



**MEETING OF THE
TEXAS WORKFORCE COMMISSION**

DATE

AUGUST 9, 2022

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Tuesday, August 9, 2022

CHAIRMAN DANIEL: Good morning, everyone.

This meeting is called to order. Mr. Trobman, has anyone signed up for public comment?

MR. TROBMAN: [Inaudible].

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

MS. MILLER: Good morning, sir.

CHAIRMAN DANIEL: Thank you. We're going to take a short recess.

CHAIRMAN DANIEL: All right, we're back. Agenda Item 8 has been postponed to a future meeting. Agenda Item 9 has been postponed to a future meeting. This is Agenda Item 10, high school equivalency vouchers.

MAHALIA BALDINI: Good morning, Chairman Daniel, Commissioner Alvarez, Commissioner Demerson, and Mr. Serna. For the record, Mahalia Baldini with the Workforce Development Division. The Texas Education Code 48.302 requires the Texas Education Agency enter into a memorandum of understanding with the Texas Workforce Commission to transfer funds to subsidize the cost of a high school equivalency exam for individuals that are 21 years of age or older. Currently the interagency contract enables TEA to transfer \$750,000 to the Texas Workforce Commission each fiscal year of the 22-23 biennium for the purpose of subsidizing high school equivalency

1 exams. At this time staff seeks direction on implementing the
2 subsidy program as outlined in your notebook materials by
3 approving an initial allotment of high school equivalency
4 vouchers to AEL grant recipients as outlined in your notebook
5 materials, and approving a plan that allows staff to distribute
6 the remaining vouchers in this fiscal year to grant recipients
7 to allow them to develop policies and distribute those vouchers
8 to individuals who are not current or former AEL participants.
9 I'm happy to answer any questions that you may have.

10 CHAIRMAN DANIEL: Comments or questions?

11 COMMISSIONER ALVAREZ: None here, chairman.

12 COMMISSIONER DEMERSON: None.

13 CHAIRMAN DANIEL: Is there a motion?

14 COMMISSIONER ALVAREZ: Chairman, I move that
15 we approve the implementation of the proposed high school
16 equivalency subsidy program authorized under Texas Education
17 Code 48.302 as recommended by staff and described in the
18 discussion paper.

19 COMMISSIONER DEMERSON: Second.

20 CHAIRMAN DANIEL: It's been moved and
21 seconded. The motion carries. This is Agenda Item 11, 2022
22 annual report on the transition from military service to
23 employment.

24 BOB GEAR: Good morning, Chairman Daniel,
25 Commissioner Alvarez, Commissioner Demerson, Mr. Serna. For the

1 record, I'm Bob Gear, director of Texas Veterans Leadership
2 Program for the Workforce Commission. Texas Labor Code Chapter
3 302.020 requires the Texas Workforce Commission to submit an
4 annual report on the transition from military service to
5 employment to the Texas Legislature by 1 September. This year's
6 report includes the following sections. Overview of the
7 legislative requirements, overview of the Texas Workforce
8 Commission on community partners, an updated veteran
9 unemployment table which goes from May of 21 through April 22,
10 all different categories of veterans and then nonveteran
11 counterparts rolled up into a 12-month rolling average. Also it
12 highlights all the updated programs under the Texas Workforce
13 Commission, and there are several updates that are very—that
14 show the amount of effort being put towards transition service
15 members. Finally, the final section lists the five most common
16 transition military occupational specialties, industry-based
17 certifications that align with the military occupational
18 specialties and their civilian occupations. So for 2021, number
19 one is infantryman, rifleman, Army Marine Corps, I don't think
20 that will ever change. Number two is automated logistics
21 specialist, material management, logistics supply specialist,
22 basic maintenance management specialist, logistics officer, and
23 acquisition. We try to incorporate all the different branches in
24 all the different pieces of that particular MOS specialty coder
25 rating. Number three is health care specialist, hospital

1 corpsman, aerospace medical service. Number four is wheeled
2 vehicle mechanic, mission generator vehicular equipment
3 maintenance helper, construction mechanic. Number five is
4 computer network support specialist, communications, computer
5 systems programming, information systems technician. Staff is
6 seeking commission's approval of this year's annual report for
7 submission to the Texas Legislature, and I'm happy to answer any
8 questions you may have.

9 CHAIRMAN DANIEL: Comments or questions?

10 COMMISSIONER ALVAREZ: Chairman, I'd just
11 like to say I just want to take this opportunity to thank Bob
12 for all the work you do, Mr. Gear, to serve our veterans and
13 make sure that they're all trained and ready for the workforce
14 so thank you for all you do.

15 BOB GEAR: Thank you, Commissioner Alvarez.

16 COMMISSIONER DEMERSON: Same sentiments
17 here. I continue to appreciate the work that you guys are doing
18 for our Texas veterans.

19 BOB GEAR: Thank you, Commissioner Demerson.

20 CHAIRMAN DANIEL: Is there a motion?

21 COMMISSIONER ALVAREZ: Chairman, I move that
22 we approve and submit the 2022 report on the transition from
23 military service to employment as recommended.

24 COMMISSIONER DEMERSON: Second.

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1 CHAIRMAN DANIEL: It's been moved and
2 seconded. The motion carries. This is Agenda Item 12, Chapter
3 819, Civil Rights Division proposed rules.

4 ROBERT GONZALEZ: Good morning, Chairman
5 Daniel, Commissioner Alvarez, Commissioner Demerson, and Mr.
6 Serna. For the record, I'm Robert Gonzalez of the Civil Rights
7 Division. Commissioners, before you today for consideration and
8 approval are proposed rule amendments for Chapter 819. In an
9 open meeting on February 8, 2022, the commission approved the
10 policy concept regarding the amendments to Chapter 819 rules.
11 The policy concept was posted to TWC's website. The proposed
12 amendments to Chapter 819 will implement House Bill 21 and
13 Senate Bill 45 relating to the statute of limitations for filing
14 sexual harassment complaints against an employer and prohibition
15 of sexual harassment in the workplace. Also, Texas Government
16 Code requires that every four years each state agency review and
17 consider for readoption, revision, and repeal each rule adopted
18 by that agency. TWC reviewed the chapter as part of the proposed
19 rule in accordance with statute requirement. Staff recommends
20 submitting the proposed rule for publication in the Texas
21 Register for a 30-day public comment period. Staff also requests
22 the ability to make minor nonsubstantive changes to the document
23 in order to comply with publication requirements of the Texas
24 Register and Office of the Secretary of State. I'm available to
25 answer any questions.

1 CHAIRMAN DANIEL: Comments or questions?

2 COMMISSIONER ALVAREZ: None here, chairman.

3 COMMISSIONER DEMERSON: None here.

4 CHAIRMAN DANIEL: Is there a motion?

5 COMMISSIONER ALVAREZ: Good job. I move that
6 we approve the proposed rules for Chapter 819, Civil Rights
7 Division, and post to the Texas Register for a 30-day public
8 comment period as recommended by staff.

9 COMMISSIONER DEMERSON: Second.

10 CHAIRMAN DANIEL: It's been moved and
11 seconded. The motion carries.

12 COMMISSIONER DEMERSON: He's running,
13 chairman.

14 COMMISSIONER ALVAREZ: And he said that all
15 in one breath.

16 CHAIRMAN DANIEL: He moved away really
17 quickly.

18 COMMISSIONER DEMERSON: He's a first time
19 [inaudible].

20 CHAIRMAN DANIEL: I knew he was. I was
21 waiting on somebody else to say something. We'll get him next
22 time. This is Agenda Item 13, Chapter 800, tax refund
23 [inaudible] proposed rules.

24 SHUNTA WILLIAMS: Good morning, chairman,
25 commissioners, and Mr. Serna. For the record, Shunta Williams

1 with the Workforce Development Division. Commissioners, before
2 you today for your consideration for approval are proposed rule
3 amendments to Chapter 800, General Administration. On April 18,
4 2022, the commission approved the policy concept regarding the
5 Chapter 800, General Administration amendments for the purpose
6 of adding new Subchapter M, tax refund for wages paid to
7 employee receiving financial assistance, as outlined in your
8 notebook materials. Staff recommends submitting the proposed
9 rule for publication in the Texas Register for a 30-day public
10 comment period. Staff also requests the ability to make minor
11 nonsubstantive changes to the document in order to comply with
12 publication requirements of the Texas Register and Office of the
13 Secretary of State. This concludes my presentation and I'm
14 available to answer any questions you 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: Thank you, Shunta. I
20 move that we approve the proposed new rule for Chapter 800, tax
21 refund for wages paid to employee receiving financial
22 assistance, and post to the Texas Register for a 30-day public
23 comment period.

24 COMMISSIONER DEMERSON: Second.

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1 CHAIRMAN DANIEL: The motion carries. This
2 is Agenda Item 14, board nominations.

3 SHUNTA WILLIAMS: Good morning again,
4 chairman, commissioners, and Mr. Serna. For the record, Shunta
5 Williams with the Workforce Development Division. Before you
6 this morning for consideration we have Workforce Board nominees
7 for Workforce Solutions North Central Texas, Gulf Coast, Middle
8 Rio Grande, and Central Texas. Staff recommends approval on the
9 presented nominees, and I'm here to answer any questions you
10 have.

11 CHAIRMAN DANIEL: Comments or questions?

12 COMMISSIONER ALVAREZ: None here, chairman.

13 COMMISSIONER DEMERSON: None.

14 CHAIRMAN DANIEL: Is there a motion?

15 COMMISSIONER ALVAREZ: Chairman, I move that
16 we approve the board nominees for North Central Texas, Gulf
17 Coast, Middle Rio Grande, and Central Texas.

18 COMMISSIONER DEMERSON: I second.

19 CHAIRMAN DANIEL: The motion carries.

20 SHUNTA WILLIAMS: Thank you.

21 CHAIRMAN DANIEL: Thank you. This is Agenda
22 Item 15, fiscal year 2023 block grant allocations.

23 COMMISSIONER ALVAREZ: Let him have it,
24 chairman. Let him have it.

25 CHAIRMAN DANIEL: [Inaudible].

1 COMMISSIONER DEMERSON: I have no questions
2 or comments.

3 CHAIRMAN DANIEL: I would just point out for
4 the record that this is actually some very complicated kind of
5 budget things that we're working on. Chris makes this easy. In
6 order to get myself in the right frame for learning about these
7 budget items and understanding how they impact the agency, I've
8 asked Chris to name the meeting request to my schedule budget
9 fun with Chris, and I've found that it's made a lot more
10 difference in how well I understand.

11 CHRIS NELSON: Just to clarify, that's
12 budget fun or fund?

13 CHAIRMAN DANIEL: No D, budget fun, f, u, n.
14 Fun with a capital F [inaudible] but it has been very useful.

15 COMMISSIONER ALVAREZ: He has shrunk in age
16 but that's—with all the work you've been doing. Good job, buddy.

17 CHAIRMAN DANIEL: Is there a motion?

18 COMMISSIONER ALVAREZ: Yes, chairman, and I
19 also want to say the same thing. He's done a really good job of
20 providing information to each of our offices regarding what
21 we're working on, especially on these agenda items. I move that
22 we adopt the fiscal year 2023 allocations and funding
23 distributions for TANF Choices, SNAP employment and training,
24 employment services, child care, small board funding
25 distributions, and migrant seasonal farmworker distributions for

1 local Workforce Development Boards using the methodology laid
2 out by staff, and instruct the executive director to administer
3 these block grant allocations in the most feasible and
4 economical manner and within all guidelines prescribed by
5 General Appropriations Act, the legislature, the Texas Labor
6 Code, and TWC rules.

7 COMMISSIONER DEMERSON: Before I second it,
8 will name the BFWC, budget fun with Chris.

9 CHAIRMAN DANIEL: Budget fun with Chris.

10 COMMISSIONER DEMERSON: BFWC. I second that
11 motion.

12 CHAIRMAN DANIEL: It's been moved and
13 seconded. The motion carries.

14 CHRIS NELSON: Thank you.

15 CHAIRMAN DANIEL: This is Agenda Item 16,
16 WIOA statewide reserve.

17 SANDRA WILSON: Good morning, Chair Daniel,
18 commissioners, Mr. Serna. For the record, Sandra Williams,
19 Workforce Development Division. Before you today is a paper for
20 WIOA statewide reserve distribution. WIOA adult and dislocated
21 worker funds provide individualized career and training services
22 throughout the state. Boards do operate with two years' worth of
23 funding. The boards identified in the table in the discussion
24 paper have expended 90 percent or more of their second-year WIOA
25 funding and have confirmed a demand for training that will

1 exceed the FY22 allocations. Staff recommends approval to
2 distribute \$660,000 of the available WIOA statewide balance for
3 the four boards listed to provide training to an additional 167
4 individuals. I'm happy to answer any questions.

5 CHAIRMAN DANIEL: Comments or questions?

6 COMMISSIONER ALVAREZ: None here, chairman.

7 COMMISSIONER DEMERSON: None.

8 CHAIRMAN DANIEL: Is there a motion?

9 COMMISSIONER ALVAREZ: Chairman, I move we
10 distribute \$660,000 available WOIA statewide reserve balance to
11 Central Texas, Coastal Bend, Cameron County, Texoma, to provide
12 training to an additional 167 individuals as recommended by
13 staff.

14 COMMISSIONER DEMERSON: Second.

15 CHAIRMAN DANIEL: It's been moved and
16 seconded. The motion carries.

17 SANDRA WILLIAMS: Thank you.

18 CHAIRMAN DANIEL: I'm showing nothing on
19 Agenda Items 17, 18, and 19. I don't see a legislative report
20 today. How about an executive director's report?

21 MR. SERNA: None.

22 CHAIRMAN DANIEL: Wow. Is there any other
23 order of business to come before the commission today?

24 MR. SERNA: None at all.

25

1 COMMISSIONER ALVAREZ: Chairman, I have a
2 few things I'd like to say. This one's directed at Ed and staff.
3 Ed, I would like for staff to bring forward two discussion
4 papers for me, one to explore any available funding to host a
5 second reentry conference; two, explore any available funding to
6 host esports game-based learning camps for middle and high
7 schoolers. Esports provides a type of academic and social skills
8 that employers value and instructions of higher education are
9 awarding through scholarship opportunities, explore partnerships
10 with TEA. Information on academic esports can be found on the
11 Association for Career and Technical Education website. The
12 other thing I'd like to say, I'd also ask that we consider all
13 pending statewide initiatives at this time, Chair Daniel and
14 Commissioner Demerson, at a future docket as we would need to
15 give staff additional time to draft and commission offices time
16 to consider. I do believe that approval of these budgets next
17 week can proceed without these statewide initiatives. Second
18 thing I'd like to say is I'd like to take this opportunity to
19 thank Stacy Morales for working in our office. As you know, our
20 intern will be leaving us Friday. I think Jeanette did her very
21 best to try to keep Stacy to work with us. I know she did her
22 very best. Stacy, we congratulate you. You were very helpful
23 during the time. Commissioner Demerson, thank you for your
24 continued support of the Interns Unite! We had the opportunity
25 to not only meet Stacy but the other interns that are working at

1 this great agency of ours. I think that it was something—a time
2 well spent. Fine gentlemen that you have that are working in
3 this agency and we have some great leaders. I foresee one of you
4 at least taking my position, hopefully soon, but Stacy, I want
5 to take this opportunity to thank you. Stacy was very helpful
6 coming up with some policy, and you'll see some of the fruits of
7 her work in the upcoming meetings that we'll be having so thank
8 you, Stacy, and good luck to you, and go. That's all I have,
9 chairman.

10 COMMISSIONER DEMERSON: I've got a couple of
11 comments. Commissioner Alvarez, I'd love to work with you on the
12 esports initiative and discussion paper that's coming forward.
13 We have some folks that are very interested in that space. I was
14 actually at the [inaudible] conference last week and there was a
15 group of kids downstairs, and I thought they were a soccer team
16 but they were actually an esports team and were pretty
17 phenomenal. A couple of quick notes here. Kimberly and Ed shared
18 with me Governor Abbott congratulates outstanding women in Texas
19 government 2022 honorees, and this was mentioned yesterday. I
20 congratulate the outstanding women in Texas government award
21 recipients for 2022 announced by the Governor's Commission for
22 Women in the state agency council. The biennial award honors
23 women in state service who are contributing their notable
24 talents and skills to help shape the future of Texas, and our
25 own Margie Henson, digital signature analyst, was recognized for

1 outstanding community involvement, and so she's to be commended
2 on that effort. In following up with that, it's Josh and
3 Alejandro last week in our office as well, and so two
4 outstanding interns, University of Houston and UTSA in San
5 Antonio, a phenomenal job this session, and delighted to have
6 them. We'll take them out to lunch today but a job well done,
7 gentlemen. That concludes my remarks.

8 COMMISSIONER ALVAREZ: McDonald's, huh?

9 CHAIRMAN DANIEL: The dollar menu is good. I
10 mean there's some good stuff there. We had an exceptional crop
11 of interns at TWC this year, and really appreciate all their
12 efforts. I hope you learned something. We certainly learned
13 something from you, Stacy. This is the problem with being a Red
14 Raider. Everybody wants you to work for them. It's a perpetual
15 problem. It has plagued me for nearly 35 years. The only advice
16 I have for you is get used to it. Once you have a degree from
17 Texas Tech, people are just constantly fighting to hang out with
18 you. They want you to work for them. If you ever need
19 counseling, let me know. I can talk to you about that. Is there
20 any other business to come before the commission?

21 COMMISSIONER ALVAREZ: None here, chairman.

22 CHAIRMAN DANIEL: Do we have a motion to
23 adjourn?

24 COMMISSIONER ALVAREZ: Chairman, I move that
25 we adjourn.

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COMMISSIONER DEMERSON: I second that
motion.

CHAIRMAN DANIEL: It's been moved and
seconded that we adjourn, and we're adjourned.