

MassHire Workforce Board Certification Policy

Definitions

Business Membership Organization - promotes general business awareness and activities in an area.

Business Trade Associations - comprised of members representing specific industry sectors or occupational areas which have a primary focus related to the employment needs, training and growth of those industries or sectors.

Chief Elected Official (CEO) – the Chief Elected executive officer of a unit of local government or in a case where a local area includes more than one unit of general local government, the municipal entity designated by local agreement, if existent, to serve as grant recipient for WIOA funding with the attendant fiscal liability required by the act and state policy.

Chief or Lead Elected Official (CEO or LEO) Liaison – Individual or functional linkage that creates the connection with the CEO/LEO to ensure that the functions mandated for the CEO/LEO by WIOA are in place and operating effectively; this individual may not be the Career Center Director or any position that creates a potential operational conflict of interest.

Community Based Organization (CBO) - a private non-profit organization that is representative of a community or a significant segment of a community with demonstrated expertise and effectiveness in the field of workforce development.

Conflict of Interest – the circumstance of a public officeholder, business executive, or the like, whose personal or work interests might benefit from his or her official actions or influence or from the inappropriate execution of conflicting work assignments or roles.

Critical/Emerging Industries - emerging and critical industries are identified based on past and projected rates of growth in the number of business units and employment in a workforce investment area. An industry may be both critical and emerging or it may be critical and declining. Emerging and critical refers exclusively to numerical employment trends and does not describe the quality of jobs created, profitability condition or demand for products or services.

Commonwealth Corporation - a quasi-public state organization charged with the programmatic operation of workforce-related programs.

MassHire Department of Career Services (MDCS) – State workforce agency charged with oversight and management of the WIOA Title I, Youth, Adult and Dislocated Worker Programs, Wagner Peyser (WP), Trade Adjustment Assistance (TAA), Jobs for Veterans State Grant (JVS), Disability Employment Initiative (DEI) programs, American Apprenticeship Initiative Grants, and various other workforce activities. MDCS oversees the Commonwealth's network of One-Stop

Career Centers and also provides direct delivery of WP and other services within the Career Center system.

Economic Development Entities - includes local planning and zoning boards, community development agencies, and other local agencies or institutions responsible for assisting and promoting local economic development.

Employer of Record - entity designated as providing employment, supervisory oversight, compensation and benefits for a particular individual.

Employment Statistics System - statewide Labor Market Information system, Section 15(e) of the Wagner Peyser Act.

Fiscal Agent (FA) - entity designated by the Chief Elected Official grant recipient to assist in the administration of WIOA Grant funds and to safeguard the integrity of the local fiscal system on behalf of the CEO. The fiscal agent must maintain compliance with applicable Federal and state regulations and policies, including fiscal systems that are approved and certified by MDCS. The fiscal agent disburses funds for workforce investment activities under the direction of the MassHire Workforce Board pursuant to the requirements of WIOA Title I as long as the direction does not violate a provision of WIOA. Appointment of a fiscal agent does not relieve the CEO of liability for misuse of grant funds.

Geographic Representation - membership on the MWB that is representative of the employers and primary industries located within the cities and towns that comprise a local workforce development area (LWDA).

Local Plan – the local plan serves as a four-year action plan to develop, align and integrate service delivery strategies and to support the state’s vision and strategic and operational goals.

Local Workforce Area - a Local Workforce Area designated under Section 106 of WIOA serves as a jurisdiction for the administration of workforce development activities and execution of adult, dislocated worker and youth funds allocated by the state. Local areas are the areas within which MassHire Workforce Boards provide oversight functions, including strategic planning, operational alignment and service delivery design and a jurisdiction where partners align resources at a sub-state level to design and implement overall service delivery strategies.

MassHire Workforce Board - the MassHire Workforce Board (MWB or Local Workforce Board), established under Section 107 of WIOA, is appointed by the chief elected official(s) in each local area in accordance with State criteria and certified by the Governor every 2 years. In partnership with the Chief Elected Official, the Local Board sets policy for the portion of the statewide workforce development system within the local area consistent with State policies.

Local Grant Recipient - the unit of local Government and Chief Elected Official designated by the Governor as the recipient of WIOA funds for a Local Workforce Area.

Open Meeting Law - each Local Board must conduct business in conformance with 107(e) of WIOA and consistent with the Massachusetts Open Meeting Law. [Open Meeting Law](#) M.G.L. c.

30A, §§ 18-25 and [Attorney General's Regulations](#) 940 CMR 29.00: Open Meetings Current as of September 14, 2012.

Oversight - review by Federal, State or Workforce Board reviewers of the services provided locally to ensure quality program delivery including performance, innovation, adherence to the annual business plan and budget and compliance with statutory and regulatory requirements.

Performance Measures - performance measures established for a local area under Section 116 (c) of WIOA.

Section 188 of WIOA - prohibits the exclusion of an individual from participation in, denial of the benefits of, discrimination in, or denial of employment in the administration of or in connection with, any programs and activities funded or otherwise financially assisted in whole or in part under Title I of WIOA because of race, color, religion, sex, national origin, age, disability, or political affiliation or belief, or for beneficiaries, applicants, and participants only, on the basis of citizenship status, or participation in a program or activity that receives financial assistance under Title I of WIOA.

Unified Complaint Policy – MA Workforce Issuance Policy [100 DCS 03.101.1](#) describes the Unified Workforce Development System Complaint process which outlines policy and procedures for complaint resolution related to the WIOA program. The MWB must develop a local policy consistent with 100 DCS 03.101.1 and must provide local complaint policies and procedures to all appropriate organizations and staff within the workforce development area.

Unit of Local Government - any general-purpose political subdivision of a State that has the power to levy taxes and spend funds as well as general corporate and police powers.

Wagner Peyser Act - authorizes the provision for labor exchange services for job seekers and employers. Title III of the Workforce Innovation and Opportunity Act amends the Wagner-Peyser Act. Wagner-Peyser Act Employment Service, also known as Employment Service (ES) means the national system of public ES offices described under the Wagner-Peyser Act. Employment services are delivered through a nationwide system of one-stop centers and are managed by State Workforce Agencies and funded through the United States Department of Labor.

WIOA Title I - funding to provide quality employment and training services for eligible youth, adults and dislocated workers and assist employers in finding the skilled workers needed to compete and succeed in business.

Workforce Development Activity - an activity carried out through a workforce development program as defined in section 3 of WIOA.

Workforce Investment Activity – an employment and training activity and a youth workforce investment activity.

Youth Standing Committee - a subgroup of the MWB focused on youth activities established under Section 107 (b)(4)(ii) of WIOA.