to make non-substantive technical
9 corrections prior to submission to the Texas Register. And I'll
10 be happy to answer any questions you have.

11 CHAIRMAN DANIEL: Comments or questions?

12 COMMISSIONER ALVAREZ: Chairman, I do have
13 comments. Joel, thank you for the briefing. I have concerns
14 with the proposed language for Section 840.64 regarding out-of-
15 state training providers. We need to keep Texas training
16 dollars in Texas to ensure that our training dollars provide an
17 economic benefit to the state by investing in our training
18 providers and training Texas residents. If we allow these funds
19 to go to out-of-state providers, there's a strong likelihood
20 that Texas will lose full benefit of these dollars.
21 Additionally, as we have many available training providers for
22 any in-demand occupation, there is not a need for out-of-state
23 training providers and this provision is not required by WIOA.
24 By removing this section, we will also provide consistency with
25 our other training programs. I would ask my fellow

1 Commissioners to consider delaying action to provide staff with
2 an opportunity to address this issue.

3 COMMISSIONER DEMERSON: Are there any time
4 frame restrictions? Are we up against a clock of any sort with
5 this item?

6 JOEL MULLINS: No. I don't think so, other
7 than just wanting to get the rules adopted before session
8 begins. But I think staff can certainly go back and look at
9 that and bring these four rules back in the next couple of
10 weeks. That won't cause us any timing issues, I don't think.

11 CHAIRMAN DANIEL: Commissioner Alvarez?

12 COMMISSIONER ALVAREZ: Yes, sir.

13 CHAIRMAN DANIEL: So your issue in Chapter
14 840 is noted. But in your other three rule packages, these are
15 just going to the Texas Register. Do they need to be delayed in
16 order to address this issue in Chapter 840?

17 JOEL MULLINS: Chairman, I think that they
18 do simply because Chapter 841 currently includes some provisions
19 related to (inaudible). If we repeal that chapter without--
20 well, I guess it's not--okay. So no. I think we could go to
21 the Texas Register and go through the public comment process,
22 but we wouldn't want the final rules to be adopted before we
23 also adopted the new eligible training provider chapter.

24 CHAIRMAN DANIEL: I think, Commissioners,
25 for us the question is do we proceed on the other three and

1 (inaudible) this one back so that staff can address this issue
2 per Commissioner Alvarez's request or do we just hold back on
3 the four while we (inaudible) 840? I guess I'm signaling that
4 I'm inclined to (inaudible) for Commission Alvarez to address
5 his concern. We probably do need to get a motion before so we
6 can take action on that to sort of gauge where we are with this.

7 COMMISSIONER DEMERSON: Mr. Chairman,
8 repeat what you just--not the entire thing what you just said
9 but the first portion of it.

10 CHAIRMAN DANIEL: Well, I was speaking off
11 the cuff, so I will try to duplicate it as best--

12 COMMISSIONER DEMERSON: Or you were
13 inclined to do.

14 COMMISSIONER ALVAREZ: Well, let me ask
15 this, Joel. Are the--are the chapters inter-related? That
16 would be my question.

17 JOEL MULLINS: Yes. So we're recommending
18 the repeal of Chapter 841 and new Chapter 840, the one that
19 you're about is some of the language is coming from the 841 that
20 is being repealed. So they are inter-related, yes.

21 COMMISSIONER ALVAREZ: So, Chairman, that's
22 the only reason that I would want to bring them all back at the
23 same time, only because of that reasoning.

24

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1 CHAIRMAN DANIEL: Okay. Do we have a
2 motion on this? I would agree to delay consideration. That
3 probably wouldn't require a motion. Would you agree?

4 MR. SERNA: Yes, sir. I was going to say
5 it sounds like there's no action on this agenda item. We'll
6 bring it back to the Commission in the next couple of weeks
7 after we're able to do some research and re-present it to the
8 Commission offices.

9 CHAIRMAN DANIEL: All right. So not the
10 next Commission meeting but the Commission meeting after that.
11 So that would be--what will that be? The 22nd?

12 MR. SERNA: I believe so. Yes, sir, before
13 the end of September.

14 CHAIRMAN DANIEL: Let's get it on the
15 agenda for September 22. And I'm just doing a little
16 administrative paperwork here. So Chapter 841, the repeal and
17 then there in Chapter 840, which is where we're talking about
18 out-of-state providers. Does this impact the Chapter 802 change
19 on local work force development area appeals?

20 JOEL MULLINS: That sub-chapter that we're
21 adding to Chapter 802 is coming directly from the Chapter 841
22 repeal. It is not in any way related to Chapter 840.

23 CHAIRMAN DANIEL: Well, can it move out
24 today or do you just want to sit on it until two weeks?

25

1 MR. SERNA: Mr. Chairman, I'd recommend
2 that we just sit on them awhile and bring them all back at the
3 same time, though I don't believe that that one is affected by
4 the delay. I think it would be cleaner for us just to bring the
5 entire package back at the same time.

6 CHAIRMAN DANIEL: Okay. I don't have an
7 issue with that. Commissioners, is this acceptable to everyone?

8 COMMISSIONER DEMERSON: Yes.

9 COMMISSIONER ALVAREZ: Thank you, Chairman.

10 CHAIRMAN DANIEL: Okay. Thank you.

11 COMMISSIONER ALVAREZ: Thank you, Joel.

12 CHAIRMAN DANIEL: This will bring us to
13 Agenda Item 10, discussion, consideration and possible action
14 regarding the funding distribution methodology for re-employment
15 services and eligibility assessment program.

16 DAWN CRONIN: Good afternoon, Chair Daniel,
17 Commissioner Alvarez, Commissioner Demerson and Mr. Serna. For
18 the record, my name is Dawn Cronin, Director Work Force Program
19 Policy. The re-employment services and eligibility assessment
20 or the RESEA Program is now a formula-funded program and, as
21 such, TWC is required to distribute these funds to boards based
22 on the formula fund distribution under which the funds were
23 received. All boards will receive a base distribution of 25
24 percent of the available funding. Under the formula
25 distribution methodology, boards will receive an additional 75

1 percent of available funding based on their insured unemployment
2 rate. The base distribution ensures each board has enough staff
3 and resources to operate the program, as well as funds to
4 provide the required services to the growing number of UI
5 claimants. Under the updated distribution formula, boards will
6 receive an overall increase in funding. Staff is asking for
7 consideration and approval of the updated distribution
8 methodology to align with the formula fund distribution
9 requirements. I am happy to answer any questions you might
10 have.

11 CHAIRMAN DANIEL: Any comments or
12 questions?

13 COMMISSIONER ALVAREZ: None here, Chairman.

14 COMMISSIONER DEMERSON: None.

15 CHAIRMAN DANIEL: Do we have a motion?

16 COMMISSIONER ALVAREZ: I move that we
17 distribute a base funding level of 128 of 25 percent of funds
18 available for RESEA for distribution to each of the work force
19 areas and the remaining 75 percent be distributed based on the
20 work force area. Ensured unemployment rate as discussed by
21 staff.

22 COMMISSIONER DEMERSON: I second.

23 CHAIRMAN DANIEL: (inaudible). We're
24 unanimous. Thank you.

25 DAWN CRONIN: Thank you, sir.

1 CHAIRMAN DANIEL: This will be Agenda
2 (inaudible) discussion for consideration of (inaudible).

3 CHRIS NELSON: Good afternoon, Chairman,
4 Commissioners, Mr. Serna. For the record, Chris Nelson, Chief
5 Financial Officer. I give you a document listing the 2022-2023
6 capital budget and exceptional items (inaudible). Page two of
7 the packet (inaudible) request of capital budget by the funding
8 type. Included in the items are PC refresh for agency desktops
9 to laptops, continued support for work in Texas and (inaudible)
10 validation budget was the Department of Information Resources.
11 This base request totals \$109 million of the biennium and it
12 should be noted that our DCS budget makes up approximately \$81
13 million of that request. Starting on page three, you see the
14 exceptional items for our capital budget. The total amount of
15 our exceptional request is \$29 million, of which \$6500 is
16 general revenue and \$11,000 is general revenue dedicated. The
17 items as part of that exceptional item request include \$13.6
18 million to replace our legacy vocational rehab case management
19 system and monitoring systems, \$13.2 million to replace our
20 child care case management system, \$236,000 to replace our work
21 opportunity tax credit system, \$602,000 to replace our foreign
22 labor certification application system, \$930,000 to update TWC
23 agency website and \$350,000 for enhanced communication efforts
24 with our TWC customers. This solution would provide enhanced
25 communication capabilities, such as the ability to text

1 customers. Two of the items listed are the Twist System
2 Replacement and the UI System Replacement. These items were
3 approved last session, but TWC fully anticipates these projects
4 to continue past 2022 when the capital appropriation expires.
5 We will submit a right of request as part of our LAR to move any
6 unspent funds into 2023 for these projects. If that is not
7 approved, we will request LBD to add these items to our capital
8 exceptional items for 2022-23. That concludes my remarks. I
9 would be happy to answer any questions or if any commissioner
10 would like to add any other exceptional item.

11 CHAIRMAN DANIEL: Any comments or
12 questions?

13 COMMISSIONER ALVAREZ: Chairman, I do have
14 a comment.

15 CHAIRMAN DANIEL: Yes.

16 COMMISSIONER ALVAREZ: So, Chris, great
17 presentation and thank you for the overall explanation on Agenda
18 Item 11. Commissioners, I have one exceptional item requested
19 that I'd like to present today. I would like to propose \$1.5
20 million of GR for the development and implementation of both and
21 adult pre-apprenticeship career pathways into registered
22 apprenticeship training programs. Texas Education Code Chapter
23 133 statute allows for pre-apprenticeship training leading to
24 related classroom training for apprentices. Apprentices are
25 full-time paid employees in the private sector, impacting not

1 only the apprentice life but the Texas economy. Pre-
2 apprenticeship places both youth and adults in career pathways
3 with built-in advancement to salaries in excess of \$60,000-plus
4 annually. Pre-apprenticeship can be a key in preparing both
5 youth and adults for highly-skilled, highly-paid careers in a
6 wide variety of industries and their apprenticeship occupations.
7 Prior to COVID, industry partners were competing for entry-level
8 workers to develop into seasoned workers. Since COVID, more of
9 the work force is looking for entry-level positions with
10 significant career pathways and opportunities. Pre-
11 apprenticeship offers that pathway and opportunities. In the
12 first year, I would like the allocation to be \$500,000 in 2022
13 and \$1 million in 2023. Dividing up the funding in this manner
14 would allow our apprenticeship team to ramp up. That ends my
15 comments.

16 CHAIRMAN DANIEL: Okay. Additional
17 comments or questions?

18 COMMISSIONER DEMERSON: Yeah, just going
19 back, Chris, you had mentioned a rider request that we'll seek.
20 And if we don't receive that, then we'll look to have the LBB
21 add this as an additional item. The ones that you mentioned
22 prior to Commissioner Alvarez's comments there. What are the
23 time frames? Like, the rider request--when is that requested
24 and when will we know there's--

25

1 CHRIS NELSON: So the entire thing will be
2 submitted as part of our LAR request on October 9 (inaudible)
3 today. The rider revisions that we'll kind of present to the
4 Commission will be in one of the subsequent meetings between now
5 and then. So we have the 15th, I believe the 29th and then the
6 6th. So in one of those three meetings, you'll get a packet with
7 staff recommendations for (inaudible) which this will be one of
8 them.

9 COMMISSIONER DEMERSON: Okay. And so we
10 have that request. And if that's not accepted, then we'll look
11 at LBB (inaudible).

12 CHRIS NELSON: Yes. Once session starts,
13 if it's not approved, that rider revision, then we will ask LBB
14 to add those two items. Any projected unspent amount to our
15 capital request for 2022 and 2023.

16 COMMISSIONER DEMERSON: Okay. Good.
17 Because that is (inaudible).

18 CHRIS NELSON: And continue past that.

19 COMMISSIONER DEMERSON: That is just with
20 our whole UI system replacement that--

21 CHRIS NELSON: Yes.

22 COMMISSIONER DEMERSON: Okay. Okay. Okay.
23 That's all, Mr. Chair.

24

25

1 CHAIRMAN DANIEL: Thank you. If there's no
2 additional comments or questions, do we have a motion to
3 consider?

4 COMMISSIONER ALVAREZ: Yes, sir. I move
5 that we approve the 2022-2023 LAR capital and exceptional item
6 budget request, including the exceptional item budget request to
7 expand pre-apprenticeship in the amount of \$1.5 million as
8 discussed.

9 COMMISSIONER DEMERSON: Before we move on
10 with that one, so this additional exception item that we're
11 seeking to place in here--so the agency at this point--we don't
12 have any other exceptional items that went into a session where
13 such items are something of a--there's a priority there. What's
14 our take, our discussion on having an exceptional item listed
15 with what we're dealing with right now? I know the exceptional
16 items that are listed here that Chris has identified are pretty
17 solid. They're not outside of anything. They're not anything
18 new in that regard. (Inaudible) legislature for additional
19 appropriations right now. Any sentiments around that from you
20 guys?

21 COMMISSIONER ALVAREZ: Commissioner
22 Demerson, I know that following the eight exceptional items that
23 Chris laid out in front of us, he did ask the Commission if
24 there were any other exceptional items that the Commissioners
25 would like to address at the time. And so this was one and

1 especially during conversations that most of--all of us have had
2 regarding apprenticeship, pre-apprenticeship and some of the
3 local industries that are moving into Texas seeing that there is
4 a demand for youth apprentices in the state, a demand for that.
5 And so I thought it was appropriate for me to bring it up at
6 this time since he had requested any additional exceptional
7 items that the Commission wanted to take action on.

8 COMMISSIONER DEMERSON: And I support the
9 efforts wholeheartedly, especially (inaudible) around that. I'm
10 seeing some of the details around the program because I'm
11 hearing it or seeing it for the first time. Normally, we have
12 some paper somewhere that's provided to us. And by not seeing
13 that, we're kind of voting on it pretty much without that
14 information. But I trust the process and understand the work
15 that's been done in that space is pretty substantial. So
16 (inaudible) and second and I look forward to getting some of the
17 information around the program so that we can further advocate
18 on behalf of this exceptional item that's been presented.

19 CHAIRMAN DANIEL: Uh--

20 COMMISSIONER ALVAREZ: And also I'd like to--
21 go ahead. I'm sorry, Chairman.

22 CHAIRMAN DANIEL: No, please. Go ahead. I
23 do have a comment I want to make.

24 COMMISSIONER ALVAREZ: I was just going to
25 say that I know that just the listening sessions that I've been

1 able to listen or be a part of and just the listening portion of
2 the Tri-Agency meetings have many of those that have outside of
3 the agency have expressed interest in pre-apprenticeship. And
4 so--and, again, at our last Tri-Agency report that we did back
5 in 2015 and had written up in 2016, I should say, it did
6 reference pre-apprenticeship a few times. And so I just want to
7 make it clear that there's a distinction between pre-
8 apprenticeship and CT courses. And that's just all I'd like to
9 add to that.

10 CHAIRMAN DANIEL: Prior to our final vote,
11 I would say reluctantly I can't agree to the motion and let me
12 explain why. It has to do with the exceptional item for pre-
13 apprenticeship. While I am very supportive of the program and
14 definitely do want to see it grow into the future, I'm concerned
15 about where reports (inaudible) the legislature has to begin
16 with the state budget and the availability for funds. And I'm
17 just reluctant to put an exceptional item in our request that is
18 growing a program that we apparently have funding for and
19 looking for an expansion to that program. And as much as I
20 support apprenticeship, our efforts at this agency and certainly
21 what private employers are doing with regard to apprenticeships,
22 I feel like it's more prudent for the taxpayers to not ask for
23 the exceptional item at this time, based on my knowledge of
24 where I think the legislature will be in considering the state's
25 budget for the next biennium.

1 COMMISSIONER ALVAREZ: So, Chairman, if I
2 may add, as we know, we don't have a budget right now
3 specifically for pre-apprenticeship. And so all we're asking
4 here is for our legislators to actually consider that and I only
5 brought this up as a result of what we've been experiencing with
6 COVID and, again, with some of the employers and some of the
7 discussions that this office has had with a few folks recently.
8 They've all expressed pre-apprenticeship opportunities,
9 interested individuals at an earlier age to start thinking about
10 the trades, and this is a good way to get individuals like that.
11 But, again, we don't have a budget, if I'm correct, with the
12 exception of 133 as referenced in here. The 133 allows us to
13 fund pre-apprenticeship, but we have no funding allocated for it
14 as of right now.

15 CHAIRMAN DEMERSON: Mr. Chair, my initial
16 raising of this issue is centered around everything that you
17 just mentioned. Basically, we've run into a tough legislative
18 session where agencies are asked to take cuts and the like. And
19 so I think the items that Chris presented initially are solid
20 items that we can stand behind. In addition, it's a heavy lift
21 at this time and I think we may be looking at the world of the
22 legislative body about things that maybe they're hearing through
23 the Tri-Agency initiatives as such. And maybe things come from
24 that versus going over it at this particular time with the
25 exceptional item from the agency. I'm not sure if--we want to

1 make sure we're reading the pulse of what's happening out there
2 right now. And that's an important initiative. I know we have
3 a lot of work that we've done in that space already, and I think
4 (inaudible) opportunities to do even more as we've been, to your
5 words, Mr. Chairman, flexible and nimble and creative similar to
6 the call that was received earlier from the individual in the
7 child care space. It's because of the work that the staff's
8 done and the ability of my fellow commissioners to be nimble and
9 flexible to address those needs. But going right now and it's a
10 small amount but we're dealing with some serious interesting
11 times right now and I think we need to really (inaudible) that
12 as much as possible and approaching with an exceptional item is
13 not, I don't think, in the best interest. (inaudible) program
14 but I don't think the time is right to do that.

15 COMMISSIONER ALVAREZ: Look, again, if I
16 may just add the--I would leave that up to the legislature to
17 inform us that we couldn't do it or fund it. Again, I think
18 there's going to be a lot of activity surrounding apprenticeship
19 programs. This is no guarantee that this is going to happen.
20 It's a request coming from the agency. And, again,
21 conversations that we've had with Tesla, some of the other
22 companies that have all expressed that they would like more kids
23 to be focusing on the trades at an earlier age prior--and more
24 of a pre-apprenticeship type of training. Things like what Trio
25 Electric has done with Spring Branch. I think this would

1 transform the area where Tesla is going to be located with the
2 local area high school. Those are conversations that have been
3 happening. Again, this is part of the Tri-Agency initiative.
4 And so at least in those discussions that I've heard--I haven't
5 been a part of them, but just in those that I've heard and then
6 I'm only following the report that we submitted or we got back a
7 couple years back. And then with the success of 2784 that we
8 all had an opportunity to see the young lady specifically throw
9 an apprenticeship shout-out, again, this would be funded by the
10 legislature and not by us. But I certainly understand you all's
11 concerns.

12 CHAIRMAN DANIEL: Mr. Serna, how time
13 sensitive is this?

14 CHRIS NELSON: We have until the 9th to do
15 this. We've broken this process up over several weeks, one,
16 because we got instructions late from LBB and so we really
17 didn't know what needed to be in the LAR request. And so we
18 specifically broke up the statewide initiatives as one piece.
19 This is another piece, the capital. So we still have time. I
20 don't need an approval on this today. One of the benefits of
21 breaking this up is that the offices have a chance to kind of
22 review and digest the materials without being forced to make a
23 decision with a deadline looming. So we've got time if I need
24 to bring this back.

25

1 CHAIRMAN DANIEL: Commissioner Alvarez, at
2 this point, it's on the table. I can move the table with this
3 motion and bring it back at the next meeting if that's not a
4 problem for you.

5 COMMISSIONER ALVAREZ: I would be fine with
6 that, Chairman, if that's okay with Commissioner Demerson.

7 COMMISSIONER DEMERSON: Commissioner, that
8 would be excellent. It would give us an opportunity to kind of
9 look at it.

10 CHAIRMAN DANIEL: All right. So
11 technically speaking, I'm moving the table. The motion is
12 acceptable to the maker of the motion and we'll consider that a
13 second. This is tabled until the next Commission meeting, the
14 next regularly-scheduled Commission meeting, which will be next
15 week.

16 CHRIS NELSON: And we'll add a--we'll
17 modify this document for a separation section to include a
18 Commission request to lay out kind of what Commissioner Alvarez
19 is asking for.

20 CHAIRMAN DANIEL: Very good. Very good.
21 Thank you. All right. Thank you, Commissioners.

22 COMMISSIONER ALVAREZ: Thank you, Chairman.

23 CHAIRMAN DANIEL: I believe that's all
24 Chris had to offer. There's nothing on Agenda Item 12,
25 Statewide Initiatives. Let's move to Agenda Item 13 (inaudible)

1 action regarding guidance on resource utilization and
2 implementation services and strategies to target disaster relief
3 efforts and public health emergency including those funded with
4 the Department of Labor's Disaster Dislocated Worker Grant.

5 JEN TROKE: Good afternoon, Chair Daniel,
6 Commissioners, Mr. Serna. For the record, Jen Troke, Workforce
7 Division. On August 27, 2020, Hurricane Laura made landfall on
8 the Texas coast. In response, TWC has applied for and
9 anticipates receiving a \$5 million disaster dislocated worker
10 grant from the U.S. Department of Labor to expedite disaster
11 relief services in two workforce development areas. (inaudible)
12 have expressed an urgent need for disaster dislocated worker
13 grant funding to assist with clean-up and humanitarian
14 assistance. These funds will support temporary employment for
15 participants in these two local workforce areas. (inaudible)
16 seek direction on approval for \$5 million in Laura funding upon
17 receipt of federal funds to provide \$2 million to Deep East and
18 \$3 million to southeast to provide services to Laura-impacted
19 participants. Any questions?

20 CHAIRMAN DANIEL: Comments or questions?

21 COMMISSIONER ALVAREZ: None here, Chairman.

22 COMMISSIONER DEMERSON: None.

23 CHAIRMAN DANIEL: All right. Let's see.

24 Are there any motions?

25

1 COMMISSIONER ALVAREZ: Yes, sir. I move
2 that we approve \$5 million in Laura disaster dislocated worker
3 grant funds to provide, upon receipt of federal grant funds, \$2
4 million to Deep East and \$3 million to southeast workforce
5 development areas as discussed by staff.

6 COMMISSIONER DEMERSON: Second.

7 CHAIRMAN DANIEL: (Inaudible) we're
8 unanimous.

9 JEN TROKE: Thank you.

10 CHAIRMAN DANIEL: Thank you. Do we have
11 any additional items under Agenda Item 13?

12 MR. SERNA: Yes, sir. We have a quick
13 update from Courtney (inaudible)

14 COURTNEY ARBOUR: Thank you. And good
15 afternoon, Commissioners. Courtney (inaudible), workforce
16 division. I have a couple of updates related to COVID
17 activities here at the state and at the local level.

18 (Inaudible) continues to provide services either virtually or in
19 person or a hybrid. Reminding everyone if they're open and
20 available to help these people look for work and look for
21 programs that may be of need to them or the students in their
22 family for the youth program. The adult ed and apprenticeship
23 providers also continue to provide courses virtually or in
24 person or, again, in some type of a hybrid format. All of these
25 partners have really responded and are making sure that the

1 public knows they're available and that they're open for
2 business, whether virtually or not. The training provided to
3 Claimants through the metrics learning platform is well under
4 way. All Claimants in Texas have now been contacted, so all
5 unemployment insurance recipients in Texas have received an e-
6 mail from us, including them to begin using the more than 5,000
7 courses that are available to them for building new skills and
8 in new occupations, if they're interested in doing that. The
9 (inaudible) metrics shares dashboard information with TWC so
10 that we are able to gauge the usage (inaudible) who has even
11 seen the e-mail, who has logged in, who has started a class.
12 And so recently we started sending some e-mail nudges to
13 claimants, trying to remind them to start if they haven't,
14 finish the courses if they've maybe taken a break. We really
15 want claimants to take advantage of this opportunity while they
16 may have some time. They haven't gone back to work just yet.
17 And since it's no cost, it really is a great resource for them.
18 So we're doing a lot of nudging to get (inaudible) back in or
19 engaged if they haven't. 26,000 courses have launched at this
20 point with 15,814 completed. And so that's more than half of
21 the course launches are successful completions, which we see as
22 a good number to look at. And, of course, we want any claimants
23 to keep using that system. We're pushing out information on
24 social media also. So if anyone hasn't seen the e-mail, they
25 know how to contact us. I also wanted to mention that the two

1 workforce call centers are up and running and have been for
2 several weeks and doing a great job. They're contacting
3 claimants, pointing them toward workforce solutions, the
4 specific office in their area (inaudible) about the resources
5 that the local boards and the local service providers make
6 available and just introducing them to some of the services they
7 can find through our system. They help with job matching and
8 registration to work in Texas. To date, 95,000--a little over
9 95,000 claimants have been outreached. 12,010 have had help
10 with registering to work in Texas and job matching. Those are
11 the primary reasons for the call. But one of the things we're
12 finding is that the call center staffs are also hearing about
13 employment when they contact a claimant. And so that's been
14 really encouraging. We've learned to date--and not everyone
15 wants to share those details. But when they do, it's really
16 exciting for everyone. We've learned of more than 4200 hires
17 while making those phone calls, which is really encouraging.
18 And, of course, we're sharing all this information with the
19 local workforce boards and coordinating activities with them so
20 that when either of us talk with a claimant, we know what
21 services the other is providing. And that's all I have for the
22 updates. And I'm happy to answer any of the questions you might
23 have.

24 CHAIRMAN DANIEL: Questions or comments?

25 COMMISSIONER ALVAREZ: No, Chairman.

1 COMMISSIONER DEMERSON: And none here.

2 Thank you, Courtney.

3 CHAIRMAN DANIEL: Thank you, Courtney. Do
4 we have any other items under 13?

5 MR. SERNA: No, sir.

6 CHAIRMAN DANIEL: All right, 14 is
7 discussion, consideration and possible action regarding approval
8 of local workforce development board nominees.

9 SHUNTA WILLIAMS: Good afternoon, Chairman
10 Daniel, Commissioner Alvarez, Commissioner Demerson and Mr.
11 Serna. For the record, Shantel Williams with the Workforce
12 Development Division. And before you for consideration today,
13 we have workforce for nominees for workforce solutions Deep
14 East, Central Texas, the coastal bend and Texoma. That
15 concludes my request and I'm here to answer any questions you
16 have.

17 CHAIRMAN DANIEL: Any comments or
18 questions?

19 COMMISSIONER ALVAREZ: No, sir.

20 COMMISSIONER DEMERSON: None.

21 COMMISSIONER DANIEL: Do we have a motion?

22 COMMISSIONER ALVAREZ: I move to approve
23 the board nominees for Deep East Texas, central Texas, the
24 coastal bend and Texoma.

25 COMMISSIONER DEMERSON: And a second.

1 CHAIRMAN DANIEL: (Inaudible).

2 SHUNTA WILLIAMS: Thank you.

3 CHAIRMAN DANIEL: Thank you. We do not
4 have a legislative report today. Mr. Serna, do you have
5 anything to report on your director's report?

6 MR. SERNA: Actually, I have asked Clay
7 Cole to provide a brief update on some UI items under the
8 Executive Directors Report.

9 CLAY COLE: Good afternoon, Chairman
10 Daniel, Commissioner Alvarez, Commissioner Demerson and Mr.
11 Serna. For the record, Clay Cole, Unemployment Insurance. A
12 couple of brief updates first relating to changes to the weekly
13 unemployment insurance benefit amounts. It affects claimants
14 that file new initial claims on or after October 4, 2020. This
15 has no effect on existing claims. Only new claims with an
16 initial claim date on or after October 4. As you may recall, in
17 accordance with statutes, specifically House Bill 567, every
18 year a calculation is done by the Labor Market Information
19 Department to determine whether there will be any change to the
20 unemployment insurance weekly minimum and maximum benefit
21 amounts. This year, Labor Market Information has completed
22 those calculations and determine that based on the increase in
23 the annual average weekly wage from covered employment which was
24 last year \$1,103, this year now \$1,143. There will now be a
25 resulting increase in the unemployment insurance weekly benefit

1 amounts for claimants. The exact calculation is at the maximum
2 weekly benefit amount, as 47.6 percent of the average weekly
3 wage and the minimum is 7.6 percent of the average weekly wage.
4 But with House Bill 2273, there's a tolerance set so that the
5 maximum will not increase any more than \$14 and the minimum
6 won't increase any more than \$1. So taking all this into
7 account, basically, our weekly maximum benefit amount currently
8 at \$521 will rise to \$535 per week and then the minimum will
9 rise from \$69 per week to \$70. And, again, this only affects
10 non-existing claims, only those claims beginning October 4 and
11 after. And, finally, UI continues to track Hurricane Laura
12 disaster impacted claims. As of today, TWC has processed 2,110
13 disaster impacted claims. However, the President has yet to
14 issue a disaster declaration for individual assistance, which
15 triggers the disaster unemployment assistance benefits. So
16 right now, we're just continuing to monitor that. So no changes
17 there. But that gives you a perspective of how many disaster
18 impacted claims we have tracked through our systems to date by
19 the 2,110 claims. And this concludes my update and I'll be
20 happy to answer any questions.

21 CHAIRMAN DANIEL: Thank you.

22 COMMISSIONER DEMERSON: No questions here,
23 Chairman.

24 COMMISSIONER ALVAREZ: Nothing here, sir.

25 CHAIRMAN DANIEL: Thank you, Clay.

1 CLAY COLE: You're welcome.

2 CHAIRMAN DANIEL: All right. Thank you.

3 The time is now 2:57. The Texas Workforce Commission is now
4 going into (inaudible) session to discuss pursuant to Texas
5 Government Code Section 551.0711, pending or contemplated
6 litigation in reference to pending (inaudible) protests to RFO
7 number 3201900145 and to discuss the appointment and employment
8 evaluation (inaudible) duties, discipline or dismissal
9 (inaudible) internal auditor, executive staff or other personnel
10 pursuant to Texas Government Code 551.074A1.

11 CHAIRMAN DANIEL: The executive section is
12 now concluded. The time is 4:11. Is there any other order of
13 business come before the Commission?

14 MR. SERNA: No, sir.

15 CHAIRMAN DANIEL: None. Do we have a
16 motion to adjourn?

17 COMMISSIONER ALVAREZ: Chairman, I move
18 that we adjourn.

19 COMMISSIONER DEMERSON: I second that
20 motion.

21 CHAIRMAN DANIEL: Been moved and second
22 that we adjourn. And we're adjourned. Thank you, everybody.

23 COMMISSIONER DEMERSON: Thank you, guys.

24 COMMISSIONER ALVAREZ: Bye, everyone.

25