



**MEETING OF THE
TEXAS WORKFORCE COMMISSION**

DATE

JULY 12, 2022

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Tuesday, July 12, 2022

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

MR. TROBMAN: No, sir.

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

MS. MILLER: Good morning, sir.

CHAIRMAN DANIEL: Thank you. We'll take a short break.

CHAIRMAN DANIEL: This Agenda Item 8, appointment of the PPD advisory council.

JUAN GARCIA: Good morning, commissioners, Mr. Serna. Juan Garcia with the voc rehab division. This morning for your consideration and possible action we have an appointment to the PPD advisory committee. The Texas Human Resources Code, Section 122.0057(a) authorizes the Texas Workforce Commission's three-member commission to form an advisory committee to help establish program performance goals and criteria for certifying community rehabilitation programs or CRPs for participation in the Purchasing from People with Disabilities program. Section 122.0057(b) states that the advisory committee must be composed of 13 members appointed by the commission as follows: Four representatives from CRPs that participate in the PPD program, four representatives from

1 organizations that advocate for individuals with disabilities,
2 the executive commissioner of the Texas Health and Human
3 Services Commission or his designate, and four individuals with
4 disabilities, two of whom are employed by CRPs that participate
5 in the PPD program. Members of the PPD advisory committee serve
6 at the will of the commission and serve staggered four-year
7 terms. A member may not serve more than two terms. The second
8 four-year term of a member representing the advocate community
9 expired in February of 2021. Recruitment efforts for candidates
10 to fill the vacancy resulted in the following single
11 application: Ms. Lauren Gerken, located in Austin, and she is an
12 advocate and is employed by the—she's a public policy analyst
13 for the Texas Council for Developmental Disabilities. Staff
14 recommends the appointment of Ms. Lauren Gerken to a four-year
15 term on the PPD advisory committee as a representative of the
16 advocate community effective July 12, 2022. With that, I can
17 answer any questions you might have.

18 CHAIRMAN DANIEL: Comments or questions?

19 COMMISSIONER ALVAREZ: None here, chairman.

20 COMMISSIONER DEMERSON: None here.

21 CHAIRMAN DANIEL: Is there a motion?

22 COMMISSIONER ALVAREZ: Chairman, I move that
23 we appoint Lauren Gerken of Austin to the PPD advisory committee
24 for a four-year term in the category of advocates for
25 individuals with disabilities as discussed by staff.

1 COMMISSIONER DEMERSON: Before I second
2 that, so it's effective—the term ends, is it February 1, 2025?

3 JUAN GARCIA: Yes, that's when her first
4 four-year term would end so her term would start today and end
5 in 2025, February.

6 COMMISSIONER DEMERSON: I second the motion.

7 CHAIRMAN DANIEL: It's been moved and
8 seconded. We're unanimous. This is Agenda Item 9, certification
9 of community rehabilitation programs for PPD.

10 JUAN GARCIA: Again, commissioners, Juan
11 Garcia with the voc rehab division. For your consideration and
12 possible action, we have for you this morning certifications and
13 recertifications of CRPs to participate in the PPD program.
14 Texas Human Resources Code, Section 122.013, requires the Texas
15 Workforce Commission to establish rules for the certification of
16 community rehab programs to participate in the Purchasing from
17 People with Disabilities program. TWC Chapter 806, purchases of
18 products and services from people with disabilities, rule
19 806.41, establishes requirements for participation in the
20 program and subsequent adherence of those requirements once a
21 CRP has been certified. A CRP must reapply every three years
22 before the expiration date listed on the certification in order
23 to continue participating in the program. PPD staff reviews each
24 completed application and all required documentation and once
25 the materials are deemed acceptable are presented to—presents

1 the application to the three-member commission for approval.
2 Today the PPD program has reviewed the application of two new
3 CRPs seeking certification, and three CRPs seeking to continue
4 participating in the program through recertification. All CRPs
5 seeking certification and recertification will pay or currently
6 pay minimum wage or higher. The new certifications are as
7 follows. We have Launch Point Community Development Center in
8 Houston. We have the United Resources Group also in Houston. In
9 terms of recertification we have three. We have Goodwill
10 Industries of Northeast Texas in Sherman, E.Q.U.I.P Enterprises
11 in San Antonio, and Central Texas ARC in Mexia. Staff recommends
12 the certification of two new CRPs and the recertification of
13 three existing CRPs for participation in the PPD program. With
14 that I can answer any questions you might have.

15 CHAIRMAN DANIEL: Comments or questions?

16 COMMISSIONER ALVAREZ: None here, chairman.

17 COMMISSIONER DEMERSON: None.

18 CHAIRMAN DANIEL: Is there a motion?

19 COMMISSIONER ALVAREZ: I move that we
20 approve certifications of the two new CRPs and approve the
21 recertification of the three existing CRPs to participate in the
22 Purchasing from People with Disabilities program as recommended
23 by staff.

24 COMMISSIONER DEMERSON: I second the motion.

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1 CHAIRMAN DANIEL: It's been moved and
2 seconded. We're unanimous.

3 JUAN GARCIA: Thank you.

4 CHAIRMAN DANIEL: Thank you. This is Agenda
5 Item 10, modification of third tranche of 2022 Child Care Relief
6 Funds.

7 REAGAN MILLER: Good morning, chairman,
8 commissioners. Reagan Miller with the Child Care and Early
9 Learning Division. This morning for your consideration is a
10 modification to the eligibility parameters for the 2022 Child
11 Care Relief Funds. Eligibility for these funds included a
12 requirement to be licensed by child care regulation no later
13 than February 28, 2022, as well as a requirement that providers
14 commit to remaining open through May of 2023. We have identified
15 several providers who underwent ownership changes and during the
16 ownership transition, child care regulation was allowing these
17 programs to operate under the old permit pending the issuance of
18 their new permit. These programs continued operating but the
19 date of their new permit was after TWC's February 28th deadline.
20 As this funding was intended to help stabilize existing child
21 care providers, staff recommends that the commission allow
22 providers who were undergoing a change in ownership as described
23 in the discussion paper to apply for 2022 Child Care Relief
24 Funding, and I'd be happy to answer any questions.

25 CHAIRMAN DANIEL: Comments or questions?

1 COMMISSIONER ALVAREZ: None here, chairman.

2 COMMISSIONER DEMERSON: None.

3 CHAIRMAN DANIEL: Is there a motion?

4 COMMISSIONER ALVAREZ: I move that we amend
5 the 2022 Child Care Relief Funding eligibility parameters so
6 that child care providers who were undergoing a change in
7 ownership are eligible for funding as recommended by staff and
8 described in the discussion paper.

9 COMMISSIONER DEMERSON: I second.

10 CHAIRMAN DANIEL: It's been moved and
11 seconded. We're unanimous. This is Agenda Item 11, Texas Rising
12 Star Mentor Funding Distribution.

13 REAGAN MILLER: Thank you, chairman. Our
14 next agenda item is the distribution of board contract year 23
15 funding to support Texas Rising Star mentors at each local
16 board. The BCY23 distribution of funds will support only mentors
17 unlike prior years where these funds supported both mentors and
18 assessors. This is because we are implementing House Bill 1792
19 which directs TWC to procure a single entity to employ all Texas
20 Rising Star assessors. As a result, boards will only employ the
21 Texas Rising Star mentors. In addition, we're planning for an
22 increased Texas Rising Star workload. Currently statewide about
23 30 percent of all child care services providers are Texas Rising
24 Star certified. As we move to implement House Bill 2607 from the
25 last legislative session which makes Texas Rising Star

1 mandatory, we will be increasing the number of child care
2 programs who are eligible to receive mentoring services. This
3 discussion paper lays out the proposed methodology to distribute
4 a total of \$22,000,000, and I'd be happy to answer any questions
5 or go into more detail on the methodology if you'd like.

6 CHAIRMAN DANIEL: Comments or questions?

7 COMMISSIONER ALVAREZ: None here, chairman.

8 COMMISSIONER DEMERSON: None.

9 CHAIRMAN DANIEL: Is there a motion?

10 COMMISSIONER ALVAREZ: Chairman, I move that
11 approve the BCY2023 Texas Rising Star distribution as
12 recommended by staff, and using the methodology as outlined in
13 the discussion paper.

14 COMMISSIONER DEMERSON: I second.

15 CHAIRMAN DANIEL: It's been moved and
16 seconded. We're unanimous. This is Agenda Item 12, statewide
17 evaluation for Adult Education and Family Literacy Act State
18 Leadership Funds.

19 MAHALIA BALDINI: Good morning, chairman,
20 commissioners, Mr. Serna. For the record, Mahalia Baldini with
21 the Workforce Development Division. This morning for the
22 commission's consideration is a state leadership initiative to
23 fund a \$500,000 comprehensive statewide evaluation of adult
24 education and literacy services which may include but not be
25 limited to integration and co-enrollment across all WIOA titles,

1 student retention, persistence, skills gains, and credential
2 achievement, program staffing, organizational structures as well
3 as access to adult education literacy services. Staff are
4 proposing the use of fiscal year 2023, AEL state leadership
5 funds for this initiative as outlined in your notebook
6 materials, and I'm happy to answer any questions that you may
7 have.

8 CHAIRMAN DANIEL: Comments or questions?

9 COMMISSIONER ALVAREZ: None here, chairman.

10 COMMISSIONER DEMERSON: None.

11 CHAIRMAN DANIEL: Is there a motion?

12 COMMISSIONER ALVAREZ: Chairman, I move that
13 we approve funding for a statewide evaluation of AEL services
14 with \$500,000 of fiscal year 2023 AEL state leadership funds as
15 discussed by staff.

16 COMMISSIONER DEMERSON: Second.

17 CHAIRMAN DANIEL: It's been moved and
18 seconded. We're unanimous. This is Agenda Item 13, AEL content
19 standards addressing digital literacy.

20 MAHALIA BALDINI: Good morning. Again for
21 the record, Mahalia Baldini with Adult Education and Literacy,
22 Workforce Development Division. For the commission's
23 consideration also another state leadership project initiative
24 which is a \$200,000 initiative that will serve two purposes.
25 First, to enhance the current adult education and literacy

1 content standards to include digital literacy competencies, and
2 secondly, to provide training to instructors on the use of those
3 new standards. Staff are proposing using the fiscal year 2023
4 AEL state leadership funds for this by amending the distance
5 education professional development center as described in your
6 notebook materials, and I'm happy to answer any questions.

7 CHAIRMAN DANIEL: Comments or questions?

8 COMMISSIONER ALVAREZ: None here.

9 COMMISSIONER DEMERSON: None.

10 CHAIRMAN DANIEL: Is there a motion?

11 COMMISSIONER ALVAREZ: Chairman, I move that
12 we approve amending the distance education professional
13 development contract for \$200,000 with fiscal year 2023 AEL
14 statewide leadership funds to enhance AEL content standards with
15 digital literacy competencies and provide training to
16 instructors on these standards as discussed by staff.

17 COMMISSIONER DEMERSON: I second.

18 CHAIRMAN DANIEL: It's been moved and
19 seconded. We're unanimous. Thank you. This is Agenda Item 14,
20 proposed amendments to Chapter 807, career schools and colleges
21 rules to implement House Bill 33.

22 KERRY BALLAST: Good morning, Chairman
23 Daniel, Commissioner Alvarez, Commissioner Demerson, and Mr.
24 Serna. For the record, I'm Kerry Ballast with the Workforce
25 Development Division. On February 8th the commission approved a

1 policy concept on TWC rules and Chapter 807, career schools and
2 colleges. The policy concept was posted online for a three-week
3 comment period and no comments were received. Today's proposed
4 rules for Chapter 807 are to implement House Bill 33 from the
5 87th Regular Session which relates to measures to facilitate the
6 award of postsecondary course credit leading to workforce
7 credentialing by some military experience, education, and
8 training, and to amend Chapter 807 to clarify language, remove
9 redundant language, and streamline TWC processes. Staff seeks
10 approval on the proposed amendments to 40 TAC Chapter 807, for
11 publication in the Texas Register for a 30-day public comment
12 period. I'm available to answer any questions you may have.

13 CHAIRMAN DANIEL: Comments or questions?

14 COMMISSIONER ALVAREZ: None here.

15 COMMISSIONER DEMERSON: None.

16 CHAIRMAN DANIEL: Is there a motion?

17 COMMISSIONER ALVAREZ: Chairman, I move that
18 we approve the proposed rule for Chapter 807, career schools and
19 colleges, and post to the Texas Register for public comment.

20 COMMISSIONER DEMERSON: I second.

21 CHAIRMAN DANIEL: It's been moved and
22 seconded. We're unanimous. This is Agenda Item 15, board
23 nominations.

24 CHERIE DUDLEY: Good morning, chairman,
25 commissioners, and Mr. Serna. For the record, Cherie Dudley with

1 the Workforce Development Division. Today for your consideration
2 we have Workforce Board nominations for Cameron County, North
3 Texas, Central Texas, Permian Basin, and Southeast Texas. Staff
4 recommends approval on the presented nominees, and I'm here to
5 answer any questions you may have.

6 CHAIRMAN DANIEL: Comments or questions?

7 COMMISSIONER ALVAREZ: Chairman, none here.

8 COMMISSIONER DEMERSON: None here.

9 CHAIRMAN DANIEL: Is there a motion?

10 COMMISSIONER ALVAREZ: I move to approve the
11 board nominees for Cameron County, North Texas, Central Texas,
12 Permian Basin, and Southeast Texas.

13 COMMISSIONER DEMERSON: Second.

14 CHAIRMAN DANIEL: It's been moved and
15 seconded. We're unanimous. Thank you.

16 CHERIE DUDLEY: Thank you.

17 CHAIRMAN DANIEL: Staff has nothing to
18 present under Agenda Items 16 through 19. This is Agenda Item
19 20, is there a legislative report today?

20 MR. SERNA: Legislative? No, sir.

21 CHAIRMAN DANIEL: Is there an executive
22 director's report?

23 MR. SERNA: Yes, sir, two items. First, I'm
24 pleased to announce that the U.S. Department of Labor has
25 designated TWC with Commissioner Alvarez as a point of contact

1 as an apprenticeship ambassador. They have an apprenticeship
2 ambassador initiative. The idea is that the apprenticeship
3 ambassador would promote and expand awareness of the benefits of
4 registered apprenticeships, identify and scale innovative
5 practices and partnerships, increase access and support to the
6 program, and communicate the business case for registered
7 apprenticeships as a mainstream workforce strategy. We just
8 received this announcement yesterday. We'll get more information
9 to the commission offices but they've sent us that. They'll put
10 a press release out today and we'll of course coordinate with
11 our own communications group to put a press release out so
12 that's pretty significant for us because it keeps us at the
13 table at the federal level for the apprenticeships. The second
14 thing I have is to announce that—if I can find it real quick—
15 here we go, that the Texas Association of State Systems for
16 Computing and Communications or commonly referred to as TASSCC
17 has nominated Margie Henson in IT—or not has nominated but has
18 selected Margie Henson in IT with the Rising Star Award for this
19 year. Margie is TWC's digital signature analyst, and has been
20 helping divisions revamp their paper processes to use DocuSign
21 and digital signatures more, and this recognizes her hard work
22 and very valuable efforts especially during COVID because we
23 really ramped it up during COVID and it helped us get a lot of
24 stuff done without interruption while people were unable to come
25 into the office so Margie Henson in IT has been recognized by

1 TASSCC as this year's rising star. Those are the two
2 announcements that I have.

3 CHAIRMAN DANIEL: Is there any other order
4 of business to come before the commission?

5 COMMISSIONER ALVAREZ: Chairman, if I may
6 I'd like to acknowledge that yesterday was Commissioner
7 Demerson's 30th birthday. We're celebrating his 30 years. I
8 wanted to acknowledge that so happy birthday to our
9 commissioner. I'd also like to acknowledge that Brady Aker from
10 our staff will be celebrating his birthday tomorrow so we're
11 glad to have him there and working in communications. Then
12 responding back to Ed's comments regarding our announcement from
13 the Department of Labor, some time back about two years ago we
14 were approached—the office was approached about the opportunity
15 to serve either as an advisory member of the DOL apprenticeship
16 group or an ambassador. After applying for the position and
17 discussing it with the governor's office, we felt it was in our
18 best interest to do it so we're very excited. Like Ed referenced
19 our application was—my application was accepted and a press
20 release will be out today and I'm looking forward to working
21 with stakeholders around the state of Texas for expanding
22 opportunities in apprenticeship programs so I just wanted to
23 thank Department of Labor for their support.

24 COMMISSIONER DEMERSON: Chairman, a couple
25 of things here. First of all, congratulations to Margie Henson.

1 I see that DocuSign—I see her name all the time and so it's nice
2 to be recognized so congratulations to Margie. Also
3 congratulations to Ambassador Alvarez, apprenticeship ambassador
4 so we'll be calling him ambassador but the work that you do in
5 that space has been recognized. Again, this is a tool that
6 provides employers with another choice so we appreciate the work
7 that you're doing there. Congratulations on that. Then two other
8 points. We had a child care conference in San Antonio, and
9 Reagan, Ed, Allison, and that entire team was phenomenal, and
10 seeing the folks that were out there, the excitement, the buzz,
11 and the like, and so we're doing some amazing work in that
12 space, and again I tell you guys, hats off for the work that
13 you're doing with the large amount of money that's coming down
14 from the federal government and getting that out to those
15 employers. Child care providers are excited about it, and even
16 the staff is even excited about the training that they're
17 receiving as well so congratulations on that and keep that work
18 going, as well as Julia and Lowell as well putting that
19 conference on. It was pretty phenomenal. I had no idea they were
20 doing that. Julia was telling me she's been doing it for a
21 number of years so good work in that regard. And then lastly,
22 Sunday I had an opportunity to participate in the Texas
23 Restaurant Association at their annual conference, and hats off
24 to Dr. Emily Knight and that team for what they're doing. Tommy
25 on our team was part of a panel with [inaudible] and the like

1 and so I think the governor spoke if I'm not mistaken on Monday
2 at that conference, and well attended. Again, just a lot of
3 excitement out there as we continue to turn the corner here in
4 Texas. I wanted to acknowledge that. Commissioner, thank you for
5 acknowledging the birthday.

6 CHAIRMAN DANIEL: Is there a motion to
7 adjourn?

8 COMMISSIONER ALVAREZ: Chairman, I move that
9 we adjourn.

10 COMMISSIONER DEMERSON: Second that motion.

11 CHAIRMAN DANIEL: It's been moved and
12 seconded, and we're adjourned. Thank you.

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