

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

**COMMISSION MEETING AGENDA  
Tuesday, May 25, 2010  
9:00 a.m.  
DOCKET 21**

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 21 (Cases will be heard for Docket 21.)  
Doug Carnes
4. Discussion, Consideration and Possible Action Regarding Higher Level Appeals in Wage Claim Cases Listed on the Texas Workforce Commission Docket 21  
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 21  
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 the Estimated Unemployment Trust Fund Balance Pursuant to Texas Labor Code Section 204.061 and the Estimated Employment and Training Investment Holding Fund Balance Available for Transfer Pursuant to Texas Labor Code Section 204.123  
Randy Townsend and Gene Crump

9. Discussion, Consideration and Possible Action Regarding the Negotiation of Program Year 2010 Performance Measure Targets with the U.S. Department of Labor  
Adam Leonard
10. Discussion, Consideration and Possible Action Regarding Board Contract Year 2011 Local Workforce Development Board Performance Measures and Targets  
Adam Leonard
11. Discussion, Consideration and Possible Action Regarding Publication for Public Comment of Proposed Waivers Pursuant to the Workforce Investment Act  
Debbie Carlson and Reagan Miller
12. Discussion, Consideration and Possible Action Regarding Publication for Public Comment of Proposed Rules Relating to Unemployment Insurance (40 T.A.C. Chapter 815, Subchapters A, B, and C)  
Reagan Miller and Debbie Carlson
13. Discussion, Consideration and Possible Action Regarding a Modification of the Use of American Recovery and Reinvestment Act of 2009 (Recovery Act) Child Care Funds in Support of Enhanced Child Care Quality Activities  
Reagan Miller and Juan Garcia
14. Discussion, Consideration and Possible Action Regarding Approval of Local Workforce Development Board Nominees  
John Fuller
15. Discussion, Consideration and Possible Action Regarding Enacted, Proposed or Considered Federal Regulations, Executive Orders, or Federal or State Enacted or Proposed Legislation  
Tom McCarty
16. 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
17. 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);  
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;  
Texas Neighborhood Services, Inc. v. TWC, NCTWFB, NCTCOB and John Moore in his Official Capacity;  
Texas Workforce Commission v. Crawford Roofing, Inc., National Roof Drainage, LLC, Carolina Commercial Repair, LLC and Continental Casualty Company;  
Jose F. Vasquez, Jr. v. TWC and Merchants Building Maintenance, and Pat Montez
- 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

18. The next Commission meeting is set for 9:00 a.m., Tuesday, June 8, 2010.

19. 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.