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1 P R O C E E D I N G S

2 TUESDAY, APRIL 28, 2015

3 (11:30 a.m.)

4 AGENDA ITEM NO. 1

5 CHAIRMAN ALCANTAR: Good morning,  
6 everyone. This meeting will now be called to order.

7 AGENDA ITEM NO. 2

8 Discussion, consideration and possible  
9 action regarding whether to assume continuing  
10 jurisdiction on unemployment compensation cases, wage  
11 claim cases, and/or tax liability cases and  
12 reconsideration of unemployment compensation cases, wage  
13 claim cases, and/or tax liability cases, if any.

14 No discussion.

15 AGENDA ITEM NO. 3

16 Discussion, consideration and possible  
17 action regarding tax liability cases listed on the Texas  
18 Workforce Commission Docket 17.

19 The Commission considered and took action  
20 on all tax liability cases listed on Docket 17.

21 AGENDA ITEM NO. 4

22 Discussion, consideration and possible  
23 action regarding higher level appeals in wage claim  
24 cases listed on the Texas Workforce Commission Docket  
25 17.

1                   The Commission considered and took action  
2 on all wage claim cases listed on Docket 17.

3                   AGENDA ITEM NO. 5

4                   Discussion, consideration and possible  
5 action regarding higher level appeals in unemployment  
6 compensation cases listed on the Texas Workforce  
7 Commission Docket 17.

8                   The Commission considered and took action  
9 on all unemployment compensation cases listed on Docket  
10 17.

11                   (The Commission paused, then continued  
12 with the remainder of the agenda)

13                   (Off the record: 11:30 a.m. to  
14 11:51 a.m.)

15                   CHAIRMAN ALCANTAR: Good morning,  
16 everyone. We're back in session.

17                   AGENDA ITEM NO. 6

18                   CHAIRMAN ALCANTAR: Jewell, has anyone  
19 signed up for public comment?

20                   MS. PATRICIO: No comment, Mr. Chairman.

21                   CHAIRMAN ALCANTAR: Thank you.

22

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1 AGENDA ITEM NO. 7

2 CHAIRMAN ALCANTAR: Item 7. Discussion,  
3 consideration and possible action regarding Texas  
4 Workforce Commission LAR for 2016-17. We have no  
5 update.

6 AGENDA ITEM NO. 8

7 CHAIRMAN ALCANTAR: Item 8. Discussion,  
8 consideration and possible action regarding the Deob and  
9 Reall of Board-allocated child care funds, Reagan  
10 Miller.

11 Good morning.

12 MS. MILLER: Good morning, Commissioners.  
13 We've been notified by the Permian Basin Board that  
14 after some careful analysis on their part and much  
15 consideration by their Board members they have  
16 determined that they won't be able to fully utilize  
17 their Fiscal Year '15 child care allocation, and they've  
18 requested a deobligation of just over a million dollars  
19 in child care funds.

20 When you add in the 2 percent quality  
21 funds, that comes to a total deobligation of \$1,102,105.  
22 We've identified nine Boards that are meeting  
23 performance and expenditure thresholds and are willing  
24 to accept these additional funds, as well as the  
25 corresponding increases in the number of children to be

1 served in their performance target, and we are  
2 recommending that the Commission accept the deobligation  
3 of funds from Permian Basin and the reallocation of  
4 those funds as delineated in your material.

5 CHAIRMAN ALCANTAR: Commissioner  
6 Congleton.

7 COMM. CONGLETON: Move that we deobligate  
8 \$1,080,063 in child care funds and \$22,042 in child care  
9 quality funds for Permian Basin for the Board Contract  
10 Year 2015 with the corresponding reduction in targets;  
11 furthermore, I move we reallocate those funds to the  
12 nine Boards requesting additional funds with a  
13 corresponding increase in their targets as discussed by  
14 staff.

15 COMM. ANDRADE: Second.

16 CHAIRMAN ALCANTAR: It's unanimous.

17 AGENDA ITEM NO. 9

18 CHAIRMAN ALCANTAR: Item 9. Discussion,  
19 consideration and possible action regarding the  
20 Workforce Investment Act Additional Assistance Funding  
21 for local Boards due to oil and gas industry-related  
22 activity, Reagan Miller.

23 MS. MILLER: Commissioners, in recent  
24 months we've had discussions with you about the impact  
25 of the oil and gas layoffs in several of our Workforce

1 areas.

2                   We've been tracking this and the impact  
3 that's it had on UI claims activity, and based on this  
4 increase we have had discussions with several local  
5 Workforce development Boards that have had the greatest  
6 overall impact on their total UI claims and on the total  
7 number of dislocated workers.

8                   Those Boards have indicated that the  
9 distribution of some additional assistance WIA funds,  
10 which we hold in reserve here at the state level, would  
11 assist them in providing assistance to claimants for job  
12 search and return-to-work activities.

13                   We are recommending that \$803,013 in WIA  
14 additional funding be distributed to the six Boards as  
15 outlined in your material. That's Panhandle, North  
16 Texas, Permian Basin, Concho Valley, Golden Crescent and  
17 South Texas to assist in the reemployment of workers  
18 impacted by these layoffs.

19                   CHAIRMAN ALCANTAR: I appreciate all the  
20 coordination on this, and I think, you know, making sure  
21 that we have the right capacity and the appropriate  
22 staffing to align with this increased activity is  
23 something that I support.

24                   Commissioner Congleton.

25                   COMM. CONGLETON: I move that we

1 distribute \$803,013 in additional WIA rapid response  
2 funds to the six-mentioned Boards to assist with  
3 increased workload due to oil and gas layoffs.

4 COMM. ANDRADE: I second.

5 CHAIRMAN ALCANTAR: It's unanimous. Thank  
6 you, Reagan.

7 MS. MILLER: Thank you.

8 AGENDA ITEM NO. 10

9 CHAIRMAN ALCANTAR: Item 10. Discussion,  
10 consideration and possible action regarding the  
11 implementation of WIA. There is no update, I believe.

12 AGENDA ITEM NO. 11

13 CHAIRMAN ALCANTAR: Item 11. Discussion,  
14 consideration and possible action regarding approval of  
15 local Board nominees, John Fuller.

16 Good morning, John.

17 MR. FULLER: (Mic off) Good morning,  
18 Mr. Chairman, Commissioners, Mr. Temple. (Mic on) Good  
19 morning, Chairman, Commissioners, Mr. Temple.

20 For the record, John Fuller, Workforce  
21 Development. Commissioners, before you today you have  
22 nomination from Coastal Bend, Dallas County and  
23 Southeast Texas for your consideration.

24 CHAIRMAN ALCANTAR: Commissioner  
25 Congleton.

1                   COMM. CONGLETON: I move that we approve  
2 the Board nominees from Coastal Bend, Dallas and  
3 Southeast Texas.

4                   COMM. ANDRADE: Second.

5                   CHAIRMAN ALCANTAR: It's unanimous. Thank  
6 you, John.

7                   MR. FULLER: Thank you.

8                   AGENDA ITEM NO. 12

9                   CHAIRMAN ALCANTAR: Item 12. Discussion,  
10 consideration and possible action regarding legislative  
11 proposals, Tom McCarty. Do we have an update on this  
12 one?

13                   MR. McCARTY: We have no update for this  
14 item.

15                   AGENDA ITEM NO. 13

16                   CHAIRMAN ALCANTAR: Item 13. Discussion,  
17 consideration and possible action regarding enacted,  
18 proposed or considered federal or state legislation, Tom  
19 McCarty.

20                   Good morning, Tom.

21                   MR. McCARTY: Good afternoon, Chairman  
22 Alcantar, Commissioner Congleton and Commissioner  
23 Andrade. Tom McCarty, External Relations.

24                   This morning hot off the press Senate Bill  
25 208, which is the TWC Sunset bill, was voted out of

1 committee as a substitute. There's substitute language  
2 that was offered up.

3                   There were also four amendments that were  
4 offered that were not adopted by the committee. They  
5 will be brought up later by the -- on the Senate floor  
6 for consideration by the full Senate.

7                   But real quick, Amendment 1 would  
8 establish a legislative oversight committee for the  
9 transfer. Amendment 2 would create an independent  
10 living division within the agency.

11                   Amendment 3 would delay transfer by two  
12 years and create a study for the need of a transfer, and  
13 then Amendment 4 would transfer all blind services to  
14 TWC. Like I said, none of those amendments were  
15 adopted. They'll all be discussed on the floor.

16                   Also, last week House Bill 1, the General  
17 Appropriations Act, the conferees were appointed. On  
18 the House side it's -- Representative Otto will be the  
19 Chair and then Representatives Turner, Ashby, Gonzalez  
20 and Davis will be the House members, and on the Senate,  
21 the Senate appointees were Senator Nelson, Chair, and  
22 then Senators Hinojosa, Huffman, Kolkhorst and  
23 Schwertner.

24                   I'll close with HB 1155 by Alvarado.  
25 That's scheduled for a calendar on Friday, the general

1 calendar.

2 That concludes my remarks, and I'm  
3 available for any questions you have.

4 CHAIRMAN ALCANTAR: Do we have any  
5 questions? Thank you, Tom. Good update.

6 MR. TEMPLE: Tom, would you give them an  
7 update on our working with the Senate Finance on the pay  
8 raise and the retro on the retirement?

9 MR. McCARTY: Sure. Sure. Staff has been  
10 working with, as Larry said, the Senate Finance  
11 Committee staff on maintaining that language that would  
12 have employees' pay raises -- pay increases -- that  
13 would be used to subsidize the increased contribution  
14 into ERS to be paid for out of General Revenue Fund  
15 versus out of our federal funds.

16 We're also working -- they seem very  
17 responsive to it, especially since it had been done last  
18 session for us. We're working with them to see if we  
19 can also get some assistance for general revenue, also  
20 for the agency's contribution to the URS fund as well  
21 since we do have that heavy burden on federal funds for  
22 salaries and benefits.

23 CHAIRMAN ALCANTAR: All right. I  
24 appreciate that.

25 MR. McCARTY: Yes, sir. Thank you.

1 CHAIRMAN ALCANTAR: Thank you.

2 AGENDA ITEM NO. 14

3 CHAIRMAN ALCANTAR: Larry, do you have an  
4 update for us?

5 MR. TEMPLE: A couple of things. One,  
6 going back to the DARS transition that's in our Sunset  
7 bill, Commissioner Janek and I with Ed Serna and his  
8 facility's person -- he's set up a meeting for us to  
9 meet with Harvey Hildebrand and his deputy tomorrow just  
10 to discuss the leases, the properties and so we can  
11 start with a process there should this thing actually  
12 move.

13 So we're trying to get ahead of that.

14 CHAIRMAN ALCANTAR: Good.

15 MR. TEMPLE: And we reached out to the  
16 state of Maryland. They've had to close one or maybe  
17 two call centers because of all the protests, the riots  
18 up there, and offered to do claims for me if they needed  
19 it.

20 So right now they're still okay, but if  
21 it's prolonged they may call us.

22 CHAIRMAN ALCANTAR: I appreciate that.

23 Commissioners, any questions for Larry?

24 All right. Good.

25

1 AGENDA ITEM NO. 17

2 CHAIRMAN ALCANTAR: Is there a motion to  
3 adjourn this meeting?

4 COMM. CONGLETON: So made.

5 COMM. ANDRADE: Second.

6 CHAIRMAN ALCANTAR: We're adjourned.  
7 We're now scheduled for a work session on the proposed  
8 rules.

9 We'll pause for a moment to allow staff to  
10 set up up here.

11 (Proceedings concluded at 12:01 p.m.)

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