

Mass Workforce Issuance

100 DCS 17-100

☒ Policy ☐ Information

To: Chief Elected Officials
Workforce Board Chairs
Workforce Board Directors
Title I Administrators
Career Center Directors
Title I Fiscal Officers
DCS Operations Managers

cc: WIOA State Partners

From: Alice Sweeney, Director
Department of Career Services

Date: July 7, 2015

Subject: Certification of Local Workforce Development Boards – Interim Certification

Purpose: To notify Chief Elected Officials, Local Workforce Boards, One-Stop Career Center Operators and other local workforce development partners of the process for interim certification and established criteria for use by the Chief Elected Official (CEO) for appointment of members of Local Workforce Development Boards (LWDB) in compliance with the Workforce Innovation and Opportunity Act (WIOA).

Background: WIOA requires that there shall be established a Local Workforce Development board in each designated Local Workforce Development Area.

The vision for the Local Workforce Development Board (Local Board) is, in conjunction with the CEO, to serve as a strategic leader and convener of local workforce development system stakeholders.

The purpose of the Local Board is to:

1. Provide strategic and operational oversight in collaboration with the required and additional partners and workforce stakeholders to help develop a comprehensive and high-quality workforce development system in the local area and larger planning region;

2. Assist in the achievement of the State's strategic and operational vision and goals as outlined in the State Plan; and
3. Maximize and continue to improve customer satisfaction and the quality and effectiveness of services provided.

The Local Board is appointed by the chief elected official(s) in each local area in accordance with State Criteria established under WIOA §107(b), and is certified by the Governor every 2 years, in accordance with WIOA §107(c) (2).

The Department of Career Services (DCS), the designated State Workforce Agency (SWA) on behalf of the Governor, will certify Massachusetts Local Boards in accordance with WIOA.

Policy: MassWorkforce Issuance #03.100 - <http://www.mass.gov/massworkforce/docs/issuances/wioa-policy/03-100.pdf> established the process for initial designation of an area as a Local Workforce Development Area (LWDA).

Following the determination by the Governor for initial designation of each Workforce Development Area, the Chief Elected Official in such area is authorized to make the necessary appointments for a WIOA-compliant Local Board in accordance with the criteria established under WIOA Section 107(b)(2).

In order to enable Local Boards to proceed with necessary local implementation activities, the Commonwealth herein establishes the minimum criteria for Local Board membership appointments. Local Boards that meet these membership criteria will be certified for an **interim certification period: October 1, 2015 through September 30, 2016.**

Documents related to Workforce Board Certification that are fully executed and currently in use may remain in effect through the interim certification period:

- Assurances
- Local Board By-Laws
- CEO/LWIB Agreement

However, boards are encouraged to begin review/revision of by-laws and agreements for implementation under WIOA.

The interim certification process will be completed in accordance with WIOA Section 107(c)(2)(A)(B)(C) and Section 107(c)(3)(A)(B)(C). As such:

1. The State shall, once every 2 years, certify one local board for each designated area within the Commonwealth;
2. The interim certification shall be based on criteria established under this issuance and in accordance with WIOA Section 107(b)(2);
3. Subsequent certification criteria will be issued under a separate cover for certifications effective October 1, 2016.
4. Failure to achieve certification shall result in the appointment and certification a new local board;
5. The Governor shall have the authority to decertify a board at any time after providing notice and an opportunity for comment, for
 - i. Fraud or abuse; or

- ii. Failure to carry out the functions specified for the local board in WIOA Section 107(d);
- iii. Failure to meet the local performance accountability measures for such local area in accordance with WIOA Section 116(c) for 2 consecutive program years
- 6. If the State decertifies a local board the Governor may require that a new local board be appointed and certified pursuant to a reorganization plan and in consultation with the CEO and in accordance with WIOA Section 107(b)(2).

Action

Required: Local Chief Elected Officials are authorized to make the necessary appointments for a WIOA-compliant Local Board in accordance with the State criteria established under WIOA Section 107(b)(2) and established within this policy guidance.

- Please review the criteria for board membership in **Attachment A: “Local Workforce Development Board Membership Criteria”**
- Please review board appointment guidelines outlined in **Attachment B: “Local Workforce Development Board Additional Requirements”**
- Enter the requisite board member information on **Attachment C: “Local Workforce Development Board Membership Matrix”**
- Submit the completed Membership Matrix to DCS by **August 21, 2015**.
 - Email to Lisa Caissie: Lcaissie@detma.org;
 - Or mail to:
 Department of Career Services
 Charles F. Hurley Building
 19 Staniford Street
 Boston, MA 02114
 Attention: Lisa Caissie

Effective: Immediately

Inquiries: Please email all questions to PolicyQA@detma.org. Also, indicate Issuance number and description.

References: Workforce Innovation and Opportunity Act of 2014 § 107(b)(2), §107(c)(2), §107(c)(I), §107(c)(2)(A)(B)(C) and §107(c)(3)(A)(B)(C); §116(c)

20CFR Parts 679.300, 679.310, 679.350

TEGL No. 19-14, *Vision for the workforce System and Interim Implementation of the Workforce Innovation and Opportunity Act*

TEGL No. 27-14, *Workforce Innovation and Opportunity Act Transition Authority for Immediate Implementation of Governance Provisions*