

TRANSCRIPT OF PROCEEDINGS
BEFORE THE
TEXAS WORKFORCE COMMISSION
AUSTIN, TEXAS

PUBLIC MEETING)
FOR THE TEXAS)
WORKFORCE COMMISSION)

COMMISSION MEETING

TUESDAY, MARCH 3, 2009

BE IT REMEMBERED THAT at approximately
9:00 a.m., Tuesday, the 3rd day of March 2009, the
above-entitled matters came on for hearing at the
Texas Workforce Commission, TWC Building, 101 East
15th Street, Room 244, Austin, Texas, before TOM
PAUKEN, RONALD G. CONGLETON, and ANDRES ALCANTAR,
COMMISSIONERS, and LARRY TEMPLE, EXECUTIVE DIRECTOR,
of the Texas Workforce Commission; and the following
proceedings were reported by Janis Simon, a Certified
Shorthand Reporter of:

	TABLE OF CONTENTS	PAGE
1		
2	AGENDA ITEM NO. 1	3
3	Chairman Pauken	
4	AGENDA ITEM NOS. 2 & 3	3
5	AGENDA ITEM NOS. 4 & 5	4
6	AGENDA ITEM NO. 6	No Action
7	AGENDA ITEM NO. 7	5
8	LaSha Lenzy	
9	AGENDA ITEM NO. 8	No Action
10	AGENDA ITEM NO. 9	9
11	Jesse Lewis	
12	AGENDA ITEM NO. 10	11
13	Larry Temple	
14	AGENDA ITEM NO. 11	12
15	Larry Temple	
16	AGENDA ITEM NO. 12	No Action
17	AGENDA ITEM NO. 13	No Action
18	AGENDA ITEM NO. 14	12
19	Chairman Pauken	
20	REPORTER'S CERTIFICATE	14
21		
22		
23		
24		
25		

1 P R O C E E D I N G S

2 TUESDAY, MARCH 3, 2009

3 (9:00 a.m.)

4 AGENDA ITEM NO. 1

5 CHAIRMAN PAUKEN: Okay. The meeting
6 will now be called to order, and I'll turn the meeting
7 over the Commissioner Alcantar to preside over that
8 portion of the meeting involving Agenda Items 2
9 through 5.

10 COMM. ALCANTAR: Thank you, Chairman
11 Pauken.

12 AGENDA ITEM NO. 2

13 Discussion, Consideration and Possible
14 Action Regarding Whether to Assume Continuing
15 Jurisdiction on Unemployment Compensation Cases, Wage
16 Claim Cases, and/or Tax Liability Cases and
17 Reconsideration of Unemployment Compensation Cases,
18 Wage Claim Cases, and/or Tax Liability Cases, if Any

19 No discussion.

20 AGENDA ITEM NO. 3

21 Discussion, Consideration and Possible
22 Action Regarding Tax Liability Cases Listed on the
23 Texas Workforce Commission Docket 9

24 The Commission considered and took
25 action on all Tax Liability Cases listed on Docket 9.

1 AGENDA ITEM NO. 4

2 Discussion, Consideration and Possible
3 Action Regarding Higher Level Appeals in Wage Claim
4 Cases listed on the Texas Workforce Commission
5 Docket 9

6 The Commission considered and took action on
7 all Wage Claim Cases listed on Docket 9.

8 AGENDA ITEM NO. 5

9 Discussion, Consideration and Possible
10 Action Regarding Higher Level Appeals in Unemployment
11 Compensation Cases Listed on the Texas Workforce
12 Commission Docket 9

13 The Commission considered and took
14 action on all Unemployment Compensation Cases listed
15 on Docket 9.

16 (The Commission paused, then continued
17 with the remainder of the agenda.)

18 CHAIRMAN PAUKEN: All right. Let's
19 reconvene.

20 AGENDA ITEM NO. 6

21 CHAIRMAN PAUKEN: Mr. Jones, any public
22 comment?

23 MR. PAUL N. JONES: No public comment.

24 CHAIRMAN PAUKEN: All right. No. 7 --

25 MR. LEWIS: Microphone, sir.

1 CHAIRMAN PAUKEN: It's not on? Well,
2 now it is. Thank you.

3 AGENDA ITEM NO. 7

4 CHAIRMAN PAUKEN: No. 7, discussion,
5 consideration, and possible action regarding the
6 workload issues concerning Texas Workforce Commission
7 Agency Unemployment Insurance activities, LaSha Lenzy.

8 MS. LENZY: Thank you. Good morning,
9 Chair Pauken, Commissioner Alcantar, Commissioner
10 Congleton, Mr. Temple. I'm LaSha Lenzy, Unemployment
11 Insurance Division.

12 I do have a quick update for you-all
13 today. Last week our toll-free busy signals did go up
14 some from the previous two weeks that we reported --

15 CHAIRMAN PAUKEN: Is that -- was that
16 when the \$25 additional amount kicked in?

17 MS. LENZY: Yes, sir. There has been a
18 lot of questions about the \$25 increase, despite the
19 postings that we have put up and the information on
20 that. There was also a loss of production time last
21 Thursday. You may recall that there was a power
22 outage on Thursday.

23 And the power came up pretty quickly,
24 but all of the functions after that -- the mainframe,
25 e-mail and things like that -- take a little longer to

1 come up. So, there was some delays there that caused
2 some delays in -- with our busy signals.

3 Yesterday, on -- on Monday we did start
4 seeing them to drop. So, we've got good -- good
5 indications for this week. So, keep our fingers
6 crossed there.

7 In looking at some of the preliminary
8 numbers for initial claims, we did --

9 CHAIRMAN PAUKEN: Now, what were the --
10 what -- when you say, "drop," what's the -- what were
11 the numbers yesterday?

12 MS. LENZY: Last -- last week or -- last
13 week it was 607,237.

14 CHAIRMAN PAUKEN: Okay. And yesterday
15 was?

16 MS. LENZY: Eric, do you have the exact
17 numbers for yesterday for busies?

18 UNID. SPEAKER: Yesterday was about
19 230,000 --

20 MS. LENZY: Okay.

21 UNID. SPEAKER: -- which was down from
22 about 290,000 --

23 CHAIRMAN PAUKEN: Okay.

24 UNID. SPEAKER: -- last Monday.

25 CHAIRMAN PAUKEN: All right.

1 MS. LENZY: Okay.

2 Preliminary numbers on the initial
3 claims taken, last week we did see a slight drop
4 there. Our numbers are showing a drop of 25,747.

5 CHAIRMAN PAUKEN: I'm sorry. A drop
6 "of" or a drop "to"?

7 MS. LENZY: Drop -- I'm sorry -- to.

8 CHAIRMAN PAUKEN: Okay.

9 MS. LENZY: -- slightly dropped to
10 25,000 --

11 CHAIRMAN PAUKEN: There's a big
12 difference.

13 COMM. CONGLETON: 29,000, you say?

14 MS. LENZY: 747, to -- down to.

15 The average speed to answer, we're still
16 around 13 to 14 minutes on average. We hired another
17 six individuals last week, and they have entered into
18 training. That brings our total FTEs to 822, and we
19 have 38 to go by the end of the month to get to our
20 goal there.

21 Other than that --

22 COMM. CONGLETON: What's the -- what's
23 the number on the folks that are getting the busy
24 signals?

25 MS. LENZY: For last week?

1 COMM. CONGLETON: Yeah. Oh, you don't
2 have it --

3 MS. LENZY: 6 -- 60 -- I'm sorry?

4 COMM. CONGLETON: Go ahead.

5 MS. LENZY: Last week was 607 --

6 COMM. CONGLETON: Okay. I got that
7 number --

8 MS. LENZY: -- 237.

9 COMM. CONGLETON: Okay. That's what
10 I -- make sure I had that.

11 MS. LENZY: And that's the number of
12 busies.

13 COMM. CONGLETON: Okay.

14 MS. LENZY: I don't know how many people
15 that is.

16 CHAIRMAN PAUKEN: Okay.

17 MS. LENZY: The only other thing that I
18 wanted to report on is we are finalizing our outsource
19 effort that we had previously talked to you-all about,
20 as we're approaching Tier 2 of extended benefits. And
21 I'd like to come around to your offices later today,
22 meet with your staff or you, whomever is available
23 just to give a quick update on that. And we'll be
24 preparing a letter to go out tomorrow back to
25 Mr. Juarez at Department of Labor in response to his

1 response to us that gave us permission to go forward.

2 CHAIRMAN PAUKEN: Okay. Thank you very
3 much.

4 MS. LENZY: Okay. Anything else?

5 CHAIRMAN PAUKEN: No. That's fine.

6 MS. LENZY: Thank you.

7 COMM. CONGLETON: Thank you.

8 AGENDA ITEM NO. 8

9 CHAIRMAN PAUKEN: Discussion -- No. 8,
10 discussion, consideration, and possible action
11 regarding legislative proposals by the Texas Workforce
12 Commission to the 81st Texas Legislature.

13 MR. McCARTY: (Shaking head)

14 CHAIRMAN PAUKEN: Nothing from you,
15 Mr. McCarty?

16 AGENDA ITEM NO. 9

17 CHAIRMAN PAUKEN: How about you,
18 Mr. Lewis, on No. 9, discussion, consideration, and
19 possible action regarding enacted, proposed, or
20 considered federal regulations, executive orders, or
21 federal or state enacted or proposed legislation?

22 MR. LEWIS: Good morning, Mr. Chairman,
23 Commissioners; Jesse Lewis, External Relations. I
24 just wanted to give you a brief update.

25 Last week we appeared before the House

1 Appropriations Subcommittee on Article 7. One of the
2 topics of discussion was the Federal Stimulus, as well
3 as the other funding that -- the Federal Stimulus and
4 the UI Modernization Act. There was quite a bit of
5 discussion on that.

6 We were also called before the Stimulus
7 Committee in the House, gave about a two hour and 20
8 minute presentation, walking them through each of the
9 facets of that. So, far it -- it -- there are several
10 bills filed that deal with the Stimulus.

11 We are working with the Department of
12 Labor on conformity with those. And we'll be visiting
13 with the members as we find out, number one, if
14 they're conforming but, number two, if they qualify
15 for the federal funding. That is probably one of the
16 hottest topics we have going right now, consistently
17 are being asked to come brief offices.

18 With that, I'll be glad to entertain any
19 questions or --

20 CHAIRMAN PAUKEN: Any questions,
21 Commissioner Alcantar?

22 COMM. ALCANTAR: No questions.

23 CHAIRMAN PAUKEN: Commissioner
24 Congleton?

25 COMM. CONGLETON: No questions.

1 CHAIRMAN PAUKEN: No questions. Thank
2 you, Mr. Lewis.

3 AGENDA ITEM NO. 10

4 CHAIRMAN PAUKEN: No. 11 (sic),
5 consideration -- discussion, consideration, and
6 possible action regarding resource utilization,
7 implementation, operations, and funding for services
8 in response to the Hurricane Ike Disaster Relief.

9 MR. TEMPLE: Nothing. We're working
10 with the boards. I think that money has a life of
11 about the end of June, I believe that is, and we're
12 looking at them to see what their expenditures --

13 CHAIRMAN PAUKEN: I mean, all that money
14 in the Stimulus, they didn't give us -- give us our
15 money back for Hurricane Ike. How does it compare
16 with Hurricane Katrina --

17 MR. TEMPLE: We --

18 CHAIRMAN PAUKEN: -- allocation of --

19 MR. TEMPLE: Oh, we -- we received
20 approximately 75 million for Katrina. Of course, that
21 was mainly serving the people from Louisiana --

22 CHAIRMAN PAUKEN: That was -- and -- but
23 Louisiana got a huge amount. How much did we get for
24 Hurricane Ike?

25 MR. TEMPLE: About 15 million.

1 CHAIRMAN PAUKEN: Unbelievable.

2 Unbelievable.

3 MR. TEMPLE: Yes, sir.

4 CHAIRMAN PAUKEN: Okay.

5 AGENDA ITEM NO. 11

6 CHAIRMAN PAUKEN: All right. Report and
7 update by the Executive Director and staff regarding
8 administrative matters, including internal policies
9 and procedures, customer and board service issues,
10 status of project assignments, organizational matters,
11 and responsibilities of the Agency's Division,
12 Mr. Temple.

13 MR. TEMPLE: Nothing new.

14 I just want to thank staff for working
15 hard. We have fiscal notes coming through, a lot of
16 bill analysis, and really are preparing everyone well
17 for the hearings. I just want to thank everybody for
18 their hard work, because they're doing that and their
19 other jobs, as well.

20 AGENDA ITEM NO. 12

21 CHAIRMAN PAUKEN: All right. I don't
22 believe we have anything for Executive -- Executive
23 Session today.

24 AGENDA ITEM NO. 14

25 CHAIRMAN PAUKEN: Is there a motion to

1 adjourn?

2 COMM. CONGLETON: So made.

3 COMM. ALCANTAR: I would second.

4 CHAIRMAN PAUKEN: Okay. It's unanimous.

5 (Meeting adjourned: 9:31 a.m.)

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 C E R T I F I C A T E

2 STATE OF TEXAS)
3 COUNTY OF TRAVIS)

4

5 I, JANIS SIMON, a Certified Shorthand
6 Reporter in and for the State of Texas, do hereby
7 certify that the above-mentioned matter occurred as
8 hereinbefore set out.

9 I FURTHER CERTIFY THAT the proceedings
10 of such were reported by me or under my supervision,
11 later reduced to typewritten form under my supervision
12 and control and that the foregoing pages are a full,
13 true, and correct transcription of the original notes.

14 IN WITNESS WHEREOF, I have hereunto set my
15 hand and seal this day of 2009.

16

17

18

19

20

21

22 JANIS SIMON
23 Certified Shorthand Reporter
24 CSR No. 7076 - Expires 12/31/09
25 Firm No. 276
Kennedy Reporting Service, Inc.
1801 Lavaca Street, Suite 115
Austin, Texas 78701