

MINUTES
ARKANSAS WORKFORCE DEVELOPMENT BOARD
October 9, 2018

The Arkansas Workforce Development Board conducted its regular quarterly meeting on October 9, 2018, beginning at 10:00 a.m., at Our House, 302 East Roosevelt Road in Little Rock, Arkansas. Chair Tom Anderson presided with the following members present: Mr. Daryl Bassett, Ms. Karen Breashears, Mr. Lindsay Brown, Mr. Scott Bull, Dr. Charisse Childers, Judge Brandon Ellison, Mr. Randy Henderson, Ms. Abby Houseworth, Mr. Alan Hughes, Ms. Rebecca Ives, Mr. Alan McClain by proxy Mr. Jonathon Bibb, Dr. Maria Markham by proxy Ms. Alisha Lewis, Ms. Cassandra Williams-Stokes, Mr. Paul Rivera by represented by Ms. Candice Lawrence, Dr. Julie Roberson, Mr. Kelley Sharp, and Mr. Robert Thorne.

Mr. Chad Bishop, Ms. Mary Franklin, Mr. Jeff Griffin, Ms. Melissa Hanesworth, Mr. Johnny Key, Ms. Holley Little, Mr. George Nunnally, Mayor Harold Perrin, Mr. Mike Preston and Mr. Mike Rogers were unable to attend.

Chair Tom Anderson thanked the non-profit Our House for hosting the Arkansas Workforce Development Board quarterly meeting. Members and guests were given the opportunity to hear about Our House efforts and program-recipient successes.

Chair Anderson called the meeting to order at 10:20 a.m. upon seeing a quorum.

Chairman's Comments: Chair Tom Anderson announced the four new Board Members and their affiliation who were recently appointed by Governor Asa Hutchinson: Mr. Mike Rogers of Tyson Foods, Mr. Paul Rivera of Caterpillar, Ms. Rebecca "Becky" Ives of Lockheed Martin Corporation, and Mr. Randy Henderson of Nucor Steel Corporation. Chair Anderson noted Mr. Rogers and Mr. Rivera were unable to attend the meeting due to previous obligations prior to the appointment. He also noted Mr. Rivera was able to send Candice Lawrence.

Chair Anderson acknowledged and thanked the Arkansas STEM Coalition Executive Director Dr. Susan Mitchell for attending and presenting to the Full Board.

Agenda Item 1 – ACTION – Minutes of the July 10, 2018, Full Board Meeting: Chair Tom Anderson asked if there were any additional corrections or revisions to the July 10, 2018, Full Board meeting minutes.

Hearing none, **a motion to accept the July 10, 2018, meeting minutes as presented with no revisions was made by Mr. Lindsey Brown, and seconded by Judge Brandon Ellison. The motion carried unanimously with none opposed.**

Chairperson's Report:

Chair Tom Anderson acknowledged the Arkansas Workforce Development Board Vice-Chair Mr. Scott Bull to present to the Full Board and guests on career development. Vice-Chair Bull began by informing attendees he is also the Co-Chair of the Founders Council for the Coalition of Career Development. The Founders Council for the Coalition of Career Development strives to provide youth an opportunity to discover what occupation they are interested in as early as the 9th grade.

Next, Chair Anderson recognized Arkansas Department of Workforce Services Director Daryl Bassett. Mr. Bassett began by welcoming the new board members and briefing them on what to expect, their role and how to effectively communicate ideas and suggestions to Workforce Development Director Arnell Willis. Mr. Bassett then recognized Ms. Ateca Williams who is the Governors' Deputy Chief of Staff of Internal Operations to provide an overview of Governor Hutchinson's transformation plan.

Ms. Williams briefly explained the transformation of the reduction of the number of boards and agencies reporting directly to the governor from 42 to 15 will only affect the Arkansas Workforce Development Board by moving the Arkansas Department of Workforce Services under the new Arkansas Department of Commerce. The Boards and Commissions tied to the Arkansas Department of Workforce Services, Department of Career Education and the Department of Education will still be a part of those agencies; however, they will all be under the Arkansas Department of Commerce. The transformation is anticipated to take place during the next session or spring.

Chair Tom Anderson thanked Ms. Williams for attending and briefing the board on the transformation. He then recognized Board Staff Mr. Kris Jones to provide the Staff Report.

Staff Report:

Mr. Jones noted for the record the new Board Members had voting privileges although they have not been sworn in at this time.

Mr. Jones provided an update on the Technical Assistance Training (TAT), saying it is still being discussed with the Department of Labor. The anticipated start time is within the next few months. This project is the Asset Mapping that could potentially feed into the other project of Salesforce.

He informed members and guests of Chair Tom Anderson and Workforce Development Director Arnell Willis attending the NASWA meeting in Montana on September 17-21, 2018.

Next, Mr. Jones stated five Local Workforce Development Areas applied for Regional Sector Planning Funds. Another application is anticipated to be approved once it is resubmitted.

Mr. Jones provided an update on a request made by Chair Anderson on a Performance scorecard and scorecards on a strategic level.

Staff is currently developing an additional report related to career pathways that is modeled after a report developed for the state of Kentucky. The approved Arkansas State Plan includes a Skills Gap Analysis that will address not only the demand side being reported but also the supply side with an evaluation of the quality of job candidates being produced by the educational system. Our planned report provides additional information that is not included in the Kentucky report.

Committee Reports:

Strategic Planning Committee: Chair Tom Anderson asked Committee Chair Karen Breashears to report on the Strategic Planning Committee.

Chair Breashears thanked the Board Staff for setting up a teleconference for the Strategic Planning Committee. The teleconference allowed the committee to meet and convene with a quorum on September 10th. The committee approved previous July 10th committee minutes. The committee approved revisions presented by Mr. Kris Jones on the board by-laws that will be presented to the Full Board for approval. The committee approved a scorecard to be submitted and approved by the Full Board after hearing reports on WIOA Title I and Title III, Business Services from Mr. Mark McManus, Mr. Elroy Willoughby, and Ms. Sandy Monaco. Other activities reported were updates provided on the Committee Action Plan by Director Arnell Willis, an update on Business Services Engagement Committee Mr. Mark McManus, USDOL On-site Monitoring Visit update that was conducted on September 17-21, 2018, by Mr. Kris Jones, and Targeted Populations Outreach activities by Mr. Eddie Lemm.

The committee will be polled to conduct a board meeting by teleconference again for the January meeting.

Hearing no additional questions or comments, Chair Anderson moved to Program and Performance Evaluation Committee.

Program & Performance Evaluation Committee: Chair Anderson asked Committee Chair Abby Houseworth to provide an update for the Program and Performance Evaluation Committee. Committee Chair Houseworth reported the committee met September 10, 2018 in which a quorum was met and approved the July 10, 2018, meeting minutes.

The committee heard a report on WIOA Title I and Title III, Business Service scorecard on September 10 by Mr. Mark McManus, Ms. Sandy Monaco, and Mr. Elroy Willoughby. The committee approved the scorecard and made a recommendation to present to the Full Board for approval.

The committee also heard a report on WIOA 2017 Performance Measure outcomes from Mr. Elroy Willoughby and Ms. Sandy Monaco, and a report from Mr. Eddie Lemm on Targeted Populations Outreach.

Finally the committee heard a report from Mr. Kris Jones on the USDOL On-site Monitoring Visit conducted on September 17 -21, 2018.

TANF Oversight Committee: Chair Anderson informed attendees that he would provide the TANF Oversight Committee report due to Committee Chair George Nunnally was unable to attend. Chair Anderson reported the Committee had a quorum and approved the July 10, 2018, committee meeting minutes.

Chair Anderson reported the committee heard a report on proposed federal legislation regarding TANF reauthorization. The proposed Jobs and Opportunity with Benefits and Services (JOBS) for Success Act of 2018 will bring significant change to the TANF program in an effort to assist more Americans to enter and remain in the workforce. This Act would extend some family assistance grants known as State Family Assistance Grant (SFAG), Healthy Marriage, Promotion Responsible Fatherhood, and Child Care Entitlement until 2023.

The committee also heard a report on a new TANF WIOA work-based pilot program that focuses on the Transitional Employment Assistance (TEA) population. The goal is to place the participant with an employer to learn for six months. This initiative is offered to all Local Workforce Development Areas with a \$1,500 retention bonus for the employer to retain the participant for an additional six months.

Chair Anderson stated the committee heard another report regarding planned initiatives through the Act of 1705 of 2005, which authorizes ADWS to partner with Community Based Organizations (CBO) and Faith Based Organizations (FBO) with TANF funds to improve outcomes for youth, fatherhood, healthy marriage, parenting services for ex-offenders and kinship care.

The committee was informed that the Human Service Worker in School and the TANF Individual Development Account initiatives are under for review for the upcoming fiscal year.

Lastly, the committee was provided an update on the action plan that is used to aid in monitoring the required activities of the committee. The goals and objectives are being met as required by the State Plan.

Hearing no additional questions or comments Chair Anderson recognized Mr. Kris Jones to present the revised board by-laws to the Full Board.

Agenda Item 2 – ACTION – Board By-Laws Revision: Chair Tom Anderson recognized Board Staff Kris Jones to present the proposed revisions to the Arkansas Workforce Development Board by-laws, based on input from Board Members and Board Staff. Without reading the by-laws in their entirety to include the revisions, Mr. Jones presented only the revisions, in order to respect the time of Board Members. The proposed revisions presented were as follows:

- **[Revision 1]** – Insert a new section titled ‘Section 3. Vacancies’ under ‘Article I: Appointments’ between ‘Section 2. Term of Appointment’ and ‘Section 3. Attendance’ to read:

“Section 3. Vacancies

In accordance with Arkansas Annotated Code 15-4-3704(g), in the event of a vacancy on the Board in one (1) of the appointed positions, the vacancy shall be filled for the unexpired portion of the term by appointment by the original appointing authority of a person meeting the same qualifications required for initial appointment.

Members shall continue to discharge the duties of the board, although their term has expired, until a qualified successor has been appointed, pursuant to §15-4-3704(b).”

- **[Revision 2]** – Strike the current section number “3” under ‘Article I: Appointments’ and insert the number “4” to read: “Section 3 4. Attendance”
- **[Revision 3]** – Insert a new paragraph to include the Arkansas Code Annotated §25-16-804 (a)(1) under ‘Article I: Appointments’, ‘Section 4. Attendance’, under item ‘2) Excessive absences’ to read:

“2) Excessive absences. A board member shall be subject to removal from the board in the event the member shall fail to present to the Governor a satisfactory excuse for his absence. Unexcused absences from three (3) successive regular meetings, without attending any intermediary called special meetings, shall constitute sufficient cause for removal. (According to Arkansas Code Annotated § 25-16-804, the Governor may remove a board or commission member for good cause.)

*Arkansas Code Annotated § 25-16-804 (a)(1) **Good Cause** includes:*

- a. Conduct constituting a criminal offense involving moral turpitude;*
- b. Gross dereliction of duty;*
- c. Gross abuse of authority; or*
- d. The unexcused absence of a board or commission member from three (3) successive regular meetings without attending any intermediary called special meetings.”*

- **[Revision 4]** – Insert a new paragraph under ‘Article II: Officers’, ‘Section 2. Vice-Chair’, to read:

“Section 2. Vice-Chair

The Governor shall annually select by July 1 a Vice-Chair from among the members of the Board. The Vice-Chair shall act as Chair in the absence or disability of the Chair and shall have such other duties, powers and responsibilities as are assigned by the Chair, the Board, or these by-laws.

The Vice Chair shall continue to discharge the duties of the board, although their term has expired or until a qualified successor has been appointed.”

- **[Revision 5]** – Insert a new section titled ‘Section 3. Line of Succession’ under ‘Article II: Officers’ to read:

“Section 3. Line of Succession

In the event that neither the Chair nor Vice-Chair are available to preside at all meetings of the Board and Executive Committee, the line of succession is as follows:

- 1. Strategic Planning Committee Chair*
- 2. Program and Performance Evaluation Committee Chair*
- 3. TANF Oversight Committee Chair.”*

- **[Revision 6]** – Insert a new paragraph under ‘Article IV: Meetings’, ‘Section 1. Regular Meetings’ to read:

“Section 1. Regular Meetings

The Board shall meet at least quarterly at such time and location as the Chair may select. The Executive Committee shall meet as needed between the quarterly board meetings at the call of the chair of the executive committee or upon the request of seventy-five percent (75%) of the executive committee members, and the chair of the executive committee shall report any actions of the executive committee to the board at the quarterly meetings. Each other committee shall meet at such times and locations as called by the committee chair and consistent with applicable provisions of the Administrative Procedures Act. Communications requesting consideration by the Board from persons not members thereof shall be in writing to the Board Director at least twenty (20) days prior to a regularly scheduled Board meeting. Items brought by Board members may be added to the agenda with a two-thirds (2/3) vote of the members present.

The Board and its Committees may utilize technologies to promote greater participation among its members. Such technologies may include, but not limited to: teleconferences, webinars, and other web-based meeting tools. All meeting locations shall be publicly noticed and accessible to the public.”

- **[Revision 7]** – Insert a new section titled ‘Section 6. Combined Committee Meetings’ under ‘Article V: Committees’ after ‘Section 5. Temporary Assistance for Needy Families Oversight Committee’ to read:

“Section 6. Combined Committee Meetings

In the event that it appears that an insufficient number of Committee members are able to attend an upcoming meeting, the Board Chair may determine that it is in the best interest of the Board that a combined committee meeting is held.

This decision will be made after staff has polled committee members and provided notification to the Board Chair that a quorum will not be present.”

- **[Revision 8]** – Insert three new sections titled ‘Section 2. Proxies’, ‘Section 3. Voting’, and ‘Section 4. Official Minutes’ under ‘Article VI: Quorum, Proxies, Voting, and Official Minutes’ to read:

“Section 2. Proxies

Proxy representation and proxy voting for non-governmental Board members will not be allowed. However, proxy representation for agency directors who are unable to be present is expected. Agency directors must notify the Board Chair and Executive Director, in writing, of their designee and certify that this person has the authority to serve and function as a Board member on the official's behalf. This notification must be made at least seven (7) calendar days prior to the meeting.

Section 3. Voting

Each member of the Board shall have one vote. Proxy voting is permitted for representatives of agency directors who have provided written notification of their proxy to the Executive Director, in accordance with the Board by-laws.

Section 4. Official Minutes

The Board and Committee Chairs will sign all official meeting minutes of their respective entities. In the event that the Board or Committee Chairs are unavailable, the Director of the Arkansas Workforce Development Board shall sign.”

- **[Revision 9]** – Insert four new articles after ‘Article IX: Amendments’ titled ‘Article X: Conflict of Interest’ with four sections titled ‘Section 1. Voting Prohibitions’, ‘Section 2. Board Member Code of Conduct’, ‘Section 3. Abstention’, and ‘Section 4. Compliance with State Law’; followed by the second new article titled ‘Article XI: Confidentiality’ with a section titled ‘Section 1.’; followed by the third new article titled ‘Article XII: Non-Discrimination’ with a section titled ‘Section 1.’; followed by the fourth new article titled ‘Article XIII: Amendments’ with a section titled ‘Section 1.’ to read:

“Article X: Conflict of Interest

Section 1. Voting Prohibitions

Section 101 of WIOA prohibits a member of the Board from voting on a matter under consideration by the Board when:

- 1. the matter concerns the provision of services by the member or an entity that the member represents; or*
- 2. the matter would provide direct financial benefit to the member or the immediate family of the member; or*
- 3. the matter concerns any other activity determined by the Governor to constitute a conflict of interest as specified in the State Plan.*

Section 2. Board Member Code of Conduct

Members of the Board are expected to avoid unethical behavior in the course of performing their official duties. The Board not only expects its members to avoid impropriety, but also avoid the appearance of impropriety whether it actually exists. Members must avoid:

- 1. using their position for private gain;*

2. *giving preferential treatment to any person or entity;*
3. *losing their independence or impartiality in making decisions; or*
4. *acting in any way that might erode public confidence in the integrity of the Board.*

Section 3. Abstention

Board members should individually abstain from voting on issues and matters that will result in a direct or indirect conflict of interest. Abstentions and the general reasons therefore, should be duly recorded in the minutes of the meeting.

Section 4. Compliance with State law

Board members shall comply with all relevant aspects of the laws of the state of Arkansas with regard to conflict of interest.

Article XI: Confidentiality

Section 1. *All information, whether transmitted orally or in writing, that is of such a nature that it is not, at that time, a matter of public record or public knowledge is deemed confidential by the Board. Members shall not disclose confidential information obtained in the course of or by reason of his or her membership on the Board to any person or entity not directly involved with the business of the Board.*

Furthermore, no member of the Board shall use confidential information obtained in the course of or by reason of his or her membership on the Board in any matter with the intent to obtain financial gain for:

- a. *the member.*
- b. *the member's immediate family,*
- c. *any business the member or their immediate family is associated, or*
- d. *any other person.*

Article XII: Non-Discrimination

Section 1. *The Board shall not discriminate against any employee, agent or provider of consulting or contract services, or applicant for employment, agency or consulting or contract services on the basis of race, color, religion, sex, national origin, disability or veteran status. It shall be the policy and practice of the Board to comply fully with federal and state laws, regulations and requirements in respect of non-discrimination, affirmative action, equal employment and civil rights.*

Article XIII: Amendments

Section 1. *The bylaws may be amended at any regular meeting of the Board with prior written notice having been given to all members of the Board at least thirty (30) days in advance. Approval of any amendment to the by-laws require two-thirds vote of the members present."*

A motion to approve the Arkansas Workforce Development Board By-Laws with the revisions under their respective Article and Section of the by-laws as presented and noted as listed herein with no additional revisions was made by Mr. Lindsey Brown, seconded by Mr. Alan Hughes, and passed unanimously with none opposed.

Arkansas STEM Coalition: Chair Anderson recognized Arkansas STEM Coalition Executive Director Dr. Susan Mitchell. The Arkansas STEM Coalition supports Science, Technology, Engineering, and Mathematics by working with K-20 and other community stakeholders in building the pipeline for these occupations. Dr. Mitchell gave an overview of projects, objectives and goals.

Chair Anderson asked if there were any questions or comments for Dr. Susan Mitchell. Hearing none, Chair Anderson moved to the next agenda item.

Agenda Item 3 – Informational – Apprenticeship State Plan: Chair Tom Anderson recognized Mr. Lonnie Emard and Mr. Mark McManus. Mr. Emard has been working with Mr. McManus as a Registered Apprenticeship consultant and working on the State Plan for Registered Apprenticeship for Arkansas under a \$200,000 accelerator planning grant through the U.S. Department of Labor to expand and diversify Registered Apprenticeship. Mr. McManus and Mr. Emard provided an overview of the current grants the Arkansas Department of Workforce Services has received, how the State Plan was developed, input sources and assistance from more than 30 other stakeholders throughout the asset-mapping of Registered Apprenticeship, various views of how apprenticeship may be used as a strategic tool, the ways it can be a solution for employers, and the prospects of future funding opportunities from the U.S. Department of Labor, such as a recent opportunity from the U.S. Department of Labor for a sector-based apprenticeship grant geared towards higher education. Mr. Emard defined Industry Recognized Apprenticeship Program (IRAP) is for board members. Board members discussed how IRAPs function, what funding streams work or don't work with IRAPs and apprenticeship in general.

Board member Karen Breashears requested the presenters to provide contact information for someone to be able to reach them for input and/or updates on the asset mapping regarding Registered Apprenticeship. Mr. McManus noted comments and/or questions may be submitted to wioa@arkansas.gov. Board Staff Mr. Kris Jones informed board members that the asset mapping is a part of a Governors' Administrative Entity workforce grant the Arkansas Department of Workforce Services (ADWS) received.

Agenda Item 4 – Informational – WIOA Title I PY17 Performance Results: Chair Tom Anderson recognized Mr. Elroy Willoughby to provide an update on the WIOA Title I PY17 Performance Results as he directed board members to a chart provided to them of the ten (10) Local Workforce Development Areas. For clarification the data collected tabulates In-School and Out-of-School Youth together.

Agenda Item 5 – ACTION – WIOA Title I & III and Business Services Performance Scorecard:

Chair Tom Anderson recognized Mr. Mark McManus and Mr. Elroy Willoughby to present the WIOA Title I and Title III, and Business Services Performance Scorecard. Chair Anderson reminded board members the scorecard was presented and approved by both the Strategic Planning Committee and the Program & Performance Evaluation Committee.

A motion to approve the WIOA Title I, Title III, and Business Services Scorecard as presented was made by Mr. Alan Hughes, seconded by Ms. Karen Breashears, and passed unanimously with none opposed.

Targeted Populations Update: Chair Anderson recognized Mr. Eddie Lemm to provide an update on outreach efforts on the Targeted Populations to board members. Mr. Lemm informed board members that he also serves as the Seasonal Migrant Farmer Advocate. Mr. Lemm provided updates that included how he has been able to provide information to this population about WIOA services.

WIOA Roundtable Update: Chair Anderson recognized Board Staff Mr. Kris Jones to provide an update on the WIOA Roundtable. Mr. Jones informed board members the WIOA Roundtable established a core group of Business Services that will assist in getting Salesforce off the ground. Another system being looked at to “sit” on top of the Management Information System (MIS) that the Arkansas Department of Workforce Services uses is called Vocal. This system will make referrals easier and is required under WIOA. The Executive Committee has developed a newsletter called *Partners in Action* that provides information on the different partner programs and activities.

Business Services Update: Chair Anderson recognized Mr. Mark McManus to provide an update on Business Services. Mr. McManus informed the Board that the WIOA Roundtable Business Engagement Committee has been active and has had four monthly meetings. The Committee is comprised of WIOA core Partners with 15 members representing Rehabilitation Services, Adult Education, Division of Services for the Blind, Arkansas Economic Development Commission, and community colleges. The purpose of the committee is to facilitate and align a better understanding of business services provided by the partners and to train staff on these services. Activities includes a draft of a menu of services to provide a framework of programs in place across agencies and state programs to provide an overview of services provided to employers - which can be utilized as a quick reference guide - finalize a plan for a Business Services workshop October 30 at Pulaski Technical College, and learn how to utilize Salesforce to track information required under WIOA.

Board Open Discussion: Chair Anderson opened the floor for any further items of discussion. Chair Anderson inquired of board members how the teleconferences went for the committee meetings. Hearing no comments but noted nods of approval from board members, Chair Anderson stated the teleconferences will continue.

Announcements: Chair Tom Anderson announced the next meeting of the Full Board would be scheduled for January 2019. At Chair Anderson's request, Board Staff set the committee meetings for January 10, 2019, with the TANF Oversight Committee teleconference to be convened at 9:00 a.m., the Program and Performance Evaluation Committee teleconference to be convened at 10:30 a.m., and the Strategic Planning Committee teleconference to be convened at 1:30 p.m.

Chair Anderson requested board members to note the Full Board meeting will convene on January 24, 2019, in Little Rock. The Full Board will convene from 10:00 a.m. to 11:30 a.m., lunch from 12:00 p.m. to 1:00 p.m., and an Orientation from 1:00 p.m. to 3:00 p.m. for the entire board.

Hearing no comments or questions in regards to the upcoming schedule, Chair Anderson directed the Board Staff to distribute the meeting information to all board members and to proceed with planning the meetings.

Adjourn: Chair Tom Anderson adjourned the meeting at 12:29 p.m., **on a motion made by Mr. Kelley Sharp, seconded by Mr. Lindsay Brown, and carried unanimously with none opposed.**

Tom Anderson, Board Chair
Arkansas Workforce Development Board

Arnell Willis, Director Workforce Development
Department of Workforce Services

*Minutes recorded by Rebecca Edwards
Department of Workforce Services Staff*