

TEXAS WORKFORCE COMMISSION
TWC Main Building – Room 244
101 East 15th Street
Austin, Texas 78701-0001

(See Notes section for virtual meeting access instructions.)

COMMISSION MEETING AGENDA
November 7, 2022
1:00 p.m.
Dockets 43, 44, and 45

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

1. Call to Order
2. Public Comment
Les Trobman
3. 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
4. Discussion, Consideration and Possible Action Regarding Tax Liability Cases Listed on the Texas Workforce Commission Dockets 43, 44, and 45 (Cases will be heard on Docket 43. No cases will be heard on Dockets 44 and 45.)
Sherri Miller
5. Discussion, Consideration and Possible Action Regarding Fair Housing Cases Listed on the Texas Workforce Commission Dockets 43, 44, and 45 (No cases will be heard on Dockets 43, 44, and 45.)
Sherri Miller
6. Discussion, Consideration and Possible Action Regarding Higher Level Appeals in Wage Claim Cases Listed on the Texas Workforce Commission Dockets 43, 44, and 45 (Cases will be heard on Dockets 43, 44, and 45.)
Sherri Miller
7. Discussion, Consideration and Possible Action Regarding Higher Level Appeals in Unemployment Compensation Cases Listed on the Texas Workforce Commission Dockets 43, 44, and 45 (Cases will be heard on Dockets 43, 44, and 45.)
Sherri Miller

8. Discussion, Consideration and Possible Action Regarding Adoption of Amendments to 40 Texas Administrative Code (TAC) Chapter 801, Local Workforce Development Boards, to Align Rules with the Workforce Innovation and Opportunity Act, Including Statutorily Required Board Partners; Implement Senate Bill 1, Article VII, Rider 46, 87th Texas Legislature, Regular Session, Relating to Digital Skill Building; and Include Financial Literacy Training (Texas Labor Code, §302.0027); and Review of the Rules in Accordance with Texas Government Code, §2001.039, Previously Published for Public Comment in the September 9, 2022, Issue of the Texas Register (47 TexReg 5458)
Joel Mullins and Dawn Cronin
TAB 8
9. Discussion, Consideration and Possible Action Regarding Adoption of Amendments to 40 TAC Chapter 803, Skills Development Fund (SDF), to Streamline the SDF Grant Proposal and Approval Process and Review of the Rules in Accordance with Texas Government Code, §2001.039, Previously Published for Public Comment in the September 9, 2022, Issue of the Texas Register (47 TexReg 5466)
Yanin Dieppa and Mary York
TAB 9
10. Discussion, Consideration and Possible Action Regarding Adoption of Amendments to 40 TAC Chapter 807, Career Schools and Colleges, to Implement House Bill 33, 87th Texas Legislature, Regular Session; Clarify Language; and Streamline Processes, Previously Published for Public Comment in the July 29, 2022, Issue of the Texas Register (47 TexReg 4455)
Kerry Ballast and Courtney Arbour
TAB 10
11. Discussion, Consideration and Possible Action Regarding Adoption of Amendments to 40 TAC Chapter 821, Texas Payday Rules, to Allow TWC's Labor Law Department to Issue Corrected Determinations and Review of the Rules in Accordance with Texas Government Code, §2001.039, Previously Published for Public Comment in the September 9, 2022, Issue of the Texas Register (47 TexReg 5468)
Misti Stirling and Jason Stalinsky
TAB 11
12. Discussion, Consideration and Possible Action Regarding Approval of Local Workforce Development Board Nominees
Cherie Dudley and Shunta Williams
TAB 12
13. Discussion, Consideration and Possible Action Regarding a 2023 Texas Workforce Commission Reentry Conference
Kristie Caviness and Mary York
TAB 13
14. Discussion, Consideration and Possible Action Regarding Approval of the FY 2023 Internal Audit Plan
Ashley Sagebiel and Luis Solis
TAB 14

15. Discussion, Consideration and Possible Action on BCY23 and BCY24 Local Workforce Development Board Targets
Courtney Arbour and Adam Leonard
TAB 15
16. Discussion, Consideration and Possible Action on Adult Education and Literacy Contracted Measures, PY 2022-2023
Mahalia Baldini and Adam Leonard
TAB 16
17. Discussion, Consideration and Possible Action Regarding Submission of the Apprenticeship Related Instruction Cost Study, Fiscal Years 2020-2021, to the Texas Workforce Investment Council
Kerry Ballast and Desi Holmes
TAB 17
18. Discussion, Consideration and Possible Action Regarding Establishment of a Late Refund Penalty Rate for Career Schools and Colleges
Kerry Ballast and Courtney Arbour
TAB 18
19. Discussion, Consideration and Possible Action Regarding the BCY24 Statewide Parent Share of Cost Methodology for Child Care Services
Allison Wilson and Reagan Miller
TAB 19
20. Discussion, Consideration and Possible Action Regarding Guidance on Resource Utilization and Implementation of Services and Strategies to Target Disaster Relief Efforts and Public Health Emergencies
—An Amendment to the Child Care Provider Cost of Quality Calculator Initiative, Approved on March 8, 2022, in the Discussion Paper on the Sixth Tranche of COVID Stimulus-Funded Child Care Initiatives
Allison Wilson and Reagan Miller
TAB 20
21. Discussion, Consideration and Possible Action Regarding Statewide Initiatives Funded with Workforce Innovation and Opportunity Act (WIOA), Temporary Assistance for Needy Families (TANF), Adult Education and Literacy (AEL), Child Care, or Other State Level Funds
Ed Serna
22. Discussion, Consideration and Possible Action Regarding Guidance on Resource Utilization and Implementation of Services and Strategies to Provide Relief Efforts to Individuals and Employers Affected by the May 24, 2022, Uvalde School Shooting
Ed Serna
23. Discussion, Consideration and Possible Action Regarding Enacted, Proposed, or Considered Federal Regulations, Executive Orders, or Federal or State Enacted or Proposed Legislation
Tom McCarty and Michael Britt

24. Report and Update by the Executive Director and Staff Regarding Administrative Matters, Including Internal Policies and Procedures, Customer and Board Service Issues, Status of Current or Potential Project Assignments, Organizational Matters, and Responsibilities of the Agency's Divisions
Ed Serna

25. THE FOLLOWING MAY BE DISCUSSED IN EXECUTIVE SESSION OR OPEN MEETING AND HAVE ACTION TAKEN IN AN OPEN MEETING:

- a. Government Code Section 551.074(a)(1): The Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of the Executive Director, Internal Auditor, Executive Staff, and other Personnel
- b. Government Code Section 551.071(1): Pending or Contemplated Litigation
- c. Government Code Section 551.071(2): To Consult with Its Attorney Regarding Confidential Legal Matters
- d. Government Code Section 551.076: To Deliberate Regarding Security Devices or Security Audits, Specifically in Relation to (1) the Deployment, or Specific Occasions for Implementation, of Security Personnel or Devices; or (2) a Security Audit
- e. Government Code Section 551.089: To Deliberate Regarding Security Devices or Security Audits, Specifically in Relation to (1) Security Assessments or Deployments Relating to Information Resources Technology; (2) Network Security Information as Described by Section 2059.055(b); or (3) the Deployment, or Specific Occasions for Implementation, of Security Personnel, Critical Infrastructure, or Security Devices

26. The next Commission meeting is set for November 15, 2022, at 9:00 a.m.

27. Adjournment

28. Notes:

The Texas Workforce Commission Meeting may be accessed virtually at the following location. You will need to enter your name and email address to access the meeting.

<https://zoom.us/j/94874083517>

Those wishing to provide public comment virtually should contact Erin Guzman at (512) 936-3671 or erin.guzman@twc.texas.gov before 5:00 p.m. on Friday, November 4, 2022, to obtain a registration form and additional information.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids, services, or special accommodations should contact Conference Planning and Meeting Services at (512) 463-6389 or conferenceplanning@twc.texas.gov at least two (2) working days prior to the meeting, so that appropriate arrangements can be made.

Persons with questions regarding the agenda content should contact Erin Guzman, Office of General Counsel, at (512) 936-3671.