



**MEETING OF THE
TEXAS WORKFORCE COMMISSION**

DATE

JULY 26, 2022

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Tuesday, July 26, 2022

CHAIRMAN DANIEL: Good morning, everyone.

This meeting is called to order. Mr. Trobman, has anyone signed up for public comment?

MR. TROBMAN: No, sir.

CHAIRMAN DANIEL: Thank you very much. Good morning, Ms. Miller.

MS. MILLER: Good morning, sir.

CHAIRMAN DANIEL: The commission stands in recess.

CHAIRMAN DANIEL: All right. We're back. This is Agenda Item 8, proposed amendments to Chapter 815, Unemployment Insurance rules.

MISTI STIRLING: Good morning, Chairman Daniel, Commissioner Alvarez, Commissioner Demerson, and Mr. Serna. For the record, I'm Misti Stirling, director of policy and planning with the Fraud Deterrence and Compliance Monitoring Division. Commissioners, before you today for your consideration and approval are proposed rule amendments to Chapter 815, Unemployment Insurance rules. In an open meeting on April 18, 2022, the commission approved the policy concept regarding the amendments to Chapter 815 rules. These proposed amendments to Chapter 815 would establish administrative rules to implement and interpret Senate Bill 695, which was passed on 2021 by the 87th Texas Legislature Regular Session. SB 695 addresses how

1 notices of assessments are served. With the passage of SB 695
2 TWC can now first attempt service by personal delivery or
3 certified mail, and then by substituted service if the primary
4 attempt is unsuccessful. Substituted service is a manner
5 reasonably calculated to give notice of the assessment. The
6 proposed rules would provide staff with guidance for issuing
7 notices of assessment as well as inform those who may receive
8 them on the ways in which they may be served. The proposed rules
9 interpret who may attempt service, which addresses can be used
10 for service, applicability to overpayments, taxes, penalties,
11 and interest, how they contest service, multiple service
12 attempts, and an unexhaustive list of methods of substituted
13 service. Staff recommends submitting the proposed rule for
14 publication in the Texas Register for a 30-day public comment
15 period. Staff also requests the ability to make minor
16 nonsubstantive changes to the document in order to comply with
17 the publication requirements of the Texas Register and the
18 Office of the Secretary of State. This concludes my
19 presentation. I'm available to answer any questions that you may
20 have.

21 CHAIRMAN DANIEL: Any comments or questions?

22 COMMISSIONER ALVAREZ: None here, chairman.

23 COMMISSIONER DEMERSON: None here.

24 CHAIRMAN DANIEL: Is there a motion?

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1 COMMISSIONER ALVAREZ: Chairman, I move that
2 we approve the proposed new rules for Chapter 815, Collection
3 Action, and post to the Texas Register for a 30-day public
4 comment period.

5 COMMISSIONER DEMERSON: Second.

6 CHAIRMAN DANIEL: It's been moved and
7 seconded and the motion carries.

8 COMMISSIONER DEMERSON: This is Misti's
9 first time?

10 MISTI STIRLING: Yes.

11 COMMISSIONER ALVAREZ: That's why I was
12 going to give her a hard time. I was going to give you a hard
13 time. I thought, OK.

14 CHAIRMAN DANIEL: My apologies,
15 commissioner. I was in a hurry because we took the recess, but
16 if there's additional questions, [inaudible] to ask those right
17 now.

18 COMMISSIONER ALVAREZ: I have a list.
19 [Inaudible] Jason [inaudible]. That's all right.

20 CHAIRMAN DANIEL: Do you think he prepared
21 her adequately for all the questions that she'd be getting?

22 COMMISSIONER DEMERSON: Which division do
23 you work at?

24 MISTI STIRLING: Fraud Deterrence and
25 Compliance Monitoring.

1 COMMISSIONER DEMERSON: Glad to have you
2 here.

3 MISTI STIRLING: Thank you. I appreciate it.

4 CHAIRMAN DANIEL: This is Agenda Item 10A.

5 COMMISSIONER DEMERSON: Mr. Chairman, did
6 you dismiss her?

7 CHAIRMAN DANIEL: My comment on that would
8 be this. When you have the opportunity to exit, take it.

9 COMMISSIONER ALVAREZ: I agree.

10 CHAIRMAN DANIEL: This is Agenda Item 10A,
11 statewide initiatives discussion paper on AEL Pre-Apprenticeship
12 Bridge Program.

13 SANDRA WILLIAMS: Good morning, Chair
14 Daniel, commissioners, Mr. Serna. For the record, Sandra
15 Williams, Workforce Development Division. I am here this morning
16 to present two AEL program discussion papers and lay them out
17 separately for the commission's consideration. The first one is
18 AEL Apprenticeship Bridge Program for IET and Building and
19 Construction trades. This is RFA 32022-00252. As laid out in the
20 discussion paper, this initiative delivers bridge and integrated
21 education and training programs to participate on a career
22 pathway to enter registered apprenticeships in building and
23 construction trades. Texas Labor Code states in Section
24 315.007(d) that the members of the commission must approve an
25 award of any funds under this chapter. The anticipated grant

1 start date is August of 2022. One winner has been recommended
2 for a total award of \$433,800. Staff recommends commission
3 approve this one award totaling \$433,800. The second discussion
4 paper is Family Math Literacy, RFA 32022-00224, which is Family
5 Math Literacy. This assists AEL eligible participants and their
6 families with learning basic math operations and enhancing
7 digital skill building. Texas Labor Code states in Section
8 315.007(d) that members of the commission must approve an award
9 with any funds under this chapter. The anticipated award grant
10 start date is October of 2022, and one winner has been
11 recommended for a total award of \$476,574. Staff recommends
12 commission approval of one award totaling \$476,574. That ends my
13 presentation and I'm happy to answer any questions.

14 CHAIRMAN DANIEL: Comments or questions?

15 COMMISSIONER ALVAREZ: None here, chairman.

16 COMMISSIONER DEMERSON: None.

17 CHAIRMAN DANIEL: Is there a motion?

18 COMMISSIONER ALVAREZ: Chairman, would you
19 like for me to do two separate motions since two discussion
20 papers or I put them both in there?

21 CHAIRMAN DANIEL: You can put them together.

22 COMMISSIONER ALVAREZ: OK. I move that we
23 approve the recommended applicant and issue one grant award
24 totaling \$433,800, for the Pre-Apprenticeship Bridge Program,
25 and the IET for Building and Construction-Related Trades, RFA

1 32022-00252 as recommended by staff. I also move that we approve
2 the recommended applicant and issue one grant award totaling
3 \$476,547 for the Family Math Literacy Initiative, RFA 32022-
4 00224, as recommended by staff.

5 COMMISSIONER DEMERSON: Second.

6 CHAIRMAN DANIEL: With the motion and its
7 second, the motion carries.

8 SANDRA WILLIAMS: Thank you, sirs.

9 COMMISSIONER DEMERSON: Mr. Chairman, before
10 you move on, I wanted to [inaudible] this item. I wanted to
11 present a discussion paper to you guys. Not to take action today
12 but I wanted to get that to you guys and I'll bring it back to
13 the commission in collaboration with our finance team,
14 [inaudible] and that team, so [inaudible] will pass those out to
15 your staff as well. One of the initiatives is one that deals
16 with the Texas industry recognized apprenticeship program, a
17 grant program. We're looking at discussions in that regard.
18 Second is our Texas Interns Unite! National Intern Day with a
19 Texas twist. We're going to be having something this week, this
20 Thursday as a matter of fact and so this is something that kind
21 of continued with those efforts. Then lastly, a discussion paper
22 on our Texas Employers webinar, a virtual employers' best
23 practice training webinar. Quite often folks are hiring
24 individuals with disabilities or transition foster youth, and
25 veterans and the like. We want to make sure that our employers

1 are versed with the best practices for retaining and recruiting
2 those population bases, so passing that out for subsequent
3 discussion and action at a later date.

4 CHAIRMAN DANIEL: I move to table these
5 three proposals until such time as Commissioner Demerson moves
6 to bring them back off the table.

7 COMMISSIONER DEMERSON: Thank you.

8 CHAIRMAN DANIEL: Is there a second?

9 COMMISSIONER ALVAREZ: I'll second.

10 CHAIRMAN DANIEL: All right. It's been moved
11 and seconded. Motion carries. This is Agenda Item 12, Board
12 Nominations.

13 CHERIE DUDLEY: Good morning, chairman,
14 commissioners, and Mr. Serna. For the record, Cherie Dudley with
15 the Workforce Development Division. Today for your
16 consideration, we have Workforce board nominations for North
17 Central Texas, Gulf Coast, Panhandle, Permian Basin, South
18 Plains, and Southeast Texas. Staff recommends approval of the
19 presented nominees and I'm here to answer questions you may
20 have.

21 CHAIRMAN DANIEL: Any comments or questions?

22 COMMISSIONER ALVAREZ: None here, chairman.

23 COMMISSIONER DEMERSON: None.

24 CHAIRMAN DANIEL: Is there a motion?

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1 COMMISSIONER ALVAREZ: Chairman, I move that
2 we approve board nominees for North Central Texas, Gulf Coast,
3 Panhandle, Permian Basin, South Plains, and Southeast Texas.

4 COMMISSIONER DEMERSON: Second.

5 CHERIE DUDLEY: Thank you.

6 CHAIRMAN DANIEL: It's been moved and
7 seconded and the motion carries. Thank you.

8 COMMISSIONER DEMERSON: They're running from
9 us today.

10 CHAIRMAN DANIEL: I just got through saying,
11 when you see an exit, you should take it. She's paying
12 attention. Nothing on legislative proposals. Is there a
13 legislative report? We just spent an hour of quality time over
14 there. How could there not be a report? Is there an executive
15 director's report today?

16 MR. SERNA: No, sir, there is not.

17 CHAIRMAN DANIEL: Is there any other order
18 of business to come before the commission?

19 COMMISSIONER ALVAREZ: I'd just like to
20 thank Angela and the communications team for the great work that
21 they've done along with Brady from our office for promoting the
22 GRACE Conference, and of course, Reba Bacon and all the others,
23 Kristie Caviness and Mary York for all that they've done to
24 prepare for this Friday. I look forward to the presentations and
25 we're pretty excited about this. Again, I just wanted to

1 acknowledge Angela, if she's here, for the great work that she's
2 done.

3 COMMISSIONER DEMERSON: Almost in those same
4 sentiments, we have an event coming up this Thursday. It's
5 National Intern Day, but we're doing it with a Texas twist. On
6 July 28th over at the Texas capitol we're going to be joined by
7 our Secretary of State John Scott, and also two commissioners.
8 Chairman, thank you for participating, and Commissioner Alvarez,
9 it's going to be a phenomenal event with speakers all about
10 internships and the importance of internships. Those Texas
11 employers that are benefiting from that, and I appreciate, Mary,
12 your team for the work that they're doing because there's a lot
13 going on and for them to take up those opportunities to help
14 support these efforts, we appreciate the work that's being done
15 in that regard. Thank you.

16 COMMISSIONER ALVAREZ: I'd also like to
17 acknowledge the testimony that Chairman Daniel did just recently
18 at the committee, at the hearing we just returned from. I just
19 want to thank you for acknowledging the work that Desi and her
20 team have done regarding apprenticeship in health care and your
21 continued support. I wanted to publicly thank you for that.

22 CHAIRMAN DANIEL: Thank you, commissioner.
23 Anything else? Is there a motion to adjourn?

24 COMMISSIONER ALVAREZ: I move that we
25 adjourn.

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COMMISSIONER DEMERSON: I second.

CHAIRMAN DANIEL: It's been moved and
seconded to adjourn. I think we're unanimous so we're adjourned.