



**MEETING OF THE
TEXAS WORKFORCE COMMISSION**

DATE

APRIL 30, 2024

1 Tuesday, April 30, 2024

2 CHAIRMAN DANIEL: Good morning, all. This
3 meeting is called to order. Has anybody signed up for public
4 comment?

5 JEWELL PATRICIO: [Inaudible].

6 CHAIRMAN DANIEL: Thank you so much. Good
7 morning, Ms. Miller.

8 MS. MILLER: Good morning, sir.

9 CHAIRMAN DANIEL: Motion passes with the
10 exceptions noted. Thank you. That brings to the end of Agenda
11 Items 1 through 8. We'll take a short recess.

12 CHAIRMAN DANIEL: This is Agenda Item 9,
13 proposed rules for 40 TAC, Chapter 809, Child Care Services.

14 ALLISON WILSON: For the record, Allison
15 Wilson with Child Care & Early Learning. Before you today for
16 your consideration are proposed rule amendments to Chapter 809,
17 Child Care Services. These proposed amendments include changes
18 to align with the new Child Care and Development Fund final
19 rule, the addition of children with disabilities as a priority
20 population for contracted slots and changes to the Texas Rising
21 Star program based on the program's four-year review as required
22 by state statute. The Texas Rising Star changes were informed by
23 the work of a stakeholder workgroup consisting of child care
24 providers, child care professional organizations, local board
25 staff, state agency representatives, and early childhood

1 advocates. In addition, we solicited public input on the
2 workgroup recommendations through in-person and virtual public
3 meetings, email outreach, and by posting the recommendations and
4 information about the review on TWC's website. Based on the
5 input of the workgroup and the public, the following
6 recommendations were incorporated into the proposed rule
7 amendments. First, the addition of a provision to allow Texas
8 Rising Star certified providers to retain certification for up
9 to six months if the program undergoes facility change and is
10 issued an initial permit from child care regulations. This will
11 help support continuity of quality when programs undergo changes
12 such as ownership changes while still maintaining high standards
13 of accountability. Affected programs will be assessed within
14 three months of the facility change. Second is a modification of
15 the child care regulation licensing history review period to
16 reduce that from 12 months to six months. This change
17 acknowledges that programs can correct most licensing issues
18 with a shorter time period and lessens the impact for those that
19 do. Third, the rule amendments include clarification that an
20 entry-level designated provider may receive new referrals if it
21 is determined that the provider's licensing history will meet
22 certification criteria by the end of the 24-month entry-level
23 period. This change addresses an unintended consequence of the
24 rule as written and supports stable access to child care
25 subsidies and providers that are on a path to high quality.

1 Staff recommends submitting the proposed rule for publication in
2 the Texas Register for a 30-day public comment period. Staff
3 also requests the ability to make minor nonsubstantive changes
4 to the document to comply with publication requirements of the
5 Texas Register and the Secretary of State. That concludes my
6 presentation. I'm happy to answer any questions.

7 CHAIRMAN DANIEL: Comments or questions?

8 COMMISSIONER TREVIÑO: None here.

9 COMMISSIONER ESPARZA: No questions.

10 CHAIRMAN DANIEL: Is there a motion?

11 COMMISSIONER TREVIÑO: Chairman, I move that
12 we approve the amendments to 40 Texas Administrative Code,
13 Chapter 809, Child Care Services, for publication for public
14 comment as recommended today by staff.

15 COMMISSIONER ESPARZA: I second.

16 CHAIRMAN DANIEL: It's been moved and
17 seconded and the motion carries. This is Agenda Item 10,
18 proposed revisions to Texas Rising Star guidelines.

19 ALLISON WILSON: Again, for the record,
20 Allison Wilson with Child Care & Early Learning. Today for your
21 consideration is the draft Texas Rising Star guidelines. The
22 draft changes to the guidelines are also based on the Texas
23 Rising Star four-year review and align with proposed rule
24 amendments as discussed on the prior agenda item. These changes
25 include the following: For entry-level designations, staff

1 recommends reducing the points threshold for licensing
2 deficiencies from 75 to 40 to align with the rule change that
3 reduces the licensing review period from 12 months to six
4 months. The points threshold will continue to only include
5 deficiencies that are weighted high or medium high recognizing
6 that lower weighted deficiencies are more often tied to
7 paperwork errors and may not reflect the level of quality.
8 Second, we also recommend changing the eligibility criteria for
9 new Texas Rising Star providers to modify the specific licensing
10 deficiencies that prevent a program from being eligible for
11 initial certification by reducing them from 12 to four. The four
12 specified deficiencies that will remain relate to background
13 checks and abuse neglect which we heard broad consensus for
14 maintaining. Also recommending that with the reduction in the
15 specific licensing deficiencies as noted, we recommend adding a
16 new points threshold of 25 based on a lookback period of six
17 months. This change will align Texas Rising Star eligibility
18 with the points-based approach in place for entry-level
19 designations that looks only at high and medium-high weighted
20 deficiencies. Third, for Texas Rising Star certified providers
21 we also recommend changes to the impact of licensing
22 deficiencies to align with the new six-month lookback period,
23 revising the specific licensing deficiencies that have an impact
24 and use of a points-based approach that only considers high and
25 medium-high weighted licensing deficiencies. These changes will

1 continue to support the use of probationary periods to allow
2 certified providers the opportunity to recover from licensing
3 issues and demonstrate they are maintaining quality. Finally,
4 staff recommends modifying the list of TWC-recognized national
5 accreditations to include all Department of Defense-recognized
6 accrediting entities. This change will support more efficient
7 assessment of programs that have recognized high-quality
8 designations. That concludes my remarks and I'm happy to answer
9 questions.

10 CHAIRMAN DANIEL: Preliminary questions for
11 Allison? We have a public commenter. Any real quick thoughts,
12 she's going to come back.

13 COMMISSIONER ESPARZA: No questions.

14 CHAIRMAN DANIEL: All right. Let's move to
15 public comment.

16 JEWELL PATRICIO: Jewell Patricio with the
17 Office of General Counsel. We have one commenter, Alison May,
18 who signed up for comment on this item.

19 ALISON MAY: Chairman Daniel and members of
20 the commission, my name is Alison May with KinderCare Learning
21 Companies speaking on behalf of our 100 quality early learning
22 centers across Texas serving over 9,000 children daily, 60
23 percent of whom participate in the Child Care Services or CCS
24 program. Thank you for the opportunity to comment on Agenda Item
25 10, Texas Rising Star four-year review. We appreciate TWC's

1 commitment to ongoing rulemaking to improve the TRS system to
2 ensure families served by CCS receive measurable, high-quality
3 early learning experiences. The new requirement to the TRS level
4 two in order to serve families through subsidy has gone well for
5 the vast majority of our centers. However, we have concerns
6 around specific centers not receiving the TRS supports and
7 consistent direction needed to improve quality and provide the
8 continuity of care that families and communities are seeking.
9 The TRS rulemaking process will be critical for addressing the
10 current challenges and we believe is a step in the right
11 direction. Specifically, we applaud the draft rule that will
12 modify the licensing lookback from 12 to six months which
13 provides a more accurate reflection of a center's licensing
14 history. We look forward to robust engagement in this process
15 ahead and thank you for considering the draft rules before you
16 today.

17 CHAIRMAN DANIEL: All right, I think that's
18 it for public comment. Allison? Any comments, questions?

19 COMMISSIONER TREVIÑO: None here.

20 CHAIRMAN DANIEL: Is there a motion?

21 COMMISSIONER TREVIÑO: Chairman, I move that
22 we approve the revisions to the Texas Rising Star guidelines for
23 public comment as recommended today by staff.

24 COMMISSIONER ESPARZA: I second.

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1 CHAIRMAN DANIEL: It's been moved and
2 seconded and the motion carries. Thank you. This is Agenda Item
3 11, selection decisions for the Adult Education and Literacy
4 Core Provider Request.

5 JAMES GOLSAN: Good morning, chairman,
6 commissioners, and Mr. Serna. For the record, I'm James Golsan,
7 Workforce Development Division. Rider 46 to the General
8 Appropriations Act of the 86th Texas Legislature requires that
9 AEL grant awards be reviewed and approved by TWC's commissioners
10 prior to notification of award to the grant recipient. For your
11 approval this morning we are bringing forward the selection
12 decision for Adult Education and Literacy Core Provider Limited
13 Counties RFA, AEFLA Section 231 which supports core AEL service
14 delivery across the state. Staff reviewed four eligible
15 applicants and today are recommending three as winners for a
16 total award of \$2,211,367 although we would like to note that
17 award amounts and county coverages could be adjusted during
18 award formation to ensure federally required statewide coverage.
19 Staff are also bringing forward for review and approval the
20 final group of awardees for AEL core provider AEFLA Section 243
21 which supports integrated English literacy and civics education
22 for English language learners. Staff reviewed 30 eligible
23 applicants and selected 12 as grantees. Nine were presented at
24 the April 16 commission meeting. Today staff recommend three
25 additional winners from our original core provider 243

1 competition for a total award of \$912,209 for those three. We
2 would be happy to answer any questions you all might have.

3 CHAIRMAN DANIEL: Any comments or questions?

4 COMMISSIONER TREVIÑO: None here.

5 COMMISSIONER ESPARZA: No questions.

6 CHAIRMAN DANIEL: Is there a motion?

7 COMMISSIONER TREVIÑO: Chairman, I move we
8 approve three grant awards for Adult Education and Family
9 Literacy Act, Section 231, Provider Activities, totaling
10 \$2,211,367, and three grant awards for Adult Education and
11 Family Literacy Act, Section 243, Provider Activities, totaling
12 \$912,209 as described in the discussion paper and recommended
13 today by staff.

14 COMMISSIONER ESPARZA: I second.

15 CHAIRMAN DANIEL: It's been moved and
16 seconded and the motion carries. This is Agenda Item 12, final
17 rules for 40 TAC, Chapter 811, Choices.

18 JOEL MULLINS: Good morning, chairman,
19 commissioners, Mr. Serna. For the record, I'm Joel Mullins with
20 the Workforce Development Division. In an open meeting on
21 February 20, 2024, the commission approved proposed amendments
22 to TWC's Chapter 811 rules to update rule language to conform
23 with present terminology and update definitions to conform with
24 federal statute and regulations. The proposed rule amendments
25 were published in the March 8th issue of the Texas Register for a

1 30-day public comment period and no comments were received.
2 Staff recommends adopting the amendments to Chapter 811 as
3 presented here today. Additionally, staff requests the ability
4 to make minor nonsubstantive changes to the document in order to
5 comply with the publication requirements of the Texas Register
6 and the Office of the Secretary of State. This concludes my
7 remarks. I'm happy to answer any questions.

8 CHAIRMAN DANIEL: Comments or questions?

9 COMMISSIONER TREVIÑO: None here.

10 COMMISSIONER ESPARZA: No questions.

11 CHAIRMAN DANIEL: Is there a motion?

12 COMMISSIONER TREVIÑO: I move that we
13 approve the adoption of amendments to 40 Texas Administrative
14 Code, Chapter 811, Choices, as recommended today by staff.

15 COMMISSIONER ESPARZA: I second.

16 CHAIRMAN DANIEL: It's been moved and
17 seconded and the motion carries. This is Agenda Item 13, final
18 rules for 40 TAC, Chapter 843, Job Matching Services.

19 JOEL MULLINS: Again, for the record, I'm
20 Joel Mullins with Workforce Division. In an open meeting on
21 February 20, 2024, the commission approved proposed amendments
22 to TWC's Chapter 843 rules to expand the categories of
23 eligibility for military employment preference to align with
24 Texas Government Code, Chapter 657, as amended by Senate Bill
25 1376 from the 88th Texas Legislative Session. The proposed rule

1 amendments were published in the March 8th issue of the Texas
2 Register for a 30-day public comment period and no comments were
3 received. Additionally, staff conducted a four-year rule review
4 of Chapter 843 in accordance with Texas Government Code and
5 determined that the initial reasons for adopting the chapter
6 still exist and that the chapter is still needed. Staff
7 recommends adopting the amendments to Chapter 843 as presented
8 here today, and also requests the ability to make minor
9 nonsubstantive changes to the document in order to comply with
10 the publication requirements of the Texas Register and the
11 Office of the Secretary of State. I'm happy to answer any
12 questions.

13 CHAIRMAN DANIEL: Comments or questions?

14 COMMISSIONER TREVIÑO: None here.

15 COMMISSIONER ESPARZA: No questions.

16 CHAIRMAN DANIEL: Is there a motion?

17 COMMISSIONER TREVIÑO: Chairman, I move that
18 we approve the adoption of amendments to 40 Texas Administrative
19 Code, Chapter 843, Job Matching Services, as recommended today
20 by staff.

21 COMMISSIONER ESPARZA: I second.

22 CHAIRMAN DANIEL: It's been moved and
23 seconded and the motion carries. This Agenda Item 14,
24 apprenticeship training program and pre-apprenticeship funding
25 for fiscal year 2025.

1 KERRY BALLAST: Good morning, Chairman
2 Daniel, Commissioner Treviño, Commissioner Esparza, and Mr.
3 Serna. For the record, Kerry Ballast, Workforce Development
4 Division. For your consideration today are the fiscal year 2025
5 planning estimates for the apprenticeship and pre-apprenticeship
6 training programs. Each year the Texas Workforce Investment
7 Council makes recommendations under the Chapter 133,
8 Apprenticeship Training Program. The fiscal year '25
9 recommendations are listed in your notebook materials so for
10 today the commission decision points for FY25 are as follows: A
11 contact hour rate not to exceed \$4.25 for apprenticeship
12 training programs; a five percent reserve for new programs or
13 established programs not currently receiving funds; a rate not
14 to exceed \$2,000 per participant in pre-apprenticeship training
15 programs; and planning estimates as detailed in your notebook
16 materials for FY25 as contingent upon adoption of TWC's FY25
17 operating budget. That concludes my remarks. I'm happy to answer
18 any questions.

19 CHAIRMAN DANIEL: Any comments or questions?

20 COMMISSIONER TREVIÑO: The registered
21 apprenticeship program in Texas has grown over 115 percent in
22 the last 10 years. It has gone from just over 4,000 apprentices
23 and 764,798 contact hours in 2014 to over 9,000 apprentices and
24 over 1,742,828 contact hours in 2024. During that timeframe, the
25 general revenue funding for that program only increased 20

1 percent. It's crucial to follow the TWIC recommendations on
2 contact hour rates as emphasized by many programs. TWC has
3 previously used federal funding to support this but now with all
4 programs expanding and new industries promoting apprenticeships,
5 we need to rethink our funding approach. The current staff
6 proposal does not meet the projected expansion creating a
7 shortfall of \$4,322,524 compared to the needed funds for fiscal
8 year 2025. The apprenticeship program is still projected to grow
9 by 14.5 percent in fiscal year 2026 with a similar increase
10 anticipated for fiscal year 2027. This highlights the urgent
11 need for extra funding to reach the target contact hour rate of
12 \$4.00 per hour. That concludes my comments.

13 COMMISSIONER ESPARZA: I want to make a
14 request. Looking at lines 17 through 24, as I understand it the
15 total GR that we're asking, this is only for the fiscal year '25
16 is 7.3 million. I'm looking at 3.6 and 3.6 between 17 and 24,
17 and adopting the proposal here maintains that we're basically
18 not exceeding 4.25 contact hourly rate. Correct? I'm asking,
19 yeah right, I'm trying to make sure that I understand this
20 correctly. In this case I just wanted to make sure that we noted
21 that the GR number in both [inaudible] because I think it was
22 split. I just wanted to make sure I combined it, and we maintain
23 tracking of that. I don't have any questions. I just wanted to
24 make sure that was-

25 KERRY BALLAST: Thank you.

1 COMMISSIONER ESPARZA: Thank you for that.

2 CHAIRMAN DANIEL: I have one question. If
3 funding for pre-apprenticeship is not fully expended, can that
4 be used for the apprenticeship training program in the same
5 fiscal year?

6 KERRY BALLAST: Yes, sir, it can.

7 CHAIRMAN DANIEL: Does this money roll over
8 fiscal year to fiscal year, and does it roll over biennium to
9 biennium?

10 KERRY BALLAST: I'm—

11 CHAIRMAN DANIEL: We haven't really had that
12 problem, right? But just fiscal year?

13 KERRY BALLAST: Fiscal year, yes.

14 CHAIRMAN DANIEL: OK. All right, is there a
15 motion?

16 COMMISSIONER TREVIÑO: Chairman, I move we
17 approve the fiscal year 2025 apprenticeship and pre-
18 apprenticeship training program funding parameters and planning
19 estimates as described in the discussion paper and presented
20 today by staff and ask the staff to research ways to supplement
21 funding pending the approval of the fiscal year 2025 budget.

22 COMMISSIONER ESPARZA: I second that.

23 CHAIRMAN DANIEL: All right, so that's the
24 motion, it's been seconded. With regard to your request for
25 staff to research ways to fill any potential shortfalls, I just

1 want to go on record at this point saying we need to have a
2 fairly robust discussion leading into our LAR discussions with
3 regard to an exceptional item for this. I think the demand is
4 certainly there. I think we're seeing expansion here, and I will
5 say when the legislature sets a dollar amount, there is a part
6 of me that feels like when we sort of supplement that in an
7 aggressive way, there's some legislative intent issues that I
8 get a little bit concerned about. I'd like to engage the
9 legislature in a solid conversation about this via the
10 appropriations process so when we get to that point in the
11 program which is what, Chris, July, August? When will we do
12 that? So, July, August timeframe, I think when we come back into
13 open meeting, I hope we're able to have a good discussion about
14 what that legislative appropriation [inaudible] ought to be, and
15 I hope that there will be support for an exceptional item at
16 that time to increase that money. I think there's a really fair
17 case to be made here for increasing that money, particularly if
18 we continue to do some program administration things that
19 continue to strengthen the program so having said that, it's
20 been moved and seconded. Any further comment?

21 COMMISSIONER TREVIÑO: I wholeheartedly
22 agree with the chair and look forward to that discussion
23 happening.

24 COMMISSIONER ESPARZA: Yeah, I agree. I
25 support the chairman. Also, I second to the research is

1 admirable for our labor but I definitely want to make sure that
2 we're within our lines of our legislative intent and budget.
3 Thank you.

4 CHAIRMAN DANIEL: All right, that motion
5 carries unanimously.

6 KERRY BALLAST: Thank you.

7 CHAIRMAN DANIEL: This is Agenda Item 15,
8 apprenticeship training program funding parameters pursuant to
9 Texas Education Code, Chapter 133.

10 KERRY BALLAST: Again, for the record, Kerry
11 Ballast, Workforce Development Division. As requested at the
12 April 1, 2024, meeting, staff had completed an evaluation of
13 Texas Education Code, Chapter 133, Apprenticeship Training
14 Program, for its effectiveness and efficiency, and we've made
15 recommendations for any changes which might increase its
16 effectiveness and efficiency. Staff have completed an evaluation
17 and after identifying challenges experienced under the current
18 program offer recommendations to sustain the Chapter 133 program
19 for future years. Those challenges and recommendations are
20 listed in your notebook materials. At this time staff seek
21 direction on the recommendations listed in the discussion paper.
22 That concludes my remarks. Happy to answer any questions.

23 CHAIRMAN DANIEL: Comments or questions?

24 COMMISSIONER TREVIÑO: As mentioned earlier,
25 it's crucial to follow TWIC's recommendations for the contact

1 hour rate but additional funding is needed to sustain the \$4.00
2 rate. Although the performance measures introduced by the
3 commission in August of 2023 improved the quality of
4 apprenticeship programs, I aim to ensure that any changes to the
5 awarding method do not inadvertently show bias towards or
6 against a specific industry or program. The apprenticeship
7 program is expected to experience, as I said, a 14.5 percent
8 growth in fiscal year '26 with a comparable rise anticipated for
9 fiscal year '27. To meet the LLB target for fiscal year '25,
10 it's necessary to increase funding to sustain the \$4.00 per hour
11 contact rate so before proceeding with awarding contracts based
12 on performance, I would, one, like to request that staff analyze
13 and present the following: Identify the industries most affected
14 by the change in awarding contracts including those likely to
15 receive awards and those likely to miss out; two, to assess the
16 geographical impact of these awards across the state; and,
17 three, to determine whether a program longevity and experience
18 will influence the performance-based awarding method. I can
19 repeat that if you need me to.

20 CHAIRMAN DANIEL: I think we're good.

21 COMMISSIONER TREVIÑO: OK.

22 COMMISSIONER ESPARZA: Just one point of
23 clarification if I may. So, are all these bullet points under
24 the decision points, are they separate decisions?

25

1 KERRY BALLAST: We listed them as separate.
2 I could see how one or two may work together.

3 COMMISSIONER ESPARZA: So, if contracting
4 process as described—so bullet point two was approved, added
5 funding at some point, additional funding would reduce the need
6 for a competitive procurement process [inaudible] so it would
7 affect point three. I'm trying to find out if these are—if
8 adopting two would basically eliminate or I'm sorry, adopting
9 two would lessen the need for three. I'm trying to figure out—
10 again, once again I'm confused here. I want to make sure that
11 we—it's not all or are we piecemealing out so at this point.

12 KERRY BALLAST: Yes, sir.

13 CHAIRMAN DANIEL: Let me—I would say that
14 this is how I read that, all right? I don't think this is
15 perfect. I mean if I was doing this unilaterally there would be
16 some things I would do different, but I think staff has struck
17 upon I think a fairly decent compromise for a lot of things that
18 have to happen. I think if I'm understanding your question,
19 would more money get rid of the need to have a more competitive
20 procurement process because we'd have more money, and I think
21 just listening to staff and understanding the program over the
22 years, I think in some ways those are related but I think in
23 some other ways they're looking for two things simultaneously.
24 They'd like to do more apprenticeship assistance, I do too, and
25 then I think that they would like to ensure that the ones that

1 are getting done are the very best that can be done regardless
2 of kind of what industry it's in. There's some really
3 established ones, electricians being one, plumbing's got a great
4 one, and there's some newer ones that are coming online that the
5 five percent or 10 percent, five percent [inaudible] really
6 doesn't seem adequate for but they can be really good like the-
7 just because you're new doesn't mean you're not as good, and
8 just because you've been around for 15 years doesn't mean you're
9 doing it the best so I kind of perceive kind of a, yeah, they're
10 related but I kind of perceive staff's trying to accomplish two
11 different things here. Don't ever let me put words in your
12 mouth. If you disagree with me, say so. You keep nodding but I
13 hope that means that I read what you wrote right but, you know,
14 I think just because we got more money, I'm not necessarily sure
15 staff intends to abandon kind of a-I won't say a stronger
16 enforcement but more project-based enforcement of kind of what
17 we're trying to do here.

18 KERRY BALLAST: If I may, chairman. I do
19 believe the conversation about the funding is essential and I'm
20 glad to hear you'll take it back up. I think for the year ahead,
21 just as we were in this year, we will most likely, if something
22 doesn't just change a little bit for this year, we will find
23 ourselves back in front of you at some point saying that numbers
24 are growing, we cannot reach the \$4.00, and we're looking for
25 additional funding.

1 CHAIRMAN DANIEL: That's not a bad problem
2 to have. That is a challenge for this commission to deal with
3 that I am glad that we have to deal with that challenge. If
4 something's growing that rapidly, people are benefiting from it.
5 The craft trades of Texas are growing. We're actually able to
6 build all the stuff that we need to build for all the new jobs
7 that want to come here. I'll deal with that problem every time
8 you want me to deal with it as long as we're seeing that kind of
9 positive growth, absolutely.

10 COMMISSIONER ESPARZA: Thank you for the
11 clarification, chairman.

12 CHAIRMAN DANIEL: All right, any other
13 conversation.

14 COMMISSIONER ESPARZA: No comments or
15 questions from me.

16 CHAIRMAN DANIEL: Is there a motion?

17 COMMISSIONER TREVIÑO: Well, I don't have a
18 motion at this time due to the request that I had for staff.

19 COMMISSIONER ESPARZA: To staff on the
20 research? I'm sorry.

21 COMMISSIONER TREVIÑO: Correct.

22 KERRY BALLAST: I believe, Commissioner
23 Treviño, the request is to do a sample of if we moved to
24 performance based for this year and report back what that would
25 look like?

1 COMMISSIONER TREVIÑO: That would be fine.

2 CHAIRMAN DANIEL: OK, if there's no
3 objection, we'll table this and bring it back at a following
4 commission meeting once staff has had a chance to do that
5 research in the next two weeks.

6 COMMISSIONER TREVIÑO: Thank you.

7 KERRY BALLAST: We'll be ready. Thank you.

8 CHAIRMAN DANIEL: All right, thank you.

9 COMMISSIONER ESPARZA: Thanks for that.

10 CHAIRMAN DANIEL: What if I skip to the next
11 one [inaudible]. You weren't going to care, were you? You were
12 just going to start right in. Well, I guess we're on Agenda Item
13 16, the Texas Workforce Commission strategic plan for fiscal
14 years 2025 to 2029.

15 JENNIFER COLEHOWER: Good morning, Chairman
16 Daniel, Commissioner Treviño, Commissioner Esparza, and Mr.
17 Serna. For the record, my name is Jennifer Colehower with the
18 Office of Strategy Development and Business Transformation.
19 Before you today for consideration is the Texas Workforce
20 Commission strategic plan for fiscal years 2025 to 2029 for
21 submission to the Office of the Governor and the Legislative
22 Budget Board pending commission approval this morning. Texas
23 Government Code, Chapter 2056, requires strategic planning for
24 all states agencies. The plan covers a five-year period. The
25 plans are reviewed and updated every two years aligning with our

1 two-year state budget cycle. Part one of the plan contains TWC's
2 mission, vision, and philosophy which have not had any changes
3 compared to the current plan; a message from the executive
4 director; TWC goals and action items which currently do not have
5 any changes in the current plan, and they focus on three goals,
6 thriving employers, skilled workforce, and exceptional customer
7 service; agency overview incorporates an internal assessment,
8 recent state legislation, and recent federal legislation; and
9 part one concludes with redundancies and impediments. Part two
10 contains required supplemental schedules including TWC's budget
11 structure which there were no changes; performance measure
12 definitions which were no changes; the historically
13 underutilized business plan; TWC's workforce plan; a section on
14 alignment with the Texas Workforce Commission strategic plan for
15 fiscal years '24 to 2031 with the Texas Workforce Investment
16 Council; report on customer service; and certification of
17 compliance with cybersecurity training will also be included.
18 Before I conclude I'd like to take a moment to acknowledge all
19 those who are supporting and contributing to the strategic plan
20 this cycle including you and your staff. Staff requests approval
21 of the strategic plan before you today and also requests the
22 ability to make nonsubstantive edits as we format the plan for
23 publication and submission. That concludes my presentation.

24 CHAIRMAN DANIEL: Comments or questions?

25 COMMISSIONER TREVIÑO: No comments.

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COMMISSIONER ESPARZA: No questions.

CHAIRMAN DANIEL: Is there a motion?

COMMISSIONER TREVIÑO: Chairman, I move to adopt the Texas Workforce Commission strategic plan for fiscal years 2025 to 2029 for submission to the Office of the Governor and the Legislative Budget Board.

COMMISSIONER ESPARZA: I second.

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

MR. SERNA: Mr. Chairman?

JENNIFER COLEHOWER: Thank you.

MR. SERNA: Jennifer is a valuable member of my staff, but I think this might be the first time that I recall her actually standing at the microphone to present to you all. I didn't want that to not get mentioned. I think she, you know, deserves some attention.

CHAIRMAN DANIEL: That's an excellent point, Mr. Serna.

JENNIFER COLEHOWER: I do believe I was here last year.

COMMISSIONER ESPARZA: First time with me.

COMMISSIONER TREVIÑO: I wouldn't say anything against—

JENNIFER COLEHOWER: Point taken.

1 CHAIRMAN DANIEL: On cross examination she
2 has presented evidence that she was here at this exact same time
3 last year.

4 MR. SERNA: She's a good attorney probably.

5 CHAIRMAN DANIEL: Sometimes too good. Isn't
6 that true? Thank you very much.

7 JENNIFER COLEHOWER: Thank you.

8 CHAIRMAN DANIEL: I see no evidence of a
9 legislative report lurking back there.

10 MR. SERNA: No, sir, no ties.

11 CHAIRMAN DANIEL: Is there an executive
12 director's report today?

13 MR. SERNA: Just one item. We do have a Star
14 award to recognize one of our employees. There she comes. Get a
15 presentation on it.

16 CHRISTINA KARNES: Good morning, Mr.
17 Chairman, commissioners, Mr. Serna. For the record, I'm
18 Christina Karnes. I'm the director of the TWC appeals
19 department. It is my pleasure today to be able to present you a
20 Star award winner from the appeals department, Ron Mackell. Ron
21 is an assistant director in the appeals department and is
22 receiving an award for his implementation and expansion of a
23 legal internship program that has drawn statewide attention to
24 various legal opportunities at TWC. As you may know, due to low
25 unemployment rates and our great Texas economy, we are always

1 looking for ways to recruit the best candidates for legal
2 positions across the agency. Ron had an innovative idea of
3 taking the existing internship opportunities within appeals and
4 other departments in the agency and expanding them into an
5 interdepartmental rotation program that would maximize exposure
6 to legal interns to receive to various legal positions within
7 the agency. Last summer students from around the country
8 experienced the TWC corporate culture firsthand by participating
9 in the program that included appeals, the Office of the General
10 Counsel, and all three commissioner offices. Ron facilitated the
11 program from beginning to end and built collaborative
12 relationships with many departments within TWC including human
13 resources, the Office of the General Counsel, all the
14 commissioner offices, and the media productions department. Many
15 of these relationships were built through Ron's outgoing and
16 positive personality and his propensity to show up bearing
17 donuts and a smile. Ron pushed the internship job postings to
18 law schools, coordinated interviews and applicant selections
19 with other offices, and planned numerous activities for the
20 interns. He arranged guided visits to the state capitol, the
21 Texas Supreme Court, the Texas Court of Criminal Appeals, and
22 the Governor's appointment office. They also attended the
23 internship conference last summer. He coordinated agency
24 training sessions that provide mentoring and guidance to the
25 interns facilitating both their personal growth and insights to

1 help them develop their skills as future lawyers. Ron conducted
2 videotaped mock interviews with the interns and worked further
3 with the media production department to ensure each student left
4 TWC with a professional headshot. He coordinated a farewell
5 luncheon and worked with the Office of the General Counsel and
6 the commission offices, particularly Norma Allen of OGC, and
7 Kimberly Watson in the chairman's office to ensure a successful
8 conclusion to the internship. Each intern gave an end-of-program
9 PowerPoint presentation highlighting their time at TWC and
10 making a specific recommendation for one rapid process
11 improvement. Representatives from UT, Texas A&M, and Tulane law
12 schools attended the event in person, and there were
13 representatives from several other law schools, the Texas Court
14 of Criminal Appeals, and many parents who viewed the
15 presentations online in real time. There was an informal morning
16 VIP coffee and donuts before the presentations because you just
17 really can never have too many donuts, and along with that there was
18 also an afternoon luncheon which provided the interns a final
19 opportunity to network with many supervisors and directors
20 within TWC. The success of the internship program has led to
21 continued outreach to law schools and lawyers and has helped us
22 receive an increasing number of qualified applicants for legal
23 positions within the agency. Ron has attended recruiting events
24 at several law schools since the internship concluded and has
25 been approached by both students and staff because they heard

1 such great things about the program from our former interns. The
2 internship program continues this summer with Commission Appeals
3 joining the rotation, and the Civil Rights Division is also
4 going to be joining us for some of the group activities. The
5 Appellate Services Division is excited to see what the future
6 holds for this great program, and we are very proud of Ron's
7 innovative approach to developing a strong legal internship and
8 recruiting program for the agency. Thank you for your time
9 today.

10 MR. SERNA: Mr. Chairman, that's all that I--
11 since I didn't do anything, that's all that I have to report.
12 We'll take pictures after you adjourn.

13 COMMISSIONER ESPARZA: I've got a comment to
14 add to Ron's deal.

15 CHAIRMAN DANIEL: Well, pile on.

16 COMMISSIONER ESPARZA: I've got some
17 prepared comments from staff and [inaudible]. That's what I'm
18 talking about, Ron. That's what I'm talking about, Ron. Thank
19 you so much. No, I appreciate it, and Ron, thank you for your
20 initiative in taking on such a great challenge. I think that is
21 just your spearheading and recruitment of a lot of great talent,
22 and you've identified our best resource which is our attorneys
23 and their expertise as mentors, so I really appreciate, and this
24 is my first summer having one of our office interns participate.
25 I'm excited to bring them aboard and to continue to guide them.

1 I've heard a lot of great things about this innovative program.
2 I appreciate you for all the work you've done. Congratulations
3 on the award.

4 COMMISSIONER TREVIÑO: I too just
5 congratulations, Ron. I mean it's well deserved. Last year our
6 summer interns were boasting about all the activities that they
7 did and how much fun and how much they learned, which is
8 important. Your dedication to that program is exceptional. Just
9 for the record, as a connoisseur of donuts, I never got any
10 donuts from your side.

11 CHAIRMAN DANIEL: You bring up an
12 interesting point, commissioner. I too never received any
13 donuts. We'll ask for all appropriate investigations into that
14 situation. In a lot of ways, I have a lot of sympathy for you
15 because last summer's interns were just an absolutely fun bunch
16 and for you to be able to top that this summer is going to be
17 very, very challenging so best of luck to you on that endeavor.
18 Award is well deserved. This internship is picking up speed. I
19 actually—although in—what's today, Kim? The 30th, 29th? In 14 days
20 I will no longer have a law student. I will have sort of a
21 person waiting to take the bar exam. It's actually talked about
22 on campuses, the things we're doing here, and there is one
23 student from that law school who actually has chosen a career
24 being a state government lawyer over a private sector firm
25 because she just thinks it will ultimately be more rewarding so

1 all we can do in that regard, I think we are actually doing
2 things to strengthen government so congratulations, great award.
3 Looking forward—I don't like to take pictures but I'm going to
4 take some pictures with you as soon as this is over. I've got a
5 couple things for Ed. Does anybody else have anything before I
6 jump in?

7 COMMISSIONER TREVIÑO: Nothing here.

8 COMMISSIONER ESPARZA: No, sir.

9 CHAIRMAN DANIEL: Two requests. First
10 request is for staff to bring forward a comprehensive proposal
11 with any necessary initiatives to have TWC stand up a health
12 care staffing initiative to help address the health care
13 staffing shortage that we're seeing in Texas right now. The
14 second request is for staff to bring forward recommendations for
15 40 TAC, Chapter 815, that's the marketplace contractor rule, of
16 any necessary updates and changes that they think should be made
17 to that rule at this time. Is there any other order of business
18 to come before the commission? Hearing none, is there a motion
19 to adjourn?

20 COMMISSIONER TREVIÑO: Chairman, I move we
21 adjourn.

22 COMMISSIONER ESPARZA: I second.

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

25