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TRANSCRIPT OF PROCEEDINGS
BEFORE THE
TEXAS WORKFORCE COMMISSION
AUSTIN, TEXAS

PUBLIC MEETING)
FOR THE TEXAS)
WORKFORCE COMMISSION)

COMMISSION MEETING
TUESDAY, DECEMBER 22, 2015

BE IT REMEMBERED THAT at 9:00 a.m. on
Tuesday, the 22nd day of December, 2015, the above-entitled
matter came on for hearing at the Texas Workforce
Commission, TWC Building, 101 East 15th Street, Room 244,
Austin, Texas, before ANDRES ALCANTAR, Chairman, RONALD G.
CONGLETON and RUTH R. HUGHS, Commissioners

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PROCEEDINGS, TUESDAY, DECEMBER 22, 2015

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1 wage claim cases listed on Docket 51.

2 AGENDA ITEM NO. 5

3 Discussion, Consideration and Possible Action
4 Regarding Higher Level Appeals in Unemployment Compensation
5 Cases Listed on the Texas Workforce Commission Docket 51.

6 The Commission considered and took action on all
7 unemployment compensation cases listed on Docket 51.

8 AGENDA ITEM NO. 6

9 CHAIRMAN ALCANTAR: Good morning, everyone. We're
10 back in session. Mr. Jones, has anyone signed up for public
11 comment?

12 MR. JONES: Good morning, Mr. Chairman and
13 Commissioners. My -- Paul Jones for the record, General
14 Counsel. Paul Jones. We have Lance Foss representing
15 himself today.

16 CHAIRMAN ALCANTAR: Morning, Mr. Foss. Morning.

17 MR. FOSS: Morning.

18 CHAIRMAN ALCANTAR: Can you identify yourself for
19 the record, Sir.

20 MR. FOSS: Lance Foss, 1409 Oday Road, Pearland,
21 Texas. I made a records request and it was for the Board
22 composition for the 28 Workforce Development Boards. And I
23 was told that was not available. And then I was told that
24 there would be -- that -- that I would check the website and
25 make into 28 contacts and so on and so forth.

1 And I brought up the point that it's information
2 the Tex -- Texas Workforce Commission should have already
3 with no additional effort. And it should be of compelling
4 interest to you all. And I've actually heard the
5 nominations being made. Then I got a follow up like 20 days
6 later or however long it was. I did this beginning of the
7 month I think.

8 And then I was told that there was effort involved
9 and I would pay for the effort to find out who they were and
10 that would equal \$18. And I said there shouldn't be any
11 effort but \$18 is okay. I'll pay it.

12 I found out this morning that indeed you do
13 nominate -- I didn't officially go to the records yet. But
14 prior I found out from Counsel that the records are here and
15 you do nominate them. And you're going to give me who
16 you've nominated and th -- that wasn't my entire
17 understanding at all. So it kind of goes to the truth
18 telling part that I find constantly in Workforce Solutions
19 for instance, in -- in some of my dealings with the
20 Commission. It -- it's never on the square.

21 So my issue now with the nominations, I think, I
22 might get later th -- today is that are these -- whoever I
23 get -- are they the people actually functioning on the Board
24 actively or this just a giant list of people that have
25 nominated, maybe not accepted, maybe not active, whatever?

1 And this isn't what I wanted to speak to. But too
2 often I come and the -- there are other issues that are
3 actually more important than what I came for. Through
4 protesting outside, for a full day today out there before,
5 you know, about 6:30, I -- I see the comings and goings and,
6 you know, when work begins and work ends and so on. And --
7 and, you know, we judge and administer people that I submit
8 in an able manner with sometimes no understanding of -- of,
9 you know, their function or, you know, what -- I can go on.
10 Anyway, it's biblical. I don't have to tell you that or
11 spend a lot time on it.

12 I understand today the guards are, you know,
13 they're not going to be with us in 2016. I guess another
14 company wi -- won the bid. But no one of their -- none of
15 them told me that directly. I overheard it. But any hows,
16 I'll miss them. I think they're a great bunch --
17 AlliedBarton. Great guys. And I hope nothing happens with
18 their employment. This is just, you know -- it's -- it's a
19 flushing.

20 Okay. So the telephone book, if you could take a
21 checkbook and you put it over one of the columns of the
22 checkbook, it covers about -- in this phonebook about 23
23 names.

24 CHAIRMAN ALCANTAR: Mr. Foss, about four minutes.
25 If you could wrap up in another minute, that'd be great.

1 MR. FOSS: Thank you. Anyway, it covers 23 names.
2 One of those ten people -- or two of the names underneath
3 this checkbook will lose their job this year. They would --
4 would've lost their job the last 10 years -- one out of
5 every 10 people. And part of what I'll do in the new year
6 is, you know, do some academic-type papers.

7 All right. Well, anyway, I'll go real quick. And
8 I can't read the whole thing because I don't have enough
9 time. But anyway, let January 2016 be the month that we as
10 individuals physically make every move to see that each
11 neighbor, every U.S.A. citizen, stranger, every U.S.A.
12 citizen period that needs and wants to earn a living in the
13 form of a paycheck is successfully connected with reliable
14 and sustainable str -- stream of income.

15 And what I -- and I say physically because there's
16 actions involved, there's advocacy involved and there's
17 getting involved, not administering -- clerically
18 administering -- I -- I, you know, I know all about the
19 computer and management and clerical, believe me -- not
20 clerically administering a database. Yes, people will get
21 hired. I think it's going to happen, but taking credit for
22 it, not so much.

23 And -- and as quick as I can, I thank you for
24 indulging me. Your citizenship effort, frustration, agony,
25 and level of awareness will be such if you even get close to

1 doing what I submitted to do in January and the rest of the
2 year that we may become U.S.A. sanctric [sic] patriots
3 ourselves and our country and our institutions because, you
4 know, we're involved. Thank you, and I'm sorry I went over.

5 CHAIRMAN ALCANTAR: Thank you, Mr. Foss.

6 AGENDA ITEM NO. 7

7 CHAIRMAN ALCANTAR: Item 7. Discussion,
8 Consideration and Possible Action Regarding Acceptance of
9 Pledges for Board Contract Year 2015 Child Care Matching
10 Funds, Reagan Miller. Good morning, Reagan.

11 MS. MILLER: Good morning, Chairman and
12 Commissioners. The Gulf Coast Board has requested an
13 increase to one of the Board's BCY 2015 local child care
14 match agreements previously accepted by the Commission as a
15 result of one contributor being unable to certify expenses
16 for their original amount.

17 Staff requests the Commission approval for
18 acceptance of certifications, donations, or transfers
19 totaling 11,000. The Workforce Board will remain fully
20 matched as a role -- result of these amendments as well as
21 -- as the State.

22 CHAIRMAN ALCANTAR: Commissioner Congleton?

23 COMM. CONGLETON: Move we accept the amendment to
24 the Board Contract Year 2015 child care matching funds in
25 the amount of 11,000 as discussed by staff.

1 COMM. HUGHS: And I second the motion.

2 CHAIRMAN ALCANTAR: It is unanimous.

3 MS. MILLER: Thank you.

4 AGENDA ITEM NO. 8

5 CHAIRMAN ALCANTAR: Item 8. We have no
6 information with 8.

7 AGENDA ITEM NO. 9

8 CHAIRMAN ALCANTAR: I -- Item 9. Discussion,
9 Consideration and Possible Action Regarding Submission of
10 the Federal Fiscal Year 2016 SNAP Plan to the U.S.
11 Department of Agriculture. Jason, good morning.

12 MR. VADEN: Good morning, Commissioners. Jason
13 Vaden, Workforce Division. For your consideration today is
14 an amendment to the Supplemental Nutrition and Assistance
15 Plan -- Employment and Training Plan for Federal Fiscal Year
16 2016. The plan is being amended to reflect the abled-bodied
17 adults without dependents allocation that Texas in received
18 in the amount of \$8,992,806. This brings the total SNAP E&T
19 budget for Fiscal Year 2016 to over 26.7 million.

20 Staff have also taken the opportunity to make a
21 few minor modifications to the body of the plan based on
22 recent discussions with the U.S. Department of Agriculture's
23 Food and Nutrition Service staff. This morning staff
24 requests your approval to submit the amended SNAP E&T Plan
25 for Federal Fiscal Year 2016 to the U.S. Department of

1 Agriculture. I'll be happy to answer any questions if you
2 have any.

3 CHAIRMAN ALCANTAR: Commissioner Congleton?

4 COMM. CONGLETON: Move we approve the discussed
5 amendments to the Federal Fiscal Year 2016 SNAP Employment
6 and Training State Plan.

7 COMM. HUGHS: I second the motion.

8 CHAIRMAN ALCANTAR: It is unanimous.

9 AGENDA ITEM NO. 10.

10 CHAIRMAN ALCANTAR: Item 10. Discussion,
11 Consideration and Possible Action Regarding Submission of
12 Adult Education and Literacy End-of-Year Report to the
13 Office of Career, Technical Education. Carrie, good
14 morning.

15 MS. TUPA: Good morning, Chairman, Commissioners.
16 For the record, Carrie Tupa, Adult Education and Literacy.
17 I bring before you today discussion, consideration, and
18 possible action regarding the annual narrative report for
19 the Title II Adult Education State Administered Grant
20 Program. The required annual report is due to the
21 Department of Education on December 31st and includes
22 information on the first grant awards under TWC and the
23 associated start up of these new contracts.

24 Required response to section on state leadership
25 funds describes the considerable work we've done to expand

1 career pathway models across the State and build capacity
2 for required activities under the Workforce Innovation and
3 Opportunity Act.

4 In the performance data analysis, we discuss the
5 accountability structure to TWC, holding programs
6 considerably more accountable for their grant performance
7 than they have previously been, and considerable system
8 improvements we're making to support student retention and
9 success as well as enrollments in career pathways and
10 transitions programs.

11 Finally, we highlight our strong system
12 integration across Boards, Board services, colleges, and
13 employers. We ask for approval of this report and the
14 ability to make nonsubstantant [sic] edits for submission to
15 the Department of Education. I'll be happy to answer any
16 questions.

17 CHAIRMAN ALCANTAR: Commissioner Congleton?

18 COMM. CONGLETON: Move that we approve the Adult
19 Education and Literacy End-of-the-Year Report for submission
20 to the Office of Career, Technical and Adult Education.

21 COMM. HUGHS: And I second the motion.

22 CHAIRMAN ALCANTAR: It is unanimous.

23 AGENDA ITEM NO. 11

24 CHAIRMAN ALCANTAR: Item 11. Discussion,
25 Consideration and Possible Action Regarding Adult Education

1 and Literacy State Leadership Funds, Carrie.

2 MS. TUPA: Again, for the record, Carrie Tupa,
3 Adult Education and Literacy. Today I bring before you the
4 discussion, consideration and possible action regarding uses
5 of current reserve of State Leadership Funds. These funds
6 must be used for the purpose of Adult Education and Family
7 Literacy Act services. Staff recommend four projects for
8 the use of these funds.

9 The first would be a project to use \$120,000 to
10 expand the learning management system purchased last year to
11 provide additional seats to adult education and literacy
12 staff to participate in online professional development.

13 The second project would utilize \$200,000 for the
14 purpose of expanding Adult Education and Literacy services
15 and integration with the State's public library system.

16 The third project would use \$200,000 for the
17 purpose of providing access to One-Star Texas Connector, a
18 robust portal connecting individuals to hundreds of supports
19 -- supportive services through an interface customized for
20 adult education. Additionally, these funds would support
21 the engagement of the AmeriCorps VISTA program providing
22 grantees access to a volunteer to support them in expanding
23 service delivery and building outreach and recruitment
24 strategies.

25 Finally, the fourth project would use \$2.7 million

1 to fund a career pathway navigation position for each adult
2 education and literacy grantee to support students in the
3 transition into and through career pathway programs and into
4 training. This Item is up for approval. And I'll be happy
5 to answer any questions.

6 CHAIRMAN ALCANTAR: Commissioner Congleton?

7 COMM. CONGLETON: Move that we dedicate 3,220,000
8 in Adult Ed. and Literacy State Leadership Funds for the
9 four projects we've just discussed.

10 COMM. HUGHS: And I second the motion.

11 CHAIRMAN ALCANTAR: All right, it is unanimous.
12 Thank you, Carrie, for working on that.

13 MS. TUPA: Thank you.

14 AGENDA ITEM NO. 12

15 CHAIRMAN ALCANTAR: Item 12. There is no -- there
16 aren't no local Board nominees.

17 AGENDA ITEM NO. 13

18 CHAIRMAN ALCANTAR: Item 13. Discussion,
19 Consideration and Possible Action Regarding Enacted,
20 Proposed Federal or State Legislation, Michael.

21 MR. BRITT: Good morning Mr. Chairman and
22 Commissioners. For the record, Michael Britt, Governmental
23 Relations. On Friday, the President signed H.R. 2029 which
24 was the consolidated Appropriations Act of 2016. This
25 measure will fund the federal government through the end of

1 the Fiscal Year. The measure also restores the Governor's
2 Statewide Activity Fund up to 15 percent and extends the
3 Temporary Assistance for Needy Families program through
4 September 30th of 2016.

5 The legislation further extended expiring tax
6 provisions including the Work Opportunity Tax Credit. Under
7 this legislation, the Work Opportunity Tax Credit will be
8 extended until December 31st of 2019, and will also now
9 apply to qualified long-term unemployed individuals which is
10 defined as those unemployed for at least 27 weeks.

11 Congress has recessed for the remainder of the
12 year. The U.S. House is scheduled to return on January the
13 5th and the Senate will -- is scheduled to return on January
14 11th. This concludes my remarks. I'll be happy to answer
15 any questions.

16 CHAIRMAN ALCANTAR: We have no questions. Thank
17 you, Michael.

18 AGENDA ITEM NO. 14

19 CHAIRMAN ALCANTAR: Item 14. Report and Update by
20 the Executive Director, Larry.

21 MR. TEMPLE: Mr. Chairman, Commissioners, other
22 than I wanted to thank staff for a great year and wishing
23 everyone a merry Christmas, happy New Year and a safe
24 holiday. And be ready, we've got a wild ride ahead of us
25 when we get back getting ready for the transition, so.

1 CHAIRMAN ALCANTAR: Commissioners?

2 COMM. CONGLETON: I would just like to say that
3 this is my last Commission Meeting. I'm retiring in
4 December -- December 31st. It's been a pleasure working
5 with all of you. I hate to lay the shock on you, but I know
6 you'd want to have a big party and I didn't want to have one
7 so I waited. And it's -- it's -- it's -- it's -- it's been
8 a great 12 years and three months.

9 And I want to thank each and every one of you.
10 And all the people in whatever building that work for TWC,
11 you help Texans so I will be eternally grateful for al --
12 always for that. And to my fellow Commissioners, it's been
13 a grand experience. Thank you very much.

14 CHAIRMAN ALCANTAR: It's been an honor,
15 Commissioner, serving with you.

16 COMM. CONGLETON: Thank you.

17 CHAIRMAN ALCANTAR: Do we have a motion to
18 adjourn?

19 COMM. CONGLETON: So made.

20 (Applause)

21 COMM. HUGHS: I second the motion.

22 (Adjourned at 9:46 a.m.)

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C E R T I F I C A T E

STATE OF TEXAS)

COUNTY OF TRAVIS)

I, Kimberly C. McCright, Certified Vendor and Notary in and for the State of Texas, do hereby certify that the above-mentioned matter occurred as hereinbefore set out.

I FURTHER CERTIFY THAT the proceedings of such were reported by me or under my supervision, later reduced to typewritten form under my supervision and control and that the foregoing pages are a full, true and correct transcription of the original notes.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 30th day of December, 2015.

/s/ Kimberly C. McCright
Kimberly C. McCright
Certified Vendor and Notary Public

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