

**TEXAS WORKFORCE COMMISSION
TWC Building - Room 244
101 East 15th Street
Austin, Texas 78778-0001**

**COMMISSION MEETING AGENDA
Tuesday, September 8, 2015
1:00 p.m.
DOCKETS 36**

THE FOLLOWING AGENDA ITEMS MAY NOT NECESSARILY BE CONSIDERED IN THE ORDER THEY APPEAR

An asterisk (*) indicates that supporting materials are available online at [Materials for TWC Public Policy Meetings](#)

1. Call to Order
2. Discussion, Consideration and Possible Action Regarding Whether to Assume Continuing Jurisdiction on Unemployment Compensation Cases, Wage Claim Cases, and/or Tax Liability Cases and Reconsideration of Unemployment Compensation Cases, Wage Claim Cases, and/or Tax Liability Cases, if Any
Sherri Miller and Doug Carnes
3. Discussion, Consideration and Possible Action Regarding Tax Liability Cases Listed on the Texas Workforce Commission Docket 36 (Cases will be heard for Docket 36.)
Doug Carnes
4. Discussion, Consideration and Possible Action Regarding Higher Level Appeals in Wage Claim Cases Listed on the Texas Workforce Commission Docket 36
Sherri Miller
5. Discussion, Consideration and Possible Action Regarding Higher Level Appeals in Unemployment Compensation Cases Listed on the Texas Workforce Commission Docket 36
Sherri Miller
6. Public Comment
Paul N. Jones
7. Discussion, Consideration and Possible Action Regarding the Estimated Unemployment Trust Fund Balance Pursuant to Texas Labor Code Section 204.061 and the Estimated Employment and Training Investment Holding Fund Balance Available for Transfer Pursuant to Texas Labor Code Section 204.123*
Randy Townsend and Warren Collier
8. Discussion, Consideration and Possible Action Regarding Comments for Submission to the U.S. Departments of Labor and Education in Response to July 22, 2015 Workforce Innovation and Opportunity Act Information Collection Request*
Adam Leonard and David Johnson

9. Discussion, Consideration and Possible Action Regarding Board Contract Year 2015 Local Workforce Development Board Performance Measures and Targets
Adam Leonard and David Johnson
10. Discussion, Consideration and Possible Action Regarding Board Contract Year 2016 Local Workforce Development Board Performance Measures and Targets*
Adam Leonard and David Johnson
11. Discussion, Consideration and Possible Action Regarding Implementation of the Workforce Innovation and Opportunity Act
Debbie Carlson
12. Discussion, Consideration and Possible Action Regarding the Vision and Goals of the Texas Workforce System Under the Workforce Innovation and Opportunity Act*
Jason Vaden and Debbie Carlson
13. Discussion, Consideration and Possible Action Regarding Program Year 2014 Adult Education Performance Funding Benchmarks Modification*
Carrie Tupa and Anson Green
14. Discussion, Consideration and Possible Action Regarding Policy Concept on Civil Rights Rules (40 T.A.C. Chapter 819) Pursuant to SB 208, 84th Texas Legislature (Regular Session)*
Lowell Keig
15. Discussion, Consideration and Possible Action Regarding Approval of Proposed Rule Reviews Under Texas Government Code, Section 2001.039 Relating to Integrity of the Texas Workforce System (40 T.A.C. Chapter 802); Child Care Services (40 T.A.C. Chapter 809); Integrated Complaints, Hearings, and Appeals (40 T.A.C. Chapter 823); and Texas Work and Family Clearinghouse (40 T.A.C. Chapter 845)*
Patricia Gonzalez
16. Discussion, Consideration and Possible Action Regarding Approval of Local Workforce Development Board Nominees*
John Fuller
17. Discussion, Consideration and Possible Action Regarding Enacted, Proposed or Considered Federal Regulations, Executive Orders, or Federal or State Enacted or Proposed Legislation
Tom McCarty
18. Report and Update by the Executive Director and Staff Regarding Administrative Matters, Including Internal Policies and Procedures, Customer and Board Service Issues, Status of Project Assignments, Organizational Matters and Responsibilities of the Agency's Divisions
Larry Temple
19. THE FOLLOWING MAY BE DISCUSSED IN EXECUTIVE SESSION OR OPEN MEETING AND HAVE ACTION TAKEN IN AN OPEN MEETING:
 - a) Government Code §551.074(a)(1) The Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of the Executive Director

- b) Government Code §551.074(a)(1) The Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of the Internal Auditor
- c) Government Code §551.074(a)(1) The Appointment, Employment, Evaluation, Reassignment, Duties, Accomplishments, Performance, Goals, and Responsibilities of the Executive Staff and Other Personnel
- d) Government Code §551.071(1) Contemplated Litigation or Pending Litigation of:
 - Arbor E & T LLC, d/b/a, Rescare Workforce Services vs. Workforce Solutions Lower Rio Grande, Inc., et al.;
 - Felino A. Belostrino v. TWC, et al.;
 - John Benavides, et al v. TWC (formerly Texas Commission on Human Rights);
 - Breckenridge Enterprises, Ltd, et al v. TWC;
 - Thomas Constandine v. Stephanie Burdett;
 - Rick Daniel v. Texas Workforce Commission;
 - FedEx Ground Package System, Inc. v. TWC, et al.;
 - G&A Outsourcing, Inc., et al. v. TWC;
 - Homoya v. TWC, et al.;
 - Maria Patricia Macias v. TWC and Harlingen Consolidated ISD;
 - Rodolfo Martinez v. Texas Workforce Commission;
 - Marilou Morrison v. TWC, et al. (formerly Texas Commission on Human Rights);
 - Pinard Home Health, Inc. vs. Anne G. Arndt;
 - Maria Elena Olivas v. Texas Workforce Commission;
 - Andre Don Savage, v. Texas Workforce Commission, et al.;
 - Lester Taylor v. TWC;
 - Texas Workforce Commission v. Bette Epstein;
 - Melisa Tuttle v. Texas Workforce Commission and Inergy Propane, LLC;
 - Wichita County, Texas v. TWC and Julia White and
 - John Woodley v. Texas Workforce Commission
- e) Government Code §551.071(2) All Matters Identified in This Agenda Where the Commission Seeks the Advice of Its Attorney as Privileged Communications under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas and to Discuss the Open Meetings Act and the Administrative Procedures Act

20. The next Commission meeting is set for 2:00 p.m., Monday, September 28, 2015.

21. Adjournment

Notes:

- Audio webcasts of TWC Commission meetings are available at <http://www.texasworkforce.org/events>. Please note that a user cannot click on the link in the Texas Register and get to the site but must cut and paste the address into the browser address line.
- Persons with disabilities who plan to attend this meeting and who may need auxiliary aids, services, or special accommodations should contact Kim Bergmann at (512) 463-7903 two (2) working days prior to the meeting, so that appropriate arrangements can be made.