

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

COMMISSION MEETING AGENDA
Tuesday, May 27, 2008
1:00 p.m.
DOCKET 22

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 22 (No cases will be heard on Docket 22.)
Doug Carnes
4. Discussion, Consideration and Possible Action Regarding Higher Level Appeals in Wage Claim Cases Listed on the Texas Workforce Commission Docket 22
Jonathan Babiak and Lisa Stefani
5. Discussion, Consideration and Possible Action Regarding Higher Level Appeals in Unemployment Compensation Cases Listed on the Texas Workforce Commission Docket 22
Roger Dickinson
6. Public Comment
John Moore
7. Discussion, Consideration and Possible Action Regarding Board Contract Year 2009 Performance Measures and Targets for Local Workforce Development Board Areas
Adam Leonard
8. Discussion, Consideration and Possible Action Regarding Texas' Senior Community Services Employment Program Performance Goals for Program Year 2008
Adam Leonard
9. Discussion, Consideration and Possible Action Regarding Establishing the Program Year 2008 Initial Performance Minimums for the Workforce Investment Act Eligible Training Provider Program
Laurie Biscoe and Larry Jones

10. Discussion, Consideration and Possible Action Regarding Request for Oral Argument and Appeal of Decision and Cease and Desist Order by Esther Medical Institute, Inc., Esther Oleru, Director, and Tobechei Oleru, Director, f/k/a Esther Oleru, d/b/a Esther Medical Tutorial and Nursing Review Center
Diane Parker
11. Discussion, Consideration and Possible Action Regarding Guidance Concerning Resource Utilization and Implementation of National Emergency Grant and Other Operations and Funding for Services in Response to Hurricanes Katrina and Rita
Juan Garcia and Reagan Miller
12. Discussion, Consideration and Possible Action Regarding Approval of Local Workforce Development Board Nominees
John Fuller
13. Discussion, Consideration and Possible Action Regarding the 2007-2008 Biennium Report on Customer Service for the Legislature
Jesse Lewis
14. Discussion, Consideration and Possible Action Regarding Enacted, Proposed or Considered Federal Regulations, Executive Orders or Federal or State Enacted or Proposed Legislation
Jesse Lewis
15. 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
16. 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 the Pending Litigation of John Benavides, et al v. TWC (formerly Texas Commission on Human Rights); Bexar Appraisal District v. TWC and Leticia Bell; Margaret Brendlinger v. State of Texas, TCHR and TWC; Cynthia Brewer v. Texas Workforce Commission; Justin Geer v. U.S. Department of Labor, Department of Veterans Affairs, Texas Workforce Commission and John D. Moore; Gonzales v. U.S. Department of Labor, Elaine Chao in Her Official Capacity as Secretary of Labor, et al; Joseph C. Green v. Texas Workforce Commission; Homoya v. TWC et al; Igal v. Brightstar Information Technology Group, Inc.;

Kimberly L. Jackson vs. Texas Workforce Commission;
Edwin J. Kunz, R. Stephen Tompkins and Belinda Lane v. The State of Texas, Albert Hawkins in his official capacity as executive commissioner of Health and Human Services Commission of the State of Texas, Larry Temple in his official capacity as executive director of the Texas Workforce Commission, Brian Rawson in his official capacity as Acting Chief Technology Officer of the State of Texas, Oracle USA, Inc. and Oracle Corporation;

Timothy D. Latham vs. Texas Workforce Commission;

Marilou Morrison v. TWC et al (formerly Texas Commission on Human Rights);
State of Texas v. Will Boroski, individually and DBA The Actor's Place, Inc., and LA Summit Talent; and

Yzaguirre v. TWC and TWCCRD

- e) Government Code §551.071(2) All Matters Identified in This Agenda Where the Commission Seeks the Advice of Their 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

17. The next Commission meeting is set for 9:00 a.m., Tuesday, June 3, 2008.

18. 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.