



**MEETING OF THE
TEXAS WORKFORCE COMMISSION**

October 27, 2020

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TUESDAY, OCTOBER 27, 2020

CHAIRMAN DANIEL: All right, I'm showing it's 9:01. Are you guys ready to get started?

COMMISSIONER ALVAREZ: Yes, Chairman.

COMMISSIONER DEMERSON: Let's rock and roll.

CHAIRMAN DANIEL: Perfect. All right, good morning, everyone. This meeting is called to order. Mr. Trobman, has anyone signed up for public comment?

MR. TROBMAN: Good morning, Commissioners. No, we have no public commenters this morning.

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

MS. MILLER: Good morning, sir.

CHAIRMAN DANIEL: Thank you. This brings us to the end of Agenda Items 3 through 7. Let's pause for a few minutes to reset for the rest of the meeting. All right, let's pick back up. We're going to go to Agenda Item 8, staff does not have anything to present for this item. Agenda Item 9, 2021 internal audit, discussion, consideration and possible action regarding accrual of FY2021 Internal Audit Plan.

ASHLEY SAGEBIEL: Good morning, Chairman, Commissioners. For the record, Ashley Sagebiel, Internal Audit. Today, I'm here to present the Fiscal Year 2021 Audit Plan for your consideration and approval. Starting on page 6 of the

1 document I provided, you will find the proposed performance
2 audits, [unintelligible] audits and administrative functions as
3 briefed with your offices. I'm available if you have any
4 questions.

5 CHAIRMAN DANIEL: Questions or comments?

6 COMMISSIONER ALVAREZ: None here,
7 Chairman.

8 COMMISSIONER DEMERSON: None.

9 CHAIRMAN DANIEL: Thank you. Do we have a
10 motion?
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12 COMMISSIONER ALVAREZ: Great report,
13 Ashley. I move that we approve the Fiscal Year 2021 Audit Plan
14 as presented.

15 COMMISSIONER DEMERSON: I second.

16 CHAIRMAN DANIEL: It's been moved and
17 seconded, and I concur, so we're unanimous.

18 ASHLEY SAGEBIEL: Thank you.

19 CHAIRMAN DANIEL: Thank you. This is Item
20 10 discussion, consideration, and possible action regarding
21 Adult Education and Literacy Performance Funding
22 [unintelligible] Program Year 2020-2021.

23 FABIANA RAMIREZ: Good morning, Chair
24 Daniel, Commissioner Alvarez, Commissioner Demerson, and Mr.
25 Serna. For the record, my name is Fabiana Ramirez, Program

1 Specialist with Adult Education and Literacy. TWC Rules Chapter
2 800.68 provides that TWC set performance accountability
3 benchmarks that AEL grant recipients must meet in order to
4 access up to 10% of their allocated funding. We refer to this
5 as the performance-based holdback. The program year 2020
6 performance-based holdback, as approved by the Commission back
7 in June, is 2% of an AEL grantees' overall allocation.

8
9 The following is a brief description of the
10 items outlined under issue 1 of your notebook material. Issue 2
11 outlines items which will be taken to the Commission at a future
12 date. Last October, the Commission approved the performance-
13 based funding criteria, which incorporated measures under House
14 Bill 1949, as passed in the 86th legislature regular session.
15 The Commission also approved the holdback for this measure at
16 that time, which was 33.33% of a grantees' allocation for this
17 current program year. So, this is described in your notebook
18 materials as measure 1.

19 Measure 2 criteria relates to a student
20 retention and measure scale gained criteria and AEL grantees
21 which meet this measure are able to access the remaining 66.66%
22 of that performance-based holdback this current program year.
23 Attachment 1 of your notebook materials show the amounts for
24 both measure 1 and measure 2.
25

1 Finally, there's a forward application of
2 the criteria found in House Bill 1949, so next program year's,
3 Program Year 2021, this will be known as measure 1.

4 So, at this time, staff seeks direction on
5 the following items: first, to rescind program year 20s measure
6 1 to release that 33.33% of the program year 20 performance-
7 based allocation to grant recipients. Second, to assigning the
8 performance-based criteria described in measure 2, giving grant
9 recipients access to approximately 66.66% of the remaining
10 program year 20 performance-based allocation. And, third and
11 last, to assign that criteria to continue the implementation of
12 House Bill 1949 in program year 2021, so this will be program
13 year 2021 measure 1. That's all I have, and I'm happy to answer
14 any questions you might have.
15

16 CHAIRMAN DANIEL: Comments or questions?

17 COMMISSIONER ALVAREZ: None here,
18 Chairman.

19 COMMISSIONER DEMERSON: None.

20 CHAIRMAN DANIEL: All right, do we have a
21 motion?

22 COMMISSIONER ALVAREZ: Chairman, I move
23 that we rescind the program year 20 measure 1, releasing 33.33%
24 of the program year 20 performance-based allocations to the
25 grant recipients, assign the performance-based criteria

1 described in measure 2, giving grant recipients access to
2 approximately 66.66% of the program year 20 performance-based
3 allocation, and assign criteria to continue implementation of
4 House Bill 1949 in program year 21 measure 1, allowing grant
5 recipients to earn performance-based funding to be awarded in
6 program year 21, 22 for program year 20s' performance.

7 COMMISSIONER DEMERSON: Second.

8 CHAIRMAN DANIEL: It's been moved and
9 seconded. The motion carries.

10 FABIANA RAMIREZ: All right, thank you.

11 CHAIRMAN DANIEL: All right, on Item 11,
12 staff does not have anything to present for statewide
13 initiatives. Item 12, which is short-hand of the COVID-19
14 report, we don't have anything under this one either, right?

15 COMMISSIONER ALVAREZ: No, sir.

16 CHAIRMAN DANIEL: Item 13, board
17 nominations, discussions, consideration and possible action
18 regarding approval of local workforce development board
19 nominees.
20

21 SHUNTA WILLIAMS: Good morning, Chairman
22 Daniel, Commissioner Alvarez, Commissioner Demerson, and Mr.
23 Serna. For the record, Shunta Williams with the Workforce
24 Development Division. And, before you for consideration are
25 workforce board nominees previously presented on October 20,

1 2020. The Commission directed staff to delay the items for one
2 week to allow for further review and consideration. This
3 includes workforce solutions North Central Texas, Golden
4 Crescent, Middle Rio Grande, Permian Basin, Rural Capital Area,
5 and Texalmaal. This concludes my request, and I'm here to answer
6 any questions you have.

7
8 CHAIRMAN DANIEL: Okay, comments or
9 questions?

10 COMMISSIONER ALVAREZ: Chairman, I have
11 comments. Regarding the nominees for the Middle Rio Grande, I
12 would like to thank both nominees for their interest in serving
13 as board members. Both the nominees represent entities that do
14 not have any active employees. While this may be a worthwhile
15 perspective within a board, this board already has similarly
16 situated members to provide such a perspective. In general, it
17 would be my preference to see private sector representatives
18 actively engage in supervision, hiring, firing, promoting, and
19 otherwise managing employees within the workforce area.

20 This board is already well-above the
21 minimum board member size, so the minimum board size is not a
22 concern here. We should not, at this time, approve the nominees
23 for the Middle Rio Grande.

24 CHAIRMAN DANIEL: Other questions or
25 comments?

1 COMMISSIONER DEMERSON: Mr. Chairman, I'd
2 like to, on behalf of the Workforce Solutions Middle Rio Grande
3 Group, the two individuals that have been submitted are
4 submitted by the local Chamber of Commerce and so they are put
5 forth by that Chamber and the board feels that they need those
6 individuals to serve in that capacity. And, so I'm in full
7 support of the suggestion that is coming forth from that board.

8 CHAIRMAN DANIEL: Okay. Additional
9 comments or questions? Do we have a motion on this item?

10 COMMISSIONER DEMERSON: Mr. Chairman, I'm
11 going to move that we move forward with the recommendations as
12 submitted by staff.

13 CHAIRMAN DANIEL: All right, I second that
14 motion. Any further discussion on the motion?

15 COMMISSIONER ALVAREZ: I vote for all of
16 them with the exception of those from Middle Rio Grande that
17 were presented to us by staff.

18 CHAIRMAN DANIEL: Okay. The motion was to
19 approve the staff recommendations, and I believe there's two
20 votes for that. Commissioner Alvarez, it's not important that
21 we show your dissent, but we've heard your dissent--

22 COMMISSIONER ALVAREZ: Yes, sir.

23 CHAIRMAN DANIEL: --and it's duly noted in
24 the record. All right, gentlemen.
25

1 SHUNTA WILLIAMS: Thank you.

2 COMMISSIONER DEMERSON: Thank you.

3 CHAIRMAN DANIEL: We have nothing on Item
4 14, legislative proposals. No legislative report today. Ed,
5 have you changed your mind? Still no executive directors
6 report?

7 ED SERNA: No, sir. I have nothing to
8 report this week.

9 CHAIRMAN DANIEL: All right, no executive
10 directors report. Is there any other order of business to come
11 before the Commission?
12

13 COMMISSIONER DEMERSON: Mr. Serna, I'm
14 going to defer to Commissioner Alvarez first and then, I do have
15 an order that I would like to bring up real quick. Commissioner
16 Alvarez, anything?

17 COMMISSIONER ALVAREZ: Do I have anything?

18 COMMISSIONER DEMERSON: Yes.

19 COMMISSIONER ALVAREZ: Not right now.
20 Maybe after you say something.

21 COMMISSIONER DEMERSON: Okay, then.

22 COMMISSIONER ALVAREZ: I got to protect
23 myself, man, so--

24 COMMISSIONER DEMERSON: No, it's not like
25 that.

1 COMMISSIONER ALVAREZ: Are you going to
2 make fun of my Beretta jacket?

3 CHAIRMAN DANIEL: You guys, on my screen,
4 you're side-by-side, so this is getting more interesting by
5 [unintelligible].

6 COMMISSIONER DEMERSON: Oh, my goodness.
7 Let's see what we can [unintelligible]. In all seriousness, you
8 know, internships are something that's of great importance to me
9 and so, Governor Abbott actually has provided [unintelligible]
10 to those agencies that have partaken in the internship ramp.
11 During this pandemic, there was an opportunity for us to really
12 just say we probably can't do that, but Ed and the team stepped
13 out to really make a difference and the agency did have
14 internships, as did a number of other agencies, as well. And
15 so, I'm going to read this certificate that came from Governor
16 Abbott and I'll be presenting this to Ed, as well.

17
18 But, it says [unintelligible] Governor to
19 all, to whom these presents shall come. Greetings, know ye that
20 this official recognition is presented to the Texas Workforce
21 Commission. It is my pleasure to send my appreciation and
22 recognition to your agency for your diligence and perseverance
23 in offering internship opportunities for hardworking students
24 during the Novel Coronavirus COVID-19 pandemic.
25

1 While COVID-19 has disrupted many aspects
2 of our daily lives, the continuation of your internship program
3 during this time highlights how Texas continues to prepare for
4 the future by adapting to the unexpected challenges of today.
5 Utilizing creative, digital and virtual methods to ensure your
6 interns were presented with valuable learning experiences and
7 opportunities, your agency has showcased the bright potential of
8 future employment opportunities in state government. By
9 providing interns with the skills and tools to success, you are
10 empowering our students and young adults for their next steps in
11 helping solidify the future of Texas.

13 With agencies and organizations like yours
14 leading the way, the Lone Star State will continue to prosper
15 and thrive. First Lady, Cecilia Abbott joins me in
16 congratulating you on your success and extending best wishes for
17 the future. In testimony where have I signed my name and cause
18 to the seal of State of Texas to be affixed at the City of
19 Austin, this 13th day of October, 2020. Greg Abbott, Governor
20 of Texas.

21 And, so I'll be providing this certificate
22 to Ed and just congratulating the agency and the team for
23 stepping out during this pandemic and really making a
24 difference, not only in the lives of those students, but
25

1 preparing for our future talent pipeline, as well. Thank you
2 for the opportunity, Mr. Chairman.

3 COMMISSIONER ALVAREZ: Thank you, sir.
4 Congratulations, Aaron, for the great work that you do with the
5 interns and, of course, all the Commission office and the
6 agency, especially. So, thanks to everyone.

7 CHAIRMAN DANIEL: Absolutely.

8 COMMISSIONER DEMERSON: [Unintelligible]
9 goes to the agency and the work that you guys are doing. And,
10 so, internships is very, very important [unintelligible] our
11 Higher Education Coordinating Board Harris and Keller is very
12 interested in doing some things down the line. So, we're going
13 to push this even further, in spite of the pandemic, as we move
14 forward.
15

16 CHAIRMAN DANIEL: Absolutely. Thank you
17 for that. Is there any other business to come before the
18 Commission?

19 COMMISSIONER ALVAREZ: None here,
20 Chairman. Oh, I would like to congratulate Mary York on a great
21 meeting last week, take this opportunity since she's a new
22 addition to the agency. She did a really good job of putting
23 together a really good meeting last Friday where we all had an
24 opportunity to make some comments and listen to some of the
25 successes that were going around the state. So, I just wanted

1 to congratulate her on her first, I guess, it was a stakeholder
2 meeting or summit or whatever you want to call it, but she did
3 really good work, so I just wanted to take this opportunity to
4 thank her for that.

5 CHAIRMAN DANIEL: Yeah, I agree with you.
6 It was a great meeting to hear from our boards and some of the
7 community colleges who have really found some innovative ways to
8 use Skills Development Fund dollars in pandemic response. And,
9 kudos to the Employer Initiatives team for doing that. It was a
10 great meeting, I appreciate you bringing it up. I think anytime
11 we can highlight the community colleges and others who are using
12 Skills Development Fund, the program as a whole, to sort of do
13 things to help with training and skill [unintelligible] for the
14 state, you know, we should definitely bring that to the
15 forefront, and, I think they really did that in their meeting
16 last week.

18 COMMISSIONER ALVAREZ: She did a good job,
19 so, great job by her and her team. I failed to mention the rest
20 of her team members, so thank you for that. Now I'm looking
21 forward to the meeting this week.

22 CHAIRMAN DANIEL: Excellent.

23 COMMISSIONER DEMERSON: You can see my
24 thumbs up there, so [unintelligible].
25

1 CHAIRMAN DANIEL: All right. Do we have a
2 motion to adjourn?

3 COMMISSIONER ALVAREZ: Chairman, I move
4 that we adjourn.

5 COMMISSIONER DEMERSON: I second that
6 motion.

7 CHAIRMAN DANIEL: And, if it's moved and
8 seconded, I think we're unanimous and we are.

9 COMMISSIONER DEMERSON: Yeah.
10

11 COMMISSIONER ALVAREZ: Bye-bye, everyone.

12 CHAIRMAN DANIEL: Have a good week.

13 COMMISSIONER DEMERSON: Good luck tonight,
14 Commissioner Alvarez, [unintelligible] you ref.

15 COMMISSIONER ALVAREZ: Remember, don't boo
16 me. Do not boo the refs.

17 COMMISSIONER DEMERSON: Okay.
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