EMPOWER
ARKANSAS' WORKFORCE

Chief Elected Officials

Membership Guide for Local Workforce Development Boards

This information provided by the

adws
Arkansas Department of Workforce Services

June 2015

CEO MEMBERSHIP GUIDE

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**Updated 8/4/2020*

PART A – CEO RESPONSIBILITIES

Part A – 100: Introduction

A-100.1: Overview Chief Elected Officials Responsibilities

Local Workforce Development Boards (Boards) play an extremely important role in building a quality workforce to meet the skill demands of employers and assist Arkansans in their pursuit of good paying, productive jobs. The appointment of Board members to Boards is a significant responsibility and should be undertaken with great care.

The broad responsibilities overseen by the Board emphasize the importance of Chief Elected Officials (CEOs) appointments. With each year, the workforce system grows in complexity and responsibility, relying on CEOs to appoint individuals who represent the highest standard of leadership and depth of expertise in their respective Board categories.

To help prepare CEOs to work with Boards in the Arkansas Workforce System, the Arkansas Department of Workforces Services (ADWS) offers training and educational programs and forums. ADWS also collaborates with associations that work with CEOs, such as the Arkansas Association of Counties and the Arkansas Municipal League. In addition, staff is available to work with CEOs and their staffs individually, in small group regional settings and in large groups. ADWS will provide any help or guidance you may need to develop your capacity as a CEO in the Arkansas Workforce System.

In accordance with the Workforce Innovation and Opportunity Act of 2014, CEOs of Local Workforce Development Areas are tasked with the following responsibilities:

- Appointment of members of the Local Workforce Development Board
- Local grant recipient for funds allocated to the local area
- Submission of the local plan
- Approval of the designation and certification of one-stop operators
- Coordination of the Memorandum of Understanding with one-stop partners
- Oversight of the one-stop delivery system
- Approval and oversight of the Local Workforce Development Budget

A-100.2: Meeting State and Federal Laws and Regulations

"The Governor, in partnership with the Arkansas Workforce Development Board, shall establish criteria for use by Chief Elected Officials in the Local Workforce Development Areas for appointment of members of the Local Workforce Development Boards." [A.C.A. §15-4-3709 (b)]

Board members shall be actively engaged in the organization, enterprise, or field for which they are appointed to represent. A Board member shall have an existing relationship with the Local Workforce Development Area through residence or employment within the local workforce area.

Members who represent organizations, agencies, or other entities shall be individuals with optimum policy-making authority within the entities they represent. [A.C.A. §15-4-3709 (c)(1)(A)]

A representative with "optimum policy-making authority" is an individual who can reasonably be expected to speak affirmatively on behalf of the entity he or she represents and to commit that entity to a chosen course of action.

Board members are the "trustees" or guardians of the state's workforce development system. They are entrusted with significant fiduciary and policy responsibilities, including the oversight of millions of state and federal tax dollars allocated to their area for workforce training and services. The strength of a Board lies in the quality of its membership. Appointments should be made carefully and deliberately.

All CEOs in a workforce area shall enter into a Partnership Agreement that determines how the CEOs will select nominees for appointment as Board members. (*See Part C)*

The CEO Partnership Agreement between the CEOs and the Board is required, and shall be executed no later than September 30, 2015. The agreement shall specify the roles of the Chief Elected Officials and the local board and how each will carry out their partnership responsibilities under WIOA. This agreement shall be updated within sixty (60) days when new CEO's are elected.

PART B: BOARD MEMBERSHIP

Part B-100: Overview

B-100.1: Categories of Policies and Procedures

The Chief Elected Official's Membership Guide presents the state's policy and procedures for Board membership in the following areas:

- Appointing individuals to serve on the Boards
- Filling vacancies on Boards
- Reviewing Board appointments and reappointments
- Certifying those appointments

The Governor certifies that all Boards are composed according to state law and meeting other requirements. This process is conducted every two years.

B-100.2: Board Development

ADWS cannot overemphasize the importance of the Board appointment process. The effectiveness of a Board correlates to the quality of its leadership and members. The appointment of Board members is a significant responsibility and shall be undertaken with great care and thought. It shall never be interpreted or used as an arbitrary political process.

Every local workforce area shall have a Board. There is no minimum or maximum size of a Board.

Each Board shall meet at least quarterly and may meet more often as necessary and called upon per Board bylaws.

B-100.3: Required Categories

An individual member may be a representative of more than one sector or category described in this section ***IF*** the individual meets all the criteria for each entity they intend on representing.

Criteria for appointment of members of each local Board shall require, at a minimum, the following:

1. At least 51% of the members of each local Board shall be private sector business representatives. *See B-100.3.1*
2. Not less than 20% of the members of each local Board shall be representatives of the workforce. *See B-100.3.2*
3. Representatives of entities administering education and training activities. *See B-100.3.3*
4. Representatives of governmental and economic and community development entities. *See B-100.3.4*
5. Optional Members. *See B-100.3.5*

B-100.3.1: Private Sector Business Representatives

Private sector business representatives shall represent the workforce needs and interests of the local business community for each local area who are:

- Owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policy-making or hiring authority.
- Represent businesses, including small businesses, or organizations representing businesses that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations.
- Are appointed from among individuals nominated by local business organizations.

The Chairman of the Board shall be a representative of private sector business.

The Chairman serves as the Executive Committee Chair and selects the chairs for all standing committees and taskforces of the Board.
[A.C.A. §15-4-3709(d)]

B-100.3.2: Representatives of the Workforce

Representatives of workforce shall constitute no less than 20% of the Board and represent the workforce for each local area to include:

- Representatives of organized labor (in which employees are represented by labor organizations) who have been nominated by local labor federations.
- Representative, who shall be a member of a labor organization or training director, from a joint labor-management apprenticeship program.
- May include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including without limitation to organizations that serve veterans or that provide/support competitive integrated employment for individuals with disabilities.
- May include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training or education needs of eligible youth, including without limitation representatives of organizations that serve out-of-school youth.

B-100.3.3: Representatives of Education and Training

Representatives of entities administering education and training activities for each local area include:

- Representative of eligible providers administering adult education and literacy activities.
- Representative from higher education providing workforce investment activities, including without limitation to community colleges.
- May include representatives of local educational agencies, and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment.

B-100.3.4: Representatives of Governmental, Economic and Community Development

Representatives of governmental, economic and community development entities for each local area include:

- Representative of economic and community development entities.
- Appropriate representative from the state employment service office under Wagner-Peyser Act 29 U.S.C. §49.
- Appropriate representative of the programs carried out under Subchapter 1 of the Rehabilitation Act of 1973, 29 U.S.C. §701
- Representative of an entity that administers programs relating to transportation, housing, and public assistance.
- Representative of a philanthropic organization.

B-100.3.5: Optional Members

Each Board may include other individuals or representatives of entities that the CEO in the local workforce development area may determine to be appropriate.

B-100.4: Key Characteristics of a Successful Workforce Board Member

Successful workforce board members:

- Bring their expertise, knowledge and goals to the table;
- Communicate the board's purpose to the community at large and advocate the use of the workforce system;
- Focus on strategic planning and setting goals and direction; insist on positive outcomes;
- Stay abreast of labor market and economic conditions; know emerging employer trends and important skill development needs ;
- Share expectations with other board members and staff;
- Work toward consensus to ensure support and advocacy from all members;
- Make informed decisions and actively participate and serve on committees;
- Avoid involvement in administrative and day-to-day operational details ; and
- Attend meetings regularly

Part B-200 - Nominations

B-200.1: Submitting Nominations for Appointment

When nominating an individual to serve on the Board, all nominating organizations shall complete and submit the Workforce Development Board Member Appointment Form provided by ADWS to the CEO(s) for Board member selection and appointment. CEOs will review the Member Appointment Form and accompanying documentation to select and appoint Board member(s). An electronic version of the Workforce Development Member Appointment form can be found on the ADWS website at: http://dws.arkansas.gov/AWDB/index.htm in the Certification of Local Workforce Development Boards Policy.

B-200.2: Required Documentation

Documentation supporting the qualifications of the nominee(s) shall accompany the Member Nomination Form. Such documentation may be in the form of a curriculum vita, résumé, or work history. Documentation shall contain detailed information that clearly explains how the nominee is qualified to represent the respective category on the Board.

Nominations for all Board categories shall include:

- Name, address, county, phone and email of the organization or business the nominee represents;
- Nominee's position in the organization or business;
- Size of the organization or business by total number of employees; and

Nominee documentation shall be kept on file at the Local Workforce Development Area and be made available for review during the monitoring of the Board by the Office of Employment Assistance of ADWS.

B-200.3: Submitting Board Appointments

After nominating organizations submit their nomination(s) and the CEO(s) makes the Board appointments, the CEO shall complete and forward the Workforce Development Board Certification form to ADWS Office of Employment Assistance.

An electronic version of this form can be found on the ADWS website at: http://dws.arkansas.gov/AWDB/index.htm in the Certification of Local Workforce Development Boards Policy.

The Office of Employment Assistance is responsible for administrative oversight of Board appointments. Submit the Workforce Development Board Certification form of appointments electronically to:

wioa@arkansas.gov

Part B-300: Appointments

B-300.1: Arkansas Government Code Requirements

The Arkansas Government Code, AR Act 907, requires that Board members be selected and appointed by the CEO in a Local Workforce Development Area.

- ADWS will only accept appointments that include a Workforce Development Board Certification form signed by the CEO. The CEO shall indicate the official beginning date of the new appointment on the Workforce Development Board Certification form.

Board members shall serve staggered terms as provided by the CEO agreement or applicable federal or state law.

- The CEO(s) shall identify each Board member's category at the time of the appointment.

To change a member's representation category, the member shall be nominated in a new category by an appropriate entity or organization, appointed to that new category by the CEO, and resubmitted through the appointment process.

Part B-400: Reappointments

B-400.1: Responsibility for Reappointment

CEOs are responsible for all reappointments. A new Board Member Nomination form is required for all reappointments from appropriate nominating organizations, along with the current curriculum vitae, résumé, or work history, and the Conflict of Interest Statement for Local Workforce Development Board Members.

B-400.2: Reappointment Process

The CEOs shall process reappointments within 60 calendar days from the effective date of the term expiration. During the 60 calendar-day period, the Board will be able to legally act as a Board and conduct business. If the CEO(s) fails to reappoint a Board member in a required category within 60 calendar days, the Board will be out of compliance with its membership composition, and any business conducted may not be considered legal.

The CEO(s) shall indicate the official beginning date of the reappointment and the official term expiration date, using the Workforce Development Board Certification form.

After the CEO(s) submits all necessary documentation and ADWS deems it in accordance with the above process and consistent with state law, the Board's organizational plan and bylaws, and applicable policies, ADWS will notify the CEO(s) of appointment certification(s).

Part B-500: Vacancies

B-500.1: Required Noticed

If a board member vacancy occurs because of resignation, termination, or any other reason, the Board Chair or Board Director shall provide notice to the CEO(s) of the Local Workforce Development Area.

Such notice shall include:

- Name of Board member;
- The category represented; and
- The effective date of the resignation, termination, or other event causing the vacancy.

The original letter or documentation of other official action shall be maintained at the Board level.

B-500.2: Filling a Vacancy

The CEO(s) shall fill a vacancy in a required category in the same manner as the original appointment, within the 60 calendar days from the effective date of the resignation, termination, or other event causing a vacancy. During the 60-day period, the Board will be able to act as a body and conduct business. Any action taken by the Board with a vacancy in a required category beyond such 60-day period shall be void.

B-500.3: Failure to Fill Vacancy

If the CEO(s) fails to fill a vacancy in a required category within 60 calendar days of the effective date of the vacancy, and remains in noncompliance with this section beyond that time, ADWS may impose sanctions to include withholding of administrative funds from the Board, until the Board achieves compliance.

The following is the process ADWS will conduct if the vacancy or term expiration exceeds the 60-day requirement:

1. The CEO(s), Board Chair, and Board Executive Director will receive a notice of noncompliance and will be informed that corrective action shall be taken by the CEO(s) within 30 calendar days from receipt of the notice.
2. If corrective action is not taken, the CEO(s), Board Chair, and Board Executive Director will receive a second notice of noncompliance requiring them to take corrective action within 30 calendar days from receipt of the notice. They will be informed that failure to take the required action stipulated in the second notice could result in a referral for possible sanctions.

B-500.3: Failure to Fill Vacancy (continued)

3. If corrective action still is not taken, the CEO(s), Board Chair, and Board Executive Director will receive a third notice informing them that the matter has been referred to the ADWS Director with a recommendation to withhold the Board's administrative funds.
4. If sanctions are imposed on the Board, ADWS will notify the CEO(s), Board Chair, and Executive Director of such action(s).

Part B-600: Training for Board Members

B-600.1: Importance of Training

ADWS shall provide Board development training materials for all Board members. The training materials shall include:

- Information regarding the importance of high-quality workforce to the economic prosperity of their communities; and
- Encouragement for Board members to be advocates in their communities for effective and efficient workforce development programs.

B-600.2: Time Requirements for Training

If a Board member should receive training before the ninety-first day after the date on which the member begins service on the Board.

B-600.3: Training Options

Upon certification, the Board Director shall send a new member letter to the Board member, with copies to the Board Chair and CEO(s), notifying them of the training requirements and the two options for completing the training.

Board members may select one of the following training options:

1. Self-paced, using a ADWS handbook; or
2. Classroom, provided by ADWS upon request

<u>Acknowledgement of Training</u>
Board member acknowledgement of training received shall include but not limited to the date, location, type of training (self-paced or classroom), who provided the training, Board member name (printed and signed), Board Chair/CEO name (printed and signed) per calendar year.

PART C – CEO/BOARD PARTNERSHIP AGREEMENT

Part C-100: Arkansas Code §15-4-3709

C-100.1: Cooperative Agreement

The CEOs in a workforce area shall enter into a CEO Partnership Agreement with the Board as required by Arkansas Code §15-4-3709(g)(2).

The Partnership Agreement shall be signed by the current CEOs and the Board Chair which shall be executed no later than September 30, 2015. This agreement shall specify the roles of the CEOs and the Board and how each will carry out their partnership responsibilities under WIOA. This agreement shall be updated within sixty (60) days when new CEOs are elected.

Any amendment to a Partnership Agreement, change to a Board's organizational plan or bylaws, or notice of an election of a new CEO or Board Chair shall be submitted to ADWS within 10 days of the adoption of such amendment, change or election.

An agreement between the Chief Elected Officials and the Board is required, and must be executed no later than September 30, 2015. This agreement must specify the roles of the Chief Elected Officials and the Board and how each will carry out their partnership responsibilities under WIOA. This agreement must be updated within sixty (60) days when new CEO(s) are elected.

PART D – BOARD CERTIFICATION REQUIREMENTS

Part D-100: Arkansas Code §15-4-3710

D-100.1: Role of the Governor

Arkansas Code §15-4-3710 prescribes the official role of the Governor in the Board certification process. It states that the Governor shall certify a Board on determining that the Board's composition is consistent with applicable federal and state requirements and meets established state criteria. If the Governor certifies a Board, it shall be convened within 30 days by the CEO(s) who made the appointments to such Board.

The Governor shall, once (1) every two (2) years, certify one Board for each Local Workforce Development Area in the state. Certification is to ensure that all Boards are composed according to state and federal law and meeting performance accountability measures and achieving sustained fiscal integrity.

The Governor shall notify the CEO of certification or denial of the proposed Board. The criteria for the initial certification shall be based on the relevant composition requirements in the Arkansas Workforce Innovation and Opportunity Act of 2015 and the State Certification of Local Workforce Development Boards policy.

If after reasonable effort, the CEO(s) in a local area with multiple units of government are unable to reach an agreement, the Governor shall appoint members of the Board from individuals nominated.

Subsequent certification of the Board, in addition to compliance with composition requirements, the Governor will consider the extent to which the local workforce area have enabled the local workforce area to meet the local performance accountability measures and to sustain fiscal integrity.

PART E – LOCAL BOARD MEETINGS

Part E – 100: Open Meetings

E-100.1: Arkansas Freedom of Information Act A.C.A §5-19-106

The Arkansas Freedom of Information Act is one of the most comprehensive and strongest open-records and open-meetings laws in the United States.

Boards are subject to the requirements of the Arkansas Freedom of Information Act. [A.C.A §5-19-106]

E-100.1: Arkansas Freedom of Information Act A.C.A §5-19-106 (continued)

A Board shall make available to the public on a regular basis through open meetings including but not limited to:

- Information regarding activities of the Board;
- Information regarding the local plan prior to submission;
- Board membership;
- Designation & certification of one-stop operators consistent with the state plan;
- Award of grants or contracts to eligible providers of youth activities; and/or
- Minutes for formal meetings of the Board

E-100.2 Sunshine Provisions 20 CFR 679.390

To comply with Sunshine Provisions, each Board and/or subcommittee authorized to take official action on behalf of the Board shall:

- Take official action and engage in deliberations only at meetings open to the public;
- Ensure all meetings are held in an accessible location for those individuals with disabilities and ensure that all information is provided in accessible and alternate forms;
- Provide public notice of meetings in accordance with applicable state code provisions, including public notice in advance of any special meeting or rescheduled meeting;
- Ensure that votes of the Board members are publicly cast and, in the case of roll call votes, recorded;
- Keep and retain written minutes of all public meetings to include but not limited to:
    - Date, time and place of meeting;
    - Board members present;
    - Substance of all official actions;
    - Record of roll call votes; and/or
    - Names of any citizens who appeared & shared testimony

Closed executive sessions may be used in accordance with A.C.A. §5-19-106. Such sessions may be held during or after an open meeting, or may be announced for a future time. If a closed session is not announced for a specific time, Board members shall be notified 24 hours in advance of date, time, location and purpose of the session. The purpose for holding an executive session shall be announced at the open meeting either immediately prior or subsequent to the executive session.

PART F – CONFLICTS OF INTEREST

Part F -100: Federal and State Law

F-100.1: Code of Federal Regulation 20 CFR 679

Providing responsible stewardship for and oversight of public funding for Federally-funded workforce programs shall be accomplished in a way that demonstrates strong integrity, accountability, and transparency in order to preserve the public trust. Workforce programs are largely governed under WIOA by State and Local Workforce Development Boards.

Pursuant to WIOA, Section 107, this section sets forth the state's Board conflict of interest requirements for disclosure and declaration of a conflict of interest by a Board member.

F-100.2: Arkansas Code §21-8-1001 §21-8-1002 §21-8-101 §21-8-304

All members of the Board are subject to the provisions of A.C.A. §21-8-1001, A.C.A. §21-8-1002, A.C.A. §21-8-101, and A.C.A. §21-8-304.

The Board shall adopt in its bylaws a conflict of interest policy meeting the minimum standards set forth in the provisions of A.C.A. §21-8-1001, A.C.A. §21-8-1002, A.C.A. §21-8-101, and A.C.A. §21-8-304. The conflict of interest standards shall apply to all Board members (voting and non-voting).

A member of the Board shall neither cast a vote on, nor participate in, any decision-making capacity on the provisions of services by such member (or by an organization that such member directly represents); nor on any matter that would provide any direct benefit to such member or the immediate family of such member.

- Immediate family means (1) a spouse and (2) any other person residing in the same household as the member, who is a dependent of the member or of whom the member is a dependent.
- Dependent means any person, whether or not related by blood or marriage, which receives from the member, or provides to the member, more than one-half of his financial support.

A member of the Board (or specific entity represented by that member) who participates in the development of contract specifications or standards is prohibited from receiving any direct financial benefit from any resulting contract.

F-100.2: Arkansas Code §21-8-1001 §21-8-1002 §21-8-101 §21-8-304 (continued)

A member of the Board who participates in a board decision relating to specific terms of a contract, the determination of specific standards for performance of a contract, the development of Invitations for Bid or Request for Proposals or other such bid processes leading to a contract, or similar decisions is prohibited from receiving any direct financial benefit from any resulting contract.

No corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, trust, foundation or other entity shall receive the contract if it would create a conflict of interest for the member of the Board who participated in this manner.

A member of the Board with a potential or actual conflict of interest shall disclose that fact to the Board as soon as the potential conflict is discovered and, to the extent possible, before the agenda for the meeting involving the matter at issue is prepared.

- If it should be determined during a meeting that a conflict of interest exists, the member shall verbally declare such conflict of interest. Such declaration shall be clearly noted in the minutes, and such member shall excuse himself from the remainder of the discussion and voting of that item.
- Each member of the Board is responsible for determining any potential or actual conflict of interest exists or arises for him or herself arises his/her tenure on the Board.

A member of the Board who is also one-stop operator shall not serve on any committees that deal with oversight of the one-stop system or allocation of resources that would potentially be allocated to that member's program.

PART G – LOCAL GRANT RECIPIENT

Part G – 100: CEO Responsibility

G-100.1: Liability

The CEO in a Local Workforce Development Area shall serve as the local grant recipient for, and shall be liable for any misuse of, the grant funds allocated to the local area, unless the CEO reaches an agreement with the Governor for the Governor to act as the local grant recipient and bear such liability. [A.C.A. §15-4-3711 (16)(B)]

Each Board (to include the CEO for the area), and provider receiving funds under Title I shall comply with the applicable uniform cost principles included in appropriate circulars or rules of the Office of Management and Budget for the type of entity receiving the funds. [WIOA, P.L. 113-128 section 184]

In order to assist in the administration of the grant funds, the CEO or Governor, where the Governor serves as grant recipient for the local area, may designate an entity to serve as a local grant recipient for such funds or as a local fiscal agent. Such designation shall ***not*** relieve the CEO or the Governor of the liability for misuse of the funds.

ADWS shall conduct on an annual basis onsite monitoring of each Local Workforce Development Area within the State to ensure compliance with the uniform administrative requirements.

If ADWS determines that a Local Workforce Development Area is not in compliance with the uniform administrative requirements, the Governor shall:

- Require corrective action to secure prompt compliance with the requirements; and
- Impose sanctions in the event of failure to take the required corrective action.

PART H – LOCAL WORKFORCE DEVELOPMENT PLAN

Part H – 100: Overview

H-100.1: Local Plan Guidelines

Planning is a *key responsibility* of the Board. The plan shall demonstrate that operations are designed to meet the skill needs of business and industry for competitiveness in the marketplace.

Strategic planning is the Board's essential foundation for workforce development. It is the culmination of long-term goal setting, future-oriented thinking, and sound decision making. The strategic plan establishes a path between the present and a vision for the future.

H-100.1: Local Plan Guidelines (continued)

The goal of strategic planning is to develop a vision and a mission for the Board, determine performance indicators for fulfilling that vision and mission, and outline the steps necessary for meeting those performance outcomes.

Each Board shall develop and submit to the Governor a four (4) year local plan (beginning July 1, 2016), in partnership with the CEO(s). The local plan shall support the strategy described in the state plan in accordance with WIOA, section 102(b)(1)E, A.C.A §15-4-3717, and otherwise be consistent with the State plan.

Key steps in the strategic planning process

The following are key steps in the strategic planning process for workforce development:

- Setting the mission, goals, and objectives
- Assessing the skill needs and expectations of employers
- Assessing the past, present, and future development of job seekers and the workforce
- Analyzing regional and local labor markets and influences of state, national, and international economic factors and trends
- Analyzing the influences of state and federal law as factors that affect the needs of employers and residents
- Identifying the gaps between the skill needs and the workforce development capacity to address those needs
- Developing service strategies, identifying and aligning resources
- Identifying the performance indicators and measurements to gauge progress and judge success.

These steps serve to implement an employer-driven workforce system that encourages local innovation and community partnerships and supports Arkansans in their efforts to improve their lives.

If the local plan area is part of a planning region, the Board shall comply with WIOA, section 106(c) in the preparation and submission of a regional plan.

At the end of the first two (2) year period of the four (4) year local plan, each Board shall review the local plan and the Board, in partnership with the CEO(s), shall prepare and submit modifications to the local plan to reflect changes in labor market and economic conditions or in other factors affecting the implementation of the local plan.

PART I – ONE-STOP OPERATORS

Part I – 100: Designation and Certification

I-100.1: Required One-Stop Partners

Consistent with an approved State plan, the Board, with agreement of the CEO(s), is authorized to designate or certify one-stop operators and to terminate for cause the eligibility of such operators.

Required one-stop partners are entities that carry out the following:

- Programs carried out under Title I of WIOA;
- Programs authorized under Wagner-Peyser;
- Adult education and literacy activities authorized under Title II of WIOA;
- Program authorized under Title I of the Rehabilitation Act of 1973 (other than Sec. 112 or part C of Title I of such Act);
- Activities authorized under Title V of the Older American Act of 1965;
- Career and technical education programs at the postsecondary level and authorized under the Carl D. Perkins Career and Technical Education Act of 2006;
- Activities authorized under chapter 2 of Title II of the Trade Act of 1974;
- Activities authorized under chapter 41 of title 38, United States Code;
- Employment and training activities carried out the Community Services Block Grant;
- Employment and training activities carried out by the Department of Housing and Urban Development;
- Program authorized under State unemployment compensation laws;
- Programs authorized under section 212 of the Second Chance Act of 2007; and
- Programs authorized under part A of Title IV of the Social Security Act.

With the approval of the Board and CEO(s), other entities that carry out workforce development programs may be one-stop partners for the Local Workforce Development Area and carry our responsibilities described in Sec. 121(b)(1)(A).

PART J – MEMORANDUM OF UNDERSTANDING

Part J-100: One-Stop Partners

J-100.1: Agreement

The Board, with agreement of the CEO(s), shall develop and enter into a memorandum of understanding (between the Board and one-stop partners) concerning the operation of the one-stop delivery system in the local area.

PART K – ONE-STOP DELIVERY SYSTEM

Part K – 100: Oversight

K-100.1: Monitoring

Consistent with an approved State plan, the Board for a local area, with the agreement of the CEO(s), shall conduct oversight with respect to the one-stop delivery system in the local area to include but not limited to:

- Youth workforce investment activities;
- Local employment and training activities;
- Appropriate use and management of funds;
- Appropriate use and management of funds and investment of funds to maximize performance outcomes.

Oversight begins with asking critical questions that determine whether the Board is an effective steward of the system on behalf of its constituents.

Board members shall regularly evaluate progress toward meeting performance goals. Oversight shall be an ongoing, continuous process.

K-100.2: Evaluation

Evaluation is critical to ensuring positive outcomes. The Board shall conduct periodic performance reviews all workforce services delivered in the Local Workforce Development Area, to ensure that proactive steps are taken to identify what is working well and what needs improvement. This ensures that the one-stop delivery system has the ability to meet the needs of local employers.

Effective evaluation should include questions such as:

- Are we meeting the needs of our customers, both employers and job seekers?
- Is the plan, as implemented, accomplishing what is intended?

K-100.2: Evaluation (continued)

- Are we making progress toward the goals set in our plan?
- What improvements need to be made, and what steps are required?
- Are there continuous improvements in streamlining processes?
- Are there provisions that provide a systematic way to eliminate unnecessary parts?
- Are there tools used to analyze and understand processes and problems?
- Do we gather experts who actually work within the process?

Based on evaluation and quality assurance reviews, the Board's workforce plan should be revised and refined to improve services if:

- The objectives are not being met; or
- The value of services provided is not satisfactory

PART L- LOCAL WORKFORCE DEVELOPMENT BOARD BUDGET

Part L-100: Overview

L-100.1: Responsibilities

The Board shall develop a budget for the activities of the Board, consistent with the local plan and the duties of the Board, subject to the approval of the CEO(s). [WIOA, P.L. 113-128] [A.C.A. §15-4-3711 (a)(16)(A)]

The Board may solicit and accept grants and donations from sources other than federal funds.

The Board may incorporate, and may operate as an entity described in 26 U.S.C. §501(c)(3) that is exempt from taxation under 26 U.S.C. §501(a).

[Insert LWDB Name] **Workforce Development**

Board Member Appointment

☐ New Appointment ☐ Reappointment

Submitted by Nominating Party

A. Name of Appointee			
Title, Organization			
Address			
Phone		County	
Email		Minority?	
Industry Represented		Small Business?	

B. 1. Membership Representation: (Check all that apply)*

☐ Organized Labor ☐ Youth Services Organization ☐ Vocational Rehabilitation

☐ Registered Apprenticeship ☐ Adult Education ☐ Higher Education

☐ Joint Labor-Management Apprenticeship ☐ Local Education Entities ☐ Community-Based Organization

☐ Other _____

****SEE SECTION G.2. FOR DOCUMENTATION NEEDED FOR NOMINATION.***

NOMINATING PARTY

C. Name	
Organization	
Address	

*****NOTE: Depending on the Local Workforce Development Board procedures and by-laws, Section B.1.of this form may or may not be utilized. Please contact your Local Workforce Development Board Staff for questions pertaining to the Local Workforce Development Board Nomination Process, the nomination form, and/or the documentation needed in Section G.2. to submit with the nomination form.***

D. Term of Appointment **APPROVED BY CHIEF ELECTED OFFICIAL**

Term Start Date		**Term Expiration Date**	

E. Membership Representation: (Check all that apply)

☐ Registered Apprenticeship ☐ Adult Education

☐ Community-Based Organization ☐ Higher Education

☐ Joint Labor-Management Apprenticeship ☐ Organized Labor

☐ Youth Services Organization ☐ Local Education Entities

☐ Vocational Rehabilitation

☐ Other _____

F. Category:

☐ Business

☐ 20% Representatives of Workforce

☐ Education

☐ Government & Economic Development

☐ Other _____

_____

Membership Representation: (Check all that apply)

G. 1. I attest the nominee for the Local Workforce Development Board appointment meets the following criteria to meet §679.320 as defined in §679.340:

☐ Optimum Policy-Making Authority; Hiring Authority *OR* ☐ Demonstrated Experience & Expertise *OR* ☐ Both

2. Documentation demonstrating the appointee meets the criteria: (Check all that apply)

☐ Employment Letter

(Letterhead, signed by Director/CEO specifies:
(a) Optimum Policy-Making or Hiring Authority
(b) Demonstrated Experience & Expertise

☐ Current Resume

☐ Organizational Chart

☐ Other Specify):_____

_____

_____

H. Chief Elected Official Approval

Printed Name/Title	Signature	Date

[LWDB Name] Workforce Development Board Certification

Board Member Roster

Date of Submission	

Membership Summary

Category	Count of Members	Percentage of Board Membership
Business *(min. 51%)*		%
Representatives of the Workforce *(20%)*		%
Education Entities		
Government and Economic Development		
Other		
Total		

Business Representatives (minimum 51% of board)

Name	**Company**	**Title**	**Optimum policy-making or hiring Authority** (Yes or No)	**Employment opportunities reflect high quality work-relevant training and development in in-demand industry sectors or occupations** (Yes or No)	**Nominated by local business or trade association** (Yes or No)	**Small Business** *(Min. 2)* (Yes or No)	**Minority** (Yes or No)

Representatives of the Workforce (minimum 20% of board)

Name	Company	Title	Category	**Optimum policy-making or hiring Authority** (Yes or No)	**Minority** (Yes or No)
			Organized Labor		
			Organized Labor		
			Labor-Apprenticeship Partnership		

Education Entities

Name	Company	Title	Category	**Optimum policy-making or hiring Authority** (Yes or No)	**Minority** (Yes or No)
			Adult Education & Literacy		
			Institution of Higher Education		

Government and Economic Development

Name	**Company**	**Title**	**Category**	**Optimum policy-making or hiring Authority** (Yes or No)	**Minority** (Yes or No)
			Economic & Community Development		
			Wagner-Peyser Program		
			Rehabilitation Services – ARS		
			Rehabilitation Services - DSB		

Other

Name	Company	Title	Category	Optimum policy-making or hiring Authority (Yes or No)	Minority (Yes or No)

Board Contact Information

Name	Mailing Address	Email	County