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

2 TUESDAY, JULY 21, 2015

3 (9:04 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, 28a,  
19 29 and 29a.

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, 28a, 29 and 29a.

1 No discussion.

2 AGENDA ITEM NO. 5

3 Discussion, consideration and possible  
4 action regarding higher level appeals in unemployment  
5 compensation cases listed on the Texas Workforce  
6 Commission Dockets 26, 26a, 27, 27a, 28, 28a, 29 and  
7 29a.

8 No discussion.

9 (Off the record: 9:04 a.m. to 9:05 a.m.)

10 AGENDA ITEM NO. 6

11 CHAIRMAN ALCANTAR: Item 6, Public  
12 Comment. Mr. Jones, has anyone signed up for public  
13 comment?

14 MR. JONES: No public comment,  
15 Mr. Chairman.

16 CHAIRMAN ALCANTAR: Thank you.

17 AGENDA ITEM NO. 7

18 CHAIRMAN ALCANTAR: Item 7, discussion and  
19 consideration regarding our operating budget. We have  
20 no update there.

21 AGENDA ITEM NO. 8

22 CHAIRMAN ALCANTAR: Item 8, there is no  
23 update on the allocation --

24 STAR AWARD PRESENTATION

25 CHAIRMAN ALCANTAR: -- so we get to the

1 Star Awards this morning, Susanna Holt.

2 Good morning.

3 MS. CUTRONE: Good morning, Chairman.

4 Good morning, Commissioner Congleton.

5 Today we have the privilege of presenting  
6 three individual Star Award winners to you.

7 The first is Sylvia McPherson from Human  
8 Resources Management. On December 3, 2014 Sylvia  
9 notified her management that the Governor's Executive  
10 Order requiring state agencies to use E-Verify had been  
11 signed and was effective immediately.

12 Sylvia took the lead in implementing the  
13 order statewide, and within six days of the issuance of  
14 the order an MOU was signed and across the state in all  
15 of our Workforce Board areas and UI tax offices and  
16 tele-centers 42 users had been trained and were granted  
17 access to use the E-Verify system.

18 Sylvia acted with initiative in  
19 implementing the requirements of the order which is now  
20 in state statute. With her leadership TWC was able to  
21 utilize the E-Verify system statewide, and on the first  
22 new employee orientation after the order was issued we  
23 were up and running.

24 Since that time over 150 new-hires have  
25 been processed without incident by TWC using the

1 E-Verify system.

2                   This project is only one example of  
3 Sylvia's contributions to the agency illustrating her  
4 dedication and outstanding project management.

5                   It is a privilege to work with Sylvia and  
6 I am proud to recognize her for this Star Award. For  
7 exceptional -- for her exceptional customer service  
8 Sylvia was nominated by Ron Murray.

9                   CHAIRMAN ALCANTAR: Sylvia, if you would  
10 stand, please.

11                   (Applause)

12                   CHAIRMAN ALCANTAR: Thank you for all you  
13 do, Sylvia.

14                   MS. CUTRONE: Our next two Star Award  
15 winners will be presented by their division directors.

16                   CHAIRMAN ALCANTAR: Thank you, Susanna.

17                   MS. CUTRONE: Randy.

18                   MR. TOWNSEND: Good morning, Chairman and  
19 Commissioner, Mr. Temple.

20                   This morning I'm introducing to you Tim  
21 Urbanovsky. Tim has been nominated by another division  
22 which is especially pleasing to me.

23                   Reagan Miller has nominated Tim for this  
24 individual Star Award. I normally don't like reading to  
25 you from here, but Reagan's words were so spot on about

1 all the hard work and dedication of Tim. I just thought  
2 it was very appropriate to read this.

3 (As read) Tim Urbanovsky provides all  
4 areas of the Workforce Division with financial  
5 information to support the oversight and management of  
6 Workforce programs.

7 He is known for his willingness to provide  
8 assistance and trouble-shoot financial issues with staff  
9 throughout the division.

10 Often he is not responsible for the area  
11 of expertise in question; however, he takes the time to  
12 talk through the issues and reach solutions for the  
13 benefit of the agency.

14 Tim is able to analyze complex financial  
15 information and present it in ways that allow Workforce  
16 staff to clearly understand it. He is able to  
17 anticipate customers' needs, provide intricate  
18 information in a manner that not only addresses  
19 information that Workforce is interested in reviewing  
20 but often exceeds expectations and illustrates trends  
21 and data in a manner that hadn't been envisioned.

22 Tim excels in his ability to develop  
23 graphs and charts which combine several different data  
24 points. These visual depictions simplify the analysis  
25 and contribute to Workforce ability to effectively



1 Unemployment Insurance Division Director.

2                   Commissioners, Mr. Temple, I have the last  
3 one.

4                   Scott Melton is receiving a Star Award  
5 today. He is an experienced and dedicated Appeals  
6 Business Analyst who consistently provides special acts  
7 and services to promote the agency systems, maintaining  
8 a positive image for TWC.

9                   He seeks and supplies information to  
10 identify customer expectations and needs, then provides  
11 the means to meet those expectations for our internal  
12 and external customers.

13                   Scott researches reports and documents  
14 problems to the appeal developers for all applications.  
15 He is the point of contact for technical appeals  
16 tribunal and Commission appeal issues and is the lead  
17 trainer for both of those applications.

18                   As subject matter expert on those two  
19 applications, Scott is also used for other projects  
20 throughout the agency. He is the lead trainer for the  
21 appeal-related mainframe UI systems and is always very  
22 cooperative, has a great attitude and is willing to take  
23 up more regular assignments outside the norm.

24                   As Randy stated, it's always an honor when  
25 another division nominates someone from your division,

1 which was also the case here.

2 Jimmy Basquez from our IT division from  
3 the AD&M shop actually nominated Scott.

4 So thank you, Jimmy, and Scott as well.  
5 So, with that, thank you again, Scott, for your  
6 professionalism and loyalty, and with that we give you  
7 this individual Star Award today.

8 (Applause)

9 CHAIRMAN ALCANTAR: Congratulations,  
10 Scott. LaSha, if you could stay up here. If we could  
11 have the presenters and the Star Award winners come up  
12 for a picture, that would be great.

13 (Photographs taken)

14 CHAIRMAN ALCANTAR: All right. Thank you,  
15 and congratulations again to all the award winners.

16 AGENDA ITEM NO. 9

17 CHAIRMAN ALCANTAR: Item 9, Discussion,  
18 Consideration and Possible Action Regarding Program Year  
19 2015 Adult Education and Literacy Grantee Performance  
20 Targets.

21 Good morning, David.

22 MR. JOHNSON: (Mic off) Greetings,  
23 Mr. Chairman, Commissioner Congleton. For the record,  
24 my name is David Johnson with Operational -- (Mic on)  
25 Oh, there we go. Okay.

1                   Greetings, Mr. Chairman, and Commissioner  
2 Congleton. For the record, David Johnson with  
3 Operational Insight. On July 14th the Commission voted  
4 to modify the funding amounts assigned to 11 of the AEL  
5 grantees.

6                   Since the targets are primarily based on  
7 the funding, revised funding means revised targets. The  
8 target methodology itself has not changed since the  
9 original targets were approved on June 9th.

10                  In addition to the target adjustments  
11 required by the funding revisions Staff are also  
12 requesting that the Commission modify the PY15  
13 transitions-based targets for Community Action,  
14 Incorporated.

15                  The transition-based targets -- the  
16 transition-based target is based in part on the ratio of  
17 PY14 customers served and transition targets. The PY14  
18 transition targets were lower for community action which  
19 means that PY15 the target moves from being based on a  
20 5.9 percent ratio to a 5 percent ratio.

21                  As such, the PY15 transitions-based target  
22 needs to be changed from 159 to 134. The only other  
23 thing to note here is that these are still just based  
24 targets. The targets will be finalized when the PY14  
25 year-end data is available later this year.

1                   That concludes my remarks. I'm happy to  
2 answer any questions you might have.

3                   CHAIRMAN ALCANTAR: Commissioner  
4 Congleton.

5                   COMM. CONGLETON: (Mic off) I have no  
6 questions. I move we approve the modified Program Year  
7 2015 Adult Education and Literacy based targets as  
8 discussed.

9                   CHAIRMAN ALCANTAR: Thank you, David.

10                  MR. JOHNSON: Thank you.

11                  AGENDA ITEM NO. 10

12                  CHAIRMAN ALCANTAR: Item 10, Discussion,  
13 Consideration and Possible Action Regarding Negotiating  
14 Targets.

15                  There is no update there.

16                  AGENDA ITEM NO. 11

17                  CHAIRMAN ALCANTAR: Item 11. Discussion,  
18 Consideration and Possible Action Regarding Creation of  
19 the Advisory Committee for Purchasing From People With  
20 Disabilities Program as Required under Senate Bill 212,  
21 Ed Serna.

22                  Good morning, Ed.

23                  MR. SERNA: Good morning, Mr. Chairman,  
24 Commissioner Congleton, Mr. Temple. For the record, my  
25 name is Ed Serna and I'm the Deputy Executive Director

1 of the Texas Workforce Commission.

2                   This last legislative session passed  
3 Senate Bill 212 which abolished the Texas Council on  
4 purchasing from people with disabilities and transferred  
5 all the functions of the council as well as the  
6 operation of that program to the Texas Workforce  
7 Commission.

8                   In addition, Senate Bill 212 mandated the  
9 creation of an Advisory Council to assist TWC in  
10 establishing performance measures and certifying CRPs  
11 and then performing some other functions in support of  
12 TWC's role in running the state use program, purchasing  
13 from people with disabilities.

14                   The Advisory Committee will be composed of  
15 13 members: The Executive Commissioner from the Health  
16 and Human Services Commission, four members that are  
17 active CRPs -- Community Rehabilitation Programs -- four  
18 members that represent advocacy organizations for  
19 disabled and four disabled individuals, two of which are  
20 employees of CRPs.

21                   We're before you today to seek approval to  
22 post a process for collecting applications for  
23 membership on that advisory committee. If approved we  
24 will post the application instructions on our website.

25                   We'll issue a press release to try to get

1 the word out that we're looking for members of the  
2 advisory committee, and we'll also reach out to those  
3 groups that we know of that have already expressed an  
4 interest, both the advocates and, of course, all the  
5 CRPs that currently serve under that program.

6 CHAIRMAN ALCANTAR: Great. Thank you, Ed.  
7 Commissioner Congleton.

8 COMM. CONGLETON: I move that we begin the  
9 process of establishing the advisory committee on  
10 purchasing from people with disabilities as required by  
11 the Human Resources code.

12 Staff should notify the public and seek  
13 applications as discussed.

14 CHAIRMAN ALCANTAR: I second. Thank you  
15 for all your hard work there, Ed.

16 MR. SERNA: Thank you, sir.

17 AGENDA ITEM NO. 12

18 CHAIRMAN ALCANTAR: Item 12, we have no  
19 update on WIOA.

20 AGENDA ITEM NO. 13

21 CHAIRMAN ALCANTAR: Item 13, Discussion,  
22 Consideration and Possible Action Regarding Approval of  
23 Local Board Nominees, John Fuller.

24 Good morning, John.

25 MR. FULLER: Good morning, Chairman

1 Alcantar, Commissioner Congleton, Mr. Temple.

2 For the record, John Fuller, Workforce  
3 Development Division.

4 Commissioners, before you today you have  
5 nominations from Cameron County and Central Texas for  
6 your consideration.

7 CHAIRMAN ALCANTAR: And both of these  
8 Boards have upcoming meetings.

9 Correct?

10 MR. FULLER: Yes, sir.

11 CHAIRMAN ALCANTAR: All right. Thank you.  
12 Commissioner Congleton?

13 COMM. CONGLETON: I move that we approve  
14 the Board nominees from Cameron County and Central  
15 Texas.

16 CHAIRMAN ALCANTAR: I second. Thank you,  
17 John. I appreciate your hard work onto this.

18 MR. FULLER: Thank you.

19 AGENDA ITEM NO. 14

20 CHAIRMAN ALCANTAR: Item 14, there is no  
21 legislative update.

22 AGENDA ITEM NO. 15

23 CHAIRMAN ALCANTAR: Item 15, Report and  
24 Update from the Executive Director.

25 Good morning, Larry. What do you have for

1 us?

2 MR. TEMPLE: Good morning. Nothing, sir.  
3 We're just working hard on the transition. As you know,  
4 the HHSC folks are fully engaged now. So all the  
5 transition teams are working really hard with each  
6 other.

7 CHAIRMAN ALCANTAR: Are you saying that we  
8 do have our first public meeting today?

9 MR. TEMPLE: Have our first public meeting  
10 today at the Crisco Center from 4:00 to 7:00. That  
11 meets two criteria: One, the WIOA public hearings that  
12 have to be before we go live in July, and the other, the  
13 Department of Education requires a public meeting  
14 relative to the transition of VR and blind to the  
15 agency.

16 So we will get both of those in these  
17 hearings. This will be the first of seven.

18 CHAIRMAN ALCANTAR: Great. And I'm much  
19 looking forward to the feedback that we get. You know,  
20 we have a lot of work ahead of us with the completion of  
21 another successful session and the additional  
22 responsibilities, one of which we just addressed with  
23 purchasing DARS programs coming over September 1 of next  
24 year, but the additional revisions to core programs and  
25 the need to maintain excellence.

1 I really appreciate all the hard work that  
2 staff is putting in, Larry. I really think that the  
3 effort underway is significant and the professionalism  
4 being exhibited by staff is something that I really  
5 appreciate.

6 MR. TEMPLE: Well, she's not here. She's  
7 on vacation -- well deserved -- but Courtney Arbour  
8 stepped up to take on the lead of coordinating this  
9 transition, and she's done a great job.

10 CHAIRMAN ALCANTAR: I agree. She's doing  
11 a great job with that while still doing the things that  
12 we're doing with career schools and a number of other  
13 things that she's trying to balance, all with the  
14 greatest support of a dedicated staff over in the  
15 Workforce Division. I agree entirely. Thank you.

16 Commissioner Congleton.

17 COMM. CONGLETON: What you said.

18 (Laughter)

19 CHAIRMAN ALCANTAR: All righty. All  
20 right. Thank you, sir.

21 AGENDA ITEM NO. 16

22 CHAIRMAN ALCANTAR: The Commissioners will  
23 be going into Executive Session pursuant to Government  
24 Code 551.071(1) to discuss pending litigation regarding  
25 Marilou Morrison v. TWC.

1 (Recess: 9:20 a.m. to 9:24 a.m.)

2 RECONVENING OF OPEN SESSION

3 CHAIRMAN ALCANTAR: Good morning,  
4 everyone. We are back in session.

5 AGENDA ITEM NO. 18

6 CHAIRMAN ALCANTAR: Do we have a motion to  
7 adjourn?

8 COMM. CONGLETON: So made.

9 CHAIRMAN ALCANTAR: We are adjourned.

10 (Proceedings concluded at 9:24 a.m.)

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