



**MEETING OF THE
TEXAS WORKFORCE COMMISSION**

DATE

March 14, 2023

1 Tuesday, March 14, 2023

2 CHAIRMAN DANIEL: Good morning, everyone.

3 This meeting is called to order. Mr. Trobman, has anyone signed
4 up for public comment? Thank you very much. Good morning, Ms.
5 Miller.

6 MS. MILLER: Good morning, sir.

7 CHAIRMAN DANIEL: Thank you. This brings us
8 to the end of Agenda Items 3 through 7. We'll take a short
9 recess.

10 CHAIRMAN DANIEL: All right, let's get back
11 here with Agenda Item 8, Statewide Rapid Incumbent Worker
12 Training Pilot Initiative.

13 MARY YORK: Good morning, Chairman Daniel,
14 Commissioner Demerson, Commissioner Treviño, and Mr. Serna. For
15 the record, I'm Mary York with Outreach and Employer
16 Initiatives. Commissioners, states may currently use their
17 statewide Workforce Innovation and Opportunity Act funds for
18 incumbent worker training activities. Similarly, local Workforce
19 Development Boards are also able to provide incumbent worker
20 training using formula funds through WIOA adult and WIOA
21 dislocated worker to serve employers in their area. To qualify
22 as an incumbent worker, generally the worker must have an
23 established employment history with the employer for six months
24 or more. Additionally, incumbent worker training requires other
25 funds to be leveraged. Before you today for your consideration

1 is an incumbent worker pilot initiative which would award grants
2 to medium and large employers, a consortium of these employers
3 or their designee for the purposes of retaining a skilled
4 workforce for averting the need to lay off employees. The
5 proposed statewide program would allow employers operating in
6 multiple areas of the state to receive training for their
7 incumbent workforce regardless of their location or the capacity
8 of the local board to support additional incumbent worker
9 training. The pilot would launch later this month and we
10 anticipate an initial 60-day application period with awards
11 ranging for 150,000 to 500,000. The initiative would allow staff
12 to determine the demand and effectiveness for such a program at
13 the state level. Therefore, staff recommends the commission
14 approve up to five million dollars of Workforce Innovation and
15 Opportunity Act statewide funds to support a statewide rapid
16 incumbent worker training pilot. This concludes my presentation
17 and I'm happy to answer any questions that you may have.

18 CHAIRMAN DANIEL: Comments or questions?

19 COMMISSIONER DEMERSON: None here.

20 COMMISSIONER TREVIÑO: None here.

21 CHAIRMAN DANIEL: Is there a motion?

22 COMMISSIONER DEMERSON: I move that we

23 approve up to five million of Workforce Innovation and

24 Opportunity Act funds to support a Rapid Incumbent Worker

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1 Training Pilot Initiative as described in the discussion paper
2 and presented today by staff.

3 COMMISSIONER TREVIÑO: I second the motion.

4 CHAIRMAN DANIEL: We're unanimous. Thank
5 you.

6 MARY YORK: Thank you.

7 CHAIRMAN DANIEL: This is Agenda Item 9,
8 Suspension of 40 TAC 805.41(c).

9 MAHALIA BALDINI: Good morning, Chairman
10 Daniel, Commissioner Demerson, Commissioner Treviño, and Mr.
11 Serna. For the record, Mahalia Baldini, Workforce Development
12 Division. The Texas Workforce Commission Chapter 805.41(c)
13 establishes that AEL grants are limited to a maximum five-year
14 grant term at which time the Texas Workforce Commission must
15 conduct a new competitive statewide procurement. In August of
16 2022, the Office of Career, Technical, and Adult Education also
17 known as OCTAE conducted a review of the latest adult education
18 and literacy statewide procurement and requested significant
19 changes due to their revised interpretation of federal statutory
20 language. In order to appropriately respond to OCTAE's request,
21 TWC staff have determined it will be necessary to extend the
22 current grants to allow time to review the impact of OCTAE's
23 request and deliver an appropriate response. Since the current
24 grants are in the fifth and final year authorized in 805.41(c),
25 staff are seeking a suspension of the rule to continue to serve

1 the more than 60,000 adult learners receiving AEL services by
2 extending the current grants for another year. At this time
3 staff seeks direction on the temporary suspension of 805.41(c)
4 as authorized under Chapter 800.8 until TWC can move forward
5 with a statewide procurement to award new grants. The temporary
6 suspension will provide the time necessary to assist the
7 commission in determining how best to respond to OCTAE's
8 request. This concludes my comments and I'm happy to answer any
9 questions that you may have.

10 CHAIRMAN DANIEL: Comments or questions?

11 COMMISSIONER DEMERSON: None here.

12 COMMISSIONER TREVIÑO: None here.

13 CHAIRMAN DANIEL: Is there a motion?

14 COMMISSIONER DEMERSON: Chairman, I move
15 that we suspend 40 Texas Administrative Code Section 805.41(c)
16 pursuant to 40 Texas Administration Code 800.8 in order to
17 ensure the continued and uninterrupted provision of adult
18 education and literacy services.

19 COMMISSIONER TREVIÑO: I second the motion.

20 CHAIRMAN DANIEL: We're unanimous. Thank
21 you.

22 MAHALIA BALDINI: Thank you, commissioners.

23 CHAIRMAN DANIEL: This is Agenda Item 12,
24 Board Nominees.

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1 CHERIE DUDLEY: Good morning, chairman,
2 commissioners, and Mr. Serna. For the record, Cherie Dudley with
3 Workforce Development. Today for your consideration we have
4 Workforce Board nominations for Capital Area, Heart of Texas,
5 Lower Rio Grande Valley, Panhandle, and South Plains. Staff
6 recommends approval on the presented nominees, and I'm here to
7 answer any questions you may have.

8 CHAIRMAN DANIEL: Any comments or questions?

9 COMMISSIONER DEMERSON: None.

10 COMMISSIONER TREVIÑO: No questions.

11 CHAIRMAN DANIEL: I always feel like maybe I
12 feel like they're being left out when we don't have comments or
13 questions.

14 COMMISSIONER DEMERSON: I think they're
15 fine.

16 CHAIRMAN DANIEL: Is there a motion?

17 COMMISSIONER DEMERSON: Chairman, I move
18 that we approve the local Workforce Development Board member
19 nominees presented today for the following Workforce Solutions,
20 workforce areas: Workforce Solutions Capital Area, Heart of
21 Texas, Lower Rio Grande Valley, Panhandle, and South Plains.

22 COMMISSIONER TREVIÑO: I second the motion.

23 CHAIRMAN DANIEL: It's been moved and
24 seconded. We're unanimous.

25 CHERIE DUDLEY: Thank you.

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CHAIRMAN DANIEL: Thank you.

MR. SERNA: His tie is off. I saw him taking it off earlier.

CHAIRMAN DANIEL: You saw him take his tie off?

MR. SERNA: Yes.

CHAIRMAN DANIEL: So, there's no legislative report today. How about an executive director's report?

MR. SERNA: Only to introduce the fact that we have some visitors in our audience from Houston and surrounding areas that were here to testify earlier before the International Relations and Economic Development Committee, and they decided to come see the workings of the commission and attend this meeting.

CHAIRMAN DANIEL: It's pretty exciting, the commission meetings.

MR. SERNA: I have no other--.

CHAIRMAN DANIEL: That's it?

MR. SERNA: That's it on that note.

CHAIRMAN DANIEL: You're telling the truth.

MR. SERNA: On that note I'm done, sir.

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

1 COMMISSIONER DEMERSON: I'd like to welcome
2 our guests as well. Juliet, I'll be in your community on Friday,
3 so.

4 COMMISSIONER TREVIÑO: Myself as well. I
5 just met them this morning and would like to thank them for
6 attending the meeting, and hopefully we can still visit after
7 our meeting too if you all have time. Thank you.

8 CHAIRMAN DANIEL: Perfect. All right. Is
9 there a motion to adjourn?

10 COMMISSIONER DEMERSON: So moved.

11 COMMISSIONER TREVIÑO: I second the motion
12 to adjourn.

13 CHAIRMAN DANIEL: It's been moved and
14 seconded to adjourn, and we're adjourned.

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