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

2 TUESDAY, JULY 14, 2015

3 (9:00 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 Dockets 26, 26a, 27, 27a, 28 and
19 28a.

20 No discussion.

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 Dockets
25 26, 26a, 27, 27a, 28 and 28a.

1 Commissioners. For the record, Randy Townsend, Chief
2 Financial Officer.

3 I'm presenting this morning the updated
4 projection for October 1, 2015 regarding our
5 unemployment trust fund balance.

6 We're expecting on October 1, 2015 that
7 our trust fund balance will be 1,678,000,000. That
8 would put the balance, taking into account the
9 outstanding bonds, just a little above the floor -- less
10 than 100 million above the floor at this point -- on
11 October 1st.

12 Let me share with you some recent trends
13 for the trust fund. The last six weeks on benefits
14 paid, which averaged 57 million per week, was up 34.6
15 percent from the one year-ago average.

16 The initial claims which averaged just
17 16,664 for the last six weeks -- this is information as
18 of June 27th -- was up 3.6 percent. That's a little
19 better trend than what we had seen the last time we
20 reported.

21 Continued claims averaged 166,082 for the
22 six weeks ending June 27th, and that was up 15 percent
23 from the one year-ago average. Commissioners, that
24 concludes my presentation on the trust fund projection.
25 If you have any questions or comments...

1 CHAIRMAN ALCANTAR: Commissioner

2 Congleton, do you have any questions?

3 COMM. CONGLETON: No questions.

4 CHAIRMAN ALCANTAR: Thank you, Randy.

5 AGENDA ITEM NO. 8

6 CHAIRMAN ALCANTAR: Item 8, Discussion,
7 Consideration and Possible Action Regarding Fiscal Year
8 2016 Itemized Operating Budget.

9 Do we have anything on that one, Randy?

10 MR. TOWNSEND: No, sir.

11 AGENDA ITEM NO. 9

12 CHAIRMAN ALCANTAR: Item 9. Discussion,
13 Consideration and Possible Action Regarding Program Year
14 2015 Local Board Allocations, Randy Townsend.

15 MR. TOWNSEND: Again, Chairman,
16 Commissioners, for the record, Randy Townsend, Chief
17 Financial Officer.

18 Commissioners, we had presented for your
19 consideration a few weeks now the allocations for the
20 Adult Education and Literacy.

21 Those allocation amounts by local
22 workforce area were the right amounts. What we
23 discovered after receiving a question that within -- we
24 have four areas that receive -- they have multiple grant
25 recipients for those areas.

1 We had identified a problem with our --
2 with -- actually, with our spreadsheet formulas
3 unfortunately. I apologize for that. We corrected
4 those amounts within those local workforce areas.

5 The allocations are unaffected, but the
6 grant recipient amounts, which are the basis for the
7 contracts, have been corrected, and that page is
8 included in your agenda item this morning for your
9 consideration.

10 CHAIRMAN ALCANTAR: Commissioner
11 Congleton.

12 COMM. CONGLETON: I move that we approve
13 the modified Program Year 2015 allocations for Adult
14 Education and Literacy.

15 CHAIRMAN ALCANTAR: I second. Thank you,
16 Randy.

17 MR. TOWNSEND: Thank you, Commissioners.

18 AGENDA ITEM NO. 10

19 CHAIRMAN ALCANTAR: Item 10. Discussion,
20 Consideration and Possible Action Regarding Performance
21 Targets.

22 We have no update.

23 AGENDA ITEM NO. 11

24 CHAIRMAN ALCANTAR: Item 11, there is no
25 update on the WIOA implementation.

1 AGENDA ITEM NO. 12

2 CHAIRMAN ALCANTAR: Item 12. Discussion,
3 Consideration and Possible Action Regarding Approval of
4 Local Board Nominees, John Fuller.

5 MR. FULLER: Good morning, Mr. Chairman,
6 Commissioner. For the record, John Fuller, Workforce
7 Development.

8 Commissioners, before you today we have
9 nominations from two areas, Texoma Workforce Development
10 Board and the Upper Rio Grande Workforce Development
11 Board for your consideration.

12 CHAIRMAN ALCANTAR: Commissioner
13 Congleton.

14 COMM. CONGLETON: I move that we approve
15 the nominees from Texoma and Upper Rio as stated.

16 CHAIRMAN ALCANTAR: I second.

17 MR. FULLER: I also wanted to let you know
18 that I will be bringing back additional nominees the
19 21st for your consideration.

20 CHAIRMAN ALCANTAR: All righty. And,
21 John, do we have any outstanding issues in terms of
22 Board nominees relative to compliance or anything during
23 this period?

24 MR. FULLER: Yes, we do, sir. We do have
25 a Board that does have a compliance issue based on

1 delays we have here today.

2 CHAIRMAN ALCANTAR: And I would move that
3 staff work with General Counsel to make sure that we
4 defer any -- and waive any possible or potential
5 sanctions relative to this issue in front of us.

6 Commissioner, would you agree with that?

7 COMM. CONGLETON: What did you --

8 CHAIRMAN ALCANTAR: We have a Board that
9 may be out of compliance because we're not ready to move
10 on a couple of their nominees.

11 So rather than impose a potential sanction
12 through no fault of their own that we defer that action
13 since it's based on our inability to move forward on
14 that at this point in time.

15 COMM. CONGLETON: I'll agree with the
16 deferment.

17 CHAIRMAN ALCANTAR: All right. Thank you,
18 sir.

19 MR. FULLER: Thank you, sir.

20 AGENDA ITEM NO. 13

21 CHAIRMAN ALCANTAR: Item 13, we have no
22 legislative update.

23 AGENDA ITEM NO. 14

24 CHAIRMAN ALCANTAR: Item 14, Report and
25 Update by the Executive Director. Ed, what do you have

1 for us this morning?

2 MR. SERNA: Good morning, Mr. Chairman,
3 Commissioner Congleton. For the record, my name is Ed
4 Serna, Deputy Executive Director.

5 Just one quick thing. We're meeting with
6 the members of HHSC and DARS transition teams today to
7 begin our transition planning for the overall move of
8 the Vocational Rehab and the Adult Blind Services and
9 Criss Cole School.

10 Originally, that had been put on hold at
11 the request of HHSC until the fall, but they reached out
12 to us and said, "We'd like to meet sooner and begin
13 planning."

14 So we're going to actually start that
15 process today. Courtney Arbour, Randy Townsend and
16 myself will be meeting with members of the HHSC and DARS
17 transition, team and that's all I have to report.

18 CHAIRMAN ALCANTAR: Well, that's certainly
19 encouraging and I really appreciate their willingness to
20 help us in that regard.

21 Item -- and that concludes your
22 comments -- right -- Ed?

23 MR. SERNA: Yes, sir.

24 CHAIRMAN ALCANTAR: All right. Thank you.

25

1 AGENDA ITEM NO. 15

2 CHAIRMAN ALCANTAR: The Commissioners will
3 be going into Executive Session pursuant to Government
4 Code 551.071(1) to discuss pending litigation regarding
5 Marilou Morrison v. TWC.

6 (Recess: 9:07 a.m. to 9:41 a.m.)

7 RECONVENING OF OPEN SESSION

8 AGENDA ITEM NO. 17

9 CHAIRMAN ALCANTAR: It is 9:41. We are
10 back from Executive Session.

11 Is there a motion to adjourn?

12 COMM. CONGLETON: So made.

13 CHAIRMAN ALCANTAR: We are adjourned.

14 Thank you.

15 (Proceedings concluded at 9:42 a.m.)

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