



**MEETING OF THE
TEXAS WORKFORCE COMMISSION**

DATE

DECEMBER 7, 2021

1 TUESDAY, DECEMBER 7, 2021

2 CHAIRMAN DANIEL: Good morning, everyone.

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

5 MR. TROBMAN: No, sir.

6 CHAIRMAN DANIEL: Thank you, Mr. Trobman.

7 Good morning, Ms. Gonzalez.

8 CHAIRMAN DANIEL: This brings us to the end
9 of Agenda Items 3 through 7. We will take a break for the exact
10 period of time it takes for Mr. Serna to walk from the back of
11 the room up to the front table.

12 MS. GONZALEZ: Thank you.

13 CHAIRMAN DANIEL: All right, this is Agenda
14 Item 8, certification of community rehabilitation programs that
15 participate in the PPD program.

16 MR. GARCIA: Good morning, Commissioners,
17 Mr. Serna. Juan Garcia with the voc rehab division. This morning
18 for your consideration we have CRP recertifications and one
19 certification. By way of a background, Texas human resources
20 code section 122.013 requires the Texas Workforce Commission to
21 establish rules for the certification of community rehab
22 programs to participate in the Purchasing from People with
23 Disabilities program. Concurrently, TWC chapter 806, purchases
24 of products and services from people with disabilities rule
25 806.41 establishes requirements for participation in the program

1 and subsequent adherence to those requirements when our CRP has
2 been certified. CRPs must reapply every three years before the
3 expiration date on their certificate. PPD staff reviews each
4 completed application and all required documentation, and once
5 the materials are deemed acceptable presents the applicants to
6 the TWC's three-member commission for approval. Today, the PPD
7 program has reviewed the applications for one CRP seeking
8 certification and seven CRPs seeking to continue participate in
9 the program through recertification. All CRPs seeking
10 certification and recertification pay minimum wage or higher.
11 The one new CRP that's seeking certification--and I'm hoping
12 that I can pronounce this correctly--is named (inaudible) out in
13 Huntsville. They will provide litter pick-up, janitorial
14 services, and landscape maintenance, and of course currently
15 they have no programs because this is their first time applying
16 to the program. We also have seven recertifications. They are as
17 follows. We have Border TM Industries in El Paso; Corpus Christi
18 State-Supported Living Center in Corpus; Envision Dallas, or the
19 Dallas Lighthouse for the Blind in Dallas; Goodwill Industries
20 in Lubbock; Rising Star Resources in Dallas; (inaudible)
21 Association for the Blind in Austin; and Goodwill Temporary
22 Services in Austin. Staff seeks direction on the certification
23 of one new CRP and seven CRPs seeking recertification to
24 continue participating in the PPD program. With that, I'll be
25 glad to answer any questions you might have.

1 CHAIRMAN DANIEL: Any questions or comments?

2 COMMISSIONER ALVAREZ: None here, Chairman.

3 COMMISSIONER DEMERSON: None.

4 CHAIRMAN DANIEL: Is there a motion?

5 COMMISSIONER ALVAREZ: Chairman, I move that

6 we approve certification and recertification of community
7 rehabilitation programs who participate in the purchasing from
8 peoples with a disabilities program, as recommended by staff.

9 COMMISSIONER DEMERSON: I second.

10 CHAIRMAN DANIEL: It's been moved and
11 seconded. We're unanimous, thank you. This is Agenda Item 9,
12 reappointments to the advisory committee for the PPD program.

13 MR. GARCIA: Good morning again,
14 commissioners and Mr. Serna. For the record, Juan Garcia with
15 the voc rehab division. This morning, we have for your
16 consideration and potential approval the reappointment of four
17 members to the advisory committee of the PPD program. By way of
18 background, Texas human resources code section 122.0057(a)
19 authorizes the Texas Workforce Commission to establish an
20 advisory committee to assist TWC in establishing program
21 performance goals and criteria for certifying community rehab
22 programs to participate in the Purchasing from People with
23 Disabilities program. Per section 122057, the advisory committee
24 is composed of 13 members, as follows: Four representatives from
25 CRPs that participate in the program administered under this

1 chapter; four representatives from organizations that advocate
2 for individuals with disabilities; the executive commissioner of
3 the Texas Health and Human Services commission or a designee;
4 and four individuals with disabilities, of whom two are employed
5 by a CRP that participates in the program administered under
6 this chapter. Members of the advisory committee serve staggered
7 four-year terms at the will of TWC. A member may not serve more
8 than two four-year terms. The first term of four current
9 committee members expired in February of 2021, and all of those
10 members have expressed an interest in serving a second term. The
11 members under consideration for reappointment are listed in the
12 table as follows: Giovanni Washington, out of San Antonio. He
13 represents an advocate on the committee. We have (sounds like)
14 Mr. Platt Allen from Fort Worth, and he is a CRP representative.
15 Mr. Charlie Graham from Austin, and he is a CRP representative.
16 And Mr. Lee Tilson from Tyler, and he is a disability
17 representative employed by a CRP. Staff seeks direction on
18 reappointing advisory members Giovanni Washington, Platt Allen,
19 Charlie Graham, and Lee Tilson to serve on the PPD advisory
20 committee for a second four-year term, to expire in February of
21 2025. With that, I'll answer any questions you might have.

22 CHAIRMAN DANIEL: Comments or questions?

23 COMMISSIONER ALVAREZ: No questions.

24 COMMISSIONER DEMERSON: None here.

25 CHAIRMAN DANIEL: Is there a motion?

1 COMMISSIONER ALVAREZ: I move that we
2 approve reappointing Giovanni Washington, Platt Allen, Charlie
3 Graham, and Lee Tilson to serve on the PPD advisory committee
4 for a second term, to expire in February 2025.

5 COMMISSIONER DEMERSON: Second.

6 CHAIRMAN DANIEL: It's been moved and
7 seconded. We're unanimous, thank you.

8 MR. GARCIA: Thank you.

9 CHAIRMAN DANIEL: This is Agenda Item 10,
10 vocational rehabilitation support and employment services.

11 MR. VADEN: Good morning, commissioners, Mr.
12 Serna. For the record, Jason Vaden, vocational rehabilitation
13 division. Supported employment services are critical for VR
14 customers with the most significant disabilities who need long-
15 term supports to achieve and maintain competitive integrated
16 employment. The agency contracts with service providers to
17 deliver these services, which begin with a customer assessment
18 and the development of a plan, continues with job placement and
19 ongoing supports to help the customer reach stability, and
20 closes out once stability has been achieved for 90 days.
21 Unfortunately, since 2017, we've seen a decline in service
22 providers who provide supported employment services, as well as
23 a corresponding decline in the number of customers receiving
24 these services. Reducing burden and administrative complexity
25 have been cited as a way to ensure that we have enough service

1 provider capacity to meet customer demand for these services.
2 Given the need for improvements, staff convened a workgroup
3 consisting of internal staff, representatives from the service
4 provider community, and others to identify constraints related
5 to our current service delivery model. This workgroup identified
6 key improvements in four areas, as set forth in your materials.
7 Taking into account the feedback that we received and the impact
8 to the program, this morning staff seeks direction on amending
9 the current policy for supported employment services, including
10 allowing broader authorization for preemployment assessments,
11 allowing all employment conditions to be negotiable or
12 nonnegotiable, compensating providers for attending required
13 meetings, modifications to the job stability and job retention
14 benchmarks, and then finally restructuring disability-related
15 premiums as set forth in your materials. Commissioners, before
16 closing, I do want to note that given the significant increase
17 in the federal portion of the VR grant since 2017, the program
18 has the financial ability to absorb any associated fiscal-
19 related impact related to those decision points in front of you.
20 That concludes my remarks, and I'm happy to answer questions.

21 CHAIRMAN DANIEL: Any comments or questions?

22 COMMISSIONER ALVAREZ: None here, Chairman.

23 COMMISSIONER DEMERSON: None, thank you.

24 CHAIRMAN DANIEL: Is there a motion?

25

1 COMMISSIONER ALVAREZ: Chairman, I move that
2 we approve the VR-supported employment service policy
3 amendments, as discussed.

4 COMMISSIONER DEMERSON: I second.

5 CHAIRMAN DANIEL: It's been moved and
6 seconded. We're unanimous, thank you. This is Agenda Item 11,
7 policy concept, chapter 804, WIOA-eligible training providers.

8 MR. MULLINS: Good morning, Chairman,
9 Commissioner Alvarez, Commissioner Alvarez, Mr. Serna. For the
10 record, I'm Joel Mullins with the workforce development
11 division. Today for your consideration is a policy concept
12 relating to potential rule amendments to chapter 840, WIOA-
13 eligible training providers. Staff have identified several areas
14 in which amendments to chapter 840 will clarify requirements for
15 participants, local workforce development boards, and eligible
16 training providers. These amendments include two amendments to
17 subchapter F, section 840.53; the acknowledge of TWC's authority
18 under the Family Educational Rights and Privacy Act; and
19 immediate removal from the ETPL of previously approved programs
20 that lose licensure. Also, two amendments to subchapter G,
21 section 840.61, to clarify that ETPs may not impose additional
22 costs on students funded through individual training accounts
23 without prior consent of the board, and that boards must ensure
24 that ETPs and participants are informed that training funds are
25 not available unless and until the board has approved and issued

1 the individual training account. Staff seeks direction on these
2 amendments to chapter 840 as discussed her today and as detailed
3 in your meeting materials for posting for a three-week comment
4 period for local workforce development boards. And I'm available
5 to answer any questions that you have.

6 CHAIRMAN DANIEL: Any comments or questions?

7 COMMISSIONER ALVAREZ: None here. Thanks,
8 Joel.

9 COMMISSIONER DEMERSON: None.

10 CHAIRMAN DANIEL: Is there a motion?

11 COMMISSIONER ALVAREZ: I move that we
12 approve the WIOA-eligible training provider policy concept, as
13 discussed.

14 COMMISSIONER DEMERSON: Second.

15 CHAIRMAN DANIEL: It's been moved and
16 seconded. We're unanimous, thank you.

17 MR. VADEN: Thank you.

18 CHAIRMAN DANIEL: This is Agenda Item 12,
19 apprenticeship-related instruction costs study for fiscal years
20 2019 and 2020.

21 MS. BALLAST: Good morning, Chairman Daniel,
22 Commissioner Alvarez, Commissioner Demerson, and Mr. Serna. For
23 the record, Kerry Ballast, workforce development division. Texas
24 education code section 133.006(b) requires that at least
25 annually the commission shall prepare and submit other Texas

1 Workforce Investment Council, also known as TWIC, or to the
2 apprenticeship and training advisory committee, as designated by
3 TWIC, a report that includes an apprenticeship-related
4 instruction cost study for the most recent state fiscal year.
5 Today, staff seeks direction on approval of the apprenticeship-
6 related instructions cost study for fiscal years 2019 through
7 2020, and a subsequent submission to the Texas Workforce
8 Investment Council. This concludes my remarks. Thank you, and I
9 am happy to answer your questions.

10 CHAIRMAN DANIEL: Any comments or questions?

11 COMMISSIONER ALVAREZ: None at this time,
12 Chairman.

13 COMMISSIONER DEMERSON: None.

14 CHAIRMAN DANIEL: Do we have a motion?

15 COMMISSIONER ALVAREZ: I move that we
16 approve and submit the apprenticeship-related instruction cost
17 study for fiscal years 2019 and 2020 to the Texas Workforce
18 Investment Council.

19 COMMISSIONER DEMERSON: Second.

20 CHAIRMAN DANIEL: It's been moved and
21 seconded. We're unanimous, thank you.

22 MS. BALLAST: Thank you.

23 CHAIRMAN DANIEL: All right, this is Agenda
24 Item 13, local workforce development area performance
25 expectations for boards.

1 MR. LEONARD: Good morning, commissioners,
2 Mr. Serna. Adam Leonard from information, innovation, and
3 insight. I'm here this morning to present to you some
4 recommendations regarding targets for the remainder of BCY '22,
5 targets for the local boards, as well as adjustments on two
6 measures from BCY '21, based on an analysis of changes that
7 occurred during the pandemic that appeared to be unrelated to
8 the services that the boards were providing. That is, we were
9 able to look at what happened in performance, and by looking at
10 the difference in time from when they served them to the point
11 that the pandemic actually hit, it appeared that the
12 relationship between indicators at exit and indicators that came
13 two and four quarters later had changed pretty dramatically.
14 Now, I suppose that's probably not terribly surprising to
15 people, given the unprecedented nature of the pandemic, given
16 the fact that in April, May, June of 2020, when this really
17 kicked in in terms of the performance impact, there was a lot of
18 misunderstanding about the--or lack of understanding and fear
19 about the disease. There were a lot of governmental actions that
20 were well-meaning, but they greatly changed the unemployment
21 insurance program. And then lastly, of course, we know that many
22 local governments were in place, looking at mass--or not mass
23 mandates, but rather closure mandates and reductions in capacity
24 within buildings and restaurants and such. So, what we did was
25 we looked at data over time to see typically what percent of

1 people who exit services file for unemployment insurance
2 benefits by the second quarter after exit, and generally the
3 number's been less than a third for the last several years,
4 until you hit this pandemic, where people who were exited and
5 included in year '21 performance were filing for UI at much
6 higher rates by the second quarter after exit. And of course,
7 because of the way these measures work, with the lag and
8 everything that's in them, what we find is that 75 percent of
9 the people on one of the measures had existed before the
10 pandemic even hit, and on the other measure, the quarter two to
11 quarter four, everybody had exited. So, the boards have done
12 everything they were gonna do for these people in terms of
13 helping them with their employment or enrollment outcomes, and
14 then things moved along for a while, until suddenly everything
15 changed. So, the material has a graph that kinda really shows
16 the change in that relationship, and how the performance on the
17 measure, especially the quarter two measure, had changed. And
18 then compared to the filing of UI claims in the period following
19 exit and the period leading up to when we actually measure for
20 outcomes. And what we did was we were looking at this data, and
21 we found that in the first quarter, which is the quarter prior
22 to the pandemic hitting, essentially, there was a softening of
23 performance there in that quarter that can't really be
24 attributed to what happened during the pandemic. And so, in
25 developing target recommendations for some adjustments, what we

1 did was we held that quarter constant so that there is no change
2 in expectation there, and then we made recommendations on each
3 of the remaining quarters based on the differential in--or the
4 very high correlation between performance outcomes on the
5 official measures and the percent of people filing for UI during
6 the measurement periods. So, I just wanted to take that moment
7 to kind of walk through this, because I realize that this is an
8 area where questions can come up in here, and that this is not
9 intended to reduce accountability within our system by any
10 means, but rather to recognize that when circumstances change
11 dramatically outside the control of whether it's our boards or
12 adult ed grantees, that we may need to look at what would a
13 reasonable level of performance be to be achieved, given those
14 factors. And so, that's what we have done here for '21. For '22,
15 on these exit-based measures for our career and training
16 customers, these same two measures, the employed enrolled
17 quarter two and then employed enrolled quarters two through
18 four, we're recommending that the target be set halfway between
19 these newly recommended '21 targets and our original '22 LAR,
20 which was developed at a time where we did not really have
21 enough data to understand what the pandemic was going to do. So,
22 we stair-stepped our way back to where we kind of expected to be
23 in '22. But on other measures, where we don't have this kind of
24 lag, we're actually looking at some changes there. So for
25 instance, in terms of our Choices program, you may remember last

1 year we talked about the idea of expanding the way that the
2 measure works in order to recognize other activities that may
3 lead to better outcomes, particularly short-term training
4 activities and middle skills activities, we've modified the
5 performance measure definition to account for that so that it's
6 possible to be successful in the measure by making acceptable
7 progress in a training program and getting your hours in that
8 way. So, that is a shift from the past and that's meant to be
9 more consistent with some of the direction and priorities that
10 you all have set over the last year. This program is kind of
11 just restarting, in a way, because they did not have--they were
12 not subject to mandatory participation in the program until
13 April of '21 by HHSC. So, we're back here, up and running. We
14 have an expanded way to see--to reflect the impact of our
15 program, and therefore we're looking to kind of restart targets
16 here at 50 percent, and then we'll see where it grows from
17 future years. But when we look at the other two measures, those
18 related to serving employers and those related to reemployment
19 of UI claimants, what we found is that the trend for employers
20 using our system has been going up, which is certainly a good
21 thing, because it was the opportunity for what we'll call a
22 positive feedback loop. If more employers put more jobs in the
23 system, that'll attract more job-seekers to the system, because
24 they'll see that there's great opportunities there. If employers
25 see more job-seekers with the skills they want in the system,

1 again, then they will use it. So, we get into a virtuous cycle.
2 So, with that in mind, what we've recommended is rather than
3 using the exact targeting methodology we've used in prior years,
4 we instead focus on the level of performance that was recently
5 achieved by the boards, and increase that by 10 percent. So,
6 this would be a measure with somewhat of a stretch goal on it,
7 to see things improve compared to where we were. The trend data
8 supports it, and again, given the issues we have heard from
9 employers regarding finding candidates, we think that they would
10 likely be more receptive, perhaps, now to using the system and
11 taking advantage of what it has to offer, and to help meet those
12 needs of theirs. The last one, the claimant reemployment within
13 10 weeks, what we found is that during the last half of '21,
14 when there was performance accountability in place, that the
15 boards got the program up and operational again, that they were
16 achieving levels of performance consistent with what we were
17 seeing pre-pandemic. That is for new claimants. The percent
18 being reemployed within 10 weeks was at pre-pandemic levels or
19 better. And so what we've done is developed a set of targets
20 here using the basic methodology we've always done around case
21 mix, but focusing on some slight improvement there. So, going
22 from a 58 percent kind of anchor figure to a 60 percent. That
23 summarizes the recommendations I have for you. I realized it's a
24 little bit detailed conversation, but I know that there's the
25 potential that people might not understand--people listening

1 might not understand some of the recommendations that we're
2 making here, and I wanted to make sure we got that on the
3 record. I'm happy to answer any questions you may have on this.

4 CHAIRMAN DANIEL: Any comments or questions?

5 COMMISSIONER ALVAREZ: Adam, thanks for the
6 brief.

7 COMMISSIONER DEMERSON: Thanks again for the
8 briefing as well, Adam. Excited to hear the uptick in the
9 numbers for the employers looking at receiving the services. I
10 think we should probably utilize any feedback from employers in
11 regards to what they're seeing good out of the program, use that
12 feedback and that data to do even more in '22.

13 MR. LEONARD: I totally agree. We have a
14 variety of data-related projects underway with the local boards,
15 one of which involves local economic development groups so that
16 they can kind of talk about their data needs and how the system
17 can better serve them. So, I do see many opportunities here to
18 improve the use of data by our boards, by ourselves, to the
19 betterment of those we serve.

20 COMMISSIONER DEMERSON: Good, thank you.

21 CHAIRMAN DANIEL: So, during an emergency, a
22 natural disaster, or something like that, I think our
23 expectation would be that people would need more help. So as a
24 consequence, TWC and the 28 workforce boards would be called
25 upon to do more in response to the disaster, whatever that may

1 be, whether it's a weather disaster or a pandemic or something
2 along those lines. Do these revisions reflect that expectation
3 that we would do more to help those in need during a response
4 period to a natural disaster or an emergency of some sort?

5 MR. LEONARD: I believe they do in the sense
6 that the adjustments from last year, again, as I'd mentioned,
7 basically all of those people had been served by the time that
8 they were measured. By the time the pandemic came, they had all
9 but one-quarter of people had fully exited the program. They
10 were no longer receiving services. So, those adjustments do not
11 kind of reflect this idea of improvement or increasing services
12 to those who need us. Setting '22 numbers up above where we are
13 in '21, even though the pandemic--it certainly has gotten better
14 since last year. But there are some lingering effects coming out
15 of it. I think it's consistent with what you've been saying, or
16 what you said a moment ago regarding the additional need that
17 our customers may have during that time.

18 CHAIRMAN DANIEL: Mm-hmm. So, we really
19 can't predict with any certainty when there's gonna be an
20 emergency. It's sort of hard to predict--

21 MR. LEONARD: Yes.

22 CHAIRMAN DANIEL: --pandemics, it's
23 difficult to predict weather-related events. How do we make a
24 decision whether or not we should revise our performance
25 measures?

1 MR. LEONARD: So, in this instance it was
2 kind of--it was a logical analysis of the situation. But part of
3 it was we were already--I don't wanna say predisposed, but we
4 had been thinking about this last year. So, when we negotiated
5 with the Department of Labor and Education on targets for the
6 statewide measures, we were looking at their models and saying,
7 you know, you're not really accounting for much here in the way
8 of the pandemic, and their attitude was well, but nobody knows
9 what's gonna happen with the pandemic, so we're just gonna use
10 our normal process and then we can look at it on the back end to
11 see what happened and if we need to make any adjustments. So, we
12 were already kind of thinking from their direction that we might
13 need to look at these at the end of the year, and that's why we
14 came in and thought about it. We also looked again at we're
15 thinking about the logical timing of everything. Because these
16 measures have so much lag, we realize that in a normal period,
17 when the economy's just kind of moving or getting little better
18 or a little bit worse, where it's kinda stable, you don't tend
19 to see performance move around a lot. But when you have
20 significant changes, such as in the unemployment rate or the
21 number of claimants, you pretty much know at that point that
22 there's--an examination is appropriate to try to figure out what
23 that impact might be. And in particular on these cases, thinking
24 about the fact that the measures themselves are not necessarily
25 super-reflective of the level of service that was provided when

1 the person was a participant in our program. This is one of the
2 reasons why we've been working on these alternate measures that
3 will be bringing some definitions back to you here shortly. But
4 working with the boards and others to try to come up with
5 measures that are a little bit more meaningfully tied to the
6 service directly and the period in which that service is being
7 provided.

8 CHAIRMAN DANIEL: To that end, were there
9 any boards that met the performance measures as assigned last
10 year, prior to the revisions you're recommending?

11 MR. LEONARD: Yes, there were. That was not
12 something that I focused on in developing this, because I wanted
13 kind of the purity of mind that this is about the accountability
14 and not about how many are passing or failing. But in answer to
15 your question, after I was done, I did look to see what the
16 original numbers were. Twelve boards were passing the quarter
17 two measure, and I believe it was 20 were passing the quarter
18 two to quarter four measure, although performance had slipped.

19 CHAIRMAN DANIEL: So, what's the net result
20 of making the revision? How many more boards then would be above
21 the goal number?

22 MR. LEONARD: To be honest, I'm not certain
23 what that final number is, again, because I was--I can look it
24 up real quick. I wanna say that for the first measure, it would
25 move somewhere into the neighborhood of I wanna say around

1 22ish, meeting and six not meeting, roughly. And I can look that
2 up and bring it back to you here in a moment. Then on the other
3 measure, there was more minimal impact. I think we went from 20
4 that were meeting to 22 or 23.

5 CHAIRMAN DANIEL: What's the benefit of this
6 revision to the boards that already met the measure?

7 MR. LEONARD: Well, one of the things we
8 produce in our performance reports are not just pass/fail, but
9 we actually do rankings. And the rankings are based on a percent
10 of target, so if you met a higher target, your "percent of
11 target," quote, unquote, won't look as good as if you met a
12 target that was set at a lower level because that was believed
13 to be reasonable. And so, what essentially happens here is that
14 it would be possible for those rankings to kind of get out of
15 sorts, so that some of the boards who were meeting that original
16 number might have a lower ranking than those--and who had higher
17 performance than those who came in and were failing the original
18 but met the new one. And since their target got changed, they
19 might have a higher percent of target. So, it fits more into
20 that than anything else, I think, in answer to your question.
21 For those who do compare board performance and do compare
22 rankings and such, that it would provide a distorted view.

23 CHAIRMAN DANIEL: What's the overall
24 consequence of these performance measures for the boards?

25

1 Passing and failing, rankings, whatever it is we're doing with
2 them.

3 MR. LEONARD: So, for these particular
4 measures, these are state-defined measures, which gives us
5 greater flexibility. I'm not an expert in exactly the
6 consequences, and there may be workforce staff who can kind of
7 walk through it. But more generally, I believe that an initial
8 instance where a board is found to have not met performance and
9 it wasn't appearing to be a very significant problem, that you
10 might have a technical assistance plan to start with, that if
11 that were to not result in improvement as expected, then there
12 would be kind of an escalating set of actions that workforce
13 division would take with that board, designed to try to improve
14 them. And it can get to the point of sanctions and such after X
15 steps occur.

16 CHAIRMAN DANIEL: Mm-hmm. Any additional
17 comments or questions?

18 COMMISSIONER ALVAREZ: I have one. Adam,
19 great report. So, I just wanted to let you know that.

20 MR. LEONARD: Thank you. Thank you.

21 COMMISSIONER ALVAREZ: The other thing is we
22 all know that there are hiring challenges right now. We're all
23 experiencing that, right? Will inflation slow down hiring?

24 MR. LEONARD: Okay, see, I've been over LMI
25 for four months now, so I can't tell you that answer.

1 CHAIRMAN DANIEL: Okay.

2 MR. LEONARD: I can tell you what I read
3 about and what I hear about in magazines and other articles and
4 newspapers, and it does appear that there are some concerns
5 associated with that. But of course, at the same time, we have
6 inflation fairly high, and we're expected to hit full employment
7 next calendar year.

8 COMMISSIONER ALVAREZ: Mm-hmm.

9 MR. LEONARD: So, it's really hard to know
10 what's gonna happen, especially since again, this inflation is
11 very much unlike prior inflations, right? It's driven so much by
12 supply chain issues and a dramatic change in demand on the part
13 of the consumer for what they want. They're not traveling as
14 much, they're not getting experiences as much outside the house.
15 They're doing more remodeling, they're buying more TVs and
16 computers and things to hunker down in the house and be
17 entertained. And so, the system, worldwide system, even without
18 the chip shortage, I don't think was prepared for that kind of a
19 shift, and that's part of the thing that's driving some of these
20 costs up.

21 COMMISSIONER ALVAREZ: Just wanted to stump
22 you, Adam.

23 MR. LEONARD: Okay. Well--

24 COMMISSIONER ALVAREZ: Good job. Good job,
25 Adam. Just a question. No further questions, Chairman.

1 COMMISSIONER DEMERSON: None here.

2 CHAIRMAN DANIEL: Is there a motion?

3 COMMISSIONER ALVAREZ: Chairman, I move that
4 we approve self-develop target methodologies to adjust BCY 2021
5 targets and set BCY 2022 targets, as described by staff.

6 COMMISSIONER DEMERSON: Second.

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

9 MR. LEONARD: Thank you.

10 CHAIRMAN DANIEL: This is Agenda Item 14,
11 program year 2021 AEL grantee targets.

12 MR. LEONARD: Again, for the record, Adam
13 Leonard, information, innovation and insight. I believe that
14 this will be a slightly shorter conversation. You all approved a
15 set of targets for our local grantees focused on their program
16 year '21 funding for the numbers of people who'd be served in
17 the three main different types of programs that they offer,
18 which are the intensive, the IET, and just what we'll call kind
19 of the generic basic adult education program. Last year, not all
20 boards spent the--I'm sorry, boards, I always do this--grantees
21 spent the funding that they had available to them. There are 37
22 grantees. One grantee was able to spend 100 percent of their
23 money; two grantees spent--had carry-forward, but they met their
24 original targets; and the remaining boards--or grantees neither
25 spent all their money, nor did they meet their targets. And so

1 for them, we are proposing carry-forward targets. That is, we
2 took the amounts of money that were left over at the end of the
3 year, and we proposed to set targets for the grantees that were
4 based on their originally agreed-upon case mixes, and gave them
5 the opportunity to review and provide feedback. Twenty-five of
6 the (sounds like) 34 agreed with the original proposal; nine
7 asked for some adjustments and provided their reasoning around
8 that, which the adult education department reviewed and found
9 reasonable. And therefore, the recommendations that we have for
10 you today are agreed upon between staff and the local grantees.

11 CHAIRMAN DANIEL: Any comments or questions?

12 COMMISSIONER ALVAREZ: None here.

13 COMMISSIONER DEMERSON: None.

14 CHAIRMAN DANIEL: Is there a motion?

15 COMMISSIONER ALVAREZ: Chairman, I move that
16 we approve the staff recommendations for program year 2021 AEL
17 grantee carry-forward targets, as discussed by staff.

18 COMMISSIONER DEMERSON: I second.

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

21 MR. LEONARD: Thank you.

22 CHAIRMAN DANIEL: Thank you. This is Agenda
23 Item 15, the TWC supplemental report.

24 MS. HESSION: Works better when you turn it
25 on. Good morning, Chairman Daniel, Commissioner Alvarez,

1 Commissioner Demerson, and Mr. Serna. For the record, Margaret
2 Hession, direct of communications. You have before you the TWC's
3 2021 supplemental annual report to the governor and the Texas
4 legislature for your consideration and approval. The report is
5 pursuant to Texas labor code section 301.065, and Texas human
6 resources code section 122.022(a). The supplemental is comprised
7 of four individual reports--College Credit for Heroes, skills
8 development fund, trade adjustment assistance, Works Wonders,
9 purchasing for people with disabilities. Before receiving your
10 questions we'd like to bring up some specific edits also line-
11 itemed in a document that was previously handed out to your
12 offices, and I have two additional edits. I have these handouts,
13 if you'd like to see them now, or I can just read through them.
14 Edits to note. Since submitting the draft report document to
15 your office for review, we would request that on page two, line
16 six, "by January 1" date be removed to reflect the new date,
17 which is as soon as practical after fiscal year ends. On page
18 23, lines seven through 26, one of the skill development fund
19 stories has been replaced. United Ally and Workforce Solutions
20 Alamo has been replaced with a story on Lamar State College,
21 Orange but Not Gasoline. A new quote has been added from the
22 state representative Joe Deshotel. On page 23, line 26, we are
23 waiting on one final quote for the new subsidized project in
24 southeast Texas. The quote will be added as soon as it's
25 received. Finally, overall SDF performance numbers have been

1 updated since the version report you received reflected over
2 several pages; specifically, pages 19 through 24. At this time,
3 or at the time you received initial briefings, the numbers were
4 not updated. Table one has some updated new numbers; page 54,
5 table three added a missing number for percentage of grant
6 applications FY 2021. And finally, page 63, Work Wonders
7 appendix two, benefits paid by CPRs to individuals employed on
8 state-use contracts in FY 2021, we updated font type and size.
9 Commissioners, we are prepared to answer any questions or
10 receive any further edits or direction you wish at this time.
11 With these edits, we would be requesting your approval of the
12 TWC 2021 supplemental annual report, with your permission to
13 make any technical corrections as necessary prior to final
14 submission. Thank you.

15 CHAIRMAN DANIEL: Any comments or questions?

16 COMMISSIONER ALVAREZ: None here, Chairman.

17 COMMISSIONER DEMERSON: I have none.

18 CHAIRMAN DANIEL: So, those changes are
19 noted. Also too I noted a couple of punctuation errors and four
20 or five syntax errors. So, when you do your final over, just
21 make sure somebody pays attention to those things as well. Is
22 there a--

23 COMMISSIONER ALVAREZ: I guess--I'm sorry,
24 Chairman. I guess I do have a question. Can I ask why we're
25 including names in reports now? Why are we adding names? Like,

1 there's names on this. You just--I hadn't really picked that up.
2 Now, the next item, I will reference that. But I was just
3 curious--is there a reason why we add names? Are they the real
4 names?

5 MS. HESSION: Commissioner, I'm sorry, is
6 this with respect to the supplemental or the annual?

7 COMMISSIONER ALVAREZ: This one's on the
8 supplemental. Let me see--

9 MS. HESSION: May I ask what page
10 (inaudible)?

11 COMMISSIONER ALVAREZ: Yes, I just saw it,
12 I'm sorry. When you were going over it really quick--let me see.
13 I'm sorry for that. I'm just curious, if we have names, are we
14 okay with putting names in a report like this?

15 MS. HESSION: Not that I'm aware of that
16 there's names in the supplemental. I was prepared to discuss
17 that with the next report, in the annual.

18 COMMISSIONER ALVAREZ: Okay.

19 COMMISSIONER DEMERSON: Commissioner
20 Alvarez, are you referring to, like, the quotes? The names after
21 the quotes?

22 COMMISSIONER ALVAREZ: Yeah--well, no--
23 maybe--no--let me see. You know, that's my fault, I'm sorry,
24 Margaret. I just saw it and I could have swore I saw a name, and
25 not on a quote. When you were going through the revisions.

1 COMMISSIONER DEMERSON: Because there are
2 names after the quotes--

3 COMMISSIONER ALVAREZ: Yeah.

4 COMMISSIONER DEMERSON: --or proposed names,
5 I think; they're not listed here, but names.

6 COMMISSIONER ALVAREZ: I'm okay with that.
7 Margaret, I can't find it, but let me just ask--if we add a name
8 that's not part of a quote, can I ask if we're okay with putting
9 names in? Is general counsel okay with that?

10 CHAIRMAN DANIEL: Commissioner, can I ask
11 your question a different way?

12 COMMISSIONER ALVAREZ: Sure, go ahead.

13 CHAIRMAN DANIEL: (Inaudible) still
14 (inaudible). Are the people whose names we're using okay with us
15 using their names in the report? That's his question, with a
16 different twist. Have we checked with them? Did we have their
17 written permission to use their name?

18 MS. YORK: I think we would need to--oh, I'm
19 sorry, Mary York, Office of Employer Initiatives. I think we
20 would need to look at the specific instance and verify that, but
21 in all cases, the success stories featured in the reports have
22 been provided by programs or boards directly; in some cases, had
23 already been shared publicly with boards from their other social
24 media or their websites. So, we'll have to verify with each
25 instance. I don't wanna commit to that they've all been notified

1 as of this moment. But I think that there are other instances
2 where names are not necessarily readily identifiable. There's
3 not a first and a last name used, where you would be able to
4 identify the individual.

5 COMMISSIONER DEMERSON: Yeah, Commissioner
6 Alvarez, so I--there's (inaudible) Addy Heaps, "UTA is the best
7 place I've worked." (inaudible) I'm not sure if that's a name
8 that you're referring to.

9 COMMISSIONER ALVAREZ: What page is that?

10 COMMISSIONER DEMERSON: This report says 38,
11 but I'm not sure if that's the--you may have a different copy
12 (inaudible). Committed to excellence and dreaming big is just
13 one of the stories.

14 COMMISSIONER ALVAREZ: Yeah, I mean, it's--I
15 mean, I don't have a problem with that. I'm just curious--I'm
16 just curious--you know, we've always been instructed not to use
17 names from the dais, are those their real names. I notice in
18 some reports they're in quotations. Does that mean that's not
19 their real name? I just have a question--I just, curious.

20 MR. TROBMAN: Les Trobman, general counsel.
21 I certainly would echo Mary's suggestions and comments,
22 particularly taking them on a case-by-case basis. The only other
23 thing I would add is that in instances where it's within the
24 context of an unemployment insurance and it may be reflecting a
25 claimant in that context that we would wanna also look at it

1 through a separate lens, kind of what you're referencing on
2 direction during docket, and be even more conservative in those
3 instances.

4 COMMISSIONER ALVAREZ: Page 36, line 33. "In
5 addition to recruiting staff and licensed attorneys, we also had
6 to on-board them," and then it says Bree Sarlati, CEO of Peak
7 Performers. I was just--I (inaudible) just--I don't know if
8 they're in good standing, I mean, I'm just--we're putting them
9 in a report that we're submitting to the governor's office.

10 MS. HESSION: Commissioner, I'd need to look
11 at last year's report. I don't believe Bob Gear (SP) is here
12 today to talk directly to the College Credit for Heroes portion.
13 But I believe it's similar to last year and the year prior

14 COMMISSIONER ALVAREZ: Okay. I'm fine. Thank
15 you, though.

16 CHAIRMAN DANIEL: Commissioner, it occurs to
17 me that it seems like both the communications division and
18 general counsel's office is okay with using the names.

19 COMMISSIONER ALVAREZ: Mm-hmm.

20 CHAIRMAN DANIEL: But I would suggest to you
21 that ultimately, at least two of us need to be okay with using
22 the names.

23 COMMISSIONER ALVAREZ: Mm-hmm, sure.

24 CHAIRMAN DANIEL: I think that's a
25 legitimate decision point. And I will tell you, unless I have

1 confirmation that these folks have been advised that their
2 name's in there and they've given us some affirmative consent to
3 use their name, I would be uncomfortable with using the names.
4 So, I don't know what direction you're headed with this and I'm
5 not sure what you wanna do with this, but now you know how I
6 feel, so it may play into your decision-making as well.

7 COMMISSIONER ALVAREZ: I'm okay with this.
8 I'm okay with the report.

9 COMMISSIONER DEMERSON: I'm okay with the
10 report, but I like the chairman's comment. I mean, because I'm
11 reading--you know, I've read it as well, but, you know, Louis
12 Sanchez, self-motivation and responsibility to build trust among
13 employees, it talks about that individual, and also (inaudible)
14 Kurt Daniels, Sanchez's supervisor (inaudible). So, we are
15 utilizing a lot of names in here, and before we issue it out
16 there--we don't want anybody to come back saying, "Hey, I didn't
17 know my name was going to be used in the report." So, we wanna
18 check those, and they probably have already been contacted. And
19 if not, you know, you go out and do that. But I'm okay with them
20 in there--

21 COMMISSIONER ALVAREZ: Mm-hmm.

22 COMMISSIONER DEMERSON: --if the individuals
23 are okay with them being in there. But we probably don't want
24 them coming back, having the report issued and them coming back

25

1 saying, "How did my name get into the report." I don't know if
2 that's something that we should not be doing or not.

3 COMMISSIONER ALVAREZ: Margaret, I'm just
4 siding on the side of caution, right? I'm just--it's not to
5 pick--this is a good report, very good report. Just that I had
6 never seen names--I mean, this is really good, that you guys are
7 using testimonials, quotes. This is really good. I just wanna
8 make sure that we're okay with that, you know? If they're clear,
9 they don't--you know, we always check--I mean, we've been very
10 careful about referencing folks by name. I know we're not using
11 their last name, but we are identifying this is a CEO of a
12 company. Is he still there, is he in good standing, is the
13 company in good standing? I'm okay with it. I'm just letting you
14 know that I've had--in the years that I've been here, I haven't
15 seen referenced this much. But I understand this is a different
16 report, and it's a very good report, for the record.

17 MS. HESSION: Commissioners, I'm prepared to
18 go through, back through the report, all four different
19 sections, and meet with the four program directors who compiled
20 the report and put it together. We facilitated it, and I will go
21 line item by line item and find all the names or their companies
22 or individuals, and check that all of those have given approval
23 or consent, and then come back before you all with that, if
24 that's (inaudible) with your offices.

25

1 COMMISSIONER DEMERSON: And I think it
2 probably will be one of those things. I know if you're asking
3 for, like, future stories and things like that, normally it's
4 the organization providing that information. So, they're
5 normally okay with it. So, I'm hoping that that'll be the case
6 on all of these, but I agree with Commissioner Alvarez and the
7 chairman, with Commissioner Alvarez's last comments. It's a good
8 report, good information.

9 COMMISSIONER ALVAREZ: Mm-hmm.

10 COMMISSIONER DEMERSON: It takes us in a
11 good direction, and I think if we're utilizing--the stories here
12 are good stories, and if the folks are okay with their names
13 being utilized, that's a good thing.

14 COMMISSIONER ALVAREZ: It's a good report.

15 CHAIRMAN DANIEL: All right, is there a
16 motion?

17 COMMISSIONER ALVAREZ: Yes, Chairman, I move
18 that we approve the supplemental annual report for submission to
19 the governor and Texas legislature, pursuant to Texas labor code
20 section 301.065(c).

21 COMMISSIONER DEMERSON: Second.

22 CHAIRMAN DANIEL: And would you be okay with
23 me amending your motion slightly to just say to do the check on
24 the names and do the punctuation and syntax review as well?

25

1 COMMISSIONER ALVAREZ: Sure. Adding that to
2 the amendment, to check names and making sure that they're in
3 good standing (inaudible).

4 CHAIRMAN DANIEL: All right, with no
5 objection, all right.

6 COMMISSIONER DEMERSON: Good.

7 CHAIRMAN DANIEL: It's been moved and
8 seconded. We're unanimous, thank you. This is Agenda Item 16,
9 the 2021 TWC annual report to the governor and the legislature.

10 MS. HESSION: Thank you, commissioners. For
11 the record, once again, Margaret Hession, director of
12 communications. You have before you for discussion TWC's 2021
13 draft annual report to the governor and Texas legislature. Staff
14 are requesting commission input into the draft report that will
15 allow staff to create a final draft report to bring back to the
16 commission for final action at a later date; namely, December
17 21. Staff would intend on posting that final draft version for
18 the public's view in advance of that December 21 meeting. The
19 primary difference, again, between this year's report and last
20 year's report is that this year, instead of the style we have
21 historically produced, selected programs have been spotlighted
22 or featured throughout, and stories under each theme or chapter.
23 Please note, commissioners, that the content before you is a
24 draft--possibly a good starting point, we felt, of presented
25 collective feature stories. It's also intentionally over-

1 inclusive, in the spirit of wanting to include more options for
2 you all to narrow down which ones you'd prefer. There are
3 several options for feature stories, provided in order for you
4 to choose specific stories that you actually which to include or
5 exclude in the final report. We would like to fully recognize
6 your input and your selections, and are happy to make revisions
7 to any draft content. We are prepared to answer any questions,
8 receive any edits or direction you wish at this time.

9 CHAIRMAN DANIEL: All right, so let me tell
10 you how I kind of see where we are with this, and then
11 gentlemen, I'll see if we can figure out a plan of action here.
12 So, we have the report that was shared with us in briefing for
13 this meeting. We don't actually have the report submitted in
14 today's agenda. So, I see that as precluding us from going line-
15 by-line and making amendments to the report from the dais,
16 because we don't really have it before us, because it wasn't
17 presented that way. Now, I made edits based on the draft that
18 was given me; I suspect that you have, too. And not precluding
19 any comments from the dais, which is certainly each
20 commissioner's prerogative, I would suggest that we give our
21 written edits to staff. We can certainly share those in open
22 meeting with each other if we choose to do that, and let staff
23 reconcile those edits, probably the general counsel's office,
24 working with the communications division. Reconcile--I mean, if
25 there's consensus, meaning all three commissioners have

1 recommended a change to something and it's clear that all three
2 commissioners are in substantive agreement with that, I would
3 say that staff should be empowered to make that edit. Where you
4 have any one dissenting voice--in other words, perhaps there's a
5 scenario where two commissioners have recommended a change and
6 one has not, that's not a consensus. So, I would ask you to
7 catalogue those, because we need to bring these changes back for
8 a final vote. Because if there's any kind of dissent whatsoever,
9 we need to have a discussion on that and we need to vote on
10 those things individually. I think it makes more sense from an
11 efficiency standpoint for staff to take whatever edits each
12 commissioner would be proposing today and catalogue those,
13 reconcile those that can be reconciled, and then bring that back
14 so we can have a pretty directed discussion about those. At that
15 subsequent discussion, if there's new ideas, if there's things
16 that you would like to add that you even thought of between
17 today and then, that's all perfectly within our purview as a
18 commission. And even today, if you want to present edits and
19 then perhaps talk a little bit about your philosophy for the
20 report or your direction that you'd like to see, that's
21 appropriate today. I'm just suggesting that it might be a lot
22 more efficient for all of us if we let staff kind of crunch
23 through these edits, find out where we are, and then find out
24 what specific edits we need to take direct action on. And I
25 don't think that gives us any limitation as to how we talk about

1 those or edit those when we bring this back here in a couple
2 weeks to do that. That would be my suggestion. Certainly, I do
3 wanna hear if you have a differing thought or a different
4 suggestion. I'm just kind of looking to squeeze some efficiency
5 out of what can be a pretty unwieldy kind of process.

6 COMMISSIONER ALVAREZ: You may have received
7 some edits. I know I had provided Margaret and his office with
8 some edits. You may have received our copy of some edits. I'm
9 going to now have Jeanette pass the edits that we have in mind
10 for the report, and I do agree with you, Chairman. I mean, I
11 think they have seen a copy of the edits that we want to make
12 are gonna be highlighted in red. And we can take action the way
13 you see fit. We're not in a hurry. I guess my question would be
14 if Commissioner Demerson has any edits he would like to provide
15 to the commission.

16 CHAIRMAN DANIEL: Let me go ahead and
17 distribute mine as well, Commissioner.

18 COMMISSIONER ALVAREZ: Okay, perfect.

19 CHAIRMAN DANIEL: In the spirit of open
20 meeting here, and we have those. Those'll be made available to
21 staff.

22 COMMISSIONER ALVAREZ: Mm-hmm.

23 CHAIRMAN DANIEL: If your staff needs an
24 additional copy of those, please see Kim. She can definitely
25 provide them for you.

1 COMMISSIONER ALVAREZ: Yes, we will need a
2 copy.

3 COMMISSIONER DEMERSON: I think the
4 direction the chairman's laying out, because we have two sets of
5 edits here, and we'll either be discussing those from the dais
6 here or allowing staff to go back and see what matches up one
7 way or the other, may be the most efficient way to go. And then
8 we can have a thorough discussion at some point down the line.

9 MS. HESSION: Mm-hmm.

10 CHAIRMAN DANIEL: All right, so with no
11 objection we'll get these in the hands of staff. Two weeks,
12 reasonable, not reasonable? I don't see panic.

13 MS. HESSION: We were supposed to be back up
14 on the 21st. Is that--

15 CHAIRMAN DANIEL: The 20-what?

16 MS. HESSION: Twenty-first.

17 MR. TROBMAN: That's two weeks.

18 CHAIRMAN DANIEL: That's two weeks, isn't
19 it?

20 MS. HESSION: Yeah, exactly.

21 CHAIRMAN DANIEL: Okay.

22 MS. HESSION: So, commissioners, I'm hearing
23 review and catalogue all of your changes and edits, and try to
24 reconcile where they are reconcilable, and those that aren't,
25 bring them back before you for discussion on the 21.

1 CHAIRMAN DANIEL: Okay, is that--

2 COMMISSIONER ALVAREZ: I'm okay with that.

3 CHAIRMAN DANIEL: Everybody's good with
4 that?

5 COMMISSIONER ALVAREZ: Mm-hmm.

6 COMMISSIONER DEMERSON: (Inaudible)

7 CHAIRMAN DANIEL: All right. No objection,
8 so that's what we'll do.

9 MS. HESSION: Thank you.

10 CHAIRMAN DANIEL: Thank you. This is Agenda
11 Item 17. This is the most efficient title I have ever seen in my
12 notes. It just says, "Item 17, BCY 2022." That just sums it all
13 up, doesn't up? This is about childcare matching funds.

14 MR. WEAVER: Yes, sir. Good morning,
15 Chairman Daniel, commissioners, Mr. Serna. For the record,
16 Travis Weaver, workforce development division. The Texas
17 Workforce Commission allocates federal funding for childcare
18 services from the childcare development fund to the local
19 workforce development areas. For a portion of the CCDF funding,
20 local workforce development boards are required to secure and
21 submit local matching funds to TWC in accordance with federal
22 regulations, and TWC chapter 809, childcare services rules, and
23 TWC chapter 800, general administration rules. Boards submit
24 annual local match pledges from private and public entities to
25 secure federal childcare funds pursuant to 809.17, and to

1 maximize services for childcare needs in the community.
2 Supporting documents today include 24 board contract year '22
3 match agreements from nine boards, which includes Borderplex,
4 Central Texas, Coastal Bend, Dallas County, Golden Crescent,
5 Lower Rio, Panhandle, Permian Basin, and Texhoma. Boards have
6 secured 20.58 percent of the statewide childcare local match
7 target for BCY '22 compared to 22.66 percent for BCY '21 during
8 the same time period, with eight boards securing at least 50
9 percent of their target and four boards securing their BCY '22
10 local match target. Of those slightly behind from last year, we
11 are still on target to complete match by the end of February, as
12 no board has reported issues securing match at this time. Today,
13 staff seeks direction on accepting childcare pledges for
14 donations, transfers, and certification expensive for BCY '22 in
15 the amount of \$5,193,299. Commissioners, this concludes my
16 comments. I will be happy to answer any questions. Thank you.

17 CHAIRMAN DANIEL: All right, any questions
18 or comments?

19 COMMISSIONER ALVAREZ: None here, Chairman.

20 COMMISSIONER DEMERSON: None here.

21 CHAIRMAN DANIEL: Is there a motion?

22 COMMISSIONER ALVAREZ: Chairman, I move that
23 we accept childcare match in the amount of \$5,193,299 for board
24 contract year 2022.

25 COMMISSIONER DEMERSON: I second.

1 CHAIRMAN DANIEL: It's been moved and
2 seconded. We're unanimous, thank you.

3 MR. WEAVER: All right, thank you.

4 CHAIRMAN DANIEL: I'm showing nothing under
5 Agenda Items 18 and 19. Let's move to Agenda Item 20, board
6 nominations.

7 MS. WILLIAMS: Good morning, commissioners
8 and Mr. Serna. For the record, Shunta Williams with the
9 workforce development division. For your consideration this
10 morning, we have workforce board nominations for Capital Area,
11 North Central Texas, Northeast Texas, Panhandle, and Permian
12 Basin. Staff seeks direction on the presented nominees, and I'm
13 here to answer any questions you have.

14 CHAIRMAN DANIEL: Any comments or questions?

15 COMMISSIONER ALVAREZ: None here.

16 COMMISSIONER DEMERSON: Yeah, Shunta, just
17 one question on workforce solutions for North Central Texas
18 (sounds like) Ms. Rolanda reappointment representing the private
19 sector. I wanna kinda make sure she's representing, I guess,
20 Bank of America and Ernst & Young, and so I wanted to make sure
21 that we had clarity around that. Bank of America and Ernst &
22 Young--I think I was informed that Ernst & Young is an affiliate
23 of Bank of America, but I'm not sure of that exact case. So,
24 just some clarity on that, and I'm fine (inaudible)--

25

1 MS. WILLIAMS: That is the case. That is
2 correct, sir.

3 COMMISSIONER DEMERSON: That Ernst & Young
4 is an affiliate of Bank of America?

5 MS. WILLIAMS: Correct.

6 COMMISSIONER DEMERSON: Okay. All right,
7 thank you.

8 MS. WILLIAMS: Mm-hmm.

9 CHAIRMAN DANIEL: Is there a motion?

10 COMMISSIONER ALVAREZ: Chairman, I move to
11 approve the board nominees for Capital Area, North Central
12 Texas, Northeast Texas, Panhandle, and Permian Basin.

13 COMMISSIONER DEMERSON: Second.

14 CHAIRMAN DANIEL: It's been moved and
15 seconded. We're unanimous. There's nothing under Agenda Item 21,
16 legislative proposals. My understanding is we do not have a
17 legislative report today. Mr. Serna, an executive director's
18 report?

19 MR. SERNA: Nor do we have an executive
20 director's report.

21 CHAIRMAN DANIEL: Well, there you go. Is
22 there any other order of business to come before the commission?
23 Is there a motion to adjourn?

24 COMMISSIONER ALVAREZ: Chairman, I move that
25 we adjourn.

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COMMISSIONER DEMERSON: Second that motion.

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

COMMISSIONER DEMERSON: All right.