



**MEETING OF THE
TEXAS WORKFORCE COMMISSION**

DATE

JULY 2, 2024

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Tuesday, July 2, 2024

CHAIRMAN DANIEL: Good morning, all. This meeting is called to order. Mr. Trobman, has anyone signed up for public comment?

CHAIRMAN DANIEL: Thank you very much. All right.

CHAIRMAN DANIEL: The motion passes with the exceptions noted. That brings us to the end of Agenda Item 8. Let's pause for a few minutes.

MS. GONZALES: Thank you.

CHAIRMAN DANIEL: This is Agenda Item 9, proposed amendments to 40 TAC Chapter 800, General Administration, to conform WIOA and repeal Project RIO.

SHIRLEY JONES: Good morning, Chairman Daniel, Commissioner Treviño, Commissioner Esparza, and Mr. Serna. For the record, I'm Shirley Jones with the Workforce Development Division. Commissioners, before you today for your consideration for approval are proposed rule amendments to Chapter 800, Subchapter B. These proposed amendments will affect Chapter 800, Subchapter B to align with current federal program requirements, primarily those relating to the Workforce Innovation and Opportunity Act. The proposed rule also removes references to Project RIO including the removal of Section 800.65 in its entirety. Staff recommends submitting the proposed rule for publication in the Texas Register for a 30-day public

1 comment period. Staff also requests the ability to make minor
2 nonsubstantive changes to the document in order to comply with
3 the publication requirements of the Texas Register and the
4 Office of the Secretary of State. This concludes my presentation
5 and I'm happy to answer any questions you may have.

6 CHAIRMAN DANIEL: Any comments or questions?

7 COMMISSIONER TREVIÑO: None here.

8 COMMISSIONER ESPARZA: No questions.

9 CHAIRMAN DANIEL: Is there a motion?

10 COMMISSIONER TREVIÑO: Chairman, I move we
11 approve the proposal of amendments to 40 Texas Administrative
12 Code Chapter 800, General Administration, for publication in the
13 Texas Register and public comment as recommended 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 10,
17 additional funding for fiscal year 2025 Chapter 133,
18 Apprenticeship Training Program.

19 KERRY BALLAST: Good morning, Chairman
20 Daniel, Commissioner Treviño, Commissioner Esparza, and Mr.
21 Serna. For the record, Kerry Ballast, Workforce Development
22 Division. At its June 18th meeting staff were asked to bring back
23 a discussion paper detailing funding to be used to supplement
24 Texas Education Code Chapter 133, Apprenticeship Training
25 Program funding for fiscal year 2025. The discussion paper in

1 your notebook materials lists the funding and amounts staff have
2 identified and recommend. This concludes my remarks. I'm happy
3 to answer any questions.

4 CHAIRMAN DANIEL: Any comments or questions?

5 COMMISSIONER TREVIÑO: None here.

6 COMMISSIONER ESPARZA: One question or one
7 direction here. I do support the staff proposals for the amounts
8 except for pulling and I want to identify the \$1,000,000 from
9 the TIRA grant program. I feel like that one million was
10 dedicated from the legislature for that purpose and I want to
11 avoid moving those funds into supporting of U.S. Department of
12 Labor registered apprenticeships so respectfully, if we were
13 able to basically sever the one million from TIRA, I'd be happy
14 to support the rest of the staff proposal. Thank you.

15 CHAIRMAN DANIEL: I'll tell you what. I'm
16 going to vote for this but in deference to Commissioner Esparza,
17 I wonder if we can vote everything but the TIRA funds but not
18 remove it entirely and let staff go back and prepare some
19 materials describing why we should, why we shouldn't, why we
20 could, why we couldn't. I think budget-wise we can technically.
21 We're not going to get in a trap in the next couple weeks in
22 terms of needing more money to get to the four-dollar rate. So I
23 guess my preference here would be to just vote this out minus
24 the TIRA funds with the understanding that staff will come back
25 here in a week or two and give us a rundown on those TIRA funds

1 and why they think that would work and just give us some more
2 rationale. At that time, commissioner, if you still don't like
3 it, we can look at other options but I don't actually have a
4 problem with it based on my understanding of the structure of
5 the funds but I think you raise a good point. It probably
6 deserves some attention.

7 COMMISSIONER ESPARZA: Thanks, chairman.

8 CHAIRMAN DANIEL: Is that good for you,
9 commissioner?

10 COMMISSIONER TREVIÑO: Yeah, and if I could
11 just ask if Mr. Nelson could look into that and how that
12 established and what the rationale was, I could agree for that
13 too. So we're going to do the—my motion, I'll just read it and
14 then it will be what that is? OK.

15 COMMISSIONER ESPARZA: Before you do that, I
16 also want to make sure that I've got a good idea of how much of
17 the TIRA program that—I know it's a new program. I know we're
18 taking applications in on it. I just want to make sure that
19 we're not already using that money for something else before it
20 was intended to that so please give me kind of an idea about
21 where that program is and what application processes we have
22 involved with it if you wouldn't mind.

23 KERRY BALLAST: We can do that, yes, sir.

24 COMMISSIONER ESPARZA: Didn't mean to cut
25 you off, chairman.

1 CHAIRMAN DANIEL: That's all right,
2 commissioner.

3 COMMISSIONER TREVIÑO: That's OK.

4 CHAIRMAN DANIEL: So your motion?

5 COMMISSIONER TREVIÑO: Chairman, I move that
6 we approve the addition of the \$2,088,527 in fiscal year 2025,
7 Chapter 133, Apprenticeship Training Program funding as
8 described in the discussion paper and presented today by staff.

9 CHAIRMAN DANIEL: All right, and—

10 COMMISSIONER ESPARZA: Go ahead, chairman.

11 CHAIRMAN DANIEL: Go ahead.

12 COMMISSIONER ESPARZA: Oh, I would ask to
13 amend that amount to one million—to remove the one million of
14 TIRA, not the full 2.08.

15 CHAIRMAN DANIEL: Let's do it this way. I
16 second the motion and I move to amend the motion by striking
17 \$2,088,527 and putting \$1,088,527 with the understanding that
18 the million dollars from the Texas Industry Recognized
19 Apprenticeship Grant Program will come back for discussion on
20 this item in two weeks or at our next regularly scheduled
21 meeting because I don't know when the next one is scheduled.
22 Commissioners, is that—?

23 COMMISSIONER TREVIÑO: Yeah, that's fine
24 with me. Thank you.

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1 COMMISSIONER ESPARZA: I agree. Thank you,
2 chairman.

3 CHAIRMAN DANIEL: If no objection to the
4 amendment, that's the amended motion. Are there any objections
5 to the motion as amended?

6 COMMISSIONER TREVIÑO: None here.

7 CHAIRMAN DANIEL: All right, we're going to
8 bring this back for a discussion, come back and talk to us about
9 TIRA. I'm giving you two weeks so you can talk to us during the
10 two weeks as well just to make sure all the questions are on the
11 table.

12 KERRY BALLAST: OK.

13 CHAIRMAN DANIEL: And then depending on the
14 nature of that, you are also going to want to be thinking about
15 what would be a substitute for the TIRA money if in fact we find
16 some reason why we shouldn't or couldn't do that, all right?

17 KERRY BALLAST: Yes, sir.

18 CHAIRMAN DANIEL: Everybody satisfied?

19 COMMISSIONER TREVIÑO: Yes.

20 CHAIRMAN DANIEL: We're moving the ball down
21 the road to address the contact hour rate. We just have to come
22 back and address this last million dollars. All right. Thank
23 you.

24 COMMISSIONER ESPARZA: Thank you.

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1 CHAIRMAN DANIEL: This is Agenda Item 11,
2 advisory board recommendations regarding fiscal year 2024 JET
3 grant awards.

4 MATT SNIADECKI: Good morning, Chairman
5 Daniel, Commissioner Treviño, Commissioner Esparza, Mr. Serna.
6 For the record, Matt Sniadecki, program manager for the Jobs and
7 Education for Texans grant program, Workforce Development
8 Division. The FY2024 Jobs and Education for Texans grant request
9 for application was issued on March 29, 2024, for grant awards
10 to public junior colleges, technical institutes, state colleges,
11 open-enrollment charter schools, and school districts. TWC was
12 allocated approximately \$15,000,000 for FY2024. On June 20,
13 2024, the advisory board met and made the following
14 recommendations to the commission regarding 2024 JET awards, to
15 direct staff to move forward with awarding grants based on final
16 evaluation score with ability to move down the list 55 points
17 and above should additional funds become available during the
18 contracting phase. Staff seeks direction regarding the JET
19 awards for 2024 as recommended by the advisory board. I'm happy
20 to answer any questions.

21 CHAIRMAN DANIEL: Any comments or questions?

22 COMMISSIONER TREVIÑO: None here.

23 COMMISSIONER ESPARZA: No questions.

24 CHAIRMAN DANIEL: Is there a motion?

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1 COMMISSIONER TREVIÑO: Chairman, I move we
2 approve the Jobs and Education for Texans grant awards for
3 fiscal year 2024 as recommended by the JET advisory board and in
4 conformity with the final evaluation scoring and allow staff the
5 ability to move down the list of applicants scoring 55 points
6 and above as funds become available during the contracting
7 phase.

8 COMMISSIONER ESPARZA: I second.

9 CHAIRMAN DANIEL: It's been moved and
10 seconded, and the motion carries. This is Agenda Item 12,
11 advisory board recommendations concerning FY25 JET program
12 funding and parameters.

13 MATT SNIADOCKI: Chairman, commissioners,
14 Mr. Serna, again, Matt Sniadecki, program manager for the Jobs
15 and Education for Texans program. The TWC anticipates being
16 allocated approximately \$15,000,000 for FY2025. Again on June
17 20, 2024, the JET advisory board met to discuss program
18 parameters and funding allocation for FY25 and made the
19 following recommendations. The first is funding allocation to be
20 split 35 percent, 65 percent; 35 percent for institutes of
21 higher education, 65 percent open-enrollment charter schools and
22 school districts. The second is minimum and maximum grant
23 amounts, minimum being 40,000, maximum being \$375,000. The third
24 is the number of applications per eligible applicant that will
25 remain at one application per eligible applicant, and number

1 four is the minimum score threshold for award eligibility, and
2 we recommend utilizing a 60 percent score of total points
3 available. Staff seeks direction regarding the adoption and
4 implementation of program parameters for FY25 as recommended by
5 the JET advisory board.

6 CHAIRMAN DANIEL: Comments or questions?

7 COMMISSIONER TREVIÑO: None here.

8 COMMISSIONER ESPARZA: No questions.

9 CHAIRMAN DANIEL: Is there a motion?

10 COMMISSIONER TREVIÑO: Chairman, I move we
11 adopt the Jobs and Education for Texans program parameters for
12 fiscal year 2025 as recommended by the JET advisory board and
13 described in the discussion paper presented today by staff.

14 COMMISSIONER ESPARZA: I second.

15 CHAIRMAN DANIEL: It's been moved and
16 seconded, and the motion carries. Is there an executive
17 director's report today?

18 MR. SERNA: I actually have some things to
19 report to you all today.

20 CHAIRMAN DANIEL: All right.

21 MR. SERNA: Very quickly, first off, I want
22 to make sure that the commission knows that our new child care
23 case management system was implemented this past weekend, that's
24 TX3C. We've had extensive trainings with the boards and they
25 were involved in user acceptance testing. They will continue to

1 enter child care information into the old system, TWIST, but can
2 also enter it into the new system so they become familiar with
3 the new system before we go—before that's the system of record
4 on September 1st but it is up and running and has several of the
5 features that are available to our customers as well as our own
6 staff and the board staff so we're very pleased with that
7 success. Second, I want to recognize our appellate services
8 staff. Some of the staff attended—and I didn't realize this
9 organization existed—the National Association of UI Appeals
10 Programs just in case you were wondering.

11 CHAIRMAN DANIEL: It sounds like a pretty
12 rowdy meeting.

13 MR. SERNA: It probably was, yeah. Lot of
14 lawyers and stuff but we did—we were recognized for a practice
15 of ours that our staff came up with to deal with the high volume
16 of one-party cases. It's basically a rotating ineligibility
17 docket where we double schedule cases and can move through the
18 cases faster. This was recognized as a best practice and
19 advocated for the association members recognizing it and said
20 other states could use the same practice to get rid of their
21 backlog so that was kind of encouraging. Then finally in sort of
22 a left-handed compliment from Department of Labor, our staff,
23 because of our expertise in dealing with disasters, hurricanes,
24 fires, floods, that kind of stuff, Department of Labor is going
25 to set up a meeting with us to meet with our New Mexico

1 counterparts. They have less experience dealing with disasters
2 but have recently had several disasters over there, and we'll
3 help them on how to handle the disasters as they affect their UI
4 system so there's some left-handed recognition there, left-
5 handed in the sense that I would prefer that we not be good at
6 dealing with disasters—not have disasters to deal with but if we
7 have them, I'm glad that we're good at dealing with them and
8 recognized for such. That's all I have to report.

9 CHAIRMAN DANIEL: All right. Any other order
10 of business to come before the commission?

11 COMMISSIONER TREVIÑO: None here.

12 COMMISSIONER ESPARZA: No, sir.

13 CHAIRMAN DANIEL: Is there a motion to
14 adjourn?

15 COMMISSIONER TREVIÑO: Chairman, I move to
16 adjourn.

17 COMMISSIONER ESPARZA: I second, chairman.

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

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