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

2 TUESDAY, MAY 12, 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 Docket 19.

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

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 19.

1                   The Commission considered and took action  
2 on all wage claim cases listed on Docket 19.

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 19.

8                   The Commission considered and took action  
9 on all unemployment compensation cases listed on Docket  
10 19.

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

13                   (Off the record: 9:00 a.m. to 9:35 a.m.)

14                   CHAIRMAN ALCANTAR: Good morning,  
15 everyone.

16                   AGENDA ITEM NO. 6

17                   CHAIRMAN ALCANTAR: Mr. Jones, has anyone  
18 signed up for public comment?

19                   MR. JONES: No public -- no public  
20 comment, Mr. Chairman.

21                   CHAIRMAN ALCANTAR: It was good to ask you  
22 that.

23                   (Laughter)

24                   AGENDA ITEM NO. 7

25                   CHAIRMAN ALCANTAR: Item 7. Discussion,

1 consideration and possible action regarding the  
2 estimated unemployment trust fund balance pursuant to  
3 Texas Labor Code Section 204.061 and the estimated ETIA  
4 holding fund balance, Randy Townsend.

5 Good morning, Randy.

6 MR. TOWNSEND: Good morning, Chairman,  
7 Commissioners. For the record, Randy Townsend, Chief  
8 Financial Officer.

9 I'm presenting this morning the trust  
10 fund -- projected trust fund balance for October 1,  
11 2015. I'll be going over the summary schedule we have  
12 in your notebooks this morning.

13 As you will recall, we started out the  
14 year with 1,875,000,000. We're estimating we'll add  
15 remittances for the year of 2,297,000,000 recognizing  
16 the depository interest at just under 46 million and  
17 then deducting our unemployment benefit payments of  
18 2-billion-281.7-million, the estimate for that.

19 That would leave us a trust fund cash  
20 balance on October 1, 2015 of 1,936,000,000. Taking  
21 into account the obligation assessment balance, the  
22 amount we would owe on our bonds at that date, we would  
23 have a net position for the trust fund of  
24 1-billion-392 -- oh, let's call it 1,393,000,000 on  
25 October 1st of 2015.

1                   The trust fund floor amount that is 1  
2 percent of taxable wages, we're estimating that that  
3 number will be 1,058,000,000; therefore, we would be  
4 estimating that the trust fund is above the floor on  
5 October 1st of 2015.

6                   I'll share with you some of the recent  
7 trends. For the trust -- for our unemployment trust  
8 fund, the net benefits paid averaged 48.2 million per  
9 week. That was for the week ending -- six weeks ending  
10 April 25th.

11                   That number was 18 percent higher than the  
12 one year-ago average of 40.7 million. Initial claims  
13 averaged 18,198 for the six weeks ending April 25th.

14                   That number was 19 percent above the one  
15 year-ago average, and continued claims averaged 150,265  
16 for the six weeks again ending April 25th. That number  
17 was 4.4 percent above the one year-ago average.

18                   That concludes my presentation this  
19 morning, Commissioners. Do you have any questions or  
20 comments?

21                   CHAIRMAN ALCANTAR: Do we have any  
22 questions for Randy?

23                   COMM. CONGLETON: No questions.

24                   CHAIRMAN ALCANTAR: We have no questions,  
25 Randy. Thank you.

1 MR. TOWNSEND: Thank you.

2 AGENDA ITEM NO. 8

3 CHAIRMAN ALCANTAR: Item 8, there's no  
4 update on the LAR.

5 AGENDA ITEM NO. 9

6 CHAIRMAN ALCANTAR: Item 9. Discussion,  
7 consideration and possible action regarding negotiating  
8 Program Year 2015 performance measure targets with the  
9 U.S. Department of Labor, David Johnson.

10 Good morning, David.

11 MR. JOHNSON: Good morning. Greetings,  
12 Mr. Chairman, Commissioners. David Johnson with the  
13 Division of Operational Insight.

14 The item I'm presenting today for your  
15 consideration and possible action regards DOL  
16 performance targets for Program Year 2015.

17 In recognition of the need for states to  
18 focus on WIA planning efforts DOL released TEGL 30-14 on  
19 April 28th. It established that states may request DOL  
20 carry forward the Program Year 2014 performance targets  
21 as 2015 targets and that this request will be  
22 automatically accepted by DOL.

23 Given that Texas has met or exceeded all  
24 of its Program Year 2014 targets, staff recommends  
25 making this request.

1                   That's my presentation, and I'm certainly  
2 happy to answer any questions you might have.

3                   CHAIRMAN ALCANTAR: Commission Congleton.

4                   COMM. CONGLETON: I move that we carry  
5 forward Program Year 2014 targets for WIA and  
6 Wagner-Peyser and approve them as targets for 2015.

7                   COMM. ANDRADE: I second.

8                   CHAIRMAN ALCANTAR: It's unanimous. Thank  
9 you, David.

10                  MR. JOHNSON: Thank you.

11                  AGENDA ITEM NO. 10

12                  CHAIRMAN ALCANTAR: Item 10. Discussion,  
13 consideration and possible action regarding the state  
14 distance leadership learning allocations from state  
15 leadership funds, Anson Green.

16                  Good morning, Anson.

17                  MR. GREEN: Good morning, Chairman,  
18 Commissioners. For the record, Anson Green, Adult  
19 Education and Literacy.

20                  Today we have for discussion,  
21 consideration and possible action allocations for state  
22 distance learning projects out of the Adult Education  
23 and Literacy State Leadership Funding.

24                  On March 31, 2015 the Commission  
25 identified state leadership funds for this purpose.

1 Proposed allocations are made by Board area and then by  
2 provider within the Board area where multiple providers  
3 exist.

4 The allocations include a \$10,000 base per  
5 provider, then a distribution of the balance of funds  
6 based on the relative proportion of PY14 AEL  
7 allocations.

8 This project will include a special  
9 emphasis on courseware and related cost to address the  
10 increased rigor of the GED 2014 Texas Certificate of  
11 High School Equivalency. This item is up for approval  
12 and I'd be happy to answer any questions.

13 CHAIRMAN ALCANTAR: Commissioner  
14 Congleton.

15 COMM. CONGLETON: I move that we  
16 distribute 1.4 million in Adult Ed and Literacy State  
17 Leadership Funds for Program Year -- distance Learning  
18 Expansion as laid out by staff.

19 COMM. ANDRADE: Second.

20 CHAIRMAN ALCANTAR: It's unanimous. Thank  
21 you for the hard work on that, Anson.

22 MR. GREEN: Thank you.

23 AGENDA ITEM NO. 11

24 CHAIRMAN ALCANTAR: Item 11. Discussion,  
25 consideration and possible action regarding

1 recommendations for awards presented at the 2015 TWC  
2 conference, Laurie Biscoe.

3 Good morning, Laurie.

4 MS. BISCOE: Good morning, Mr. Chairman,  
5 and Commissioners. Again, Laurie Biscoe, Workforce  
6 Division.

7 This morning we're presenting  
8 recommendations for the awards to be presented at this  
9 year's annual conference.

10 Staff is recommending the continuation of  
11 the selection and presentation of the employer Board  
12 which will include the child care quality incentive  
13 awards, Board performance incentive and partnership  
14 awards as have been presented in the past.

15 In addition, the Adult Education and  
16 Literacy awards as previously approved will be presented  
17 for the first time this year. New this year staff is  
18 recommending the creation and presentation of a new  
19 award, the Career Awareness Youth Inspiration Award.

20 This award will recognize initiatives  
21 focused on career awareness and exploration for young  
22 people.

23 The award will be based on nominations  
24 submitted by Boards, and we're recommending that the top  
25 three nominations be recognized and received \$100,000

1 thousand per award.

2 Other than the new award and the Adult  
3 Education and Literacy awards, the monetary prizes for  
4 the other awards will be considered during consideration  
5 of the FY2016 operating budget.

6 I'll be glad to answer any questions about  
7 the recommendations that we've presented.

8 CHAIRMAN ALCANTAR: Are there any  
9 questions, Commissioners?

10 Commissioner Congleton.

11 COMM. CONGLETON: Well, I don't have any  
12 questions. I would say that \$100,000 is quite a bit of  
13 money, but I'm willing to do that for a couple of years  
14 to see how it goes.

15 CHAIRMAN ALCANTAR: And I think with the  
16 focus in this area and some of the changes I think --

17 COMM. CONGLETON: I --

18 CHAIRMAN ALCANTAR: -- I think it's very  
19 appropriate. Absolutely.

20 COMM. CONGLETON: And I would move that we  
21 approve the conference awards as recommended by staff.

22 COMM. ANDRADE: I second.

23 CHAIRMAN ALCANTAR: It's unanimous. Thank  
24 you, Laurie. Appreciate the work on that.

25

1 AGENDA ITEM NO. 12

2 CHAIRMAN ALCANTAR: Item 12. Discussion,  
3 consideration and possible action regarding WIOA. We'll  
4 have a work session on that.

5 AGENDA ITEM NO. 13

6 CHAIRMAN ALCANTAR: Item 13. Discussion,  
7 consideration and possible action regarding approval of  
8 local Board nominees, John Fuller.

9 Good morning, John.

10 MR. FULLER: Good morning, Mr. Chairman,  
11 Commissioners, Mr. Temple. For the record, John Fuller,  
12 Workforce Development.

13 Commissioners, before you today and for  
14 your consideration you have nominees from Cameron  
15 County, Gulf Coast, Permian Basin, Rural Capital, Texoma  
16 and Upper Rio.

17 CHAIRMAN ALCANTAR: Commissioner  
18 Congleton.

19 COMM. CONGLETON: I move that we approve  
20 the Board nominees from Cameron, Gulf Coast, Permian  
21 Basin, Rural Capital, Texoma and Upper Rio Grande.

22 COMM. ANDRADE: Second.

23 CHAIRMAN ALCANTAR: It's unanimous. Thank  
24 you, John. I appreciate it.

25 MR. FULLER: Thank you.

1 AGENDA ITEM NO. 14

2 CHAIRMAN ALCANTAR: Item 14. Discussion  
3 and consideration regarding possible action on  
4 legislative proposals by TWC to the 84th Legislature.

5 Do we have an update on this one, Tom?

6 MR. McCARTY: No update on Item 14.

7 AGENDA ITEM NO. 15

8 CHAIRMAN ALCANTAR: Item 15, then.  
9 Discussion, consideration and possible action regarding  
10 enacted, proposed or considered state or federal  
11 legislation, Tom McCarty.

12 MR. McCARTY: Good morning, Chairman  
13 Alcantar, Commissioner Congleton and Commissioner  
14 Andrade. Tom McCarty, External Relations.

15 Congress is in session this week. We've  
16 got two hearings on Thursday, May 14th, at the  
17 congressional level. The first one is at 10:00 a.m.,  
18 the Senate Appropriations Committee hearing on NLRB  
19 funding, and then also the same day at 2:00 p.m. the  
20 House Veterans Affairs Committee will be marking up  
21 pending legislation.

22 Starting today in the Senate they're going  
23 to have the first procedural votes on the  
24 reauthorization of Trade Adjustment Assistance. That  
25 will start today and some more votes will occur later in

1 the week as well, but that will start -- that will start  
2 the train moving.

3                   At the state level yesterday, the Senate  
4 passed the Sunset bill for the Workforce Commission. It  
5 does have two amendments that were added. One amendment  
6 was by Senator Zaffirini which has a legislative  
7 oversight committee component to the transition, and  
8 then the other amendment was by Senator Campbell which  
9 keeps the independent living appeared disability  
10 determination at DARS and the HHSC enterprise level over  
11 there.

12                   We've got a couple of the deadlines that  
13 are occurring this week. Thursday is going to be the  
14 last day for the House to consider House bills. On the  
15 second reading followed by Friday it will be the last  
16 day that they can do House bills on the third reading.

17                   Next week -- mid week -- we'll see a  
18 deadline hit for any House bills that are on local and  
19 consent calendars. That will be the deadline around  
20 Wednesday, and then after that, on the House side, it  
21 will just be all Senate bills that they'll be able to do  
22 from there.

23                   As far as the agency's initiatives, HB  
24 1658, which is good cause for temporary employees; HB  
25 3685, which is rehabilitative service exception; HB

1 1155, Recruit Texas; HB 2732, the TOPs bill; and 1657,  
2 which is surplus credit rate are all over in the Senate  
3 committee on Natural Resources. So we're working on  
4 getting hearing for those bills right now. That  
5 concludes my remarks and I'm available for any  
6 questions.

7 CHAIRMAN ALCANTAR: Any questions,  
8 Commissioner?

9 COMM. CONGLETON: No.

10 CHAIRMAN ALCANTAR: Thank you for the  
11 update, Tom.

12 MR. McCARTY: Thank you.

13 AGENDA ITEM NO. 16

14 CHAIRMAN ALCANTAR: Item 16, report and  
15 update by the Executive Director. What do you have for  
16 us this morning, Larry?

17 MR. TEMPLE: Nothing really, but I'll let  
18 you know that we will be doubling back with committee  
19 members on the House side and just seeing if there's any  
20 questions they have regarding our Sunset.

21 And if you know of anyone -- any of the  
22 members that you would like to express a concern or an  
23 interest, we'll be glad to follow up with them.

24 CHAIRMAN ALCANTAR: Great. Thank you,  
25 Larry.

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AGENDA ITEM NO. 19

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

COMM. CONGLETON: So made.

COMM. ANDRADE: Second.

CHAIRMAN ALCANTAR: We are adjourned.  
We'll pause for a moment, Larry, to allow staff to come  
up and then we'll start on the work session.

(Proceedings concluded at 9:46 a.m.)

