

1 TRANSCRIPT OF PROCEEDINGS
2 BEFORE THE
3 TEXAS WORKFORCE COMMISSION
4 AUSTIN, TEXAS

4 PUBLIC MEETING)
5 FOR THE TEXAS)
6 WORKFORCE COMMISSION)

6
7 COMMISSION MEETING
8 TUESDAY, APRIL 13, 2010

9
10 BE IT REMEMBERED THAT at approximately
11 9:00 a.m., Tuesday, the 13th day of April 2010, the
12 above-entitled matters came on for hearing at the
13 Texas Workforce Commission, TWC Building, 101 East
14 15th Street, Room 244, Austin, Texas, before TOM
15 PAUKEN, RONALD G. CONGLETON, and ANDRES ALCANTAR,
16 COMMISSIONERS, and GENE CRUMP, DEPUTY EXECUTIVE
17 DIRECTOR, of the Texas Workforce Commission; and the
18 following proceedings were reported by Janis Simon, a
19 Certified Shorthand Reporter of:

20
21
22
23
24
25

	TABLE OF CONTENTS	PAGE
1		
2		
3	AGENDA ITEM NO. 1	4
	Chairman Pauken	
4	AGENDA ITEM NOS. 2 & 3	4
5	Roger Dickinson, Jonathan Babiak, Doug Carnes, and Lisa Stefani	
6	AGENDA ITEM NOS. 4 & 5	5
7	Lisa Stefani, Jonathan Babiak, and Roger Dickinson	
8	AGENDA ITEM NO. 6	No Action
9	Paul N. Jones	
10	AGENDA ITEM NO. 7	6
	Randy Townsend	
11	AGENDA ITEM NO. 8	8
12	Randy Townsend	
13	AGENDA ITEM NO. 9	16
	Adam Leonard	
14	AGENDA ITEM NO. 10	19
15	Debbie Carlson	
16	AGENDA ITEM NO. 11	21
	Reagan Miller	
17	AGENDA ITEM NO. 12	No Action
18	Laurie Biscoe	
19	AGENDA ITEM NO. 13	32
	Laurie Biscoe	
20	AGENDA ITEM NO. 14	33
21	Catherine Bingle	
22	AGENDA ITEM NO. 15	36
	John Fuller	
23	AGENDA ITEM NO. 16	37
24	Tom McCarty	
25	AGENDA ITEM NO. 17	42
	Gene Crump, LaSha Lenzy, Tom McCarty, Chairman and Commissioners	

	TABLE OF CONTENTS	PAGE
1		
2		
3	AGENDA ITEM NOS. 18 & 19	No Action
4	AGENDA ITEM NO. 20	49
5	Chairman and Commissioners	
6	REPORTER'S CERTIFICATE	50
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

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

2 TUESDAY, APRIL 13, 2010

3 (9:00 a.m.)

4 AGENDA ITEM NO. 1

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

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

12 Good morning.

13 AGENDA ITEM NO. 2

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

20 No discussion.

21 AGENDA ITEM NO. 3

22 Discussion, Consideration, and Possible
23 Action Regarding Tax Liability Cases Listed on the
24 Texas Workforce Commission Dockets 14 and 15

25 The Commission considered and took

1 action on all Tax Liability Cases listed on Dockets 14
2 and 15.

3 AGENDA ITEM NO. 4

4 Discussion, Consideration, and Possible
5 Action Regarding Higher Level Appeals in Wage Claim
6 Cases listed on the Texas Workforce Commission Dockets
7 14 and 15

8 The Commission considered and took
9 action on all Wage Claim Cases listed on Dockets 14
10 and 15.

11 AGENDA ITEM NO. 5

12 Discussion, Consideration, and Possible
13 Action Regarding Higher Level Appeals in Unemployment
14 Compensation Cases Listed on the Texas Workforce
15 Commission Dockets 14 and 15

16 The Commission considered and took
17 action on all Unemployment Compensation Cases listed
18 on Dockets 14 and 15.

19 (The Commission paused, then continued
20 with the remainder of the agenda.)

21 AGENDA ITEM NO. 6

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

24 MR. PAUL N. JONES: No public comment,
25 sir.

1 AGENDA ITEM NO. 7

2 CHAIRMAN PAUKEN: All right. Item 7,
3 discussion, consideration, and possible action
4 regarding the estimated Unemployment Trust Fund
5 balance pursuant to Texas Labor Code Section 204.061
6 and the estimated Employment and Training Investment
7 Holding Fund balance available for transfer pursuant
8 to Texas Labor Code Section 204.123, Mr. Townsend.

9 MR. TOWNSEND: Good morning,
10 Mr. Chairman, Commissioners; providing the Trust Fund
11 projection for October 1st, 2010. We've used
12 information available as of April 7th. As of April
13 7th we're estimating the Trust Fund balance will be
14 zero on October 1st, but we're also estimating the
15 outstanding Title XII advance will total 1 billion 696
16 million on October 1st, 2010. Based on that estimated
17 balance or outstanding advance, we would be 2 billion
18 510 million below the floor on October 1st.

19 A couple observations to share with you
20 this morning, Commissioners. For the last six
21 completed weeks -- this was ending March 27th -- total
22 net benefits paid averaged 63.7 million per week.
23 That was down 2.9 percent from the one-year-ago
24 six-week average. Initial claims averaged 17,932 for
25 the six weeks ending March 27th. That was 31.6

1 percent below the one-year-ago average.

2 Continued claims averaged 221,934 for
3 the six weeks ending March 27th, and that was 3.3
4 percent below the one-year-ago average. I think it
5 may be the first time I recall here recently that
6 continued claims actually is below our six-week
7 average. So --

8 CHAIRMAN PAUKEN: Let me ask you,
9 particularly with respect to continued claims, is that
10 tracking what -- are those numbers tracking what your
11 estimates were? Are they higher or lower?

12 MR. TOWNSEND: Overall, we're -- we've
13 been estimating just over 3 -- 3 billion payout for
14 the year, and our net benefits paid are averaging
15 about 60 million a week here recently for the last few
16 weeks. So, we're tracking pretty close with what
17 our -- what our projections are. So, I feel pretty
18 good that we're probably getting fairly close to -- to
19 our numbers there.

20 CHAIRMAN PAUKEN: Okay.

21 MR. TOWNSEND: I mean, still the numbers
22 are large, obviously, in terms of the situation,
23 but --

24 CHAIRMAN PAUKEN: And we're still
25 looking to determine what the feds -- I guess Tom

1 McCarty will have a report a little later what the
2 feds may do with regard to extending the no-interest
3 loans for another year.

4 MR. TOWNSEND: I think we're still
5 waiting to hear something on that, but yes, sir.
6 We're -- we're certainly keeping our eye out for that.

7 CHAIRMAN PAUKEN: Okay.

8 Any questions or comments by my fellow
9 Commissioners?

10 COMM. ALCANTAR: No questions.

11 COMM. CONGLETON: No questions.

12 CHAIRMAN PAUKEN: Okay. Thank you,
13 Mr. Townsend.

14 MR. TOWNSEND: Thank you.

15 AGENDA ITEM NO. 8

16 CHAIRMAN PAUKEN: No. 8, discussion,
17 consideration, and possible action regarding the
18 Fiscal Year 2011/Program Year 2010 allocation for
19 Workforce Investment Act Adult, Youth, and Dislocated
20 Worker; Fiscal Year 2011 planning estimates for Child
21 Care, Choices, Employment Services, Project
22 Reintegration of Offenders, Supplemental Nutrition
23 Assistance Program Employment and Training, Workforce
24 Investment Act Alternative funding for Statewide
25 Activities, Workforce Investment Act Alternative

1 funding for One-Stop Enhancements; and performance
2 targets for local workforce development board areas,
3 Mr. Townsend and Mr. Crump.

4 MR. TOWNSEND: Thank you, Mr. Chairman,
5 Commissioners.

6 What we wanted to do this morning is
7 present for your consideration -- I'm not going to ask
8 for approval this -- for this -- for this week but
9 come back in two weeks and actually ask for approval
10 of the allocations and planning estimates. But I did
11 want to go over a few items for your benefit, as well
12 as for folks who are -- are listening out there to
13 have some idea of what we're -- we're looking at in
14 terms of our funding amounts for the Fiscal Year 2011
15 time period.

16 We did -- Texas, along with other
17 states, did receive its allotment of Workforce
18 Investment Act funds. For the State of Texas overall,
19 we did see reductions in both Adult Formula funding
20 and Youth Formula funding. It looks about a 10
21 percent reduction overall, which probably means we're
22 at our hold harmless level, and it appeared that
23 several states were in that same boat. A lot of that
24 is driven -- or most -- mostly driven by unemployment
25 relative to other states.

1 And so, as you know, I think we've
2 talked about this several times in the past, Texas has
3 been fortunate in that our unemployment is -- while
4 it's high, it's not as high -- the increase hasn't
5 been as great as some of the other states. So,
6 that -- what that means is we received a lower funding
7 amount for Adult and -- and Youth funding.

8 We did see an increase in Dislocated
9 Worker. That was actually a -- a pleasant surprise
10 and was -- from the funding standpoint about a 19
11 percent increase. So, overall, that -- with the
12 reduction in Adult and Youth and then the increase in
13 Dislocated Worker, we -- we saw an overall reduction
14 of about 1.7 percent, a couple million dollars overall
15 reduction for the State of Texas.

16 So, it wasn't quite as bad as I was
17 actually thinking it might be. Still, we're -- when
18 you compare that to, what, three or four years ago, we
19 were in the 230- to 240-million range as far as the
20 State's allocation of WIA funds. We're now in about
21 the 175-million range. So, it's still a reduction
22 overall, but I guess the good news is here that at
23 least it's not a -- a larger reduction for this year.

24 We -- we have put together for your
25 packet for the allocations the -- based on the updated

1 information by board area. I will just say at this
2 point, just much like the State of Texas, relative to
3 other -- other states at the national level each board
4 area has not seen the same percentage increase in
5 unemployment factors. And so there is some variation
6 among board areas. There's obviously some -- some
7 areas that -- that gain more funding and some that
8 lose -- lose funding, and we've put that together for
9 your consideration there.

10 The one thing we did continue from --
11 from last year's allocation for Dislocated Worker, we
12 assumed 5 percent for Rapid Response. That's
13 certainly within your purview to consider what
14 percentage is appropriate. It's about \$3 million. At
15 the staff level we believe that's a -- a reasonable
16 amount to set aside for Rapid Response, hopefully not
17 too much and not too little. We're trying to strike
18 a -- a reasonable balance there. I believe
19 that's probably a pretty good number to -- to target,
20 but I did want to make you aware that is an assumption
21 that's built into the -- to the allocations for
22 Dislocated Worker funding.

23 The other thing I wanted to mention to
24 you this morning, this would be a -- a bit of a
25 departure from what we've done in the past. We -- we

1 have for WIA Alternative Funding, for Statewide
2 Activities, and One-Stop Enhancement, an item for your
3 consideration with respect to funding this -- this
4 allocation for next year using Recovery Act Funds.
5 It's about 3.4 million total. One million of that is
6 One-Stop Enhancement funding, the five smallest boards
7 receiving roughly 200,000 each, and then the
8 Alternative funding for those board areas that totals
9 about 2.3 million.

10 We're -- at the staff level we're
11 recommending that you consider using -- we have
12 available Recovery Act funds. Those -- those amounts
13 will -- will end next June, June 2011. And because of
14 timing and availability of funds, we're recommending
15 that we -- for this year fund that allocation with
16 Recovery Act as opposed to the -- the Program Year
17 2010 Formula funds to get -- get the funds out timely,
18 to -- to make sure we are able to spend those
19 effectively, and we'd make those available -- actually
20 propose to make those available as soon as possible,
21 first part of May would be preferable.

22 So, I did want to make sure that
23 direction was consistent with what you would -- would
24 find acceptable. I'm not necessarily asking you to
25 make a final decision this morning. But what we'd

1 like to do, if that's acceptable, we'll start working
2 the contract language up and -- and making sure that
3 we're ready to go first part of May when we bring this
4 back to you two weeks from now. So, we'd like to just
5 make sure if there's any questions or -- or concerns
6 or observations regarding that -- that staff
7 recommendation --

8 CHAIRMAN PAUKEN: Commissioner
9 Congleton.

10 COMM. CONGLETON: I have no questions.

11 CHAIRMAN PAUKEN: Commissioner Alcantar.

12 COMM. ALCANTAR: No, I do have a couple
13 of comments.

14 One is, I am comfortable with the notion
15 of using ARRA for the alternative funding to the
16 boards.

17 The other thing I'd ask is over the --
18 over the next few days that we look at the Child Care
19 allotment and examine -- have staff put together some
20 options for us to consider in terms of whether or not
21 we have an opportunity, given the dollars that are out
22 there already allocated to the boards from -- in '010
23 whether or not we have the possibility to do some
24 unique things, make some one-time investments and
25 quality and those type of things.

1 MR. TOWNSEND: We'll certainly look at
2 that, Commissioner.

3 I have one other item for your -- just
4 to -- to mention to you -- and, again, we'll bring
5 this back for a final decision in two weeks. Under
6 Employment Services, we've looked -- as you know, for
7 the last several months we've -- we've had the benefit
8 of having Recovery Act funds to provide roughly about
9 320 or -- or so additional staff to help with the
10 increased claims load or assisting claimants and --
11 and helping, you know, folks back to work and that
12 sort of thing.

13 There have been some questions from the
14 boards about if there would be any way to continue
15 some of the -- the staffing levels and -- and we have
16 gone back at -- at -- at the staff level here and
17 looked at funds that might be available, and we
18 believe we've identified some funds and would like to
19 bring that back for your consideration in two weeks to
20 possibly be able to fund an additional maybe 130 or so
21 additional staff on average across the -- across the
22 state. And we'll bring back an alternative that --
23 that would look at that as an option. I think I
24 briefed you individually about that possibility, and
25 we'll bring the -- we'll bring back a separate page

1 that shows that comparison.

2 So, if that is something you'd -- are --
3 are agreeable to, again, we'll put that as part of the
4 option for your consideration two weeks from now.

5 CHAIRMAN PAUKEN: Commissioner Alcantar.

6 COMM. ALCANTAR: That's certainly --
7 that's something I'm interested in considering. And
8 from what I understand, at the federal level, there --
9 there is very little discussion in terms of providing
10 continued funding to support those enhanced staffing
11 levels. Is that correct, in terms of the federal
12 package for next year?

13 MR. McCARTY: (Inaudible)

14 COMM. ALCANTAR: Okay.

15 MR. TOWNSEND: Let us look at that and
16 see. I'm -- I'm not -- not aware of the -- the
17 details on that --

18 (Simultaneous discussion)

19 COMM. ALCANTAR: Yeah, I -- I don't
20 believe there is -- there are additional funds. So --

21 MR. TOWNSEND: I -- I have not heard of
22 any, but we can certainly take a look. I --

23 (Simultaneous discussion)

24 COMM. ALCANTAR: So, I think it is
25 important that we take a -- take this opportunity to

1 review whether or not we have that option at the state
2 level.

3 MR. TOWNSEND: And we'll bring that back
4 in two weeks.

5 COMM. ALCANTAR: Great. Thank you.

6 CHAIRMAN PAUKEN: And Commissioner
7 Congleton.

8 COMM. CONGLETON: I agree with that.

9 CHAIRMAN PAUKEN: Okay. Thank you,
10 Mr. Townsend.

11 MR. TOWNSEND: Unless you have other
12 questions, that -- that concludes my presentation.

13 CHAIRMAN PAUKEN: That's fine.

14 MR. TOWNSEND: Thank you.

15 AGENDA ITEM NO. 9

16 CHAIRMAN PAUKEN: No. 9, discussion,
17 consideration, and possible action regarding
18 negotiation of Program Year 2010 performance measure
19 targets within the -- with the U.S. Department of
20 Labor, Adam Leonard.

21 MR. LEONARD: Good morning. For the
22 record, Adam Leonard, Performance, Analysis, and
23 Reporting. We generally negotiate targets on WIA and
24 Employment Services, or Wagner Peyser, once a year.
25 Occasionally, DOL will have us negotiate two years at

1 the same time.

2 At this point, I'm hearing informally
3 from them that they are going to be looking at a
4 single year of negotiations and that they're going to
5 put out guidance here that would ask for state
6 proposals by April 30th, 2010. Now, that guidance
7 hasn't yet come out, and we're now two weeks out from
8 the deadline, roughly. So, it could be that they will
9 push that out further into May. It would certainly be
10 helpful if they did, particularly for the states who
11 didn't bother to call and see what's up, as -- as we
12 did to try to get ahead of this.

13 So, right now, I -- as of today, I don't
14 have specific recommendations for you-all to look at,
15 which is a little atypical. But because of the fact
16 that we're on a biweekly meeting process and there
17 would have been only one meeting if we didn't take it
18 up this week, which would have been in two weeks, and
19 if that moved, then I wouldn't have had the chance to
20 present this at all and seek any input that you might
21 have to give us as we go forward in the process.

22 So, I'm certainly hoping that I can come
23 back with specific recommendations before the deadline
24 that you can look at. But in the event that either
25 the data is not available in time or a meeting gets

1 moved, I wanted to present now and make sure that
2 there were no concerns that we needed to take into
3 account. I will say that, even though we just
4 recently concluded renegotiating with DOL on some
5 renegotiated PY '09 targets, and my understanding is
6 is that DOL is going to give states the option of
7 keeping their '09 targets for '10, it does not appear
8 that that would be appropriate in some measures for
9 Texas. And part of that is because we had -- although
10 the PY '09 performance certainly fell within the
11 period of the recession, we started seeing it a lot in
12 the Entered Employment area. The numbers got worse as
13 we progressively go further into 2009 and now into
14 2010, and so what was appropriate for the current year
15 may not be appropriate for next year. And so we're
16 looking at that now and would take that into account
17 in any recommendations we make to you and request to
18 the Department of Labor.

19 CHAIRMAN PAUKEN: Commissioner
20 Congleton.

21 COMM. CONGLETON: I have no problem with
22 that.

23 CHAIRMAN PAUKEN: Commissioner Alcantar.

24 COMM. ALCANTAR: Fine with me.

25 CHAIRMAN PAUKEN: Okay.

1 MR. LEONARD: Thank you.

2 CHAIRMAN PAUKEN: Thank you,
3 Mr. Leonard.

4 AGENDA ITEM NO. 10

5 CHAIRMAN PAUKEN: No. 10, discussion,
6 consideration, and possible action regarding
7 publication for public comment of proposed rules
8 relating to General Administration concerning
9 Memoranda of Understanding between the Texas Workforce
10 Commission and government entities pursuant to Texas
11 Labor Code Section 302.016 (40 TAC Chapter 800,
12 Subchapter F), Debbie Carlson.

13 MS. CARLSON: Good morning; Debbie
14 Carlson of the Workforce Division.

15 Today for your consideration we have
16 proposed rules regarding Private Sector Prison
17 Industries Program. As set out in the Government
18 Code, TWC is required to adopt rules and to provide
19 employer contact information to the relevant
20 government agency responsible for the notification.
21 The relevant government agencies are the Texas
22 Department of Criminal Justice, Texas Youth
23 Commission, and any county that operates a Private
24 Sector Prison Industry Program.

25 Staff proposes a new Section 800.205.

1 As proposed, the rules establish that TWC would enter
2 into an MOU with the appropriate governmental entity.
3 The MOU would establish that only publicly-available
4 data sources would be used, costs to TWC would be
5 reimbursed, and any information provided by TWC is
6 provided only for the purpose of allowing the relevant
7 government agency to meet its notice requirements
8 under the Government Code.

9 We're seeking Commission approval of the
10 proposed rules for publication in the Texas Register,
11 and I'll be available to answer any questions you may
12 have.

13 CHAIRMAN PAUKEN: Commissioner
14 Congleton.

15 COMM. CONGLETON: I have no further
16 questions.

17 CHAIRMAN PAUKEN: Commissioner Alcantar.

18 COMM. ALCANTAR: No questions or
19 comments.

20 CHAIRMAN PAUKEN: Okay. Is there a
21 motion?

22 COMM. CONGLETON: After staff meetings
23 with the staff about my concerns on the issue, I'm
24 comfortable going forward with the proposed rule as
25 discussed.

1 COMM. ALCANTAR: I would second.

2 CHAIRMAN PAUKEN: Okay. It's unanimous.

3 Thank you, Ms. Carlson.

4 MS. CARLSON: Thank you.

5 AGENDA ITEM NO. 11

6 CHAIRMAN PAUKEN: Discussion,
7 consideration, and possible action regarding Workforce
8 Investment Act Statewide Initiatives, Reagan Miller.

9 MS. MILLER: Good morning, Chairman,
10 Commissioners. This morning we do have some
11 recommendations for WIA Statewide Initiatives.

12 The first is a recommendation for a
13 \$100,000 project, which is operated by our LMCI
14 Department for detailed work activities. These funds
15 will support the ongoing development of a transferable
16 skills database that maps work activities within
17 specific jobs and occupations, and we do believe that
18 the results of this project, once it's complete, will
19 be beneficial in improving Work In Texas and how our
20 job matching functions operate within that system.

21 We're also proposing the bulk of the
22 money for a -- a multipronged comprehensive Veterans
23 initiative, and we're asking that up to 3 million be
24 dedicated to the different facets of this initiative.
25 We're asking for your approval of this amount so that

1 we can begin discussions with other state and federal
2 entities that we'll need to partner with on these
3 initiatives.

4 First of all, we are proposing a
5 Veterans as Teacher Project. Under this initiative,
6 we'd like to take advantage of the skills that
7 Veterans learned while on active duty and translate
8 those into placements at colleges as adjunct
9 professors.

10 Second, and probably the biggest piece
11 of this initiative, in an effort to recognize the
12 knowledge that Veterans gain while on active duty, we
13 propose that TWC support a demonstration project to
14 ascertain college credit that can be accredited to
15 Veterans who have experience in the healthcare field
16 based on their military training. We will need to
17 work very closely with the colleges themselves, as
18 colleges each have the authority to determine how they
19 will award credit for experiential learning.

20 We're also going to look to the Texas
21 Higher Education Coordinating Board to serve as a
22 resource for this initiative. They have a great deal
23 of knowledge that we'll need to avail ourselves of,
24 and it will be really instrumental in -- in helping us
25 navigate through a very complex process. We think

1 that by establishing an articulation process for
2 military training that this initiative really has the
3 capacity to expand Veteran's enrollment in
4 postsecondary education, take advantage of the
5 learning that they received while on active duty, and
6 maximize credit for military training.

7 For these first two initiatives we would
8 like to focus on the allied health fields. There are
9 a lot of different fields that we can look at, but we
10 really need to hone in on one area so we can target
11 this initiative. And we are aware that many soldiers
12 have extensive medical and health training during
13 active duty. So, we think this would be a good field
14 to target our efforts at.

15 The -- the third prong of this funding
16 request would be to support the needs of military
17 families by addressing their employment and training
18 needs. For these three initiatives, with your
19 approval, we will begin conversations with our
20 partners so that we can better understand the scope of
21 these initiatives. And then we'll come back to you
22 with the details, if you approve of this project, once
23 we have these discussions with some -- with some more
24 information on how much each of these would cost to
25 implement.

1 CHAIRMAN PAUKEN: Reagan, I don't know
2 if Larry Jones -- did you have a chance to visit with
3 Reagan about our discussion with the career and
4 technical folks of the community colleges, the
5 conference in Dallas? Maybe you could stand forward
6 on -- on this as well.

7 One of the issues that cropped up with
8 the community colleges, in terms of this effort to
9 recognize the experience of people who have been in
10 the military, particularly those who are medics, for
11 example, combat medics and how you put that
12 experience -- so that they don't have to start all
13 over in the community college. And one of the
14 concerns that community college officials expressed to
15 me is you've got a lot of these credentialing agencies
16 and commissions down here in Austin that they have to
17 comply with their rules and that can be either helpful
18 or an impediment to making this happen.

19 Have you had a chance, Mr. Jones, to
20 follow up on that or get any additional information
21 with respect to the discussions we had at the recent
22 conference?

23 MR. LARRY JONES: Yes, sir, I have. And
24 thank you, Commissioner. For the record, Larry Jones,
25 Workforce Development.

1 I spoke with Mr. Temple on the issue.
2 I've also spoken, of course, with Reagan on this. I
3 think this is an issue that Mr. Temple wants to
4 address with the executive director from THECB to get
5 the ball rolling. So, that was my --

6 CHAIRMAN PAUKEN: So, I -- I'm -- I'm
7 confused. We were going to talk to some of the --
8 which Commission are you talking about now?

9 MR. LARRY JONES: That would be THECB,
10 sir, Texas Education Higher Coordinating Board.

11 MS. MILLER: And --

12 CHAIRMAN PAUKEN: Yeah, but there are
13 also these other -- you know, Texas -- the Nursing
14 Commission --

15 (Simultaneous discussion)

16 MS. MILLER: -- the Nursing Board,
17 absolutely.

18 CHAIRMAN PAUKEN: -- a whole -- a whole
19 bunch of -- so, where are we? We're -- Mr. Temple is
20 in this now, or what -- what -- what is there with
21 respect to -- to that? I thought we were going to
22 move forward and talk with some of these officials.

23 MR. LARRY JONES: Okay. I apologize,
24 sir. I spoke to Mr. Temple on the subject, and I
25 think he wanted to take the ball on this. We -- in

1 approaching community colleges before, we've not been
2 successful in our endeavors to have them recognize
3 Veterans' qualifications --

4 CHAIRMAN PAUKEN: Well, I know -- and
5 let me -- and, you know, I beg to disagree a little
6 bit. I know some of the community colleges are
7 working actively to try to develop appropriate
8 credentialing, but one of the problems that was
9 expressed to me by -- by those -- by some of those who
10 are trying to do that is that they're running into
11 some impediments from -- from Austin agencies. It has
12 nothing to do with this -- this agency or Mr. Temple.
13 It has to do with other -- other operations here in --
14 in Austin, and that's what I'm --

15 COMM. ALCANTAR: Mr. Chairman --

16 CHAIRMAN PAUKEN: -- concerned about
17 where we're going here.

18 Yes, Andres?

19 COMM. ALCANTAR: I have had this
20 discussion with -- with Reagan and -- because I share
21 the similar objective here, and that is to maximize
22 credit for military training and occupational training
23 in the military. And in addition to making sure that
24 we work closely with the colleges, I think it's also
25 important -- and Reagan and I have discussed this --

1 and she's reaching out to other agencies as a part of
2 this project to include the -- not only the -- the
3 Nursing Board, but also the State Health Services
4 Agency, who does a lot of the allied health licensing
5 and regulation and a -- and a number of other boards.

6 The idea is to work, not only the
7 colleges, but in partnership with other agencies so
8 that we -- as we move forward with an articulation and
9 accreditation process, that there is also recognition
10 at these state health agencies and there is an
11 awareness in terms of the work being undertaken here
12 to make sure that we do maximize the credit that is
13 earned in the military. So, Reagan is working on
14 that.

15 MS. MILLER: I --

16 (Simultaneous discussion)

17 CHAIRMAN PAUKEN: Well, I also -- I
18 also -- it was also suggested to me that the president
19 of a community college up in the Temple area, who's
20 previously been involved with one of the institutions
21 down here in Austin, is very knowledgeable about the
22 process. But let's not get bogged down by, you know,
23 it -- it being stuck here. Let's -- let's go forward
24 and -- and -- and try to find out what -- you know,
25 what we can do, because I -- my sense is -- I mean,

1 there may be some community colleges reluctant to move
2 forward. But I -- I felt a very positive response.

3 Did you not, Mr. Jones, from our
4 discussion with community colleges and their openness
5 to providing recognition in one way or another for the
6 experience that the soldiers coming back from Iraq and
7 Afghanistan --

8 MR. LARRY JONES: Yes, sir, I felt the
9 same thing in the room that day, sir.

10 CHAIRMAN PAUKEN: Okay. And then -- but
11 they raised some good issues. So, let's -- let's
12 figure out how to -- you know, not get this bogged
13 down --

14 MR. LARRY JONES: Yes, sir.

15 CHAIRMAN PAUKEN: -- you know, a
16 bureaucratic situation here. Let's move forward.
17 Okay?

18 MR. LARRY JONES: Yes, sir.

19 MS. MILLER: Yes.

20 CHAIRMAN PAUKEN: All right.

21 COMM. ALCANTAR: No, this is an exciting
22 project to me. I think it gets right at the heart of
23 the matter. It -- it really is about valuing service
24 and -- while it's important to understand and -- and
25 have these certification requirements met, it's also

1 important to recognize the high quality of the
2 training and the application of those skill sets while
3 in the military. And I think the objective here to
4 focus on one industry, healthcare initially, gives us
5 a great opportunity to demonstrate how it can be done
6 and to really show how effectively we can value the
7 time and minimize the time spent in the classroom and
8 get them back into application and civilian life in
9 terms of these skill sets.

10 CHAIRMAN PAUKEN: Yeah, and there --
11 it -- clearly, there has to be, you know, the testing
12 or appropriately -- appropriate checking to make sure
13 they do have the skills. But the -- the key is not to
14 take people who have had excellent training in the
15 military and -- and have to go back and start all over
16 again from square one.

17 COMM. ALCANTAR: No, that's very
18 inefficient. Again, it doesn't honor their time and
19 the skill sets that they've acquired in -- in the
20 military. And I think, in many cases, we're losing
21 certain individuals to other fields when they should
22 be practicing at something that they're very qualified
23 for.

24 CHAIRMAN PAUKEN: Okay. Good. I think
25 we're all on the same page --

1 (Simultaneous discussion)

2 MS. MILLER: I also want to point out,
3 in addition to the money that we're requesting, we're
4 also looking at some of the existing initiatives that
5 were approved. The one that comes to mind is the
6 million dollar for the After School Youth Robotics
7 Initiative and how those initiatives can also be
8 targeted to help the needs of military families. For
9 example, if we look at applicants and the possibility
10 that they can prioritize children of military
11 families, those who are in the Guard and Reserve. So,
12 we're looking at some other opportunities that we
13 have --

14 CHAIRMAN PAUKEN: Yeah, that's --

15 MS. MILLER: -- to provide comprehensive
16 services --

17 (Simultaneous discussion)

18 CHAIRMAN PAUKEN: -- that's good,
19 because that's a huge issue, particularly the Guard
20 and Reserve and the families and -- you know, and --
21 and the stress of them being overseas.

22 MS. MILLER: Yes.

23 CHAIRMAN PAUKEN: So, okay.

24 COMM. ALCANTAR: I think -- I -- and
25 I'm -- and I'm glad that you mentioned the Guard,

1 Mr. Chairman, because I think it's important to --
2 when we put together the work on the initiative that
3 is targeted around spousal support that we put a focus
4 on these Guard families who are not on the
5 installations and make sure that -- that there is an
6 outreach effort focused on that population, because
7 there is a little bit less support in terms of the
8 comparable families. But at the end of the day, this
9 is a spousal support component. It needs to be
10 broad-based, and I would like for it to be -- a
11 majority of the money to be focused on training
12 support, if that's agreeable to the --

13 CHAIRMAN PAUKEN: Okay. Okay.

14 COMM. ALCANTAR: -- to the extent that
15 we do some of that.

16 CHAIRMAN PAUKEN: Okay. Thank you,
17 Ms. Miller.

18 MS. MILLER: Thank you.

19 AGENDA ITEM NO. 12

20 CHAIRMAN PAUKEN: Okay. No. 11,
21 discussion, consideration, and possible action
22 regarding Workforce Investment Act Statewide
23 Initiatives, do we have -- is that Reagan Miller and
24 Cindy Geisman? Do we have -- have we covered that?
25 Oh, I'm sorry. Excuse me.

1 That's -- I'm -- I dropped one or I had
2 one here. Okay. Discussion, consideration, and
3 possible action regarding recommendations for awards
4 to be presented at the Texas Workforce Commission 2010
5 Annual Conference, Laurie Biscoe.

6 MS. BISCOE: And, Mr. Chairman,
7 Commissioners, we're asking you postpone this until
8 the next meeting to consider that -- that item.

9 CHAIRMAN PAUKEN: Okay. Thank you.

10 AGENDA ITEM NO. 13

11 CHAIRMAN PAUKEN: All right. No. 13,
12 discussion, consideration, and possible action
13 regarding Memorandum of Understanding between the
14 Texas Workforce Commission and the Texas Higher
15 Education Coordinating Board, again, Laurie Biscoe.

16 MS. BISCOE: Good morning, Mr. Chairman
17 and Commissioners. Again, Laurie Biscoe, Workforce
18 Division.

19 House Bill 3519, which was passed during
20 the last legislative session, required TWC and the
21 Texas Higher Education Coordinating Board to enter
22 into an MOU for the coordination and administration of
23 the Texas Career Opportunity Grant Program, which is a
24 tuition assistance program for students in career
25 schools and colleges. For consideration today we have

1 that MOU that lays out the responsibilities of each of
2 our agencies, and many of these responsibilities we've
3 already undertaken to get the program started.

4 And I'll be glad to answer any
5 questions.

6 CHAIRMAN PAUKEN: Commissioner
7 Congleton.

8 COMM. CONGLETON: I have no questions.

9 CHAIRMAN PAUKEN: Commissioner Alcantar.

10 COMM. ALCANTAR: No questions or
11 comments.

12 CHAIRMAN PAUKEN: Is there a motion?

13 COMM. CONGLETON: Move that we approve
14 the MOU with the Texas Higher Education Coordinating
15 Board as discussed.

16 COMM. ALCANTAR: I would second.

17 CHAIRMAN PAUKEN: Okay. It's unanimous.

18 AGENDA ITEM NO. 14

19 CHAIRMAN PAUKEN: No. 14, discussion,
20 consideration, and possible action regarding Program
21 Year 2010 performance minimums for initial eligibility
22 of Workforce Investment Act Eligible Training
23 Providers, Catherine Bingle.

24 MS. BINGLE: Mr. Chairman and
25 Commissioners, thank you.

1 As required in the Workforce Investment
2 Act and Commission Rule, each year the Commission must
3 approve minimum performance measures used in
4 certifying training providers eligible to receive WIA
5 funds to train Adult and Dislocated Workers. The Act
6 requires that those eligible training provider
7 applications, which are required to report
8 performance, be evaluated on three student outcomes:
9 Program Completion, Entered Employment, and Average
10 Entry-Level Wage.

11 Once the Commission approves state
12 performance minimums on these outcomes, local
13 workforce development boards must adopt performance
14 minimums that meet or exceed the state minimums.
15 Boards must use these minimums to evaluate eligible
16 training provider applications submitted through their
17 board for approval and in performance monitoring.

18 Staff recommends that the state eligible
19 training provider performance minimums be renewed at a
20 60 percent Program Completion Rate, a 60 percent
21 Entered Employment Rate, and an Average Entry-Level
22 Wage that is not lower than the federal minimum wage
23 and is at least 80 percent of the statewide average
24 entry-level hourly wage for the occupation supported
25 by the training program. If occupation-specific data

1 are not available, the average hourly entry-level wage
2 for all occupations statewide would be used, and there
3 would be an allowance for requests for exception
4 supported with local wage information. Boards may set
5 a higher performance minimum on any or all of these
6 performance measures and may incorporate additional
7 local performance factors, as long as the result is
8 higher than the Commission-established minimum.

9 And, finally, staff recommends that, in
10 the spirit of continuous improvement, boards be
11 encouraged to use their performance minimums not only
12 in evaluating initial eligible training provider
13 applications, but also in monitoring their existing
14 approved eligible training providers. Thank you, and
15 I look forward to your comments or questions.

16 CHAIRMAN PAUKEN: Commissioner Alcantar.

17 COMM. ALCANTAR: I have no questions or
18 comments.

19 CHAIRMAN PAUKEN: Commissioner
20 Congleton.

21 COMM. CONGLETON: I have no comments,
22 and I move that we approve the performance minimums
23 for the initial approval of WIA eligible training
24 providers as presented.

25 COMM. ALCANTAR: I would second.

1 CHAIRMAN PAUKEN: It's unanimous. Thank
2 you, Ms. Bingle.

3 MS. BINGLE: Thank you very much.

4 AGENDA ITEM NO. 15

5 CHAIRMAN PAUKEN: Discussion,
6 consideration, and possible action regarding approval
7 of Local Workforce Development Board Nominees,
8 Mr. Fuller.

9 MR. FULLER: Good morning, Mr. Chairman,
10 Commissioners. For the record, John Fuller, Workforce
11 Development Division.

12 Today before you, you have nominees from
13 Deep East Texas, North East Texas, Gulf Coast, Middle
14 Rio Grande, Lower Rio Grande, and Heart of Texas for
15 your consideration.

16 CHAIRMAN PAUKEN: I have no problems
17 with any of the nominees. Do any of my fellow
18 Commissioners have any issues?

19 (No response)

20 CHAIRMAN PAUKEN: Okay. Is there a
21 motion?

22 COMM. CONGLETON: Move to approve the
23 nominees from Deep East Texas, North East Texas, Gulf
24 Coast, Middle Rio Grande, Lower Rio Grande, and Heart
25 of Texas Workforce Development Boards as presented by

1 staff.

2 COMM. ALCANTAR: I would second.

3 CHAIRMAN PAUKEN: It's unanimous.

4 MR. FULLER: Thank you, sir.

5 AGENDA ITEM NO. 16

6 CHAIRMAN PAUKEN: Okay. 16, discussion,
7 consideration, and possible action regarding enacted,
8 proposed or considered federal regulations, executive
9 orders, or federal or state enacted or proposed
10 legislation, Mr. McCarty.

11 MR. McCARTY: Good morning, Mr. Chairman
12 and Commissioners.

13 Yesterday the Senate returned from
14 spring recess, and today the House is returning from
15 spring recess. The Senate yesterday worked through a
16 procedural hurdle that would allow them to consider
17 HR 4851, which extends the Emergency Unemployment
18 Compensation Program, the additional \$25 benefit, and
19 the 100 percent federally-funded state extended
20 benefits until May 5th. The Senate could take a vote
21 on the final passage of the measures as early as this
22 week.

23 As you recall, these provisions expired
24 on April 5th. And Ms. Lenzy, I believe, will be
25 covering this in a UI update that will speak to the

1 gap between the expiration of -- of the previous
2 extension and the adoption of this extension and what
3 measures we are taking to notify claimants.

4 CHAIRMAN PAUKEN: So, what is the
5 maximum number of weeks at the federal level?

6 MR. McCARTY: I believe we're seeing it
7 at 93.

8 UNID. SPEAKER: For state and federal --

9 MR. McCARTY: For state and federal.

10 CHAIRMAN PAUKEN: Okay. So, it's up to
11 93?

12 MR. McCARTY: Yes, sir.

13 CHAIRMAN PAUKEN: 93 weeks? Okay. Why
14 did I see 99 weeks? That's not it. It's 93?

15 MR. CRUMP: Mr. Chairman, could we get
16 back to you on that? Because if you had asked me that
17 question, I would have said 99, also. So, let me
18 confer with staff. We'll get an e-mail back to the
19 Commissioners.

20 CHAIRMAN PAUKEN: Okay.

21 MR. McCARTY: And, Mr. Chairman, to
22 address your question earlier on the --

23 CHAIRMAN PAUKEN: Right. I wanted to
24 ask that next.

25 (Simultaneous discussion)

1 MR. McCARTY: -- percent interest,
2 currently there has been no legislation filed or
3 discussions yet to file legislation that would address
4 the zero -- the no-interest loan.

5 CHAIRMAN PAUKEN: What's your sense
6 on --

7 MR. McCARTY: The sense is is that that
8 would probably come up later in the year as we got
9 closer to that deadline of December 31st.

10 CHAIRMAN PAUKEN: Do you -- do you have
11 a sense there's some interest -- I mean, I assume a
12 number of the states are in the same boat we're in.
13 Is there interest in extending it, do you think, or --
14 or not --

15 MR. McCARTY: Amongst the other states
16 that we have been working with, they have indicated
17 that they would like to see an extension as well,
18 but --

19 CHAIRMAN PAUKEN: Do you know how many
20 states are currently taking advantage of that
21 no-interest loan?

22 MR. McCARTY: No, sir, but we can
23 research that and get back with you.

24 CHAIRMAN PAUKEN: Okay. All right.

25 Okay. Thank you, Mr. McCarty.

1 MR. McCARTY: The -- I have one other
2 bill that I just want to give you a quick update on.
3 It's HR 4849, which the House had passed it just
4 before the spring recess.

5 This bill is a Small Business and
6 Infrastructures Jobs Tax Act of 2010. As it passed
7 the House, it was \$16.8 billion package. It -- it's
8 an extension of the Build America Bond Program,
9 expanded tax credit for small businesses, and a
10 one-year extension of the stimulus TANF Emergency
11 Contingency Fund. An amendment that was added by the
12 House Rules Committee for HR 4849 included 2.5 billion
13 of Emergency TANF funding for 2011, Fiscal Year 2011,
14 which would be distributed to states in a manner
15 similar to existing TANF ECF with 80 percent
16 reimbursement for increased expenditures and basic
17 assistance, short-term benefits, and subsidized
18 employment.

19 I mentioned that amendment that was
20 added because, as the bill currently has passed the
21 House with that amendment, the Senate has to address
22 the PAYGO Rule with it. So, right now the -- the bill
23 has kind of stalled in the Senate until the Senate
24 comes up with some offsets to pay for that amendment
25 in the bill.

1 And that concludes my remarks.

2 CHAIRMAN PAUKEN: Could you just
3 separately get me some information on the -- both the
4 tax credit aspect of that and the subsidy --

5 MR. McCARTY: Yes, sir.

6 CHAIRMAN PAUKEN: -- work subsidy
7 provisions? How does that -- how does that relate to
8 the Texas Back-to-Work Program?

9 MR. McCARTY: Okay. I -- I --

10 CHAIRMAN PAUKEN: Okay.

11 MR. McCARTY: -- I'll follow up with
12 each of your offices.

13 CHAIRMAN PAUKEN: All right.

14 MR. McCARTY: Excellent.

15 CHAIRMAN PAUKEN: Thank you. Okay.

16 COMM. ALCANTAR: I guess I would clarify
17 that on the 99 weeks --

18 MR. CRUMP: Yeah, that's --

19 COMM. ALCANTAR: -- that's the
20 maximum --

21 MR. CRUMP: Right.

22 COMM. ALCANTAR: -- under statute. We
23 don't qualify for the -- we're at 93. We don't
24 qualify for the -- for the final six or Tier 4,
25 because we haven't reached that higher unemployment

1 rate threshold for our state. Some other states have,
2 but we have not.

3 CHAIRMAN PAUKEN: Okay. So, it's 99 for
4 some states, and 93 for us?

5 MR. CRUMP: (Nodding)

6 CHAIRMAN PAUKEN: Okay. Well, that's
7 where I was confused. All right.

8 COMM. ALCANTAR: And hopefully we won't
9 reach unemployment rates that will trigger that.

10 CHAIRMAN PAUKEN: Okay.

11 COMM. ALCANTAR: It doesn't appear that
12 we're --

13 (Simultaneous discussion)

14 CHAIRMAN PAUKEN: We're --

15 COMM. ALCANTAR: -- trending that
16 direction.

17 CHAIRMAN PAUKEN: -- we're going to make
18 an announcement Friday. So, we'll see how we're
19 doing. Okay. All right.

20 MR. McCARTY: Thank you.

21 CHAIRMAN PAUKEN: Thank you,
22 Mr. McCarty.

23 AGENDA ITEM NO. 17

24 CHAIRMAN PAUKEN: All right. Report and
25 update by the Executive Director and staff regarding

1 administrative matters, including internal policies
2 and procedures, customer and board service issues,
3 status of project assignments, organizational matters
4 and responsibilities of the agency's divisions,
5 Mr. Crump.

6 MR. CRUMP: Commissioners, we have two
7 staff reports. The first one is Ms. Lenzy on
8 Unemployment Insurance.

9 CHAIRMAN PAUKEN: Okay.

10 MR. CRUMP: LaSha.

11 CHAIRMAN PAUKEN: And then I've got a --
12 a question or a follow-up after they finish.

13 MR. CRUMP: Yes, sir.

14 MS. LENZY: Good morning, Chair --
15 Chairman Pauken, Commissioner Alcantar, Commissioner
16 Congleton. I'm LaSha Lenzy, Unemployment Insurance
17 Division. I do have a brief Unemployment update.

18 As Mr. McCarty said, there's been much
19 discussion, but still we don't have anything definite
20 on an extension past the April 5th cut-off date that
21 just passed. To date -- I just wanted to give you
22 some numbers. To date, we have about 26,000 -- a
23 little over 26,000 individuals that are being impacted
24 by not being able to continue receiving monies past
25 the April 5th ending date, and that number continues

1 to grow.

2 We're projecting an average of about
3 33,000 per week. So, by May 1st, we would be at about
4 160,000 individuals that would be impacted, if there's
5 not an extension. Previously, when we were in the
6 same situation and we were awaiting to hear of the
7 April 5th extension, our strategy to ensure no or
8 minimal impact to our claimant population was to have
9 them to continue to do their payment request every two
10 weeks as normal. And in case the deadline was to be
11 extended as it was in April, then there would be no
12 gaps. And that worked really well for us. And there
13 wasn't any impact to our claimant population, because
14 by -- by the time the extension went through, they
15 already had their continued claims on file. So, the
16 monies just automatically click -- kicked in by that
17 next two-week period.

18 We had updates on our phone lines, also
19 on our Web site. So, we are doing exactly that same
20 thing this time in anticipation. So --

21 CHAIRMAN PAUKEN: Just as a separate
22 question, what's the average weekly benefit here in
23 Texas?

24 MS. LENZY: Amount?

25 CHAIRMAN PAUKEN: Uh-huh. For --

1 MS. LENZY: 3 -- is it 300, Carlos?

2 It's -- it's in the --

3 (Simultaneous discussion)

4 COMM. CONGLETON: -- the maximum, so --

5 MS. LENZY: It's --

6 CHAIRMAN PAUKEN: -- average. You've

7 got the minimum, maximum --

8 MS. LENZY: Right. It's in the --

9 CHAIRMAN PAUKEN: Give me the minimum,

10 maximum and average. Do you --

11 COMM. ALCANTAR: It's 307.

12 CHAIRMAN PAUKEN: But the average --

13 MS. LENZY: The average --

14 COMM. ALCANTAR: It's 307.

15 MS. LENZY: -- low 3s, but I can get you

16 the exact.

17 COMM. ALCANTAR: It's right here.

18 CHAIRMAN PAUKEN: Okay. What page?

19 COMM. ALCANTAR: (Indicating)

20 CHAIRMAN PAUKEN: Okay. If you could --

21 yeah, get --

22 MS. LENZY: Get the exact --

23 CHAIRMAN PAUKEN: -- get that broken

24 down.

25 MS. LENZY: Sure.

1 CHAIRMAN PAUKEN: Oh, okay. There it
2 is.

3 MS. LENZY: And we'll separate out what
4 the additional is with the \$25 --

5 (Simultaneous discussion)

6 CHAIRMAN PAUKEN: -- got it. That's
7 here. It is here. Okay. Thank you.

8 MS. LENZY: Okay.

9 CHAIRMAN PAUKEN: All right.

10 MS. LENZY: Thank you.

11 CHAIRMAN PAUKEN: Mr. Crump.

12 MR. CRUMP: Tom McCarty would like to
13 update the Commission on an award we recently
14 received.

15 Tom.

16 MR. McCARTY: Commissioners, Tom
17 McCarty, External Relations.

18 I'm pleased to bring to your attention
19 of TWC's Media Services, in conjunction with the Texas
20 Veterans Leadership Program, won a Best of Texas
21 Special Video Project Award by the Texas Public
22 Relations Association for 2010. Danna Richey and
23 Cynthia Hunter of Media Services produced the video
24 with Jason Doran, Director of the Veterans Leadership
25 Program. They received this nice plaque (indicating)

1 that we will have hung up outside.

2 I believe Danna was unable to join us
3 today, but Jason and Cynthia are in the audience. If
4 we could have them just stand up and just be
5 recognized.

6 (Applause)

7 CHAIRMAN PAUKEN: Yeah, why don't we --
8 why don't we get a -- we have a photographer here,
9 don't we? Why don't we get a picture taken. Okay?

10 MR. McCARTY: Great. Thank you,
11 Commissioners.

12 CHAIRMAN PAUKEN: Why don't y'all
13 come -- come up, and let's get a picture taken.

14 (Brief pause)

15 CHAIRMAN PAUKEN: Congratulations.

16 (Discussion off the record)

17 COMMISSIONERS: Congratulations.

18 (Applause)

19 MR. CRUMP: Mr. Chairman, that concludes
20 our staff updates.

21 CHAIRMAN PAUKEN: All right.

22 Let me just raise one issue, which I'd
23 like to at least us consider in the future. We've got
24 our Texas Back-to Work Program, and I know we're
25 trying to get greater publicity for it. And I know

1 the Lieutenant Governor has graciously agreed to go
2 around the state to help publicize it, in addition to
3 our usual efforts. But we're still -- it -- it just
4 seems to me there -- there's still opportunities to,
5 you know, improve the numbers here, in terms of the
6 program.

7 And one of the issues that cropped up as
8 to if you've got staffing agencies that actually pay
9 for -- you know, have the people on the payroll,
10 should they be -- and it's a private sector job,
11 should they be allowed to participate in the program.
12 I'd just like us to reconsider that -- that issue
13 going forward. And it doesn't have to be a sense of
14 urgency but maybe a few weeks from now we could take a
15 look at it and see if -- and revisit that question
16 because, again, if they're -- if they're handling the
17 payroll for the employees and if we're trying to get
18 people off the unemployment roles, I just -- I just
19 think we ought to at least open the door and take a
20 look at that.

21 MR. CRUMP: Yes, sir, we'll review that
22 and bring it back for Commission discussion.

23 CHAIRMAN PAUKEN: Okay. Good.

24 Is there anything else?

25 COMM. CONGLETON: I -- I do have a

1 problem with that. I would have to oppose that,
2 because that's -- I think we've already voted on that
3 condition.

4 CHAIRMAN PAUKEN: No, I -- no, I -- I
5 understand that previously that was the -- the issue.
6 But I -- I -- I think we ought to take another look at
7 it, in light of the -- the needs that are out there
8 and -- and for those that have the people that are
9 paying, in effect, payroll taxes and are responsible
10 for unemployment to consider allowing them to
11 participate in it.

12 COMM. CONGLETON: Of course, I've never
13 considered them employers. They are paid for hire.
14 So, I don't consider them real employers, and I would
15 oppose that.

16 CHAIRMAN PAUKEN: Okay. All right.

17 COMM. CONGLETON: You can look at it if
18 you want to.

19 AGENDA ITEM NO. 20

20 CHAIRMAN PAUKEN: Okay. Is there a -- a
21 motion to adjourn?

22 COMM. CONGLETON: So made.

23 COMM. ALCANTAR: I would second.

24 CHAIRMAN PAUKEN: Okay. It's unanimous.

25 (Meeting adjourned: 10:34 a.m.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

STATE OF TEXAS)
COUNTY OF TRAVIS)

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and seal this day of , 2010.

JANIS SIMON
Certified Shorthand Reporter
CSR No. 7076 - Expires 12/31/11
Firm Registration No. 276
Kennedy Reporting Service, Inc.
1801 Lavaca Street, Suite 115
Austin, Texas 78701