

**TEXAS WORKFORCE COMMISSION  
TWC Building - Room 244  
101 East 15th Street  
Austin, Texas 78778-0001**

**COMMISSION MEETING AGENDA  
Tuesday, February 2, 2010  
9:00 a.m.  
DOCKET 5**

THE FOLLOWING AGENDA ITEMS MAY NOT NECESSARILY BE CONSIDERED IN THE ORDER THEY APPEAR

1. Call to Order
2. Discussion, Consideration, and Possible Action Regarding Whether to Assume Continuing Jurisdiction on Unemployment Compensation Cases, Wage Claim Cases, and/or Tax Liability Cases and Reconsideration of Unemployment Compensation Cases, Wage Claim Cases, and/or Tax Liability Cases, if Any  
Roger Dickinson, Jonathan Babiak, Doug Carnes and Lisa Stefani
3. Discussion, Consideration, and Possible Action Regarding Tax Liability Cases Listed on the Texas Workforce Commission Docket 5 (Cases will be heard for Docket 5.)  
Doug Carnes
4. Discussion, Consideration, and Possible Action Regarding Higher Level Appeals in Wage Claim Cases Listed on the Texas Workforce Commission Docket 5  
Lisa Stefani and Jonathan Babiak
5. Discussion, Consideration, and Possible Action Regarding Higher Level Appeals in Unemployment Compensation Cases Listed on the Texas Workforce Commission Docket 5  
Roger Dickinson
6. Public Comment  
Paul N. Jones
7. Discussion, Consideration, and Possible Action Regarding the Acceptance of Pledges for Fiscal Year 2010 Child Care Matching Funds  
Juan Garcia and Reagan Miller
8. Discussion, Consideration, and Possible Action Regarding a Request from an Individual to Waive the Child Care Services Rules Relating to the Definition of a Regulated Child Care Provider Pursuant to 40 T.A.C. Sections 809.2(17) and 809.91(a)  
Nicole Verver and Reagan Miller

9. Discussion, Consideration, and Possible Action Regarding Workforce Investment Act Statewide Initiative to Provide Workforce and Support Services to Small Businesses  
Cindy Geisman and Reagan Miller
10. Discussion, Consideration, and Possible Action Regarding an Order Pursuant to the General Appropriations Act, Article VII, Rider 19, 81<sup>st</sup> Texas Legislature, Regular Session (2009), Concerning Additional Funds Relating to the Senior Community Service Employment Program  
Reagan Miller and John Fuller
11. Discussion, Consideration, and Possible Action Regarding Opportunities to Access Temporary Assistance for Needy Families Emergency Contingency Fund Authorized Pursuant to the American Recovery and Reinvestment Act of 2009 (Recovery Act)  
Reagan Miller and Luis Macias
12. Discussion, Consideration, and Possible Action Regarding an Order Pursuant to the General Appropriations Act, Article VII, Rider 19, 81<sup>st</sup> Texas Legislature, Regular Session (2009), Concerning Additional Funds Relating to the Temporary Assistance for Needy Families Emergency Contingency Fund Authorized Pursuant to the American Recovery and Reinvestment Act of 2009 (Recovery Act)  
Reagan Miller
13. Discussion, Consideration, and Possible Action Regarding Options to Reduce Agency Spending in Priority Increments Totaling Five Percent (5%) of the General Revenue and General Revenue-Dedicated Appropriations for the 2010-11 Biennium, Pursuant to a Request from the Governor, Lieutenant Governor, and Speaker of the House  
Randy Townsend
14. Discussion, Consideration, and Possible Action Regarding the General Appropriations Act, Article VII, Rider 31(c), 81<sup>st</sup> Texas Legislature, Regular Session (2009)  
Debbie Carlson and Luis Macias
15. Discussion, Consideration, and Possible Action Regarding Approval of Local Workforce Development Board Nominees  
John Fuller
16. Discussion, Consideration, and Possible Action Regarding Enacted, Proposed or Considered Federal Regulations, Executive Orders, or Federal or State Enacted or Proposed Legislation  
Tom McCarty
17. Report and Update by the Executive Director and Staff Regarding Administrative Matters, Including Internal Policies and Procedures, Customer and Board Service Issues, Status of Project Assignments, Organizational Matters and Responsibilities of the Agency's Divisions  
Larry Temple

18. THE FOLLOWING MAY BE DISCUSSED IN EXECUTIVE SESSION OR OPEN MEETING AND HAVE ACTION TAKEN IN AN OPEN MEETING:

- a) Government Code §551.074(a)(1) The Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of the Executive Director
- b) Government Code §551.074(a)(1) The Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of the Internal Auditor
- c) Government Code §551.074(a)(1) The Appointment, Employment, Evaluation, Reassignment, Duties, Accomplishments, Performance, Goals, and Responsibilities of the Executive Staff and Other Personnel
- d) Government Code §551.071(1) Contemplated Litigation or Pending Litigation of:  
John Benavides, et al v. TWC (formerly Texas Commission on Human Rights);  
Cynthia Brewer v. Texas Workforce Commission;  
Critical Health Connection, Inc. v. TWC, et al;  
Luther Frausto v. TWC and Dillard's Dept. Stores, Inc.;  
Gilbert & Gilbert v. TWC and Vanessa Ponce;  
Homoya v. TWC et al;  
Vincent F. Jimenez v. Texas Workforce Commission;  
Marilou Morrison v. TWC et al (formerly Texas Commission on Human Rights);  
Maria Elena Olivas v. Texas Workforce Commission;  
Jose F. Vasquez, Jr. v. TWC and Merchants Building Maintenance, and Pat Montez;  
Texas Workforce Commission v. Crawford Roofing, Inc., National Roof Drainage, LLC,  
Carolina Commercial Repair, LLC and Continental Casualty Company
- e) Government Code §551.071(2) All Matters Identified in This Agenda Where the Commission Seeks the Advice of Its Attorney as Privileged Communications under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas and to Discuss the Open Meetings Act and the Administrative Procedures Act

19. The next Commission meeting is set for 9:00 a.m., Tuesday, February 9, 2010.

20. Adjournment

Note:

Audio webcasts of TWC Commission meetings are available at <http://www.texasworkforce.org/events.html> Please note that a user cannot click on the link in the Texas Register and get to the site but must cut and paste the address into the browser address line.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids, services, or special accommodations should contact Beth Wiggins at (512) 463-1607 two (2) working days prior to the meeting, so that appropriate arrangements can be made.