



**MEETING OF THE  
TEXAS WORKFORCE COMMISSION**

**DATE**

**OCTOBER 3, 2023**

1 Tuesday, October 3, 2023

2 CHAIRMAN DANIEL: Good morning, everyone.

3 This meeting is called to order. Mr. Trobman, has anyone signed  
4 up for public comment? Thank you. Good morning, Ms. Miller.

5 MS. MILLER: Good morning, sir.

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

9 CHAIRMAN DANIEL: All right, this is Agenda  
10 Item 9, Proposed Rules for 40 TAC Chapter 800, Reporting  
11 Workplace Violence.

12 JON POKORNEY: Good morning, Chairman  
13 Daniel, Commissioner Demerson, Commissioner Treviño, and Mr.  
14 Serna. For the record, I'm Jon Pokorney, policy director with  
15 Fraud Deterrence and Compliance Monitoring. Commissioners,  
16 before you today for your consideration and approval are  
17 proposed rule amendments to Chapter 800, General Administration,  
18 the new Subchapter N. Last session the legislature passed and  
19 the governor approved HB915 which added Chapter 104A to the  
20 Labor Code and requires employers to post a notice to employees  
21 that they can anonymously report workplace violence or  
22 suspicious activities to DPS. HB915 also required TWC to consult  
23 to DPS and provide the form and content of the reporting  
24 workplace violence poster by rule no later than March 1, 2024.  
25 We collaborated with DPS on the proposed ruling and the methods

1 of reporting. The proposed rule provides an English and Spanish  
2 version of the poster as required by HB915. The proposed rule  
3 also states that TWC will make the poster available for free on  
4 the agency's website similar to other workplace posters. Staff  
5 recommends submitting the proposed rule for publication in the  
6 Texas Register for a 30-day public comment period. Staff also  
7 requests the ability to make minor nonsubstantive changes to the  
8 document to comply with the publication requirements of the  
9 Texas Register and the Office of the Secretary of State. This  
10 concludes my presentation. I'm available to answer any questions  
11 you may have.

12 CHAIRMAN DANIEL: Any comments or questions?

13 COMMISSIONER DEMERSON: None here.

14 COMMISSIONER TREVIÑO: None here.

15 CHAIRMAN DANIEL: Is there a motion?

16 COMMISSIONER DEMERSON: I move that we  
17 approve the proposed new 40 Texas Administrative Code, Chapter  
18 800, Subchapter N, Reporting Workplace Violence, for publication  
19 in the Texas Register and public comment as recommended today by  
20 staff.

21 COMMISSIONER TREVIÑO: I second the motion.

22 CHAIRMAN DANIEL: The motion carries. This  
23 is Agenda Item 10, Board Nominations.

24 SHUNTA WILLIAMS: Good morning, chairman,  
25 commissioners, and Mr. Serna. For the record, Shunta Williams

1 with Workforce Development. Today for your consideration we have  
2 Workforce Board nominations for Concho Valley, West Central,  
3 Rural Capital Area, and Southeast Texas. Staff recommends  
4 approval on the presented nominees, and I'm here to answer any  
5 questions you have.

6 CHAIRMAN DANIEL: Any comments or questions?

7 COMMISSIONER DEMERSON: None here.

8 COMMISSIONER TREVIÑO: None here.

9 CHAIRMAN DANIEL: Is there a motion?

10 COMMISSIONER DEMERSON: I move that we  
11 approve the local Workshop Development Board member nominees  
12 presented today for the following: Workforce Solutions Concho  
13 Valley, West Central Texas, Rural Capital Area, and Southeast  
14 Texas.

15 COMMISSIONER TREVIÑO: I second the motion.

16 CHAIRMAN DANIEL: It's been moved and  
17 seconded, and the motion carries.

18 SHUNTA WILLIAMS: Thank you.

19 CHAIRMAN DANIEL: A legislative report?

20 MR. SERNA: We have one.

21 CHAIRMAN DANIEL: That was a dead giveaway.

22 MICHAEL BRITT: Good morning, Chairman

23 Daniel, Commissioner Demerson, Commissioner Treviño, and Mr.

24 Serna. For the record, Michael Britt, Governmental Relations.

25 This past Saturday the U.S. Congress passed and the president

1 signed into law HR5860. This bill continues federal government  
2 funding at current levels through November 17<sup>th</sup> of this year.  
3 Regarding the state legislature, also over the weekend Governor  
4 Abbott notified the lieutenant governor and the speaker of the  
5 House that he will call the Texas legislature into special  
6 session beginning next Monday, October 9<sup>th</sup> at one o'clock in the  
7 afternoon. The governor's notice did indicate that he will issue  
8 the formal proclamation which will include the specific issues  
9 on the call sometime before next Monday. This concludes my  
10 remarks. I'm happy to answer any questions.

11 CHAIRMAN DANIEL: Any questions?

12 COMMISSIONER DEMERSON: None here.

13 COMMISSIONER TREVIÑO: None here.

14 CHAIRMAN DANIEL: Thank you, sir.

15 MICHAEL BRITT: Thank you.

16 CHAIRMAN DANIEL: An executive director's  
17 report? Is there any other order of business to come before the  
18 commission?

19 COMMISSIONER DEMERSON: Mr. Chairman, let me  
20 take this opportunity real quick. I visited last week—three  
21 weeks ago with the governor and others about the Texas Economic  
22 Development Corporation, a position over there, and so I'm going  
23 to actually be tendering—I have tendered a resignation effective  
24 November 6<sup>th</sup> with the agency and will be taking that position. I  
25 wanted to mention that here because the press release will be

1 coming out in that regard, and so delighted to have met with  
2 Governor Abbott and also with Vicki Hollub who is the chair of  
3 the Economic Development Board of Directors, and so will  
4 relinquish this position and assume that position as the  
5 president and CEO of that organization effective November 6<sup>th</sup>,  
6 and so appreciate the time here. We have an entire month to go  
7 through and so I have a lot of pre-committed events and  
8 activities and I want to carry those out and also to work with  
9 you guys to make sure that we're not stacking the dockets and  
10 the like, and so will carry that through November as  
11 appointments does their work as well but more to come in that  
12 regard but wanted to put that on record so that it is known from  
13 the standpoint so appreciate everything, and we'll have more to  
14 come as we lean down the line but thank you for the opportunity.

15                   CHAIRMAN DANIEL: Well, congratulations. I  
16 was on the board of directors of that organization for nearly  
17 five years. They do great work. You're an excellent choice to  
18 lead that. Good luck. It's a big job but I think you're up to  
19 the task.

20                   COMMISSIONER DEMERSON: Appreciate that.  
21 Thank you.

22                   COMMISSIONER TREVIÑO: Congratulations. I  
23 could have read some of the motions if that would have changed  
24 your opinion but congratulations, and I wish you the best. We're  
25 going to miss you.

1 CHAIRMAN DANIEL: I did hear him under his  
2 breath the commissioners say that's it, that is it. I don't know  
3 what that was in reference to.

4 COMMISSIONER DEMERSON: I did sort of rush  
5 in that last motion or what have you but it's an exciting  
6 opportunity and like you said, chairman, an opportunity to work  
7 with that board, and I served in that position as well on the  
8 board and then off the board as well so looking forward to the  
9 opportunities with the economic development office.

10 CHAIRMAN DANIEL: All right.

11 MR. SERNA: Commissioner, on behalf of the  
12 staff, congratulations.

13 COMMISSIONER DEMERSON: Thank you, Ed.

14 MR. SERNA: Sorry to see you go but I think  
15 if we can be of help, let us know.

16 COMMISSIONER DEMERSON: Always. Thank you.

17 CHAIRMAN DANIEL: Anything else?

18 COMMISSIONER DEMERSON: Cue us up to move.

19 Am I moving or-

20 CHAIRMAN DANIEL: That will be interesting  
21 to see. Is there a motion to adjourn?

22 COMMISSIONER DEMERSON: So moved.

23 COMMISSIONER TREVIÑO: I second the motion.

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