

TRANSCRIPT OF PROCEEDINGS
BEFORE THE
TEXAS WORKFORCE COMMISSION
AUSTIN, TEXAS

PUBLIC MEETING §
FOR THE TEXAS §
WORKFORCE COMMISSION §

COMMISSION MEETING

WEDNESDAY, JANUARY 17, 2007

BE IT REMEMBERED THAT at 1:00 p.m., on
Wednesday, the 17th day of January 2007, the
above-entitled meeting was held at the Texas Workforce
Commission, TWC Building, 101 East 15th Street,
Room 244, Austin, Texas, before DIANE RATH, Chair;
RON LEHMAN and RONALD G. CONGLETON, Commissioners, and
LARRY TEMPLE, Executive Director of the Texas
Workforce Commission; and the following proceedings
were reported by William C. Beardmore, a Certified
Shorthand Reporter of:

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P R O C E E D I N G S

WEDNESDAY, JANUARY 17, 2007

(1:00 p.m.)

AGENDA ITEM NO. 1

CHAIR RATH: Okay. We'll go ahead and come to order. I want to thank everyone who was able to get here safely today. And, first, I think we have one continuing jurisdiction.

AGENDA ITEM NO. 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

The Commission considered and approved a request to issue a letter of continuing jurisdiction in case number 06-053864-6 for resubmission on a future docket.

AGENDA ITEM NO. 3

Discussion, Consideration and Possible Action Regarding Tax Liability Cases Listed on the Texas Workforce Commission Docket 3.

1 The Commission considered and took action on all tax
2 liability cases listed on Docket 3.

3 AGENDA ITEM NO. 4

4 Discussion, Consideration and Possible
5 Action Regarding Higher Level Appeals in Wage Claim
6 Cases Listed on the Texas Workforce Commission
7 Docket 3.

8

9 The Commission considered and took action on all wage
10 claim cases listed on Docket 3.

11 AGENDA ITEM NO. 5

12 Discussion, Consideration and Possible
13 Action Regarding Higher Level Appeals in Unemployment
14 Compensation Cases Listed on the Texas Workforce
15 Commission Docket 3.

16

17 The Commission considered and took action on all
18 unemployment compensation cases listed on Docket 3.

19

20 (Wage Claim and UI cases were heard from
21 1:00 p.m. to 1:14 p.m.)

22 (Recess: 1:14 p.m. to 1:30 p.m.)

23 CHAIR RATH: Okay. We'll go ahead and
24 come back in session.

25

1 AGENDA ITEM NO. 7

2 CHAIR RATH: And the first thing we have
3 is FY07 pledges for child care.

4 We have certifications totaling
5 \$2,632,056. Are there any questions or is there a
6 motion?

7 COMM. LEHMAN: Madam Chair, I have no
8 questions, and I would enter a motion to approve the
9 child care pledges in the amount you mentioned.

10 COMM. CONGLETON: And I would second
11 that motion.

12 CHAIR RATH: And I agree. And that
13 brings our amount for us to date to a little over
14 24-and-a-half-million. So we have an end in sight.

15 So congratulations to everyone who's
16 working on that.

17 AGENDA ITEM NO. 8

18 CHAIR RATH: Next -- and, Commissioners,
19 I ask your assistance as we go through this. We don't
20 have any staff available to respond to questions.

21 So if we have any questions on any of
22 these, then we'll need to defer that. So if none --
23 on Case No. 50, are there any questions, or are you
24 willing to take action on No. 50?

25 COMM. LEHMAN: I am. I have no

1 questions. I've reviewed the case and I'm comfortable
2 with going ahead with the approval.

3 COMM. CONGLETON: I agree.

4 CHAIR RATH: Okay. And I agree with
5 No. 50. That brings us to 51. Are there any
6 questions, or is there a motion?

7 COMM. LEHMAN: The same answer; I would
8 recommend approval.

9 COMM. CONGLETON: I agree.

10 CHAIR RATH: Okay. And I do also. And
11 that brings us to 52.

12 COMM. LEHMAN: The same answer, and
13 recommend approval.

14 COMM. CONGLETON: And I agree.

15 CHAIR RATH: And I agree also. So
16 Cases 50, 51 and 52 are all approved.

17 AGENDA ITEM NO. 9

18 CHAIR RATH: On No. 9, the work
19 performance, we're going to defer that until next week
20 unless there's anything we need to do today.
21 Otherwise, we'll wait until next week on that.

22 AGENDA ITEM NO. 10

23 CHAIR RATH: And that brings us to the
24 Workforce Development Board nominees. And if there's
25 no objections, we could consider the Texoma nominee

1 before us today.

2 COMM. LEHMAN: I have notice objections.

3 COMM. CONGLETON: I have no objections.

4 CHAIR RATH: Then, is there a motion?

5 COMM. LEHMAN: I move for approval of
6 the nominee.

7 COMM. CONGLETON: Second.

8 CHAIR RATH: And I agree. So Texoma is
9 approved.

10 AGENDA ITEM NO. 11

11 CHAIR RATH: We have nothing on
12 No. 11 --

13 AGENDA ITEM NO. 12

14 CHAIR RATH: -- but Mr. Lewis has some
15 information on No. 12, our state and federal issues.

16 MR. LEWIS: Good afternoon, Chair Rath,
17 Commissioners. Jesse Lewis, External Relations. Last
18 week the House passed the Minimum Wage Bill that would
19 increase the minimum wage by \$2.10 an hour to \$7.25
20 in three steps over two years.

21 The Senate is going to be taking up that
22 bill today, and they plan on adding additional things
23 to that, particularly about a 8.3 billion package of
24 small business tax breaks that they claim to attach to
25 that bill. So we'll be following that today.

1 Last week, the Texas House and Senate
2 convened. The first order of business for the House
3 was to elect their presiding officer. Tom Craddock
4 was re-elected as the Speaker.

5 We do not have committee assignments
6 yet. We do expect that there will be significant
7 turnover in the House Committee assignments due to
8 many of the retirements and defeats of many of the
9 Committee Chairs.

10 Additionally, Governor Perry and
11 Lieutenant Governor Dewhurst were inaugurated
12 yesterday and sworn in.

13 I wanted to mention a couple of things
14 from the Governor's speech that particularly relate to
15 workforce.

16 He made a point of speaking about
17 preparing the workforce of the future and particularly
18 how workforce relates to higher education.

19 And the other part that he talked about
20 that was particularly meaningful for us, I guess, is
21 the responsibility to help empower folks to get off
22 public assistance and live a life of self-sufficiency.
23 Those are his words.

24 So I thought those, in particular, with
25 some of the legislative proposals that we have were

1 particularly relevant. So if there are any questions,
2 I'll be glad to answer them.

3 CHAIR RATH: Any questions?

4 COMM. LEHMAN: I heard the speech, and I
5 have no questions.

6 COMM. CONGLETON: I heard the speech as
7 well, and I have no questions.

8 CHAIR RATH: Thank you. And I was very
9 pleased to see the commitment for workforce
10 preparation for all workers. So thank you very much.

11 MR. LEWIS: Thank you.

12 AGENDA ITEM NO. 13

13 CHAIR RATH: Next, we don't have
14 anything on Hurricanes Katrina and Rita today.

15 AGENDA ITEM NO. 14

16 CHAIR RATH: And the state data center.
17 Mr. Crump?

18 MR. CRUMP: Good afternoon,
19 Commissioners. For the record, Gene Crump, Deputy
20 Executive Director.

21 Commissioners, as you know, we've been
22 awaiting the Department of Information Resources to
23 provide agencies their cost share of the state data
24 center services contract.

25 We received our numbers late Thursday

1 afternoon, and I have had a chance to discuss those
2 numbers individually with each of you.

3 So, for today, I just have some brief
4 comments for the record because I know this item will
5 probably come back in the future.

6 First, as we discussed, the initial
7 estimated cost provided by DIR would negatively impact
8 TWC in FY07, FY08 and FY09; most notably, the UI grant
9 which would fund about 66 percent of the contracted
10 costs.

11 During our briefing, DIR indicated that
12 they are briefing leadership on the numbers. They
13 also indicated they will be briefing the legislative
14 budget board next week.

15 Finally, DIR indicated to us that they
16 are presenting options to leadership that would keep
17 the contract cost neutral to TWC and other agencies
18 that would be negatively impacted by the contract.

19 Those are my brief remarks for today.
20 Are there any specific questions you would like to
21 ask?

22 CHAIR RATH: I just wanted to follow up.
23 On the revised estimates on the impact that you-all
24 were going to prepare Friday, are they completed today
25 or not?

1 MR. CRUMP: I hope to have them to your
2 office this afternoon.

3 CHAIR RATH: Okay. Before 3 o'clock?

4 MR. CRUMP: Yes, ma'am.

5 CHAIR RATH: Okay.

6 MR. TEMPLE: Commissioners, I did speak
7 with DOL Regional Thursday afternoon, and they
8 concurred that this would be a problem from a cost
9 allocation standpoint and they wanted to be kept
10 apprised of any developments.

11 So we did want to let them know what was
12 cooking, if you will.

13 CHAIR RATH: Very good. Any questions
14 for Mr. Crump?

15 COMM. LEHMAN: All of mine were answered
16 in this briefing. I appreciate you and your team
17 bird-dogging this whole initiative as you have.

18 COMM. CONGLETON: I was disappointed
19 initially. I look forward to what we do in the
20 future.

21 MR. CRUMP: Yes, sir.

22 CHAIR RATH: Thank you.

23 AGENDA ITEM NO. 15

24 CHAIR RATH: Next, Mr. Temple, I think
25 you had something.

1 MR. TEMPLE: Two things. One,
2 Commissioners, I wanted to let you know that with the
3 storm and the weather last night, we did not run the
4 (inaudible) last night. We'll be running it tonight.
5 So that put us on somewhat of a delay, but that will
6 be happening tonight.

7 And the second thing I wanted to do is
8 just thank Rick Cunningham and all of his staff for
9 keeping care of the building while we were all home,
10 dry and warm.

11 They had everything salted for us and we
12 had a couple of leaks that they had to attend to and
13 got in here early to get the heat on, and I do want to
14 express our gratitude to Rick and all the maintenance
15 staff.

16 CHAIR RATH: Very well said. And I
17 understand the Telecenters are up and operating also.

18 MR. TEMPLE: Yes, ma'am.

19 CHAIR RATH: So I know we have some
20 concerns in that area. I think we look forward to
21 additional information, but just wanted to let folks
22 know, particularly in the workforce centers, that they
23 are up and operating.

24 And, of course, the Internet function is
25 very appropriate if they have any complaints coming

1 in.

2 Commissioner, do you have anything?

3 COMM. LEHMAN: Well, I'd just echo
4 Larry's compliments to the team that oversees the
5 operations in time of difficulty, like weather.

6 So I appreciate what all they do.

7 COMM. CONGLETON: And I agree with that.

8 CHAIR RATH: Very good. Then, if
9 there's nothing else, it's 1:38 and we will stand
10 adjourned.

11 (Proceedings concluded at 1:38 p.m.)

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C E R T I F I C A T E

STATE OF TEXAS)
COUNTY OF TRAVIS)

I, William C. Beardmore, a Certified
Shorthand Reporter in and for the State of Texas, do
hereby certify that the above-mentioned matter
occurred as hereinbefore set out.

I FURTHER CERTIFY THAT the proceedings
of such were reported by me or under my supervision,
later reduced to typewritten form under my supervision
and control and that the foregoing pages are a full,
true, and correct transcription of the original notes.

IN WITNESS WHEREOF, I have hereunto set
my hand and seal this 18th day of January 2007.

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