

Policy Area: Local and Regional Governance	
Title of Policy: Duties of Local Workforce Development Boards	Number: 200-03 (2016)
Effective Date: July 1, 2016	Review by Date: July 1, 2018
Approved Date: June 23, 2016 Revision Date: July 1, 2016 (Rescinds and replaces current Policy 15-01)	Approved by:  Mark Herzog, Chair

I. Purpose

This policy provides guidance regarding the duties of Local Workforce Development Boards under the Workforce Innovation and Opportunity Act (WIOA).

II. Summary

Each local workforce development area designated in the Commonwealth shall establish and maintain a Local Workforce Development Board (Local Board). Chief local elected officials shall appoint the Local Board, which is certified every two years by the Governor.

The Local Board is part of a statewide workforce system which is business-driven, customer-centric, streamlined, and outcome-oriented. The Local Board shall carry out strategies and policies that support both the economic development mission(s) for the local area and the Virginia Board of Workforce Development's (VBWD) goals. The Local Board sets policy for the local area, in compliance with broader state policy, and is the regional strategic convener, or acts in partnership with a designated regional convener, to address workforce development issues, including but not limited to WIOA activities.

The Local Board shall be led by committed business leaders who can ensure that the local workforce system is responsive to current and projected labor market demand, shall contain a broad range of partners needed to develop a comprehensive vision for the local workforce system, and shall focus on strategic decisions, not operational management.

The Local Board has responsibility for making the following critical decisions:

- How best to organize the regional workforce system to most effectively serve the needs of current and emerging private sector employers and job seekers;
- How best to provide comprehensive services to regional private sector employers.
- How best to deploy available resources to achieve negotiated local performance accountability measures and build capacity for continuous improvement; and
- How to expand the resource base and service capability through the development of strategic partnerships, an integrated service delivery system, and generation of additional public and private funding.

III. References

- Workforce Innovation and Opportunity Act (Pub. L. 113-128)
- Training and Employment Notice No. 05-14, *Workforce Innovation and Opportunity Act Announcement and Initial Informational Resources*
- Training and Guidance Letter No. 19-14, *Vision for the Workforce System and Initial Implementation of the Workforce Innovation and Opportunity Act of 2014*
- Notice of Proposed Rulemaking (NPRM) Docket No. ETA-2015-0001, RIN: 1205-AB73: Subpart C

IV. Policy

Local Boards shall carry out their responsibilities in partnership with chief local elected officials, in consultation with regional workforce partners. A *Chief Local Elected Official Agreement* outlining responsibilities is required where a local area includes more than one unit of local government. The term “chief local elected official” means the chief elected executive officer of a unit of general local government in a local area or an elected official so designated by the chief local elected official. This agreement must specify which entity will serve as the fiscal and administrative agent, as well as the roles of the individual chief elected officials in regard to Local Board nominations and appointments and carrying out all other responsibilities assigned to the chief local elected officials under WIOA. Chief Local Elected Officials are encouraged to meet at least annually to review program performance for the grant as well as the performance of the fiscal and administrative agent as designated.

The joint responsibilities include, but are not limited to the following:

- Development of a vision and goals for the local workforce development system that are aligned with both the economic development mission(s) for the local area and Virginia Board of Workforce Development’s (VBWD) goals
- Development of the 4-year local strategic plan to include a workforce demand plan and a plan for business engagement
- Selection of one-stop operator(s) and locations
- Selection of training providers
- Approval of the local one-stop operation(s) budget
- Program oversight
- Negotiations with the Governor to reach agreement on local performance accountability measures
- Any other activities as required by the Workforce Innovation and Opportunity Act, Section 107(d), by state statute, or by the Governor

V. Procedures

The responsibilities and functions of the Local Board include the following:

- The Local Board shall enter into an agreement with the chief local elected officials clearly detailing the partnership between the two entities for the governance and oversight of activities under the WIOA.
- The Local Board shall develop a budget for the purpose of carrying out the duties of the Local Board. The chief local elected officials must approve the budget.
- The Local Board shall meet at least quarterly and review presented financial reports that reflect actual expenditures and their relationship to the approved budget as well as workforce program outcomes and their relationship to negotiated performance levels.
- The Local Board is encouraged to solicit and accept grants and donations from sources other than federal funds made available under Title I of WIOA assuming it has organized itself in a manner to do so.
- The Local Board, in partnership with chief local elected officials, shall develop the vision, goals, objectives, and policies for the local workforce development area. The vision shall be aligned with both the economic development mission(s) for the local area and VBWD's goal.
- The Local Board, in partnership with the chief local elected officials, shall develop and submit to the Governor, a local strategic plan that meets the requirements in Section 108 of the Workforce Innovation and Opportunity Act.
- The Local Board, with the agreement of the chief local elected officials, shall select one-stop operator(s) through a competitive process and may terminate for cause the eligibility of one-stop operators.
- The Local Board shall select eligible providers of youth activities by awarding grants or contracts on a competitive basis.
- The Local Board shall identify eligible providers of training services for adults and dislocated workers.
- The Local Board, in partnership with the chief local elected officials, shall conduct oversight of local programs of youth, adult, and dislocated worker activities authorized under Title I of the WIOA.
- The Local Board, in partnership with the chief local elected officials, shall negotiate and reach agreement with the Virginia Board of Workforce Development on behalf of the Governor on local performance accountability measures.
- The Local Board shall help the Governor develop a statewide employment statistics system.
- The Local Board shall coordinate the workforce activities authorized under WIOA with local economic development strategies, and develop employer linkages with those activities.
- The Local Board shall promote the participation of local private sector employers through the statewide workforce development system.
- The Local Board may employ staff and/or utilize other options for carrying out these responsibilities.

- The Local Board is responsible for any other activity as required by the Workforce Innovation and Opportunity Act, Section 107(d) or by the Governor.

Restrictions

- The Local Board may not provide training services unless granted a waiver by the Governor due to an insufficient number of eligible providers of training services to meet the local area demand. The waiver shall apply for not more than 1 year and may be renewed for not more than 1 additional year.
- The Local Board may not mandate curricula for schools.
- The Local Board may not be designated or certified as a one-stop operator unless an agreement is reached with the chief local elected officials and the Governor.

Local Board Meetings

Sunshine Provisions:

- The Local Board shall share information regarding its meetings and activities with the public subject to the provisions of the Virginia Freedom of Information Act.
- The Local Board shall make available to the public, on a regular basis through open meetings, information regarding the activities of the Local Board, including information regarding the local plan prior to submission of the plan, membership, the designation and certification of one- stop operator(s) consistent with the State Plan, and the award of grants or contracts to eligible providers of youth activities, and minutes of formal meetings of the Local Board.
- In order to comply with the Sunshine Provisions, each Local Board and any subcommittee authorized to take official action on behalf of the Local Board shall do the following:
 - a. Take official action and engage in deliberations only at meetings open to the public. "Official action" includes making recommendations, establishing policy, making decisions, and/or voting on matters of Local Board business. "Deliberations" are discussions of Local Board business necessary in order to reach decisions.
 - b. Ensure that all meetings are held in locations accessible to individuals with disabilities and that all information is available in accessible and alternate formats.
 - c. Give public notice of meetings in accordance with applicable state code provisions, including public notice in advance of any special meeting or rescheduled regular meeting. No public notice need be given of an emergency meeting called to deal with a real or potential emergency involving a clear and present danger to life or property.
 - d. Ensure that votes of Local Board members be publicly cast and, in the case of roll call votes, recorded.

- e. Keep written minutes of all public meetings, including date, time and place of the meeting, members present, the substance of all official actions, a record of roll call votes, and the names of any citizens who appeared and gave testimony.
- f. Closed executive sessions may be used according to the provisions of the Virginia Freedom of Information Act. Such sessions may be held during or after an open meeting, or may be announced for a future time. If closed session is not announced for a specific time, Local Board members must be notified 24 hours in advance of the date, time, location and purpose of the session. The reason for holding an executive session must be announced at the open meeting either immediately prior or subsequent to the executive session.
- g. Official action on any matter discussed at an executive session must be taken at an open meeting.