

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

5 PUBLIC MEETING *
6 FOR THE TEXAS *
7 WORKFORCE COMMISSION *

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9
10 COMMISSION MEETING

11 TUESDAY, APRIL 26, 2011

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17 BE IT REMEMBERED THAT at 9:00 a.m., Tuesday,
18 the 26th day of April, 2011, the above-entitled matters
19 came on for hearing at the Texas Workforce Commission,
20 TWC Building, 101 East 15th Street, Room 244, Austin,
21 Texas, before TOM PAUKEN, RONALD G. CONGLETON, and
22 ANDRES ALCANTAR, COMMISSIONERS, and LARRY TEMPLE,
23 EXECUTIVE DIRECTOR, of the Texas Workforce Commission;
24 and the following proceedings were reported by Lydia L.
25 Edwards, a Certified Shorthand Reporter of:

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

2 TUESDAY, APRIL 26, 2011

3 (9:00 a.m.)

4 AGENDA ITEM NO. 1

09:00AM

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

9 COMMISSIONER ALCANTAR: Thank you,
10 Chairman Pauken.

11 AGENDA ITEM NO. 2

12 Discussion, consideration, and possible
13 action regarding whether to assume continuing
14 jurisdiction on unemployment compensation cases, wage
15 claim cases, and/or tax liability cases and
16 reconsideration of unemployment compensation cases, wage
17 claim cases, and/or tax liability cases, if any.

18 No discussion.

19 AGENDA ITEM NO. 3

20 Discussion, consideration and possible
21 action regarding tax liability cases listed on the Texas
22 Workforce Commission Docket 17.

23 The Commission considered and took action
24 on all tax liability cases listed on Docket 17.

25

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 17.

6 The Commission considered and took action
7 on all wage claim cases listed on Docket 39.

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 17.

13 The Commission considered and took action
14 on all unemployment compensation cases listed on
15 Docket 17.

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

18 CHAIRMAN PAUKEN: Okay. We're going to
19 reconvene.

09:39AM 20 AGENDA ITEM NO. 6

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

23 MR. JONES: No public comment today.

24 AGENDA ITEM NO. 7

09:39AM 25 CHAIRMAN PAUKEN: No. 7, I believe that's

1 taken off the agenda today.

2 AGENDA ITEM NO. 8

3 CHAIRMAN PAUKEN: No. 8, Discussion,
4 consideration and possible action regarding approval of
09:39AM 5 local workforce development board nominees, John Fuller.

6 MR. FULLER: Good morning, Chairman
7 Pauken, Commissioner Congleton, Commissioner Alcantar,
8 and Mr. Temple. For the record, I'm John Fuller with
9 the Workforce Development Division. Today before you
09:39AM 10 you have nominees from Middle Rio Grande, Texoma, North
11 East Texas, South East Texas, Brazos Valley, North
12 Texas, Heart of Texas, East Texas, Lower Rio Grande, and
13 Deep East Texas workforce development boards.

14 CHAIRMAN PAUKEN: I'm comfortable with the
09:40AM 15 nominees. I have no objections to them. Commissioner
16 Congleton.

17 COMMISSIONER CONGLETON: Move that we
18 approve the board nominees for Middle Rio, Texoma, North
19 East, South East, Brazos Valley, North Texas, Heart of
09:40AM 20 Texas, East Texas, Lower Rio, and Deep East Texas.

21 COMMISSIONER ALCANTAR: I second.

22 CHAIRMAN PAUKEN: All right. Thank you,
23 Mr. Fuller.

24 MR. FULLER: Thank you, sir.

09:40AM 25

1 AGENDA ITEM NO. 9

2 CHAIRMAN PAUKEN: Mr. McCarty, Discussion,
3 consideration, possible action regarding legislative
4 proposals by the Texas Workforce Commission to the 82nd
09:40AM 5 Texas Legislature.

6 MR. McCARTY: Mr. Chairman, I have no
7 items for No. 9.

8 AGENDA ITEM NO. 10

9 CHAIRMAN PAUKEN: How about No. 10,
09:40AM 10 Discussion, consideration, possible action regarding
11 enacted, proposed or considered federal regulations,
12 executive orders, or federal or state enacted or
13 proposed legislation?

14 MR. McCARTY: Good morning, Chairman
09:40AM 15 Pauken, Commissioner Congleton, Commission Alcantar.
16 Tom McCarty, External Relations. The Texas Senate is
17 expected to begin debating HB 1, the appropriations
18 bill, this week. The House will take up the House
19 restricting map on Wednesday. And then the following
09:41AM 20 TWC initiatives are awaiting the Governor's signature:
21 Senate Bill 458 by Seliger, which is the last employing
22 unit; Senate Bill 439 by Van de Putte, the USERRA bill;
23 and then Senate Bill 638 by Jackson, which is the
24 surplus credit. Today the House will also hear House
09:41AM 25 Bill 2579 by John Davis, which is the safe harbor bill.

1 And Congress is currently on recess until the end of the
2 week.

3 CHAIRMAN PAUKEN: Okay. Any questions,
4 Commissioner Alcantar?

09:41AM 5 COMMISSIONER ALCANTAR: I have no
6 questions.

7 CHAIRMAN PAUKEN: Commissioner Congleton.

8 COMMISSIONER CONGLETON: No.

9 CHAIRMAN PAUKEN: All right. Thank you,
09:41AM 10 Mr. McCarty.

11 AGENDA ITEM NO. 11

12 CHAIRMAN PAUKEN: Anything from you,
13 Mr. Temple?

14 MR. TEMPLE: Mr. Chairman, Commissioners,
09:41AM 15 we've been doing some analysis of the impact of the cut
16 in statewide activity under the current budget and then
17 as the present proposed budget, and we would like to
18 come around and brief the three offices and let you know
19 kind of what that looks like for Texas. And there's
09:42AM 20 going to be some -- some tough choices we're going to
21 have to make over the next two years if that, in fact,
22 goes. I've had some talk with our counterparts around
23 the nation and actually talked to Assistant Secretary
24 Jane Oates who I don't think really realizes how much
09:42AM 25 our system depends operationally on a lot of these

1 federal activities as well as we've got some really
2 innovative programs that we fund with the WIA statewide.
3 And they believe that they can, I guess, be more
4 innovative at the national level. So they're going to
09:42AM 5 pull it all back, 125 million, for national innovation
6 funds. So we'll come around and brief you and let you
7 see --

8 CHAIRMAN PAUKEN: It's disappointing that,
9 you know, by now you'd think that they would have
09:42AM 10 figured out that more centralized control in Washington
11 doesn't work and allow more flexibility at the state
12 level. So hopefully we'll have some success in getting
13 some changes.

14 MR. TEMPLE: And that's all.

09:43AM 15 AGENDA ITEM NO. 14

16 CHAIRMAN PAUKEN: Okay. Is there a motion
17 to adjourn?

18 COMMISSIONER CONGLETON: So made.

19 COMMISSIONER ALCANTAR: Second.

20 CHAIRMAN PAUKEN: Unanimous.

21 (At this time, the proceedings were
22 adjourned at 9:43 o'clock a.m.,
23 Tuesday, April 26, 2011.)
24
25

1 STATE OF TEXAS)

2 COUNTY OF TRAVIS)

3 I, LYDIA L. EDWARDS, certified shorthand
4 reporter for the State of Texas, do hereby certify that
5 the above-captioned matter came on for hearing before
6 the TEXAS WORKFORCE COMMISSION as hereinafter set out.

7 I FURTHER CERTIFY that the proceedings of said
8 hearing were reported by me, accurately reduced to
9 typewriting under my supervision and control, and, after
10 being so reduced, were filed with the TEXAS WORKFORCE
11 COMMISSION.

12 GIVEN UNDER MY OFFICIAL hand of office at
13 Austin, Texas, the _____ day of May, 2011.

14

15

16

17

Lydia L. Edwards
Certification No. 2567
My Commission Expires 12/31/12

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