



**MEETING OF THE  
TEXAS WORKFORCE COMMISSION**

**May 26, 2020**

1 Tuesday, MAY 26, 2020

2 MALE: Good afternoon, the meeting is  
3 called to order. Mr. Chairman, is anyone signed up for public  
4 comment?

5 LES TROBMAN: Good afternoon,  
6 Commissioners. Les Trobman, for the record. We do have two  
7 persons who would like to address the commission. When I call  
8 your name, if you could unmute yourself, then state your name  
9 and affiliation for the record. First, Heather Torres.

10 HEATHER TORRES: Yes, my name is Heather  
11 Torres, and I am the director of Hope Lutheran Learning Center.

12 LES TROBMAN: Go ahead, please proceed.

13 HEATHER TORRES: Okay. Thank you for  
14 having me. Like I said, my name is Heather Torres, and I'm the  
15 executive director of Hope Lutheran Learning Center, located in  
16 San Antonio. I'm an active member and national speaker of  
17 [unintelligible] and AELL, and I'm honored to be here.

18 I spoke at a previous Texas Workforce  
19 Commission meeting in regards to allowing childcare centers to  
20 be able to charge the difference in the tuition prices and to  
21 allow childcare centers to return to caring for nonessential  
22 workers' children. To my knowledge, childcare centers are still  
23 not able to charge the parents the tuition difference between  
24 what our private pay rates are and what Texas Workforce  
25

1 Commission is paying, even though we will be providing for these  
2 children well into the summer for these families.

3                   We are, however, able to accept  
4 nonessential workers' children. With this, Governor Abbott gave  
5 childcare centers 13 pages of further regulations on how to keep  
6 children, staff, and families safe and healthy during this time.  
7 I wanna thank Governor Abbott for allowing us to care for these  
8 children, and I appreciate his care of keeping Texans safe and  
9 healthy. However, on page six of his 13 pages, he implemented  
10 new, smaller childcare--sorry--smaller child-to-caregiver  
11 ratios, along with capping group sizes. Rent, utilities,  
12 insurance, supplies, and staff salaries are all built into the  
13 price of our tuition for each child. We can now only care for  
14 eight infants total, down from 10. In each age group, we are  
15 needing to reduce the number of children per teacher, or require  
16 an extra teacher to meet these new ratios.

17                   For example, in my two-year-old room, one  
18 teacher used to be able to care for 11 children, and we charge  
19 \$170 per week. Now, one teacher can only care for eight  
20 children, but since I have 11 two-year-olds enrolled, I need to  
21 bring in another teacher to care for the other three children.  
22 The tuition price of three children does not cover the staff  
23 salary for one teacher. If I'm able to move the three of the 11  
24 children into another room in order to meet the new ratios, I  
25 would still need to increase my tuition rate to \$245 per week,

1 up from 178. Currently, most of my parents are essential  
2 workers and are receiving their tuition paid through TWC. And  
3 Texas Workforce only pays \$136.30 per week for two-year-olds.  
4 That is a loss of over \$108 per week, per child, and this is  
5 just one of my eight classrooms. On top of that, asking a new  
6 parent who has been out of work for from six to eight weeks to  
7 pay this high tuition rate will result in greater financial  
8 stress on families across Texas.

9 My biggest concern, however, is our school-  
10 age programs. Before these rules, one teacher could care for 26  
11 school-age children. Now, one teacher can only care for 10  
12 school-age children, with a group size cap of 20 children. On  
13 top of that, the square footage per child changed as well. My  
14 school-age classroom was able to hold 25 children. With the new  
15 square footage change, I can only care for 14. Currently, I  
16 have legal, binding contracts with 25 children to allow to  
17 attend our school-age summer program that starts June 8. What  
18 do I do with the other nine children? If I do not provide care  
19 for them, I will be in breach of nine legal contracts, and nine  
20 children will be without care for the summer. And now, I am  
21 asking 14 children to cover the cost of a program based on the  
22 tuition of 25 children. This will require me to raise the  
23 summer camp tuition from \$165 per week to \$295 per week per  
24 child, and again, Texas Workforce Commission is covering the  
25 cost of the majority of these children, and they only pay

1 \$133.45 per week for school-age. That is another loss of \$161  
2 per week, per child.

3                   Besides the financial stress this will put  
4 on childcare providers and also families, it is the mental  
5 stress of deciding which rules do we follow and which do we not.  
6 Texas state licensing has a rule that teachers cannot work more  
7 than 10 hours straight without a break. In order for this to be  
8 done, classrooms before would combine at naptime. The children  
9 would nap together, and the teachers would relieve each other.  
10 But there is a new rule that states classrooms cannot combine,  
11 so how do I provide lunch breaks for teachers if I cannot  
12 combine? But I'm not allowed to let them work more than 10  
13 hours straight. So which rule do I follow?

14                   The answer to this may just be hire more  
15 teachers in order to provide lunch breaks. But where will that  
16 money come from to cover these salaries, as we already are  
17 losing anywhere from \$108 to \$161 per week, per child? My  
18 childcare center has been open through this entire pandemic. We  
19 have followed every rule to the letter, and we do not--and we  
20 have not had one child or staff come down with COVID-19, nor any  
21 other major illness or virus. I can see why page six of 13,  
22 introduced last week, would be helpful for centers that were  
23 closed, and as we slowly open, but it is harmful for centers  
24 that have been open this whole time.

25

1                   So I ask for an amendment to be made. Last  
2 week, Governor Abbott presented the 13 pages, and this gave  
3 closed childcare centers a choice. If they followed the new  
4 rules, would it even be possible to open up at all. But for  
5 existing childcare centers, we were not given a choice. So I  
6 ask for the new ratios and group size found on page six not to  
7 apply to centers that have been open throughout this pandemic.  
8 We will follow all the other rules, but we should be exempt from  
9 the ratio and group size change.

10                   I understand the thought behind them--the  
11 less children in a room, the more likely children will remain  
12 apart. However, you could put eight two-year-olds on a football  
13 field and they will still find each other, and they will find a  
14 way to play and learn together. I ask for this amendment to be  
15 voted on, passed, and placed into effect immediately. Thank  
16 you.

17                   LES TROBMAN: Thank you. Cynthia Pearson?

18                   CYNTHIA Pearson: Good afternoon, Cynthia  
19 Pearson. I'm president and CEO of the Day Nursery of Abilene.  
20 We are a nonprofit childcare provider in Abilene, Texas, the  
21 city's largest, most comprehensive program. And we, too, have  
22 remained open during this entire pandemic, and we have not had  
23 any issues. We've had no sicknesses of any of our children at  
24 all. And I concur exactly with what Ms. Torres is saying.

25

1                   In addition to that, there are a few other  
2 things that I would like to point out about childcare. So on  
3 5/19, the COVID childcare care letter states that providers were  
4 to be paid 100 percent of costs, which we were not. Costs are  
5 higher than the reimbursement rate. The average apparent share-  
6 of-cost formula that caused our agency back in April to lose  
7 funding, since we have a number of zero copay parents who are  
8 CPS parents. Our reimbursement was at the medium of the state,  
9 \$75 per child, and the very rural Concho Valley was the highest  
10 in the state. They received \$108 per child. The reference to  
11 no loss of funding was made several times for providers. There  
12 have been losses.

13                   The 25 percent enhancement rate was  
14 wonderful, and we appreciate it very much, and that needs to  
15 continue to help defray the costs of the new sanitizing needs,  
16 which we will continue, and we have to continue, especially  
17 because of the new protocol that Ms. Torres outlined already,  
18 put onto us by the governor last week, the 13 pages. The ratio  
19 costs--the lowering of the ratio is a huge impact to us, as well  
20 as lowering the group size, increasing square footage, mandating  
21 no grouping in the mornings and the afternoons, and also the  
22 lunchtime issue--I mean, the naptime issue. Those are real  
23 causes for concern. Our estimate is that it's going to cost us  
24 \$2,100 a day to make these provisions go into place, as well as  
25 the loss of children that we will have.

1                   There is a recommendation that I would like  
2 to make--that you all continue to cover the parent share of  
3 costs for families that are choosing Texas Rising Star  
4 providers. I think that should be at least 50 percent. That  
5 would encourage parents to choose those quality providers. Our  
6 centers are Texas Rising Star providers, and have been since it  
7 was a designated vendor, back in 1992.

8                   Since you all are talking about nominees  
9 today on your agenda, I would also advocate that there are more  
10 childcare providers. And I'm not talking about just expertise.  
11 I am talking about childcare providers--a minimum of three that  
12 should sit on each workforce board. Due to the amount, more  
13 than 50 percent of the funding that each one of these boards  
14 oversees.

15                   Also, you're talking about demand  
16 occupations on your agenda today. I think TWC should now  
17 recognize that childcare is a demand occupation. It's become  
18 very knowledgeable, how critical our services are during this  
19 pandemic. We are deemed as essential during a pandemic and a  
20 necessity for low-income families with young children.

21                   And then just a very small thing on your  
22 website. This is an IT thing. There's a way that you all can  
23 either be able to minimize to chat with us, so that when you're  
24 going to print a page off of the site, that always blocks  
25 information. I'm old-school, I like to go and print things, and



1 then read them. But it blocks what you're trying to print.  
2 Either that, or have an option that says, "print this page," or  
3 "email this page," or "share this page." But that chat-with-us  
4 box is in the way.

5 I thank you again for the opportunity to  
6 provide comment today. What providers are and have been doing  
7 is essential, and we know that you'll agree that it is no small  
8 matter. It's a critical service for working families,  
9 businesses, community, aiding to the economic development of  
10 every community, now more than ever. Thank you so much.

11 LES TROBMAN: Thank you. We do have  
12 additional comments. We may have some technical issues, though.  
13 Pat Smith? Is there anyone else who would like to address the  
14 commission at this time? This would be the appropriate time to  
15 provide public comment.

16 CHAIRMAN DANIEL: Thank you. Good  
17 afternoon,

18 CHAIRMAN DANIEL: Thank you. This brings  
19 us to the end of Agenda Items 3 through 7. Let's pause for a  
20 moment to reset for the rest of the meeting. Thank you. Let's  
21 start back with Agenda Item 8, apprenticeship training program  
22 discussion and consideration--possible action regarding  
23 apprentice training program funding for fiscal '21.

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1                   KERRY BALLAST: Good afternoon,  
2 Commissioners. This is Kerry Ballast. Wanna make sure you can  
3 hear me okay.

4                   CHAIRMAN DANIEL: I can hear you.

5                   COMMISSIONER DEMERSON: I can as well.

6                   KERRY BALLAST: Okay, great. So good  
7 afternoon, Commissioners, Mr. Serna. For the record, this is  
8 Kerry Ballast, Workforce Development division. For your  
9 consideration today is the fiscal year 2021 planning estimates  
10 for apprenticeship training programs. Each year, the Texas  
11 Workforce Investment Council, also known as TWIC, makes  
12 recommendations regarding the Chapter 133 Apprenticeship  
13 Training program. For 2021, TWIC has made the following  
14 recommendations: A contact hour rate not to exceed \$4.25, and a  
15 5 percent reserve for new programs or established programs not  
16 currently receiving funds. Commission decision points are on  
17 the following for FY '21 funding: A planning estimate of  
18 \$5,382,785, which includes 3,732,785 in general revenue and  
19 1,650,000 in WIOA funds for FY '21 registered apprenticeship  
20 training funds, contingent on adoption of TWC's FY '21 operating  
21 budget; a contact hour rate not to exceed \$4.25; and a 5 percent  
22 reserve of planning estimate funds for new or established  
23 apprenticeship programs that did not receive Texas Education  
24 Code Chapter 133 funds in FY '20. As required by Texas  
25 Administrative Code Rule 837.21, with the commission's approval

1 we will provide public notice of the amount of funds available  
2 to support apprenticeship training programs for FY '21. That  
3 concludes my remarks. I am happy to answer any questions.

4 CHAIRMAN DANIEL: Comments or questions?

5 COMMISSIONER ALVAREZ: I have some  
6 [unintelligible]. Kerry, I wanna thank you for  
7 [unintelligible]. Sorry about that. Kerry, I wanna thank you  
8 and Desi for this report. I also wanna take a moment to  
9 recognize a stellar training program. I do not know of any  
10 other training program where an individual begins working on day  
11 one, graduates with an industry-recognized credential with  
12 little or no debt. College debt, I should say. I am proud that  
13 Texas Workforce continues to support this type of training  
14 model, so thank you and Desi again for this report.

15 KERRY BALLAST: Thank you, sir.

16 CHAIRMAN DANIEL: Is there a motion?

17 COMMISSIONER ALVAREZ: Yes, sir. I move  
18 that we approve planning estimates of \$3,732,785 in general  
19 revenue and \$1,650,000 in WIOA funds for fiscal year '21  
20 registered apprenticeship funds, contingent on adoption of TWC's  
21 fiscal year '21 operating budget, and FY '21 contact hour rate  
22 not to exceed \$4.25, and a 5 percent reserve of planning  
23 estimate funds for new and established registered apprenticeship  
24 training programs that did not receive Chapter 133 funds in  
25 fiscal year 2020.

1 COMMISSIONER DEMERSON: I second.

2 CHAIRMAN DANIEL: So moved and second.

3 We're unanimous.

4 KERRY BALLAST: Thank you.

5 CHAIRMAN DANIEL: Thank you. Unless  
6 there's an objective, I request we postpone Agenda Item 9,  
7 eligible training provider criteria related to target  
8 occupations, to the next commission meeting.

9 COMMISSIONER DEMERSON: I'm okay with that,  
10 Chairman.

11 COMMISSIONER ALVAREZ: [Unintelligible]

12 CHAIRMAN DANIEL: No objections, thank you.  
13 This will bring us to Agenda Item 10, discussion, consideration,  
14 and possible action regarding the timeline for compilation and  
15 completion of the agency's 2021 through 2025 strategic plan.  
16 Changes from previous years, requirements for incorporation into  
17 the plan, information on the narrative of the document, and  
18 important highlights on directions from the legislative budget  
19 board for completing the 2021-2025 strategic plan.

20 TOM MCCARTY: Good morning, Mr. Chairman,  
21 Commissioner Alvarez, Commissioner Demerson. Tom McCarty,  
22 external relations. With you today I've got an outline in front  
23 of you all with the elements for the 2021-2025 strategic plan.  
24 That will be due before August 1 to the OBB and the governor's

25

1 office. Mr. Chairman, if you're okay with it, I'll just go off  
2 of the bolded line items and ask for input for each section.

3           Okay. The first section that we have is  
4 page one, line three, the current mission statement. To promote  
5 and support a workforce system that creates values and offers  
6 employers, individuals, and communities the opportunity to  
7 achieve and sustain economic prosperity. Wanted to see if you  
8 all had any input to that mission statement.

9           MALE: Mr. Chairman, I'd like to ask the  
10 commissioners to consider inserting "families" between  
11 "individuals" and "communities," so that it would read,  
12 "Employers, individuals, families, and communities." One of the  
13 things that our service to Texas during the pandemic has shown  
14 us is that we're serving families as well as individuals and  
15 employers.

16           COMMISSIONER ALVAREZ: I'm okay with that.

17           COMMISSIONER DEMERSON: Okay. And we'll  
18 have time to come back to this as well, right? This is not  
19 final.

20           TOM MCCARTY: Yes, sir. We would--right  
21 now we're just collecting kinda input from the commissioners.

22           COMMISSIONER DEMERSON: Right.

23           TOM MCCARTY: We'll come back at the end of  
24 June, beginning of July with the final draft for adoption, and  
25 you can actually make changes during that time as well.

1 COMMISSIONER DEMERSON: During that time?  
2 Okay. Okay. I'm fine with that right now.

3 CHAIRMAN DANIEL: Yeah, without objective.

4 COMMISSIONER ALVAREZ: Mm-hmm.

5 TOM MCCARTY: Okay. On page one, line six,  
6 the current vision statement. TWC and its workforce solutions  
7 partners will maximize the power of innovation and partnership  
8 to boost superior business outcomes and realize a competitive  
9 advantage for all Texans in the global economy.

10 COMMISSIONER ALVAREZ: So you added  
11 "superior," or what was the change?

12 TOM MCCARTY: There is no change.

13 COMMISSIONER ALVAREZ: I like it.

14 CHAIRMAN DANIEL: Yeah. Let's go through  
15 here, Tom, and hit the things that you've changed from the prior  
16 document.

17 TOM MCCARTY: The only thing that we've  
18 changed from the prior document, sir, would be if you go down to  
19 the commissioners' message, on line 33, beginning there. I've  
20 bulleted out some items there as a starting point for discussion  
21 as far as the commissioners'--this would be the letter that we  
22 would [unintelligible]--

23 CHAIRMAN DANIEL: All right, let's pause  
24 right there for just a second. So the philosophy, all of that  
25 is what was in the prior document?

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TOM MCCARTY: Yes, sir.

CHAIRMAN DANIEL: Yeah, verbatim?

TOM MCCARTY: Mm-hmm.

CHAIRMAN DANIEL: I would view that the same. I wouldn't check that. So are there any changes we might--

TOM MCCARTY: I--

CHAIRMAN DANIEL: --wish to make today on the philosophy section of this document?

MALE: Not on the philosophy.

MALE: Yeah [unintelligible].

CHAIRMAN DANIEL: On the philosophy section. Okay.

TOM MCCARTY: Okay.

CHAIRMAN DANIEL: So you're saying on the commissioner message, then--obviously, this is gonna be a little different going forward into this document. And what you've done is outlined some of the topics that you believe we should hit in the commissioner message.

TOM MCCARTY: Yes, sir, that is correct.

CHAIRMAN DANIEL: All right, and you've listed here a number of bullet points that would be your recommendation on things that we would communicate.

TOM MCCARTY: Yes, sir.

1 CHAIRMAN DANIEL: All right. In the  
2 interest of efficiency, let's do this--do you guys want him to  
3 read this out, or do you just want to--we've all had a chance to  
4 look at this. Do you just wanna make some comments at this  
5 point?

6 COMMISSIONER ALVAREZ: So I have a few  
7 comments, Chairman, if I may.

8 CHAIRMAN DANIEL: Yeah.

9 COMMISSIONER ALVAREZ: So just for the  
10 commissioners' message, I agree with the recommendations that  
11 Tom brought forward. Mine are just very simple. For example,  
12 the unemployment rate is 14 million--I mean, the Texas Workforce  
13 is 14 million, no longer 13; so I had that change. That was a  
14 minor adjustment. I'm trying to figure out here on the line--  
15 because mine--I should have printed the one with the line, hold  
16 on. On the--let me check, Tom. Here. So, last time we did  
17 this it was 13 million; this year, it's 14 million unemployment  
18 rate. Tom, I apologize. The paper that I printed should have  
19 the number of the line where they are. One of the changes I had  
20 was if there was a possibility for us to change, like, a word.  
21 "The strategies will help equip Texans with skills, education,  
22 and training needed to be competitive for the careers of today  
23 and the future." So I was changing the word "jobs" to  
24 "careers."

25 TOM MCCARTY: Okay.



1 COMMISSIONER ALVAREZ: Just a  
2 recommendation. We don't have to do it. I was just bringing  
3 that forward. And I apologize, gentlemen. I thought I had  
4 these numbered on mine.

5 TOM MCCARTY: And that--and Commissioner  
6 Alvarez, that's off of the letter from last year?

7 COMMISSIONER ALVAREZ: Exactly.

8 TOM MCCARTY: Okay. And--

9 COMMISSIONER ALVAREZ: And I agree with the  
10 chairman on the recommendations you brought forward--

11 TOM MCCARTY: Mm-hmm.[laughter]--like tri-  
12 agency, COVID-19. These are just maybe some things I'd like to  
13 add to that, to the messaging.

14 TOM MCCARTY: Sure.

15 COMMISSIONER ALVAREZ: Right here--well,  
16 again, I'm okay with that.

17 CHAIRMAN DANIEL: So, Commissioner, I  
18 would--I do just wanna make sure we all understand.

19 COMMISSIONER ALVAREZ: Mm-hmm.

20 CHAIRMAN DANIEL: Based on what we tell him  
21 today, our staff's gonna write this report. It'll come back to  
22 us for a final vote, at which time we'll be able to make edits  
23 as necessary.

24 COMMISSIONER ALVAREZ: Okay  
25 [unintelligible].

1 TOM MCCARTY: [Unintelligible] Yes.

2 COMMISSIONER ALVAREZ: Yeah.

3 CHAIRMAN DANIEL: And we'll have to make  
4 those edits in public meeting and from the dais, but we will  
5 have an opportunity to make edits nonetheless.

6 COMMISSIONER ALVAREZ: Okay. Yeah.

7 TOM MCCARTY: Okay.

8 COMMISSIONER ALVAREZ: Good job, Tom. It  
9 just--the 14 million is the only one I was thinking of.

10 TOM MCCARTY: Okay. And I'll also make a  
11 point to--you know, the jobs, the careers reference as well.

12 COMMISSIONER ALVAREZ: Okay.

13 TOM MCCARTY: Yes, sir.

14 CHAIRMAN DANIEL: Commissioner Demerson?

15 COMMISSIONER DEMERSON: No, I'm expecting a  
16 new letter, so we'll have an opportunity to move forward, so--

17 COMMISSIONER ALVAREZ: Okay.

18 COMMISSIONER DEMERSON: Okay.

19 CHAIRMAN DANIEL: Okay.

20 COMMISSIONER ALVAREZ: Thanks, Chairman.

21 TOM MCCARTY: Okay. With that, then, if  
22 you go to page two, the beginning of line six, TWC goals. We've  
23 got goal one--these are the same goals that we've used in the  
24 previous report, you know, from that standpoint. We have a  
25 total of five goals, I believe, that we have. The only change

1 that I have, Commissioners, in the goals is on goal two, line  
2 20. You'll see "especially those" underlined. So this would  
3 read, "Promote employers' access to the town, abilities,  
4 individuals, especially those with a disability. Accommodate  
5 such workers in the workplace, and assist with maintaining and  
6 advancing their careers successfully." So the question for you  
7 all would be we can go through each goal individually, look on  
8 it as a whole, get the commissioners' input on it if we would  
9 like to just keep them as they are, make changes.

10 CHAIRMAN DANIEL: Well, my preference would  
11 be we just tackle them, all five goals simultaneously.

12 TOM MCCARTY: Okay.

13 CHAIRMAN DANIEL: If commissioners have  
14 changes or recommendations at this time, let's just do it all at  
15 once and knock this section out.

16 COMMISSIONER ALVAREZ: Okay. Because I  
17 have one on line 20 as well.

18 TOM MCCARTY: Okay.

19 COMMISSIONER ALVAREZ: I omitted the word  
20 "especially those." I felt like it might have been a target.  
21 So I put there, "Promote employers' access to the talent and  
22 abilities of individuals with a disability, transitioning foster  
23 youth, and those being released from prisons. Accommodate such  
24 workers in the workplace, and assist with maintaining and  
25

1 advancing their careers successfully." So, I just--I did away  
2 with the word "especially those."

3 TOM MCCARTY: Okay.

4 COMMISSIONER ALVAREZ: But that's just,  
5 again, a recommendation.

6 CHAIRMAN DANIEL: Commissioner Alvarez, I  
7 understand what you're wanting to do there, and I certainly do  
8 not object to bringing in other groups that we have come to  
9 understand could use additional assistance, particularly foster  
10 youth and others.

11 COMMISSIONER ALVAREZ: And the reason I  
12 reference that, Chairman, is because I know on the  
13 commissioners' remarks or messaging, it talks about--

14 CHAIRMAN DANIEL: Mm-hmm.

15 TOM MCCARTY: --the tri-agency 60 by 30,  
16 and those--

17 CHAIRMAN DANIEL: So--

18 COMMISSIONER ALVAREZ: --those folks are  
19 actually referenced in there.

20 CHAIRMAN DANIEL: --I would recommend that  
21 we consider just creating a new goal for additional groups. I  
22 say that because we have a goal here for individuals with  
23 disabilities, we have a goal later for veterans, service  
24 members, and spouses. And I think that particularly for foster  
25 youth and others that you mentioned in your amendment, I think

1 they certainly could support their own goal, and I would be very  
2 supportive of adding a sixth goal that would represent--

3 COMMISSIONER ALVAREZ: Mm-hmm.

4 CHAIRMAN DANIEL: --those groups and their  
5 interests.

6 COMMISSIONER ALVAREZ: I would, as well.

7 CHAIRMAN DANIEL: Mm-hmm.

8 COMMISSIONER ALVAREZ: I didn't see  
9 anything in here about--

10 MALE: [Unintelligible]

11 COMMISSIONER ALVAREZ: --about childcare,  
12 foster youth, or--

13 MALE: Yeah.

14 MALE: Yeah.

15 COMMISSIONER ALVAREZ: --folks that have  
16 been touched by the justice system. They weren't referenced,  
17 but yet we are referencing them in our messaging.

18 CHAIRMAN DANIEL: So, Commissioner Alvarez  
19 and I would be in agreement on adding a sixth goal.  
20 Commissioner Demerson?

21 COMMISSIONER DEMERSON: I'm fine with that.

22 CHAIRMAN DANIEL: Okay.

23 COMMISSIONER DEMERSON: I think it makes a  
24 lot of sense.

25 CHAIRMAN DANIEL: Okay.

1 COMMISSIONER ALVAREZ: Yeah, that includes  
2 the foster youth and stuff like that, Aaron.

3 TOM MCCARTY: Okay. We'll add a sixth  
4 goal, and we will highlight some items that we--some  
5 recommendations for specific actions to reach the sixth goal. I  
6 will bring that to you all at the next meeting.

7 COMMISSIONER ALVAREZ: That's a great idea.

8 CHAIRMAN DANIEL: And [unintelligible] on  
9 goal two, where you've added "especially those--" actually, with  
10 the addition of a sixth goal, I don't think you need "especially  
11 those."

12 TOM MCCARTY: Okay.

13 CHAIRMAN DANIEL: Because this goal becomes  
14 dedicated to our services for--

15 TOM MCCARTY:

16 CHAIRMAN DANIEL: --for Texans with  
17 disabilities.

18 TOM MCCARTY: Okay. We'll remove that as  
19 well.

20 CHAIRMAN DANIEL: All right, Commissioner  
21 Alvarez, any other additions to the goals, from your standpoint?

22 COMMISSIONER ALVAREZ: Not in that line.

23 CHAIRMAN DANIEL: Yeah. Commissioner  
24 Demerson?

25

1 COMMISSIONER DEMERSON: [Unintelligible]  
2 none.

3 CHAIRMAN DANIEL: All right.

4 TOM MCCARTY: Okay. If there are no  
5 additions to that, the last part of this would be on the last  
6 page, TWC external/internal assessments, on line one. Here,  
7 we're gonna add a message on external/internal factors. This is  
8 another opportunity to highlight anything external or internal  
9 that you would want to put into the report that's, you know,  
10 separate from the letter or anything of that nature. We will  
11 add in here federal legislation as an external factor to this,  
12 but if there's anything that you recognize for internal or  
13 external, we can add that here.

14 CHAIRMAN DANIEL: Okay. Do you have  
15 anything in mind at this point, or is this something we should  
16 bring back as an amendment only [unintelligible]--

17 TOM MCCARTY: I can get with staff, and we  
18 can come up with some ideas for you for the next  
19 [unintelligible]--

20 CHAIRMAN DANIEL: I mean, there's a lot of  
21 external factors going on right now.

22 TOM MCCARTY: There are quite a few  
23 external factors going on, so we can certainly highlight those.

24 CHAIRMAN DANIEL: Okay.

25

1 TOM MCCARTY: Okay. And we'll bring that  
2 to you. The only other change that we have in here,  
3 Commissioners, on line seven, redundancies and impediments. We  
4 identify the ability to scale up quickly to deliver services as  
5 an impediment as well as reevaluating traditional staffing work  
6 schedules and expansion of telecommuting in order to continue  
7 agency operations. And this would be different from previous.  
8 Previously we'd come out of a sunset review, so we did not list  
9 any redundancies or impediments because those were identified  
10 [unintelligible] review process. So this would be the addition  
11 that we have here.

12 CHAIRMAN DANIEL: So you're suggesting the  
13 speed with which we can pivot and deal with environmental--

14 TOM MCCARTY: Yes, sir.

15 CHAIRMAN DANIEL: Yeah, all right.

16 COMMISSIONER ALVAREZ: Chairman, I failed  
17 to reference--when you asked me about TWC goals, I do have one.  
18 It's on the goal three, Tom.

19 TOM MCCARTY: Okay.

20 COMMISSIONER ALVAREZ: And so I'm asking on  
21 line 10, it starts off by saying "address the workforce training  
22 needs of employers by leveraging skills, development, funds,  
23 grants, and other available resources to support in-demand job  
24 training." Continue to work with base learning opportunities  
25 through internships, mentorships, and I added "apprenticeships"



1 as job shadowing--and job shadowing. So I added apprenticeship.  
2 "These efforts are ongoing, and will continue during the five-  
3 year plan."

4 CHAIRMAN DANIEL: So your amendment would  
5 be simply the addition of "apprenticeship" to this. Yeah.

6 COMMISSIONER ALVAREZ: [Unintelligible]  
7 Thank you, sir.

8 TOM MCCARTY: Okay. And then to close,  
9 Commissioners, on the last page, line 13 through 23, these are  
10 just sections that are just reports that we have--that are  
11 normal reports, like you adopted the customer relations report  
12 last week. That'll get added in here. It's just things of that  
13 nature. It's just purely an FYI. I just wanted to mention that  
14 to you.

15 CHAIRMAN DANIEL: Thank you.

16 TOM MCCARTY: Okay.

17 CHAIRMAN DANIEL: Thank you.

18 TOM MCCARTY: Okay.

19 CHAIRMAN DANIEL: Commissioners, anything  
20 additional for Tom?

21 COMMISSIONER ALVAREZ: No.

22 COMMISSIONER DEMERSON: Tom, is it--the  
23 strategic plan, it says "2020 through 2025," and you mentioned  
24 2021, so--

25

1 TOM MCCARTY: Yes, there is a typo on my  
2 part.

3 COMMISSIONER DEMERSON: So 2021.

4 TOM MCCARTY: It is '21 to '25.

5 COMMISSIONER DEMERSON: Okay.

6 CHAIRMAN DANIEL: Okay.

7 TOM MCCARTY: Yes, sir.

8 CHAIRMAN DANIEL: Tom, do you have what you  
9 need?

10 TOM MCCARTY: I do, thank you very much.

11 CHAIRMAN DANIEL: Okay, thank you.

12 COMMISSIONER ALVAREZ: Thanks, buddy.

13 CHAIRMAN DANIEL: All right. Moving then  
14 to Item 12--nothing under Agenda Item 11, so Item 12 is  
15 discussion, consideration, and possible action regarding  
16 guidance on resource utilization and implementation of services  
17 and strategies to target disaster relief efforts in public  
18 health emergencies, including those funded with the Department  
19 of Labor's Disaster and Dislocated Worker grant.

20 MALE: We only have one, and that's from  
21 Clay, who decided to show up in person this time.

22 CHAIRMAN DANIEL: Wow.

23 COMMISSIONER ALVAREZ: That's what he looks  
24 like.

25

1 MALE: He actually left the citadel of  
2 North Lamar.

3 CHAIRMAN DANIEL: He's normally at an  
4 undisclosed location, so--

5 CLAY COLE: Yeah, exactly. Good afternoon,  
6 Chairman Daniel--

7 CHAIRMAN DANIEL: Good afternoon.

8 CLAY COLE: --Commissioner Alvarez,  
9 Commissioner Demerson, Commissioner Serna. For the record, Clay  
10 Cole, Unemployment Insurance. Just wanted to give you a quick  
11 update on UI operations. And we were open yesterday for the  
12 Memorial holiday, most of the UI team, and today, we saw a  
13 record payout of over \$800 million in benefits. To date, that  
14 brings us close to nearly \$8 billion in benefits paid out. We  
15 will surpass that this week. We continue to work closely with  
16 information technology, communications, operational insights on  
17 our data analytics and messaging, just looking for opportunities  
18 to improve, and also just ways to better customer service  
19 delivery.

20 We also this weekend completed and one  
21 near-completed; we'll complete it tomorrow, but two initiatives.  
22 One, another big outreach initiative, trying to reach about a  
23 little over 250,000 customers that have a claim with us, but for  
24 whatever reason have never required payment. So we actually  
25 tailored some specific detailed messages for this customers,

1 advising them, and these were emails that went out Friday and  
2 Saturday. And then communications and UI are working together  
3 to send text messaging to these people the day of their filing  
4 date, to remind them. And then we're gonna follow that up with  
5 some US postal mail letters. We're just doing everything we can  
6 to reach these people. Mind it, they may have gone back to  
7 work, there may be legitimate reasons. But it just seems like  
8 that's a big group, and so we're just doing everything we can.  
9 We're gonna assess it next week, to see how successful we are,  
10 because we may need to do it again. So anyway, we're anxious to  
11 see the results of that campaign this weekend.

12                   The other thing this weekend and early this  
13 week, we're wrapping up the pandemic emergency unemployment  
14 compensation noticed going out, roughly 130,000. So to date, 96  
15 percent have been mailed. There's a small percentage that we'll  
16 mail tomorrow that we'll just advise those people that have  
17 exhausted regular unemployment benefits to go trigger their  
18 pandemic unemployment assistance. So anyway, we've seen some  
19 pretty good results; almost 30,000 of those individuals have  
20 been signed up for PUC. So we'll continue to monitor that  
21 closely. We also continue to actively work on the Texas  
22 reopening businesses, so we're getting plans together for that  
23 and how we expect some of that outreach. And then also just new  
24 types of services that we're gonna need to provide for impacted.  
25 Also, really continue to monitor all of our assignments closely,

1 and just finding ways to shift resources to meet our needs. So  
2 that's just something that we're closely monitoring. Big thanks  
3 again to all our volunteers, external, internal, who continue to  
4 help us make the difference in servicing those Texans in need.  
5 And this concludes my update. I'll be happy to answer any  
6 questions you may have.

7 CHAIRMAN DANIEL: Any comments or questions  
8 for Clay?

9 COMMISSIONER ALVAREZ: Good report, Clay.  
10 And I wanna thank you for coming by our meeting with us last  
11 week. Through Zoom, I should say. So, thank you for that.

12 CLAY COLE: Well, you guys keep up the good  
13 work.

14 COMMISSIONER ALVAREZ: Thank you.

15 CLAY COLE: Just keep going, appreciate it.

16 CHAIRMAN DANIEL: Yeah. Well, Clay, thank  
17 you for keeping the trains running as much on time as we can. I  
18 do wanna, for the record, state I continue to appreciate the  
19 innovation that your team is bringing to this. Us taking the  
20 initiative and performing direct outreach to people that we can  
21 determine through our computing technology have a problem that  
22 seems undiagnosed, I think a lot of the times we would just  
23 assume that everything will get taken care of. I sincerely  
24 appreciate it, on behalf of all Texans.

25 COMMISSIONER ALVAREZ: Mm-hmm.

1                   CHAIRMAN DANIEL: You're not assuming  
2 everything will get taken care of, and going ahead and taking  
3 care of that. I know there's been press accounts, and it's  
4 true, there was a time when the phone was ringing 4,000 times a  
5 minute. We are absolutely trying to get all those calls  
6 answered. And I think the innovation that you're showing to  
7 find ways to help people get what they need, and particularly  
8 when we think we've seen a problem that somebody might not even  
9 know they have a problem, those kinds of efforts are absolutely  
10 critical. I think that most Texans that would hear about that  
11 would appreciate it, and so, thank you--thank you for doing  
12 that, thank you for the work that you're doing.

13                   CLAY COLE: [Unintelligible] TWC and UI  
14 team, thank you.

15                   CHAIRMAN DANIEL: Absolutely, to the whole  
16 team. Any questions, comments for Clay?

17                   COMMISSIONER ALVAREZ: No, just keep up the  
18 great work, Clay, and thanks for all your assistance, seriously.

19                   CHAIRMAN DANIEL: Thank you. Let's see--  
20 just one more thing under Agenda Item 12, before we leave it.  
21 You know, we've been about 60 days dealing with various issues  
22 related to COVID-19. About six weeks ago we moved some money to  
23 provide for additional training and some things like that. Some  
24 changes have taken place in the state's effectively in terms of  
25 things that are reopened, and the ability for businesses to

1 continue to reopen. I would ask at the June 2 commission  
2 meeting, which is our next regularly scheduled meeting, that  
3 staff come back to us and talk to us about the various  
4 commission actions that we have taken, and where we are with  
5 that action, what the result has been, and whether we need to  
6 make any modifications to actions that we've already taken. So  
7 we've been consistent as commissioners each time we've taken  
8 action, asking staff for regular updates, and they have been  
9 providing that.

10 MALE: Mm-hmm.

11 CHAIRMAN DANIEL: What I would like to do,  
12 though, is have, in our open meeting--

13 MALE: Mm-hmm.

14 CHAIRMAN DANIEL: --be able to address  
15 things, and try to understand if we need to make any changes  
16 just based on the fact that some of the fact sets have changed  
17 since we made these decisions six, sometimes eight weeks ago. I  
18 just wanna make sure that what we're doing is helpful, and  
19 continuing to address the issues that Texans are telling us that  
20 they have.

21 CLAY COLE: Yes, sir, we'll do that.

22 COMMISSIONER ALVAREZ: And I agree with the  
23 chairman. You know, we received kind of an overview of what we  
24 were doing with the WIOA funding, alternative funding, and I  
25 appreciate you answering the question I had earlier, that the

1 report that was given to us about what we were doing, updates  
2 with the funding that was available. And I think one of the  
3 questions I asked you was virtual job fair licenses--you know,  
4 what did that mean. Was that a software? And so I appreciate  
5 you answering that. So along with the report that you all are  
6 providing us, some detail exactly on what the funding is being  
7 used with would certainly be helpful.

8 CLAY COLE: Yes, sir.

9 COMMISSIONER ALVAREZ: So rather than just  
10 say virtual job fair license, what does that mean, is that  
11 software, virtual orientations, and workshops. I mean, this is  
12 good stuff. I think it's eye-level. But maybe a little bit  
13 more detail of what these things specifically would cover. We  
14 have some really good folks around the state that have some  
15 really good, innovative ideas. I mean, we're hearing things  
16 from Cedar Valley College, where they're thinking about  
17 purchasing mobile units, I know they're meeting locally with  
18 their board members. I'm hoping that's taking place. But we  
19 have some really good things, and that would be very helpful,  
20 when we can say there is a board area that's actually doing  
21 something like that, you may wanna reach out to them.

22 The other thing is, Chairman--and I may be  
23 mistaken--but do we have a board meeting on June 2, or has that  
24 been postponed for the following week?

25



1 CHAIRMAN DANIEL: My calendar's showing  
2 June 2, and that we are not having a meeting on June 9, and  
3 that--

4 COMMISSIONER DEMERSON: Right.

5 CHAIRMAN DANIEL: --June 16 would be the  
6 next one.

7 COMMISSIONER ALVAREZ: Okay. So it's the  
8 9th--okay, perfect. Thank you.

9 MALE: Yes, sir, we can do that, too.

10 COMMISSIONER DEMERSON: No other comments.

11 CHAIRMAN DANIEL: All right. Okay.

12 Gentlemen, thank you very much. That'll move us to Item 13,  
13 board nominees. For discussion, consideration, and possible  
14 action regarding the approval of local workforce development  
15 board nominees.

16 COMMISSIONER DEMERSON: She's muted.

17 SHUNTA WILLIAMS: Good afternoon,  
18 Commissioner Demerson, Commissioner Alvarez, Commissioner  
19 Demerson, and Mr. Serna. For the record, Shunta Williams with  
20 the Workforce Development Division. And before you for  
21 consideration today, we have workforce board nominees for  
22 Workforce Solutions Brazos Valley, Cameron County, deep East  
23 Texas, greater Dallas, middle Rio Grande, and southeast Texas.  
24 Staff recommends that all nominees be approved at this time, and  
25 I'm here to answer any questions you may have.

1 CHAIRMAN DANIEL: Comments or questions?

2 COMMISSIONER ALVAREZ: No, Chairman.

3 COMMISSIONER DEMERSON: None here.

4 CHAIRMAN DANIEL: None? Do we have a  
5 motion?

6 COMMISSIONER ALVAREZ: Chairman, I move  
7 that we approve the board nominees for Brazos Valley, Cameron  
8 County, deep East Texas, greater Dallas, middle Rio Grande, and  
9 southeast Texas.

10 COMMISSIONER DEMERSON: Second the motion.

11 CHAIRMAN DANIEL: It's been moved and  
12 seconded; we're unanimous. Thank you. Ed, do you have anything  
13 on your executive director's report?

14 ED SERNA: No, sir, I have nothing to  
15 report.

16 CHAIRMAN DANIEL: All right. Let's see,  
17 before we move out of this meeting, a couple of points of  
18 personal privilege that I would take. I would like to take a  
19 moment to welcome [unintelligible] to our office. She joins  
20 effective today. We're certainly glad to add someone with such  
21 strong TWC experience to our staff. And then additionally,  
22 after 36 years and seven commissioners, Billie [unintelligible]  
23 is retiring--

24 MALE: Oh, wow.

25

1                   CHAIRMAN DANIEL:  --at the end of the  
2 month, and we wish her well and congratulations on what I know  
3 will be some new adventures this summer and certainly into the  
4 fall.  And so I can't say enough, how helpful she's been to me  
5 and a lot of people around the agency.  And it's always moments  
6 like this where I'm happy and sad all at the same time.  So I  
7 was so sad to see her go, and so happy for her looking to make  
8 some additional adventures in this life.  Is there any other  
9 order of business that should come before the commission?

10                   COMMISSIONER ALVAREZ:  We wish her well.  
11 Thank you, Chairman, for acknowledging that.

12                   CHAIRMAN DANIEL:  Yeah, thank you.  Thank  
13 you.

14                   COMMISSIONER DEMERSON:  Chairman, I'd like  
15 to congratulate Billie as well.  You mentioned--when you said  
16 "seven Commissioners," that's something--I'm looking forward to  
17 the book.  So [unintelligible] Billie, she probably has stories  
18 to tell.  And so wish her well, and appreciate all that she's  
19 done for the Texas Workforce Commission.

20                   COMMISSIONER ALVAREZ:  Mm-hmm.

21                   CHAIRMAN DANIEL:  Absolutely.  Thank you.  
22 Do we have a motion to adjourn the meeting?

23                   MALE:  Chairman and Commissioner, I move  
24 that we adjourn.

25                   MALE:  Second.

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CHAIRMAN DANIEL: It's been moved and  
seconded to adjourn. This meeting is adjourned.

Texas Workforce Commission Commissioners Meeting  
Public Comment  
May 26, 2020

My name is Patricia Smith and I own Sweet Briar Child Development Centers in Austin. We are 4 Star Certified and AISD Partnership schools. I signed up for public comment yesterday but due to unexpected circumstances was not able to speak.

I want to thank Texas Workforce Commission for their support to date of centers who participate in Child Care Services.

I am very concerned about our ability to operate going forward if support does not continue. Some families are returning and we have enrolled a few additional families through the temporary essential workers program but that is temporary. As of June 1 our enrollment will be down by 45%. The 25% additional reimbursement for centers that have continued to operate is helpful but will not be enough to make up for the loss in enrollment and the lower ratios. Our bottom line is very thin under normal circumstances. There is no fat to cut.

One of my teachers was not able to continue to work during the crisis and although I have been trying to recruit a new teacher I am not getting replies from qualified applicants. The enhanced unemployment further complicates our low enrollment because people are receiving such generous unemployment benefits, If and when we do have demand we have no teacher for the classroom. The enhanced unemployment continues until the end of July.

The lack of opportunity for provider input is concerning. We are deemed 'Essential' and as such one would think our experiences and recommendations on to how to support our industry during the phases of opening during this pandemic would be valued. Providers need to be included in developing policies. Not only have we been excluded we also had no prior notice of opening our centers and HHS policies. That's seems to me to have been unnecessary and created undue stress during this already very stressful time.

Providers need and deserve to have more and better representation on Workforce Boards. Childcare is the largest share of the TWC budget but have minuscule representation. The Capital Area Board has 1 representative out of a board size of approximately 24. Often the board representative for childcare has no actual experience operating a center or serving CCS families.

I respectfully request that providers are invited to the table to discuss how we can sustain our operations through this crisis and that providers have more qualified and additional seats on local board.