



**MEETING OF THE  
TEXAS WORKFORCE COMMISSION**

**DATE**

**JANUARY 30, 2024**

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

Tuesday, January 30, 2024

MR. TROBMAN: Commissioners, I know that she is logged in so I guess we can proceed. If the technical difficulties get resolved, perhaps we can bring her back up.

CHAIRMAN DANIEL: Thank you. This brings us to the end of Agenda Items 1 through 8. We'll take a short recess.

CHAIRMAN DANIEL: Mr. Trobman.

MR. TROBAN: Yes, commissioners, we do have Ms. Howard, Jennifer Howard. If you can unmute yourself and present.

JENNIFER HOWARD: Hello?

MR. TROBMAN: Yes, good morning, go ahead.

JENNIFER HOWARD: Good morning. I was calling in because I had an appeal that was on January 24<sup>th</sup>—I mean January 10, 2024, and the end results of that appeal that was presented on January 12<sup>th</sup> were, it was—I did not understand the ending results and it said it was reversed—reversed the previous ruling. Also [inaudible] determination on appeal. That did not clarify what exactly was determined. Was I no longer going to receive the benefits or am I going to receive the benefits? That's the clarification that just did not—I did not have.

1 MR. TROBMAN: Thank you, Ms. Howard, and  
2 we'll have our unemployment insurance department reach out to  
3 you directly on that. Commissioners, that's what we got.

4 CHAIRMAN DANIEL: All right, thank you. This  
5 is Agenda Item 9, unemployment trust fund balance.

6 CHRIS NELSON: Good morning, [inaudible]  
7 that we would project on September 30, 2024. We started on  
8 October 1<sup>st</sup> of this year with a 2.2-billion-dollar balance. Right  
9 now, we're projecting to collect 2.2 billion in revenue, and  
10 then we're expecting to pay out 2.34 billion in unemployment  
11 insurance benefits for the year leaving a projected balance of  
12 2.1 billion on September 30, 2024. That would be above the floor  
13 and below the ceiling for that time period which would be about  
14 2.6 billion for the ceiling and 1.3 billion for the floor. We  
15 also project to have unemployment and training investment  
16 account assessment balance of 343 million as of September 30<sup>th</sup> as  
17 well. And that concludes my remarks and I'd be happy to answer  
18 any questions.

19 CHAIRMAN DANIEL: Any questions, comments?

20 COMMISSIONER TREVIÑO: None here.

21 COMMISSIONER ESPARZA: No questions.

22 CHAIRMAN DANIEL: Thank you.

23 CHRIS NELSON: Thank you.

24 CHAIRMAN DANIEL: This is Agenda Item 10,  
25 proposed rules for 40 TAC Chapter 813, SNAP E&T.

1 JOEL MULLINS: Good morning, Chairman,  
2 Commissioner Treviño, Commissioner Esparza, and Mr. Serna. For  
3 the record, I'm Joel Mullins with Workforce Development.  
4 Commissioners, before you today for your consideration for  
5 approval are proposed rule amendments to Chapter 813 on the SNAP  
6 Employment and Training program. These proposed amendments will  
7 amend the Chapter 813 rule language to conform with SNAP  
8 provisions of the Fiscal Responsibility Act, revise references  
9 to the case management system, and update the allowable  
10 activities for able-bodied adults without dependents.  
11 Additionally, staff reviewed Chapter 813 for its statutorily  
12 required four-year rule review and addressed the review in the  
13 proposed rules preamble. Staff recommends submitting the  
14 proposed rule for publication in the Texas Register for a 30-day  
15 public comment period, and also requests the ability to make  
16 minor nonsubstantive changes to the document to comply with the  
17 publication requirements of the Texas Register and the Office of  
18 the Secretary of State. That concludes my presentation. I'm  
19 happy to answer any questions.

20 CHAIRMAN DANIEL: Comments or questions?

21 COMMISSIONER TREVIÑO: No questions.

22 COMMISSIONER ESPARZA: No questions.

23 CHAIRMAN DANIEL: Is there a motion?

24 COMMISSIONER TREVIÑO: Chairman, I move to  
25 approve the proposal of amendments to 40 Texas Administrative

1 Code Chapter 813, Supplemental Nutrition Assistance Program  
2 Employment and Training for publication in the Texas Register  
3 and public comment as recommended today by staff.

4 COMMISSIONER ESPARZA: I second.

5 CHAIRMAN DANIEL: It's been moved and  
6 seconded and the motion carries.

7 JOEL MULLINS: Thank you.

8 CHAIRMAN DANIEL: This is Agenda Item 11,  
9 2025-2026 Child Care Market Rate Survey and Cost of Quality  
10 Price Modeling.

11 ALLISON WILSON: Good morning, Chairman,  
12 commissioners, and Mr. Serna. For the record, Allison Wilson  
13 with Child Care and Early Learning Division. In June of last  
14 year you approved the fiscal year 2024 statewide initiatives  
15 budget which included funding for the annual child care market  
16 rate survey and cost of quality price modeling report. The 2024  
17 reports are scheduled to be delivered this June. TWC contracts  
18 with UT's Ray Marshall Center to complete both the market rate  
19 survey and the cost of quality reports. While the market rate  
20 survey is published annually, the cost of quality report is  
21 published for licensed child care centers every odd-numbered  
22 year, and for family child care homes every even-numbered year.  
23 To cover the requirements of the alternating years, TWC will  
24 enter into a two-year contract with UT beginning July 1<sup>st</sup> for the  
25 2025 and 2026 market rate surveys and cost of quality reports.

1 There is currently not enough funding in the FY24 budget to fund  
2 this upcoming two-year contract. Therefore, staff is requesting  
3 that the commission approve statewide initiative funding. We are  
4 requesting \$800,000 in fiscal year 25 for the 2025 market rate  
5 survey and cost of quality report for centers, and \$800,000 in  
6 FY26 for the 2026 market rate survey and cost of quality report  
7 for homes. That concludes my remarks and I'm happy to answer any  
8 questions.

9 CHAIRMAN DANIEL: Comments or questions?

10 COMMISSIONER TREVIÑO: None here.

11 COMMISSIONER ESPARZA: No questions.

12 CHAIRMAN DANIEL: Is there a motion?

13 COMMISSIONER TREVIÑO: Chairman, I move to  
14 approve the funding in the amount of 1.6 million dollars for the  
15 2025 and 2026 child care market rate surveys and cost of quality  
16 price modeling studies as described in the discussion paper and  
17 recommended today by staff.

18 COMMISSIONER ESPARZA: I second.

19 CHAIRMAN DANIEL: It's been moved and  
20 seconded and the motion carries.

21 ALLISON WILSON: Thank you.

22 CHAIRMAN DANIEL: This is Agenda Item 12,  
23 AEL advisory committee annual report.

24 MAHALIA BALDINI: Good morning, Chairman  
25 Daniel, Commissioner Treviño, Commissioner Esparza, and Mr.



1 recommendations to this commission. If there is a theme, it is  
2 that successful programs have found a way to collaborate with  
3 other social service programs to provide the wraparound services  
4 students need to be successful. The first recommendation focuses  
5 on employers. Texas employers provide one of the best ways to  
6 prepare students for employment. To this end we encourage TWC to  
7 continue to develop projects and partnerships like the talent  
8 pipeline management system that trains prospective workers with  
9 specific skills that meet the employer's needs. This also  
10 creates the opportunity for TWC to develop standardized  
11 curriculums that could include employability and digital  
12 literacy skills to meet employer needs. The second  
13 recommendation focuses on state agencies and community-based  
14 organizations. The committee recommends that TWC examine ways to  
15 promote collaboration between agencies, jail prison-based  
16 programs, CBOs, and Workforce Solutions to create a no-wrong-  
17 door approach to better serve participants, avoid duplication,  
18 support continuity of services, and provide more efficient use  
19 of scarce resources. Some examples are create a statewide  
20 academy to educate frontline AEL workforce development and  
21 Workforce Solutions office staff about all services available or  
22 create a data system that integrates all WIOA core partners to  
23 share participant data. Finally, it could also define a referral  
24 process for students leaving the corrections prison jail  
25 environment to connect with CBOs pre-entry and facilitate



1 enrollment and transfer of records. The committee thanks Mahalia  
2 Baldini for her leadership, and this commission for the  
3 opportunity to provide recommendations to address the very  
4 important topic of adult literacy in Texas. This concludes my  
5 remarks.

6 MAHALIA BALDINI: Thank you, Steve. I just  
7 wanted to take a moment to acknowledge for the commissioners  
8 some existing and ongoing work of our department and division to  
9 be responsive to the committee's recommendations. With regards  
10 to the committee's 2022 recommendations which were brought  
11 forward to you last year of working with employers on projects  
12 and partnerships that provide vocational and employability  
13 skills, specifically those of digital literacy skills, TWC  
14 contracted with the Texas Center for Advancement of Literacy and  
15 Learning to advise—to revise our adult education and literacy  
16 content standards to include specific standards for digital  
17 literacy. The rollout of the revised content standards to over  
18 100 AEL providers across the state began in November of 2023,  
19 and we'll conclude those events this month. This will now  
20 require all adult education providers develop curriculum that  
21 will now include a digital literacy competency. The 2022 report  
22 also recommended a digital literacy and equity assessment to  
23 better understand the primary barriers that may restrict AEL  
24 students from accessing online services. In response TWC staff  
25 are currently working on a policy change as well as a data

1 system enhancement to require comprehensive assessment at intake  
2 to collect those digital literacy skills and access-related  
3 datapoints. This will allow us to better assess need and develop  
4 a statewide coordinated response. Also in 2022, the advisory  
5 committee recommended TWC examine ways to promote collaboration  
6 between our stakeholders to create this no-wrong-door approach.  
7 In response TWC staff worked in partnership with Region 6  
8 Education Service Center who is our contractor for a career  
9 pathway professional development center to launch the very first  
10 Workforce Integration Academy. The first step an initial academy  
11 focused on professional learning activities around bridging the  
12 gap in knowledge of adult education leadership with board  
13 programs and services to ensure there is awareness and referrals  
14 between partners. After feedback from staff as well as some  
15 attendees for our first academy, we will be revising and making  
16 a second iteration of the academy and expanding our stakeholders  
17 to include employers. Again, I just wanted to thank Steve for  
18 his leadership over the past two years, and all of our advisory  
19 committee members for their dedication and continued commitment  
20 to serving adult learners here in Texas. This concludes my  
21 remarks.

22 CHAIRMAN DANIEL: Any comments or questions?

23 COMMISSIONER TREVIÑO: I just want to thank  
24 staff and you, Mr. Banta, and the committee members for their  
25

1 commitment, hard work, and expertise in improving the quality  
2 and effectiveness of our AEL program.

3 MAHALIA BALDINI: Thank you, sir.

4 COMMISSIONER ESPARZA: No questions but I  
5 second Mr. Treviño's remarks, and enjoy your retirement, Mr.  
6 Banta, and thank you for your work on this advisory committee.

7 CHAIRMAN DANIEL: Steve, thank you so much,  
8 and Mahalia as always. Lots of great work going on. Steve, we  
9 don't celebrate our volunteers enough. All we can really do is  
10 say thank you. I really appreciate all you've done. You've  
11 really helped advance the issue to the point where it's very  
12 actionable for this commission and I really appreciate that.  
13 That's difficult to do in this day and age. All right. Anything  
14 else?

15 MAHALIA BALDINI: That's it.

16 CHAIRMAN DANIEL: Thank you. This is Agenda  
17 Item 13, AEL advisory committee members.

18 MAHALIA BALDINI: Just to keep it  
19 interesting I'm going to come over here. Good morning again,  
20 commissioners. For the record, Mahalia Baldini with the  
21 Workforce Development Division. Texas Labor Code Chapter 315.005  
22 as well as the Administrative Code Rule Chapter 805.43 require  
23 that the Texas Workforce Commission establish an adult education  
24 and literacy advisory committee. The committee must not be  
25 composed of more than nine members and must include at least one

1 representative from our business community as well as one  
2 representative from a local Workforce Development Board. For  
3 your consideration today, staff recommends the appointment of  
4 two new members, Ernest Lewis, senior director of economic  
5 initiatives for BakerRipley, as well as Karla Flanagan who is  
6 the associate vice chancellor of instructional alignment and  
7 innovation at the Texas State Technical College. Staff are also  
8 recommending the reappointment of Jauneen Maldonado who is the  
9 director of adult education for Workforce Solutions Tarrant  
10 County. If approved, all three members would enter into a two-  
11 year term that would expire in January of 2026. I'm happy to  
12 answer any questions that you may have.

13 CHAIRMAN DANIEL: Comments or questions?

14 COMMISSIONER TREVIÑO: None here.

15 COMMISSIONER ESPARZA: No questions.

16 CHAIRMAN DANIEL: Is there a motion?

17 COMMISSIONER TREVIÑO: Chairman, I move we  
18 appoint the following individuals to serve on the adult  
19 education and literacy advisory council for two-year terms  
20 expiring in January of 2026: Jauneen Maldonado, Ernest Lewis,  
21 and Karla Flanagan.

22 COMMISSIONER ESPARZA: I second.

23 CHAIRMAN DANIEL: It's been moved and  
24 seconded and the motion carries. Thank you. This is Agenda Item  
25 14, WIOA combined state plan for program years 2024 to 2027.

1 JOEL MULLINS: Good morning again. For the  
2 record, I'm Joel Mullins with Workforce Development. The  
3 Workforce Innovation and Opportunity Act requires that in order  
4 to be eligible to receiving funding for WIOA core programs,  
5 Titles I through IV, the governor of each state must submit a  
6 unified or combined state plan to the U.S. Departments of Labor  
7 and Education. On December 12, 2023, the commission approved the  
8 program year 2024 to 2027 WIOA combined state plan for posting  
9 for public comment. From December 24, 2023, through January 13<sup>th</sup>  
10 of this year, TWC solicited comments from representatives of  
11 Workforce Development Boards and chief elected officials,  
12 representatives of agricultural organizations, community-based  
13 organizations, adult education providers, institutions of higher  
14 education, and the public. During that time TWC received one  
15 comment relating to the alignment of education and workforce  
16 partnerships. The plan was updated to summarize and respond to  
17 the comment but no other changes were made to the plan related  
18 to that comment. Additionally, on January 10, 2024, the U.S.  
19 Department of Education Rehabilitation Services Administration  
20 released additional plan guidance regarding the VR program, and  
21 in response to that staff amended the plan to describe  
22 collaborative efforts between TWC and state and local  
23 educational agencies to improve employment outcomes for  
24 individuals with disabilities. This morning staff recommends  
25 approval of the proposed combined state plan for transmittal to

1 the Texas Workforce Investment Council and the governor for  
2 submission to the Departments of Labor and Education. I'm happy  
3 to answer any questions.

4 CHAIRMAN DANIEL: Comments or questions?

5 COMMISSIONER TREVIÑO: None here.

6 COMMISSIONER ESPARZA: No questions.

7 CHAIRMAN DANIEL: Is there a motion?

8 COMMISSIONER TREVIÑO: Chairman, I move to  
9 approve the Workforce Innovation and Opportunity Act combined  
10 state plan for program years 2024 to 2027 for transmittal to the  
11 Texas Workforce Investment Council and the office of the  
12 governor for submission to the United States Departments of  
13 Labor and Education as recommended today by staff.

14 COMMISSIONER ESPARZA: I second.

15 CHAIRMAN DANIEL: It's been moved and  
16 seconded and the motion carries. Thank you.

17 JOEL MULLINS: Thank you.

18 CHAIRMAN DANIEL: This is Agenda Item 15,  
19 internal audit charter.

20 ASHLEY SAGEBIEL: Good morning, chairman,  
21 commissioners. For the record, Ashley Sagebiel, director of  
22 internal audit. The internal audit charter is a formal document  
23 that defines the internal audit's purpose, authority, and  
24 responsibility. This document should be reviewed and revised  
25 periodically to ensure all information is up to date and

1 accurate. Today I'm here to present the internal audit charter  
2 as discussed with your offices for your consideration and  
3 approval.

4 CHAIRMAN DANIEL: Are there any comments or  
5 questions?

6 COMMISSIONER TREVIÑO: No comments.

7 COMMISSIONER ESPARZA: No questions.

8 CHAIRMAN DANIEL: Is there a motion?

9 COMMISSIONER TREVIÑO: Chairman, I move to  
10 approve the internal audit charter as recommended today by  
11 staff.

12 COMMISSIONER ESPARZA: I second.

13 CHAIRMAN DANIEL: It's been moved and  
14 seconded and the motion carries. This is Agenda Item 16, fiscal  
15 year 2024 internal audit plan.

16 ASHLEY SAGEBIEL: Again, for the record,  
17 Ashley Sagebiel, director of internal audit. I'm here to present  
18 the fiscal year 2024 audit plan for your consideration and  
19 approval. On page seven and eight of your materials you will  
20 find the proposed audit projects as briefed with your offices.  
21 I'm happy to answer any questions you may have.

22 CHAIRMAN DANIEL: Any comments or questions?

23 COMMISSIONER TREVIÑO: None here.

24 COMMISSIONER ESPARZA: No questions.

25 CHAIRMAN DANIEL: Is there a motion?

1 COMMISSIONER TREVIÑO: Chairman, I move to  
2 approve the fiscal year 2024 internal audit plan as recommended  
3 today by staff.

4 COMMISSIONER ESPARZA: I second.

5 CHAIRMAN DANIEL: The motion is moved and  
6 seconded and the motion carries. Thank you. This is Agenda Item  
7 17, fiscal year 2023 annual and supplemental reports.

8 MATTHEW MAZER: Good morning, Chairman  
9 Daniel, Commissioner Treviño, Commissioner Esparza, and Mr.  
10 Serna. To everyone who is not statutorily required to have a  
11 good morning, I hope you do anyway. For the record, my name is  
12 Matthew Mazer with Outreach and Employer Initiatives Division.  
13 Before we get started, I'd like to take a moment to acknowledge  
14 all those who contributed to these reports from content  
15 contributors to accessibility remediators. Many people across  
16 several divisions put a lot of their time into these reports,  
17 and then I put that into a size 11 Calibri font. I hope one day  
18 we can do it all over again. Before you today for consideration  
19 are the fiscal year 2023 TWC annual and supplemental reports.  
20 The annual report has been produced in compliance with Texas  
21 Labor Code Section 301.065 for submission to the governor and  
22 Texas Legislature pending commission approval. Also, before you  
23 is TWC's supplemental report produced in accordance with Texas  
24 Labor Code Section 301.065 which requires TWC to submit a  
25 separate supplemental annual report consisting of any



1 information required by other law to be included in the  
2 supplemental annual report. It contains annual information for  
3 the following programs: College Credit for Heroes, Skills  
4 Development Fund, Trade Adjustment Assistance, and Works  
5 Wonders, Texas Purchasing from People with Disabilities, all of  
6 which are required under the law. Staff also requests the  
7 ability to make minor nonsubstantive changes to the document in  
8 order to comply with the publication requirements of the Texas  
9 Register and the Office of the Secretary of State. That  
10 concludes my presentation. Staff are available from all relevant  
11 programs to answer any questions about either of these reports.

12 CHAIRMAN DANIEL: Comments or questions?

13 COMMISSIONER TREVIÑO: None here.

14 COMMISSIONER ESPARZA: No questions. Thanks.

15 CHAIRMAN DANIEL: I do have—we can do this  
16 one of two ways. I have an amendment to the motion so why don't  
17 we go ahead and put the motion on the table and then I'll  
18 introduce my amendment and I'll tell you about it.

19 COMMISSIONER TREVIÑO: OK. Chairman, I move  
20 to approve the fiscal year 2023 annual and supplemental reports  
21 for submission to the governor and legislature as recommended  
22 today by staff.

23 CHAIRMAN DANIEL: I'll second that motion. I  
24 do have an amendment to the motion. So this is a legislative  
25 report. I noted in the commissioners' message that we talked

1 about some programs that the legislature had amended for the new  
2 biennium. We did not talk about some others. I asked staff to  
3 draft an amendment that would encompass everything the  
4 legislature either gave us new, changed the dollar amount on. In  
5 other words I wanted to acknowledge to the legislature that we  
6 had taken under advisement and work all of the elements that  
7 they had changed in the last legislative session. I've  
8 distributed it here to the other commissioners what staff's  
9 proposed language looks like. It looks good to me. They simply  
10 went in and captured that so I would move we adopt this  
11 amendment.

12 COMMISSIONER ESPARZA: I second the motion  
13 to adopt the amendment.

14 CHAIRMAN DANIEL: Is there any objection to  
15 adopting the amendment? Hearing none, the amendment is adopted.  
16 Is there any objection to adopting the amended motion? Hearing  
17 none, the motion is adopted unanimously. Before we move on, Mr.  
18 Trobman, can we get some complete report as to who is  
19 statutorily required to have a good morning? Because I have not  
20 been and I want to make sure I am not violating the law. Thank  
21 you, guys, very much. This is Agenda Item 18, board nominees.

22 SHUNTA WILLIAMS: Good morning, chairman,  
23 commissioners, and Mr. Serna. For the record, Shunta Williams  
24 with the Workforce Development Division. Today for your  
25 consideration we present Workforce Board nominations for

1 Workforce Solutions North Central Texas, Greater Dallas, Lower  
2 Rio Grande Valley, North Texas, and Permian Basin. Staff  
3 recommends approval on the presented nominees, and I'm here to  
4 answer any questions you may have.

5 CHAIRMAN DANIEL: Any comments or questions?

6 COMMISSIONER TREVIÑO: None here.

7 COMMISSIONER ESPARZA: No questions.

8 CHAIRMAN DANIEL: Is there a motion?

9 COMMISSIONER TREVIÑO: Chairman, I move to  
10 approve the local Workforce Development Board member nominees  
11 presented today for the following: Workforce Solutions North  
12 Central Texas, Greater Dallas, Lower Rio Grande Valley, North  
13 Texas, and Permian Basin.

14 COMMISSIONER ESPARZA: I second.

15 CHAIRMAN DANIEL: It's been moved and  
16 seconded and the motion carries. Thank you.

17 SHUNTA WILLIAMS: Thank you.

18 CHAIRMAN DANIEL: I do not see any evidence  
19 of a legislative report today. Is there an executive director's  
20 report.

21 MR. SERNA: Excuse me, sir. No, sir, there  
22 is not that item.

23 CHAIRMAN DANIEL: All right, is there any  
24 other order of business to come before the commission?

25



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

CHAIRMAN DANIEL: It's been moved and  
seconded to adjourn and we're adjourned.