

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

**COMMISSION MEETING AGENDA  
Tuesday, October 25, 2011  
9:00 a.m.  
DOCKETS 42 and 43**

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  
Duncan Harden and Doug Carnes
3. Discussion, Consideration and Possible Action Regarding Tax Liability Cases Listed on the Texas Workforce Commission Dockets 42 and 43. (No cases will be heard on Docket 42. Cases will be heard for Docket 43.)  
Doug Carnes
4. Discussion, Consideration and Possible Action Regarding Higher Level Appeals in Wage Claim Cases Listed on the Texas Workforce Commission Dockets 42 and 43  
Duncan Harden
5. Discussion, Consideration and Possible Action Regarding Higher Level Appeals in Unemployment Compensation Cases Listed on the Texas Workforce Commission Dockets 42 and 43  
Duncan Harden
6. Public Comment  
Paul N. Jones
7. Discussion, Consideration and Possible Action Regarding the Acceptance of Pledges for Fiscal Year 2011 Child Care Matching Funds  
Michael Sparks and Reagan Miller
8. Discussion, Consideration and Possible Action Regarding the Acceptance of Pledges for Fiscal Year 2012 Child Care Matching Funds  
Michael Sparks and Reagan Miller

9. Discussion, Consideration and Possible Action Regarding Adoption of Rules Relating to SB 76 Listed In-Home Relative Child Care Previously Published for Public Comment in the Texas Register on September 16, 2011 (40 T.A.C. Chapter 809)  
Reagan Miller and Patricia Gonzalez
10. 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
11. Discussion, Consideration and Possible Action Regarding the Incentive Award Criteria and Weighting for Board Contract Year 2011 Pursuant to Rules Relating to General Administration (40 T.A.C. Section 800.106)  
Adam Leonard
12. Discussion, Consideration and Possible Action Regarding Approval of Local Workforce Development Board Nominees  
John Fuller
13. Discussion, Consideration and Possible Action Regarding Enacted, Proposed or Considered Federal Regulations, Executive Orders, or Federal or State Enacted or Proposed Legislation  
Tom McCarty
14. 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
15. 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);  
Gilbert & Gilbert v. TWC and Vanessa Ponce;  
Homoya v. TWC et al;  
Buske Lines, Inc. v. Billy Moore and Texas Workforce Commission;  
Marilou Morrison v. TWC et al (formerly Texas Commission on Human Rights);  
Maria Elena Olivas v. Texas Workforce Commission; and  
Wichita County v. TWC and Donald W. Green
  - 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

16. The next Commission meeting is set for 9:00 a.m., Tuesday, November 1, 2011.

17. 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 Kim Bergmann at (512) 463-7903 two (2) working days prior to the meeting, so that appropriate arrangements can be made.