

TEXAS WORKFORCE COMMISSION
Interoffice Memorandum

To: Bryan Daniel, Chair and Commissioner Representing the Public
Joe Esparza, Commissioner Representing Employers
Alberto Treviño III, Commissioner Representing Labor

From: Les Trobman, General Counsel

Date: October 1, 2024

Subject: Gifts of \$500 or more in value given to the Texas Workforce Commission

ACTION REQUESTED

Consideration and acknowledgment of gifts of \$500 or more in value given to the Texas Workforce Commission in accordance with Section 301.021 of the Labor Code and Chapter 575 of the Texas Government Code.

BACKGROUND

Section 301.021 of the Labor Code and Chapter 575 of the Texas Government Code give specific direction regarding the acceptance of donations or gifts to the Commission. Section 301.021 and Chapter 575 require acceptance or acknowledgment of the donation or gift in an open meeting and require that the name of the donor, the description of the donation or gift, and a statement of the purpose of the donation or gift be recorded in the minutes. Chapter 575 requires that the Commission acknowledge the acceptance of all donations or gifts of money or property with a value of \$500.00 or more in an open meeting no later than the 90th day after the date the gift is accepted.

The Executive Director's approval memorandum is attached as Exhibit A. The Resolutions are attached as Exhibit B and include a list of gifts and donations including all travel and expenses paid for by a third-party organization. These Resolutions, with the attachment, will be recorded in the Commission minutes.

RECOMMENDATION

The Executive Director recommends the acknowledgement of gifts and donations of \$500 or more in value given to the Texas Workforce Commission in order to comply with Section 301.021 of the Labor Code and Chapter 575 of the Texas Government Code.

Attachments:

Exhibit A - Executive Director's approval memorandum
Exhibit B – Resolutions A & B

EXHIBIT A

TEXAS WORKFORCE COMMISSION
Interoffice Memorandum

To: Edward Serna, Executive Director

Thru: Les Trobman, General Counsel

Date: August 23, 2024

Subject: Gifts of \$500 or more in value given to the Texas Workforce Commission

Section 301.021 of the Labor Code and Chapter 575 of the Texas Government Code give specific direction regarding the acceptance of donations or gifts to the Commission. Section 301.021 and Chapter 575 require acceptance or acknowledgment of the donation or gift in an open meeting and require that the name of the donor, the description of the donation or gift, and a statement of the purpose of the donation or gift be recorded in the minutes. Chapter 575 requires that the Commission acknowledge the acceptance of all donations or gifts of money or property with a value of \$500.00 or more in an open meeting no later than the 90th day after the date the gift is accepted.

Documentation of all gifts and donations during the covered time period is attached as Exhibit A. Please note the gifts and donations with a value of \$500 or more will be presented to the Commission.

Prior to the Commission's consideration of the donation or gift, the agency is required by 40 Tex. Admin. Code § 800.9 to perform an inquiry and analysis of the donation or gift, and by Texas Government Code § 575.005 to ensure the gift is not made by a party to a contested case. Your signature below indicates the required inquiry and analysis has determined there is no detrimental effect to the Commission accepting the donation or gift. It is recommended you sign this form and accept the donation or gift.

I acknowledge that the required analysis and inquiry has been performed and determined there is no detrimental effect to accepting the donation or gift identified in Attachment A, on behalf of the Texas Workforce Commission.



Edward Serna
Executive Director

08/26/2024
Date

Attachments:
A - Gifts and Donations documentation

EXHIBIT B

A RESOLUTION OF THE TEXAS WORKFORCE COMMISSION
REGARDING ACKNOWLEDGMENT AND ACCEPTANCE OF GIFTS AND DONATIONS

WHEREAS, Section 301.021 of the Labor Code and Chapter 575 of the Government Code require that the Commission accept the gift or donation in an open meeting. The name of the donor, a description of the gift or donation, and a statement of the purpose of the gift or donation must be reported in the public records of the Commission;

WHEREAS, Chapter 575 of the Government Code provides that a majority of the Commission must acknowledge the acceptance of all donations or gifts of money or property with a value of \$500.00 or more in an open meeting no later than the 90th day after the date the gift is accepted; and

WHEREAS, the gifts have been reviewed by the Executive Director in accordance with 40 Tex. Admin. Code § 800.9.

WHEREAS, attached as "Attachment A" is a list of gifts with a value of \$500.00 or more, including a description and amount of each gift or donation, the donor's name, and a statement regarding the purpose of each gift or donation, in accordance with Section 575.004 of Chapter 575; and

NOW THEREFORE, based on these considerations and findings, the Commission acknowledges and accepts the gifts listed in the attached, Exhibit B, Attachment A, Item 2, in accordance with Chapter 575 of the Government Code.

Signed this 1st day of October, 2024, upon the affirmative vote of a majority of the Commission present and voting.

Bryan Daniel, Chair and Commissioner representing the Public

Joe Esparza, Commissioner representing Employers

Alberto Treviño III, Commissioner representing Labor

Attachment A

A RESOLUTION OF THE TEXAS WORKFORCE COMMISSION
REGARDING ACKNOWLEDGMENT AND ACCEPTANCE OF GIFTS AND DONATIONS

WHEREAS, Section 301.021 of the Labor Code and Chapter 575 of the Government Code require that the Commission accept the gift or donation in an open meeting. The name of the donor, a description of the gift or donation, and a statement of the purpose of the gift or donation must be reported in the public records of the Commission;

WHEREAS, Chapter 575 of the Government Code provides that a majority of the Commission must acknowledge the acceptance of all donations or gifts of money or property with a value of \$500.00 or more in an open meeting no later than the 90th day after the date the gift is accepted; and

WHEREAS, the gifts have been reviewed by the Executive Director in accordance with 40 Tex. Admin. Code § 800.9.

WHEREAS, attached as "Attachment A" is a list of gifts with a value of \$500.00 or more, including a description and amount of each gift or donation, the donor's name, and a statement regarding the purpose of each gift or donation, in accordance with Section 575.004 of Chapter 575; and

NOW THEREFORE, based on these considerations and findings, the Commission acknowledges and accepts the gifts listed in the attached, Exhibit B, Attachment A, Item 1, in accordance with Chapter 575 of the Government Code.

Signed this 1st day of October, 2024, upon the affirmative vote of a majority of the Commission present and voting.

Bryan Daniel, Chair and Commissioner representing the Public

Joe Esparza, Commissioner representing Employers

Alberto Treviño III, Commissioner representing Labor

Attachment A

ATTACHMENT A

TEXAS WORKFORCE COMMISSION
ATTACHMENT A

	Reimbursing Organization	TWC Staff	Date Range	Documentation Returned	Location	Purpose	Total
	ACCELERATION by design	R. Bryan Daniel	09/05-07/2023	12/19/2023	Laurel, MS	Provide opening remarks for and attend two and a half day national economic development summit on rural economic development.	\$776.09
1						Reimbursed Expense Description	Reimbursed Amount
						Airfare	\$419.93
						Rental Car + Fuel	\$127.19
						Meals	\$64.83
						Lodging	\$140.14
						Parking	\$24.00
	Reimbursing Organization	TWC Staff	Date Range	Documentation Returned	Location	Purpose	Total
	Ascension Seton	Melinda Paninski	07/15-19/2024	07/25/2024; 08/22/2024	Albuquerque, NM	Attend national Project SEARCH Conference as representative for the Vocational Rehabilitation Program as a Texas partner.	\$1,472.21
2						Reimbursed Expense Description	Reimbursed Amount
						Airfare	\$309.96
						Lodging	\$712.25
						Event Registration	\$450.00