

**TEXAS WORKFORCE COMMISSION
TWC Building - Room 244
101 East 15th Street
Austin, Texas 78701-0001**

**COMMISSION MEETING AGENDA
Monday, December 5, 2016
11:00 a.m.
DOCKET 49**

THE FOLLOWING AGENDA ITEMS MAY NOT NECESSARILY BE CONSIDERED IN THE ORDER THEY APPEAR

An asterisk (*) indicates that supporting materials are available online at [Materials for TWC Public Policy Meetings](#)

1. Call to Order
2. Discussion, Consideration and Possible Action Regarding Whether to Assume Continuing Jurisdiction on Unemployment Compensation Cases, Wage Claim Cases, and/or Tax Liability Cases and Reconsideration of Unemployment Compensation Cases, Wage Claim Cases, and/or Tax Liability Cases, if Any
Sherri Miller
3. Discussion, Consideration and Possible Action Regarding Tax Liability Cases Listed on the Texas Workforce Commission Docket 49 (No Cases will be heard for Docket 49.)
Jennifer Turner
4. Discussion, Consideration and Possible Action Regarding Fair Housing Cases listed on the Texas Workforce Commission Docket 49 (Cases will be heard for Docket 49.)
Jennifer Turner
5. Discussion, Consideration and Possible Action Regarding Higher Level Appeals in Wage Claim Cases Listed on the Texas Workforce Commission Docket 49
Sherri Miller
6. Discussion, Consideration and Possible Action Regarding Higher Level Appeals in Unemployment Compensation Cases Listed on the Texas Workforce Commission Docket 49
Sherri Miller
7. Public Comment
Les Trobman
8. Discussion, Consideration and Possible Action Regarding the Acceptance of Pledges for Board Contract Year 2017 Child Care Matching Funds
Courtney Arbour and Angie Nelson-Wernli
9. Discussion, Consideration and Possible Action Regarding the Estimated Unemployment Trust Fund Balance Pursuant to Texas Labor Code Section 204.061 and the Estimated Employment and Training Investment Holding Fund Balance Available for Transfer Pursuant to Texas Labor Code Section 204.123*
Randy Townsend

10. Discussion, Consideration and Possible Action Regarding Fiscal Year 2017 Operating Budget, Funding Priorities, Staffing Levels, Performance Measures, Statewide Initiatives and Other Budget-Related Issues
Randy Townsend
11. Discussion, Consideration and Possible Action Regarding Local Workforce Development Area Performance Measures and Targets for Board Contract Years 2016 and 2017
Adam Leonard and David Johnson
12. Discussion, Consideration and Possible Action Regarding Implementation of the Workforce Innovation and Opportunity Act
Jason Vaden and Adam Leonard
13. Discussion, Consideration and Possible Action Regarding Career Schools and Colleges Calendar Year 2017 Late Refund Penalty Rate Pursuant to Texas Education Code Section 132.061*
Courtney Arbour
14. Discussion, Consideration and Possible Action Regarding Distribution of Recaptured Adult Education and Literacy Funds Pursuant to 40 TAC Section 800.51
Carrie Tupa and Anson Green
15. Discussion, Consideration and Possible Action Regarding Statewide Initiatives Funded with Workforce Investment Opportunity Act (WIOA), Temporary Assistance for Needy Families (TANF), Adult Education Literacy (AEL), Childcare or Other State Level Funds
Patricia Gonzalez and Clint Winters
16. Discussion, Consideration and Possible Action Regarding Issues Related to Impacts Resulting from Child Care Reauthorization
Patricia Gonzalez and Jason Vaden
17. Discussion, Consideration and Possible Action Regarding Approval of Local Workforce Development Board Nominees*
John Fuller
18. Discussion, Consideration and Possible Action Regarding Legislative Proposals by the Texas Workforce Commission to the 85th Texas Legislature, Regular Session 2017
Tom McCarty and Michael Britt
19. Discussion, Consideration and Possible Action Regarding Enacted, Proposed or Considered Federal Regulations, Executive Orders, or Federal or State Enacted or Proposed Legislation
Tom McCarty
20. Report and Update by the Executive Director and Staff Regarding Administrative Matters, Including Internal Policies and Procedures, Customer and Board Service Issues, Status of Project Assignments, Organizational Matters and Responsibilities of the Agency's Divisions
Larry Temple
21. THE FOLLOWING MAY BE DISCUSSED IN EXECUTIVE SESSION OR OPEN MEETING AND HAVE ACTION TAKEN IN AN OPEN MEETING:

- a) Government Code §551.074(a)(1) The Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of the Executive Director
- b) Government Code §551.074(a)(1) The Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of the Internal Auditor
- c) Government Code §551.074(a)(1) The Appointment, Employment, Evaluation, Reassignment, Duties, Accomplishments, Performance, Goals, and Responsibilities of the Executive Staff and Other Personnel
- d) Government Code §551.071(1) Contemplated Litigation or Pending Litigation of:
 - Arbor E & T LLC, d/b/a, Rescare Workforce Services vs. Workforce Solutions Lower Rio Grande, Inc., et al.;
 - Felino A. Belostrino v. TWC, et al.;
 - Breckenridge Enterprises, Ltd, et al v. TWC;
 - The Campbell Group, LLC and Crown Pine Timber 1, L.P. v. Tara Hoke;
 - James T. Chao v. DARS, et al.;
 - Cecilia Clinkscale v. TWC;
 - DARS v. U.S. Department of the Army, Fort Bliss;
 - In Re: Dickinson of San Antonio, Inc., Debtor;
 - FedEx Ground Package System, Inc. v. TWC, et al.;
 - G&A Outsourcing, Inc., et al. v. TWC;
 - Keith Hill v. TWC and Clear Creek ISD;
 - Andre'nea King v. DARS-Texas Commission for the Blind;
 - Maria Patricia Macias v. TWC and Harlingen Consolidated ISD;
 - Roland Marshall and Cantu Services, Inc. v. USA, et al;
 - Rodolfo Martinez v. TWC-CRD;
 - Christopher Suarez v. DARS, et al.;
 - Tex-Fin, Inc. and Texas Workforce Commission v. Gustavo E. Ducharne;
 - TWC-CRD v. Ana and Michael Litofsky;
 - TWC-CRD v. OT Pebblebend Partners, L.P., et al.;
 - TWC-CRD v. One Towers Park Lane Cooperative Company;
 - TWC-CRD v. Teravista Community Association, Inc.;
 - TWC-CRD v. Wind River Management Corporation, et al.;
 - TWC-CRD v. Vaman Investments LLC, d/b/a Victoria Gardens;
 - TWC f/k/a DARS v. Dept. of Defense; US Army; US Air Force;
 - Texas Workforce Commission v. Maria Patricia Macias;
 - Shawn Webb v. DARS; and
 - Wichita County, Texas v. TWC and Julia White
- e) Government Code §551.071(2) All Matters Identified in This Agenda Where the Commission Seeks the Advice of Its Attorney as Privileged Communications under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas and to Discuss the Open Meetings Act and the Administrative Procedures Act

22. The next Commission meeting is set for 9:00 a.m., Tuesday, December 13, 2016.

23. Adjournment

Notes:

- Audio webcasts of TWC Commission meetings are available at <http://www.twc.state.tx.us/events>. Please note that a user cannot click on the link in the Texas Register and get to the site but must cut and paste the address into the browser address line.
- Persons with disabilities who plan to attend this meeting and who may need auxiliary aids, services, or special accommodations should contact Conference and Media Services at (512) 463-6389 or conferenceplanning.media@twc.state.tx.us two (2) working days prior to the meeting, so that appropriate arrangements can be made.
- Persons with questions regarding agenda content should contact Kim Bergmann, Office of General Counsel at (512) 463-7903.