

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

**COMMISSION MEETING AGENDA
Tuesday, August 25, 2009
9:00 a.m.
DOCKET 34**

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 34 (Cases will be heard for Docket 34.)
Doug Carnes
4. Discussion, Consideration, and Possible Action Regarding Higher Level Appeals in Wage Claim Cases Listed on the Texas Workforce Commission Docket 34
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 34
Roger Dickinson
6. Public Comment
Paul N. Jones
7. Discussion, Consideration, and Possible Action Regarding the Texas Workforce Commission Fiscal Year 2010 Internal Audit Plan
Joann Benton and Ashley Sagebiel
8. Discussion, Consideration, and Possible Action Regarding the Texas Workforce Commission Fiscal Year 2010 Annual Subrecipient Monitoring Plan
Chris Nelson
9. Discussion, Consideration, and Possible Action Regarding Implementation of the American Recovery and Reinvestment Act of 2009 (Recovery Act) as it Relates to Funding for Unemployment Compensation, Child Care, Workforce Investment Act, and Related Texas Workforce Commission and Local Workforce Development Board-Administered Services
Reagan Miller

10. Discussion, Consideration, and Possible Action Regarding Adoption of Rules Relating to General Administration, Deobligation and Reallocation of Board-Allocated Funds, Previously Published for Public Comment in the Texas Register on July 3, 2009 (40 T.A.C. Chapter 800)
Reagan Miller and Juan Garcia
11. Discussion, Consideration, and Possible Action Regarding Deobligation and Reallocation of Board-Allocated Funds (40 T.A.C. Sections 800.74 and 800.75)
Juan Garcia and Reagan Miller
12. Discussion, Consideration, and Possible Action Regarding the Local Workforce Development Board Plan Modifications for Approval and Submission to the Texas Workforce Investment Council
Debbie Carlson and Reagan Miller
13. Discussion, Consideration, and Possible Action Regarding House Bill 1043, 81st Texas Legislature, Regular Session (2009), Texas Government Code Section 672.004, Relating to Complaints Concerning Texas Workforce Commission's Application of Former Foster Children Employment Preference
Brenda Nichols and Diane Parker
14. Discussion, Consideration, and Possible Action Regarding Performance Renegotiation of Targets for Local Workforce Development Board Areas for Board Contract Year 2009
Adam Leonard
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
Jesse Lewis
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);

- Margaret Brendlinger v. State of Texas, TCHR and TWC;
Cynthia Brewer v. Texas Workforce Commission;
Critical Health Connection, Inc. v. TWC, et al;
Luther Frausto v. TWC and Dillard's Dept. Stores, Inc.;
Gonzales v. U.S. Department of Labor, Elaine Chao in Her Official Capacity as Secretary of Labor, et al;
Homoya v. TWC et al;
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;
Marilou Morrison v. TWC et al (formerly Texas Commission on Human Rights);
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 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

19. The next Commission meeting is set for 9:00 a.m., Tuesday, September 1, 2009.

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.