

TRANSCRIPT OF PROCEEDINGS  
BEFORE THE  
TEXAS WORKFORCE COMMISSION  
AUSTIN, TEXAS

PUBLIC MEETING            )  
FOR THE TEXAS            )  
WORKFORCE COMMISSION)

COMMISSION MEETING

TUESDAY, JULY 22, 2008

BE IT REMEMBERED THAT at approximately  
9:00 a.m., Tuesday, the 22nd day of July, 2008, the  
above-entitled matters came on for hearing at the  
Texas Workforce Commission, TWC Building, 101 East  
15th Street, Room 244, Austin, Texas, before TOM  
PAUKEN and RONALD G. CONGLETON, COMMISSIONERS, and  
GENE CRUMP, DEPUTY EXECUTIVE DIRECTOR, of the Texas  
Workforce Commission; and the following proceedings  
were reported by Janis Simon, a Certified Shorthand  
Reporter of:

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1 P R O C E E D I N G S

2 TUESDAY, JULY 22, 2008

3 (9:00 a.m.)

4 AGENDA ITEM NO. 1

5 CHAIRMAN PAUKEN: All right. It is nine  
6 o'clock. The meeting will now be called to order.

7 Two Commission members today are myself and  
8 Commissioner Congleton.

9 AGENDA ITEM NO. 2

10 Discussion, Consideration and Possible  
11 Action Regarding Whether to Assume Continuing  
12 Jurisdiction on Unemployment Compensation Cases, Wage  
13 Claim Cases, and/or Tax Liability Cases and  
14 Reconsideration of Unemployment Compensation Cases,  
15 Wage Claim Cases, and/or Tax Liability Cases, if Any  
16 Chairman Pauken and Commissioner  
17 Congleton agreed to the resubmission of Case  
18 No. 1012629-3 on a future docket.

19 AGENDA ITEM NO. 3

20 Discussion, Consideration and Possible  
21 Action Regarding Tax Liability Cases Listed on the  
22 Texas Workforce Commission Docket 29  
23 Chairman Pauken and Commissioner  
24 Congleton considered and took action on all Tax  
25 Liability Cases listed on Docket 29.

1 AGENDA ITEM NO. 4

2 Discussion, Consideration and Possible  
3 Action Regarding Higher Level Appeals in Wage Claim  
4 Cases listed on the Texas Workforce Commission Dockets  
5 29 and 30

6 Chairman Pauken and Commissioner Congleton  
7 considered and took action on all Wage Claim Cases  
8 listed on Dockets 29 and 30.

9 AGENDA ITEM NO. 5

10 Discussion, Consideration and Possible  
11 Action Regarding Higher Level Appeals in Unemployment  
12 Compensation Cases Listed on the Texas Workforce  
13 Commission Dockets 29 and 30

14 Chairman Pauken and Commissioner  
15 Congleton considered and took action on all  
16 Unemployment Compensation Cases listed on Dockets 29  
17 and 30.

18 (Brief pause)

19 AGENDA ITEM NO. 6

20 CHAIRMAN PAUKEN: All right. I think we  
21 can resume the agenda at Item 6. Any public comment?

22 MR. MOORE: No one is registered.

23 (The Commission paused and continued  
24 with the remainder of the agenda.)

25 CHAIRMAN PAUKEN: Mr. Crump, are you

1 ready?

2 MR. CRUMP: Yes, sir, we're ready to go.

3 CHAIRMAN PAUKEN: All right. Let's  
4 reconvene.

5 I guess on -- Mr. Moore has indicated  
6 there are -- there's no public comment today.

7 AGENDA ITEM NO. 7

8 CHAIRMAN PAUKEN: So, we're at  
9 discussion, consideration, and possible action  
10 regarding the adjustment of Program Year 2007/Board  
11 Contract Year 2008 Workforce Investment Act targets.  
12 Mr. Leonard.

13 MR. LEONARD: Good morning. For the  
14 record, Adam Leonard, Performance, Analysis, and  
15 Reporting.

16 Chairman Pauken you haven't been here at  
17 this time of the year, but one of the things that  
18 happens towards the end of the WIA year is we have to  
19 do an Annual Report that's sent to the Department of  
20 Labor. And within it we're supposed to talk about how  
21 the boards did relative to their targets and things  
22 like that.

23 One of the features of the WIA statute  
24 is that boards can ask to renegotiate targets, their  
25 performance targets, specifically if there are issues

1 that have come up during the course of the year that,  
2 perhaps, were not known when the targets were  
3 initially negotiated, things like that, things outside  
4 their control. And so for the past several years  
5 we've had a process by which they send in their  
6 request for alternative targets along with their  
7 justification.

8                   It's a lot like what we do at the  
9 beginning of the year, except for it's a retroactive  
10 view of the same. And so we use some statistical  
11 modeling and evaluate what their requests are and  
12 it -- also look at some of the cases and things that  
13 they bring up if they have information that doesn't  
14 really show up in a model.

15                   So, today it was really to basically  
16 kick this process off, open it up for the boards,  
17 letting them know that we would be looking for them to  
18 send us information in the next several weeks. By  
19 August 5th they need to send it to Larry Jones with a  
20 copy to me, and then we'll be back in front of you a  
21 week or two after that with recommendations for your  
22 consideration as to possible adjustments to their  
23 current year targets on the WIA -- WIA '08 targets.  
24 And that way we can include them in the final report  
25 to DOL.

1                   And so this was really just more of an  
2 informational item today and also to see if you had  
3 any questions or input.

4                   CHAIRMAN PAUKEN: Commissioner  
5 Congleton.

6                   COMM. CONGLETON: I'm happy that we  
7 allow the boards to propose alternative targets. I'm  
8 also happy that we document why and see if that's  
9 right.

10                  CHAIRMAN PAUKEN: Okay.

11                  I know this is a little unrelated. But  
12 since you're up on the -- on the podium, Mr. Leonard,  
13 you know, one of the things I want to see is -- is --  
14 is more specific data as to -- as to what is happening  
15 with regard to -- you know, as we talked about Permian  
16 Basin, which is -- was it -- last month. I think it's  
17 up a little bit slightly this month, but 2.7  
18 unemployment, 30 percent exhaustion of benefits.  
19 Dallas, my area, 4.5 percent unemployment, 42.7  
20 percent exhaustion of benefits.

21                  What's the statistical data, the  
22 profile? What are the people that are having a hard  
23 time, you know, getting work? What's the -- you know,  
24 is it low-income workers? Is it lack of training?

25                  What -- you know, is it maybe two

1 members of a family in a workforce. One loses a job  
2 and doesn't want to go back for a while?

3                   There are a lot of factors. I think,  
4 you know, more data might allow us to be more  
5 proactive in getting people back to work quicker. So,  
6 I just wanted to take that opportunity, since we're,  
7 you know, in public session, to -- I know you're  
8 working on that, but to hopefully have you bring  
9 something to us on that, because it's hard to, you  
10 know, make decisions if you don't, you know, have the  
11 data as to -- as to what is going on and what might be  
12 the remedies to -- to make the situation better and  
13 get people back to work quicker.

14                   MR. LEONARD: Yes, we -- we have had a  
15 few conversations about that. And for those folks who  
16 are listening, I'll just kind of respond and let --  
17 let them know what I've talked to you about.

18                   My department's involvement in UI data  
19 has been typically been very tied to the performance  
20 measures, the two claimant measures. And so they've  
21 typically been on very bare minimal demographic  
22 information about those customers.

23                   We've got a meeting set up for later  
24 this week -- I believe it's Wednesday -- where we're  
25 going to be talking to the UI group about populating a

1 data set that my folks work with to include more  
2 occupational information, possibly more industry  
3 information, things like that so that we can start to  
4 really drill into this a little bit more and  
5 understand more about the types of customers who are  
6 getting more than average amounts of benefits or  
7 exhausting benefits and that kind of thing, on a per  
8 person basis by board, that kind of thing.

9                   So, we're hoping to have some  
10 interesting data come out of that, but it will  
11 probably take a few weeks for us to identify the data,  
12 get it in there, into -- into the data set to work  
13 with --

14                   CHAIRMAN PAUKEN: Right.

15                   MR. LEONARD: -- and then us starting to  
16 work with it. But we're very interested in some of  
17 the -- these ideas.

18                   CHAIRMAN PAUKEN: Well, and I -- I think  
19 there ought to be -- is some incentives for local  
20 workforce boards who do a better job than the -- sort  
21 of the formula percentage, I mean, you know, relative  
22 to their unemployment in getting people back to work,  
23 in getting people jobs and -- and -- and lowering, if  
24 you will, the -- the exhaustion rate. So, I -- I  
25 don't know -- you know, I know there are different

1 performance measurements, but it seems to me that  
2 there ought to be some innovative, creative things  
3 going on to do that and get people back to work  
4 quicker.

5                   Are we giving up on certain people after  
6 10 weeks, and then does it run -- you know, just sort  
7 of run out after -- after that? I don't know. I  
8 mean, I don't know.

9                   I'm, obviously, new to the process. But  
10 I think it would be very helpful for us to have more,  
11 you know, specific data as to what is going on out  
12 there that causes, if you will, these relatively high  
13 exhaustion rates at a time when we've got low  
14 unemployment relative to the rest of the country,  
15 because that isn't going to -- I'm afraid that's not  
16 going to continue. And -- and we've got to, you know,  
17 do some things to get people back to work.

18                   Commissioner Congleton.

19                   COMM. CONGLETON: I don't disagree with  
20 that. I would ask you to whittle out those people who  
21 get 10 weeks, those people who get 16 weeks, and those  
22 people who get 26.

23                   MR. LEONARD: That's one of the --

24                   CHAIRMAN PAUKEN: Right.

25                   MR. LEONARD: -- that is one of the

1 things --

2 (Simultaneous discussion)

3 COMM. CONGLETON: That's one of our  
4 problems.

5 MR. LEONARD: -- that our analyses are  
6 looking at, is breaking out by, if you will,  
7 eligibility cohort so the --

8 CHAIRMAN PAUKEN: Sure.

9 MR. LEONARD: -- the maximum number of  
10 weeks of benefits a person is eligible for so we can  
11 kind of see how that breaks down. And that's  
12 something we're -- we actually have the data for, and  
13 we're finishing that up now. It's in follow-up to  
14 your Work Session a few weeks ago where we talked  
15 about those numbers.

16 We're now -- instead of just for the  
17 board for all claimants, now it will be broken down by  
18 cohort. So, that's coming up hopefully fairly soon.

19 CHAIRMAN PAUKEN: Well, and I think that  
20 would be helpful to the local boards as well to have  
21 this kind of data and know what they can do and also  
22 helpful to local board member to see, you know, what  
23 these -- what these figures are and what's -- and  
24 what's going on and what the best remedies are,  
25 because I'm sure somebody out there, some of the

1 boards out there are doing some things that are very  
2 creative and innovative in terms of lowering the  
3 exhaustion rates, whether it's on the training side or  
4 whatever else, helping people on doing their resumes  
5 the right way so they can get them back to work or  
6 whatever incentives are out there to encourage the  
7 unemployed to -- to get -- be put back to work as  
8 quickly as possible.

9 Thank you, Mr. Leonard.

10 AGENDA ITEM NO. 8

11 CHAIRMAN PAUKEN: Okay. Discussion,  
12 consideration, and possible action regarding approval  
13 of Local Workforce Development Board nominees. I  
14 understand that Mr. Jones will take the place of  
15 Mr. Fuller today, who is on vacation.

16 MR. JONES: That's correct, sir.

17 CHAIRMAN PAUKEN: All right.

18 MR. JONES: Good morning, Chairman  
19 Pauken, Commissioner Congleton, Mr. Crump. For the  
20 record, my name is Larry Jones with Workforce  
21 Development.

22 Commissioners, before you today we have  
23 Workforce Board Nominees from Heart of Texas, South  
24 East Texas, Cameron County, Coastal Bend and Brazos  
25 Valley Workforce Development Boards. I have prepared

1 comments for Brazos Valley's Workforce Development  
2 Board, only since you had previously asked for  
3 information regarding those.

4                   So, I will offer it to you as your  
5 choice, sir. If you have questions about any of  
6 these, I would answer those. But, otherwise, if you  
7 would like, I can tell you about Brazos Valley.

8                   Commissioner Congleton.

9                   COMM. CONGLETON: I have no -- I don't  
10 know -- I don't remember what the question was about  
11 Brazos Valley.

12                   CHAIRMAN PAUKEN: Yeah, I think -- I  
13 mean, I think we're fine. You've laid it out.

14                   MR. JONES: Very good, sir.

15                   CHAIRMAN PAUKEN: I don't think we have  
16 any --

17                   MR. JONES: Yes, sir.

18                   CHAIRMAN PAUKEN: -- I -- I don't  
19 think --

20                   MR. JONES: Very good.

21                   COMM. CONGLETON: In that case --

22                   MR. JONES: My -- my points regarding  
23 Brazos Valley, you had previously asked that we  
24 reserve three nominees, and you declined to vote a  
25 couple of -- a couple of meetings back pending further

1 information from staff. And the concern at that time  
2 was that Brazos Valley had considerable industry in  
3 both construction and in healthcare and, yet, neither  
4 of those industries were represented on the board.  
5 And at that time you asked us to please contact the  
6 Brazos Valley Board and let's see what their intent  
7 was and, if they were going to take some measures, to  
8 have one or the other of those or possibly both  
9 represented on their workforce board.

10                   So, in returning to you today we have  
11 four nominees that we're showing you here, Numbers 1,  
12 2, 3, and 4. And the first three are those three that  
13 we previously proposed to you. No. 4 on the agenda  
14 today from Brazos is a nominee, which is a  
15 reappointment representing organized labor, and that  
16 individual has been recommended to us by the Central  
17 Labor -- Labor Council there. So, we do recommend  
18 that to you.

19                   CHAIRMAN PAUKEN: And that individual  
20 looks like he has very good qualifications. I think  
21 one of the things that -- you know, I know the  
22 Commissioners have talked about -- is we really want  
23 to see these sort of -- you know, manufacturing,  
24 construction, I mean, companies that provide --

25                   MR. JONES: Yes, sir.

1                   CHAIRMAN PAUKEN:  -- you know,  
2 (inaudible) --

3                   (Simultaneous discussion)

4                   MR. JONES:  So, for the four nominees  
5 that we have before you today, staff would recommend  
6 your approval on those.  We have a fifth nominee,  
7 which will come to you on August 5th.  That nominee is  
8 a minority and will be replacing a person who recently  
9 resigned and represented a minority on the board.

10                   We then have an additional nominee, a  
11 sixth nominee, an individual who has resigned.  And  
12 having spoken personally to the executive director  
13 there, it is their intent to fill that position with a  
14 healthcare representative, and they feel they have  
15 that lined up.

16                   CHAIRMAN PAUKEN:  Okay.  All right.

17                   MR. JONES:  So, I think that would  
18 answer your questions.

19                   CHAIRMAN PAUKEN:  Okay.  Thank you --  
20 thank you, Mr. Jones.

21                   And is there a motion, Commissioner  
22 Congleton?

23                   COMM. CONGLETON:  I move that we approve  
24 the nominees of Heart of Texas, South East Texas,  
25 Cameron County, Coastal Bend, and Brazos Valley

1 Workforces as presented by staff.

2 CHAIRMAN PAUKEN: I second and agree.

3 MR. JONES: Thank you very much,  
4 Commissioners.

5 CHAIRMAN PAUKEN: Thank you, Mr. Jones.

6 AGENDA ITEM NO. 9

7 CHAIRMAN PAUKEN: Okay. Next item.

8 Anything on proposed federal regulations today?

9 MR. LEWIS: (Shaking head)

10 CHAIRMAN PAUKEN: Nothing today on  
11 that -- nothing on legislation, federal or state.

12 AGENDA ITEM NO. 10

13 CHAIRMAN PAUKEN: Report and update from  
14 the Executive Director.

15 Mr. Crump.

16 MR. CRUMP: Thank you, sir.

17 Good morning, Commissioners. For the  
18 record, Gene Crump, Deputy Executive Director.

19 We have two staff reports today. The  
20 first would be an update on EUC to be presented by  
21 Ms. Lenzy.

22 LaSha.

23 CHAIRMAN PAUKEN: Okay.

24 MS. LENZY: Good morning,

25 Mr. Chairman --

1                   CHAIRMAN PAUKEN: Good morning.

2                   MS. LENZY: -- Commissioner Congleton,  
3 Mr. Crump. I'm LaSha Lenzy, for the record,  
4 Unemployment Insurance Division. Yes, I did want to  
5 give a quick update this morning on extended benefits.

6                   Initially, you'll recall that we had  
7 about 200,000 letters that were to be mailed out in  
8 a -- kind of a phased-in process over the month of  
9 July notifying individuals who had previously  
10 exhausted their benefits, that extended benefits were  
11 potentially available for them. Thus far, we have  
12 mailed out about 55,000 of those letters.

13                   About 32 percent have resulted in  
14 claims. So far 17,633 claims have been taken as of  
15 yesterday. We are on target to have all  
16 potentially-eligible claimants notified by the end of  
17 July, as originally planned, and then there will  
18 probably be about 10,000 claimants per month  
19 potentially eligible to file for extended benefits as  
20 they exhaust.

21                   Extended benefit payments began last  
22 week for claimants who exhausted their benefits and  
23 went right into emergency benefits without a break in  
24 filing. We've had no problems receiving our funds  
25 from Department of Labor. Thus far, through

1 yesterday, the number of weeks paid is 7,162.

2                   We were completely inundated,  
3 particularly last week, with phone calls. Those first  
4 few days were really bad beginning last Monday of last  
5 week.

6                   We had a lot of folks that were having  
7 trouble getting through on our lines. We have taken a  
8 number of steps to try to better manage the call  
9 volume. We're still busy, but we have seen some  
10 improvement already.

11                   For example, customers, whether they  
12 were regular claim customers or they were filing for  
13 extended benefits, they're coming through on those  
14 same lines. So, all of them were having difficulties  
15 getting through.

16                   So, any customers who were missing their  
17 deadlines, we had given them -- "You need call us by X  
18 date." If they could not get through on the phone  
19 lines to meet that deadline, we certainly would not be  
20 holding those claimants ineligible, or any customer  
21 ineligible that missed a deadline that was for our  
22 fault, that you couldn't get through on those phone  
23 lines.

24                   CHAIRMAN PAUKEN: That makes -- makes  
25 sense.

1                   MS. LENZY: So, that has been clearly  
2     communicated to all staff to make allowances there.

3                   We are, of course, trying to increase  
4     our staff. Jobs have been posted. It just takes time  
5     to get staff on board, as you know.

6                   We are staggering the mailing of letters  
7     into a little bit smaller bundles than we had  
8     originally planned to. Like that first day, 31,000  
9     letters went out on one day. So, now we're kind of  
10    bringing that number down to a little over maybe  
11    10,000, 8- or 9,000, just depending. So, we're  
12    staggering that down a little bit more and doing it  
13    more days of the week.

14                  We are changing -- we have changed,  
15    excuse me, the language on the cover letters that go  
16    out to the claimants to better communicate to them  
17    that we are facing challenges with the phones and not  
18    to worry because their benefits will still be  
19    back-dated. They don't have to call on the day that  
20    they get that letter in the mail, which I think was  
21    maybe some people's impression.

22                  We are working with AT&T to add some  
23    capacity to our toll-free trunks. That takes a little  
24    longer to do, though. But because we're still going  
25    to be people exhausting benefits, we're still

1 proceeding with getting those additional trunks added  
2 with our AT&T partners.

3                   There was a -- one quick fix that AT&T  
4 could do for us more immediately, and they got that  
5 done last Friday. What it was to do was redirecting  
6 some of the phone trunks that were coming in on that  
7 1-800 dedicated line, the number that people were  
8 really having problems with, because it was the number  
9 that was listed in the letter. They rerouted some of  
10 those 1-800 trunks to local numbers.

11                   So, some folks may have been given a  
12 long distance number that they had to call, but they  
13 would have gotten through more quickly. And even  
14 though you may have had to make an initial long  
15 distance call, within the first 60 seconds of that  
16 call, our investigators were saying, "You're calling  
17 long distance. Hang up, and let me call you right  
18 back." So, we did do that as -- as well.

19                   We are utilizing UI staff in other units  
20 to take calls, not just in the call centers. Also, in  
21 the call centers all staff positions are working on  
22 answering the phones, whether you're a monitor,  
23 whether you're a supervisor or -- or what have you.  
24 We've put everybody at answering the phones.

25                   We are open extended hours. We're

1 flexing schedules to accommodate that.

2                   As far as the steps goes, those kind of  
3 get you an idea. There's a few more things in the  
4 works and a few more things that staff are -- are  
5 looking at. If anyone wants more briefing, we can  
6 certainly come by and discuss that with you.

7                   Truly, when it rains, it pours. So, for  
8 many reasons we, of course, are in watch status in  
9 response to the weather conditions associated with  
10 Tropical Storm Dolly. I know Cindy is going to come  
11 and give us more details in the next staff report on  
12 that.

13                   But it is in the McAllen area, and one  
14 of our larger telecenters is in McAllen. And I  
15 remember the last storm that we had in that area a  
16 number of our telecenter staff were coming from  
17 surrounding areas trying to get to the McAllen  
18 telecenter, and they just couldn't get through to the  
19 office because of the weather conditions.

20                   So, we will just proceed accordingly,  
21 and we'll route the calls to other centers as we have  
22 to. There's nothing much else we can -- can do. If  
23 they can't get through, you can't get through.

24                   And so safety is certainly more  
25 important. Otherwise, we continue to move forward.

1 We thank -- move forward. We thank everybody for  
2 their support and their patience.

3 I know Commissioner Congleton's office  
4 has been taking calls, too.

5 (Laughter)

6 MS. LENZY: A few.

7 COMM. CONGLETON: A few.

8 MS. LENZY: A few. So, thank you-all,  
9 again, for that. Is there any questions that I can  
10 try to answer?

11 CHAIRMAN PAUKEN: Any questions,  
12 Commissioner Congleton?

13 COMM. CONGLETON: I have no questions.  
14 I'd like to thank you for your rapid response to my  
15 request last week, and -- and your nine points that  
16 you sent me were an excellent start. I know we're  
17 kind of dancing on a wire here, but you're doing a  
18 good job. Keep tapping.

19 (Laughter)

20 MS. LENZY: We appreciate it.

21 CHAIRMAN PAUKEN: Thank you very much  
22 for a good report.

23 MS. LENZY: I'll let me husband know,  
24 because he always says I'm not a good dancer.

25 (Laughter)

1 MS. LENZY: Thank you.

2 MR. CRUMP: Commissioners, as Ms. Lenzy  
3 said, our second staff report is regarding hurricane  
4 preparedness, obviously, apropos --

5 CHAIRMAN PAUKEN: Right.

6 MR. CRUMP: -- with Tropical Storm Dolly  
7 in the Gulf.

8 Cindy.

9 MS. SILBERMAN: Good morning, Chairman  
10 and -- and Commissioner Congleton. For the record I'm  
11 Cindy Silberman, Business Operations Director.

12 I'm here today in our capacity as the  
13 liaison to the Governor's Division of Emergency  
14 Management. Business operations and, particularly,  
15 Rick Cottingham, who -- if you would just raise your  
16 hand --

17 MR. COTTINGHAM: (Complying)

18 MS. SILBERMAN: -- is our liaison and  
19 sits on the State Emergency Management Council, which  
20 houses out of the State Operation Center.

21 And, of course, hurricanes are nothing  
22 new to the Texas coast, so that we've been preparing  
23 for hurricanes every year in hopes that we prepare for  
24 the worst and hope for the best. And this year we  
25 seem to be the first one out of the block with what

1 appears to be now something of a minimum hurricane.  
2 That's not to minimize the damage that it may  
3 ultimately result, particularly from the potential for  
4 what appears to be torrential flooding if it keeps to  
5 the track that it's currently on.

6                   LaSha commented about the McAllen  
7 Telecenter in the area. We also have -- of course,  
8 primarily in the Brownsville area we have three  
9 agency-owned buildings, of course, a number of the  
10 workforce centers, and we have also have a building in  
11 Weslaco.

12                   So, there's a number of TWC assets there  
13 that in hurricane planning -- in this planning stage  
14 versus the actual event and recovery stages. We have  
15 a number of responsibilities and communications to  
16 make to the board areas and to the UI call center  
17 operations and tax operations and appeals that may be  
18 in the year.

19                   We've been in touch. You may have seen  
20 some of those preliminary situation reports, and those  
21 will continue until the event concludes. That's how  
22 we manage some of the state down local communications  
23 that we serve as the conduit for.

24                   CHAIRMAN PAUKEN: What's the -- what's  
25 the timetable for when this is supposed to hit? I



1 we manage it, all of the hurricane preparedness works  
2 under the umbrella of TWC's Continuity of Operations  
3 Planning, COOP. And if you hear that term, of course,  
4 that's very popular with Homeland Security and FEMA  
5 and other groups. But that's the overarching planning  
6 process that a number of these emergency management  
7 plans and exercises that we do annually and prepare  
8 for our part of that.

9                   And we'll be providing some updates.  
10 One thing, there's some updates going out to the  
11 boards because of the state's addition of a pandemic  
12 plan this past year, so that with that pandemic plan  
13 we're amending the contracts, the agreements with the  
14 boards that include their disaster recovery  
15 responsibilities.

16                   I won't step on Larry's comments too  
17 much, but the boards certainly have -- I think we all  
18 learned a lot, regardless of how much planning and  
19 experience we've had in the past, from Katrina and  
20 Rita as to planning for magnitude and scope in events  
21 that we had not anticipated affecting Amarillo, when  
22 it hits the Texas coast. I think there is a broader  
23 understanding and appreciation for how mobilizing  
24 resources that are remote to the actual landfall sites  
25 becomes very critical.

1                   We've already heard from this morning  
2 our federal counterpart regarding TANF resources and  
3 policies. So, I think there's just a sense of  
4 federal, state, and local cooperation, and Texas is  
5 probably a -- a very, I would say, leader in emergency  
6 management.

7                   So, in terms of very specific annexes we  
8 support within the State Plan, which all of this  
9 really is to support the State of Texas emergency  
10 management response, we support four annexes now. The  
11 pandemic being one of them. The other annexes include  
12 recovery, resource support, and donations management.

13                   In TWC terms, recovery relates first and  
14 foremost to disaster unemployment assistance and some  
15 of the workforce services that are staffed and service  
16 delivery provided at the mobile resource -- the  
17 disaster recovery centers. Resource support really  
18 relates to temporary services that might be needed:  
19 Hiring, staffing to support local emergency cleanup  
20 needs and those kinds of activities. Donations  
21 management, again, that's more of a -- a -- just a  
22 staff resource that all agencies provide, that should  
23 the State of Texas need staff to assist with donations  
24 management, we are on the -- the hook, so to speak, to  
25 support the state in that event.

1                   With that, I'd like to either turn it  
2 over to Larry or see if you have some additional  
3 questions about the boards' preparation, the very  
4 local conditions in Brownsville. We're already  
5 sandbagging and capping off HVACs and preparing  
6 windows, those kinds of things, for the facility and  
7 property.

8                   Can I address any of your questions on  
9 the event or on hurricane preparedness?

10                   COMM. CONGLETON: Well, the outstanding  
11 job that this agency did during Katrina and Rita, we  
12 were head and shoulders above the other states around  
13 us. So, I feel very comfortable with what you're  
14 doing.

15                   MS. SILBERMAN: Yes, sir. Thank you  
16 very much.

17                   CHAIRMAN PAUKEN: Larry.

18                   MS. SILBERMAN: Larry, did you want to  
19 offer any additional comments?

20                   MR. JONES: Good morning, again,  
21 Commissioners. I appreciate everything that Cindy has  
22 had to say, and we've been working very closely with  
23 her staff on our efforts with the boards.

24                   Very briefly, last summer we asked  
25 boards to review and update their business continuity

1 plans to ensure they were ready to respond in the  
2 event of some type of disaster, particularly a  
3 hurricane. This year in late June we recalled this to  
4 the boards and asked that they share some information  
5 with us regarding their disaster response and business  
6 continuity activities.

7                   Boards reported to us, having disaster  
8 response, business continuity, and/or recovery plans,  
9 which is good, because that's one of the basic  
10 requirements in the board agency agreement that we  
11 have with all 28 boards. TWC has annually sent out  
12 resources to boards to assist them in the development  
13 and updating of those various plans.

14                   Staff is currently working on revisions  
15 to all of this to include requirements, not only for  
16 hurricane, but for such things as pandemic -- flu  
17 epidemics. So, a number of boards have expressed an  
18 interest in technical assistance, and we'll step up to  
19 that plate and send folks there.

20                   We're also developing templates to  
21 provide to them, which will essentially make it a  
22 cookie-cutter approach for those who are looking to  
23 refine their plans. And, finally, we've been working  
24 with staff here to develop an Intranet page so that we  
25 can post a lot of this information on the Intranet for

1 boards' use.

2                   So, I guess the report that I have for  
3 you is that our boards are doing well. They all do  
4 have plans in place, and we're reviewing those with  
5 them.

6                   CHAIRMAN PAUKEN: Okay. Thank you.

7                   Any questions, Commissioner Congleton?

8                   COMM. CONGLETON: No questions. Thank  
9 you, Larry.

10                  CHAIRMAN PAUKEN: Thank you, Larry.

11 Okay.

12                  MR. CRUMP: Mr. Chairman, that concludes  
13 our staff reports for today.

14                  CHAIRMAN PAUKEN: All right. Is there  
15 anything else? Is there a motion to adjourn --

16                  COMM. CONGLETON: I --

17                  CHAIRMAN PAUKEN: -- or do you have any  
18 other issues?

19                  COMM. CONGLETON: -- I would -- I would  
20 ask Mr. Crump to ask staff to check the contact hour  
21 rate and see what we can do about it for the  
22 Apprenticeship program. It's -- it's getting below  
23 where we can do the proper training, and we need to  
24 find some additional ways to do that, if you would.

25                  CHAIRMAN PAUKEN: Okay.

1 MR. CRUMP: Yes, sir, we'll take that  
2 for action.

3 COMM. CONGLETON: Thank you.

4 AGENDA ITEM NO. 13

5 CHAIRMAN PAUKEN: All right.

6 COMM. CONGLETON: I have nothing  
7 further.

8 CHAIRMAN PAUKEN: Okay. Is there a  
9 motion to adjourn?

10 COMM. CONGLETON: Move that we adjourn.

11 CHAIRMAN PAUKEN: I second it. Thank  
12 you very much.

13 (Meeting adjourned: 9:55 a.m.)

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C E R T I F I C A T E

STATE OF TEXAS )  
COUNTY OF TRAVIS )

I, JANIS SIMON, 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            day of            2008.

JANIS SIMON  
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