

# Mass Workforce Issuance

100 DCS 17.102.1

☒ Policy ☐ Information

**To:** Chief Elected Officials  
Workforce Development Board Chairs  
Workforce Development 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:** March 21, 2018

**Subject:** Local Workforce Development Board Certification Guidance

**Purpose:** To provide Local Workforce Development Boards (LWDB) with instructional guidance for the preparation of the LWDB Certification package related to the programs and services provided through the Workforce Innovation and Opportunity Act (WIOA) of 2014 and other programs as designated by the Commonwealth.

**Revisions Include:**

- Career Center Certification: guidance to request extension (page 3)
- Clarification regarding Board responses to Certification Standards (page 7 & 18)
- Clarification regarding Regional Planning progress articulation (page 7 & 24)
- Attachment A (page 8) – Added an Assurance regarding Branding
- Attachment E – New – WIOA Statute Regarding Decertification

**Background:** The Workforce Innovation and Opportunity Act of 2014, Section 107, requires the establishment of a Local Workforce Development Board (LWDB) in each local area of a state. The LWDB is appointed by the Chief Elected Official (CEO) in each local area in accordance with State criteria established under WIOA 107(b) and is certified by the Governor every two years {WIOA 107(c)(2)}.

The LWDB serves as a strategic convener to promote and broker effective relationships between the Chief Elected Official(s) and economic, education and workforce partners. The LWDB partners with employers and workforce system partners to develop policies supportive of regional economies, and to advance effective workforce development approaches, including local and regional sector partnerships, development of career pathways and high quality customer centered service delivery.

The purpose of the LWDB is to:

1. Provide strategic and operational oversight in collaboration with the required and additional partners and workforce stakeholders to develop a comprehensive, high-quality, demand-driven workforce development system in the local area and larger planning region;
2. Assist in the achievement of the Commonwealth's strategic and operational vision and goals as outlined in the Combined State Plan; and
3. Maximize and continue to improve the quality of service, customer satisfaction and effectiveness of the services provided.

LWDBs must be certified by the Governor and will set policy for the workforce development system within the locally defined area. The Massachusetts Workforce Development Board (MWDB) advises the Governor on building a strong workforce development system aligned with state education policies and economic development goals. The Governor, in partnership with the MWDB, establishes criteria for use by local area Chief Elected Officials (CEO) for appointment of members to the Local Boards in accordance with the requirements set forth by federal law, the Governor and the MWDB.

The LWDB Certification Policy presents a measurable set of statewide standards intended to accelerate the continual improvement of the Massachusetts workforce development system.

The LWDB Certification process will be executed using a “phased-in” approach that allows for products and actions to coordinate with WIOA required activities including Regional Planning, Local Four Year Plans, and One-Stop Career Center Certification.

This Policy outlines LWDB Certification phases that LWDBs will adhere to when submitting documentation of completed products and/or actions to the Department of Career Services (DCS). The “phased-in” LWDB certification process will culminate in a new Biennial Certification period of July 1, 2018 – June 30, 2020.

This Policy document provides instructions and guidance for the completion of the LWDB Certification process including membership criteria established by WIOA and additional required criteria established by the Commonwealth in accordance with which Massachusetts LWDBs will be organized and certified.

**Policy:** The certification requirements described herein shall be met by each Local Board in the Commonwealth that serves as the Local Workforce Development Board under WIOA, based upon the Workforce Innovation and Opportunity Act of 2014 and this policy.

**Action**

**Required:** Local Workforce Development Boards must submit **hard copies of the required products and/or documentation of actions complete with original signatures** prepared according to the attached instructions, no later than the due date for each Certification phase: The **due dates** for each Certification phase are as follows:

Phase I: March 31, 2017

Phase II: June 30, 2017

Phase III: March 30, 2018\*

*\*Local boards may take additional time to complete the Career Center Certification for Local Workforce Development Boards up to June 29, 2018. Local boards that wish to take advantage of the additional time must request an extension in writing to Diane Hurley at [Diane.L.Hurley@MassMail.State.MA.US](mailto:Diane.L.Hurley@MassMail.State.MA.US). Please be advised that the local workforce board full certification is contingent upon the completion of career center certification; i.e. approval of the Phase III workforce board certification package will be "conditional" pending the completion of the career center certification.*

Please send products and documentation to:

Lisa Caiss  
Department of Career Services  
Charles F. Hurley Building  
19 Staniford Street, 1<sup>st</sup> Floor  
Boston, MA 02114

**NOTE:** Electronic copies of the complete LWDB Certification package must also be provided on a CD-ROM (minimum 740MB capacity) or flash drive.

**Attachments:** A: Signature Form, Contact Sheet & Assurances - Revised  
B: LWDB Membership Template  
C: LWDB/CEO Agreement Template  
D: Documentation of OSCC Certification  
E: WIOA Statute Regarding Decertification - NEW

**Effective:** This policy is effective immediately. LWDB Certification will be effective upon approval from the Department of Career Services.

**Inquiries:** Please email all questions to [PolicyQA@MassMail.State.MA.US](mailto:PolicyQA@MassMail.State.MA.US). Also, indicate Issuance number and subject.

Non-Active

# **FY18 Massachusetts Local Workforce Development Board Certification Policy**

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**Massachusetts  
Local Workforce Development Board  
Certification Policy**

**Timeline and Submission Instructions for Biennial Certification  
July 1, 2018 – June 30, 2020**

**March 31, 2017:** Phase I Due Date

Phase I Timeframe:

- **April – May 2017:** State review of products
- **June 2017:** Notification of LWDB's of Phase I Certification status
- **July 1, 2017 – September 30, 2017:** MA LWDB Phase I Certification effective

**June 30, 2017:** Phase II Due Date

Phase II Timeframe:

- **July – August, 2017:** State review of Local Umbrella MOU & Local OSCC Certification Policy
- **October 1, 2017 – June 30, 2018 (includes Phase I extension):** MA LWDB Phase II Certification effective

**March 30, 2018:** Phase III Due Date

Phase III Timeframe:

- **April – May, 2018:** State review of LWDB documents
- **July 1, 2018 – June 30, 2020:** MA LWDB Full Certification period

All products and actions must be complete by the due date for each phase of the Biennial Certification process.

Hard copies of all required products for each phase of the Biennial Certification process with original signature and CD ROM or flash drive containing an electronic copy of the required products must be submitted to:

Lisa Caissie  
Department of Career Services  
Charles F. Hurley Building  
19 Staniford Street, 1<sup>st</sup> Floor  
Boston, MA 02114

# **Massachusetts Local Workforce Development Board Certification Policy**

## **Phase I**

### **Checklist for Phase I Documents/Information Required for Submission by the LWDB:**

- ❑ Attachment A –Massachusetts LWDB Certification (Signatures & Contact Information)
  - ❑ Signed cover page with original signatures (signatures affirm agreement with Assurances)
  - ❑ The name of the individual who will act as the primary contact for the LWDB relative to the Certification Process
  - ❑ The e-mail addresses for the Chief Elected Official, LWDB Chair, LWDB Executive Director and Primary Contact
- ❑ Attachment B - Current LWDB Membership Template
- ❑ Executed LWDB/CEO Agreement (Attachment)
- ❑ LWDB By-Laws
- ❑ Articulation of WDB status as an incorporated (Corporate name & date Articles of Incorporation filed in MA) or non-incorporated entity
- ❑ Local Governance Organizational Charts
  - ❑ Local Workforce Development Board Organizational Chart identifying its committee / sub-committee structure, staffing structure, etc.
  - ❑ Local Workforce Development System Organizational Chart that depicts the local area's workforce development system governance structure

MA LWDB Phase I Certification period: July 1, 2017 – September 30, 2017

# **Massachusetts Local Workforce Development Board Certification Policy**

## **Phase II**

### **Checklist for Phase II Documents/Information Required for Submission by the LWDB:**

- ☐ Local Umbrella Memorandum of Understanding – fully executed, with or without final Infrastructure Funding Agreement (IFA) Note: Final IFAs must be in place no later than 1/1/18
- ☐ Local One-Stop Career Center Certification Policy
- ☐ Electronic link to current Strategic Plan

MA LWDB Phase II Certification period: October 1, 2017 – June 30, 2018 (includes Phase I extension)

## **Phase III**

### **Checklist for Phase III Documents/Information Required for Submission by the LWDB:**

- ☐ LWDB Response to MA LWDB Certification Standards (Template for Response begins on page 18)
- ☐ Documentation of completion of OSCC Certification process (Attachment D)
- ☐ Regional Planning – articulation of progress to date (Please see page 24)
- ☐ If applicable, updated Membership Template
- ☐ If applicable, other updated Phase I documents

MA LWDB Phase III Certification period: July 1, 2018 – June 30, 2020



# Local Massachusetts Workforce Development 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.

**Department of Career Services (DCS)** – 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, Disability Employment Initiative programs, American Apprenticeship Initiative Grants, and various other workforce activities. The Department of Career Services (DCS) 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 DCS. The fiscal agent disburses funds for workforce investment activities under the direction of the Local 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 LWDB 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 Local 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.

**Local Workforce Development Board** - the Local Workforce Development Board (LWDB 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 LWDB 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 sub group of the WDB focused on youth activities established under Section 107 (b)(4)(ii) of WIOA.

## SECTION A (Phase I)

### **I. MEMBERSHIP**

#### **A. Board Member Nomination and Appointment**

The nomination process assures that all nominations are submitted to the Chief Elected Official (CEO) in accordance with the WIOA Regulations at 20 CFR Section 679.310 that state: *The Local Board is appointed by the chief elected official(s) in each local area in accordance with State criteria established under WIOA section 107(b), and is certified by the Governor every two years, in accordance with WIOA section 107(c)(2).*

Members who represent organizations, agencies or other entities must be individuals with optimum policy-making authority within the entities that they represent.

**Note:** Letters of nomination for all voting members must be kept on file locally by the LWDB.

**For each local area in the State, the members of the LWDB must be selected by the CEO consistent with criteria established under WIOA sec. 107(b)(1) and 20 CFR § 679.320 as well as criteria established by the Governor, and must meet the requirements of WIOA sec. 107(c)(2):**

- A majority of the members of the LWDB must be representatives of business in the local area. At a minimum, two members must represent small business as defined by the U.S. Small Business Administration. Business representatives serving on Local Boards may also serve on the State Board. Each business representative must meet the following criteria:
  - be an owner, chief executive officer, chief operating officer or other individual with optimum policy-making or hiring authority;
  - provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area; and
  - are appointed from among individuals nominated by local business organizations and business trade associations (WIOA sec. 3(23), §679.320 (b)(1 & 2)).
- At least 20 percent of the members of the LWDB must be workforce representatives. These representatives:
  - Must include two or more representatives of labor organizations, where such organizations exist in the local area. Where labor organizations do not exist, representatives must be selected from other employee representatives;

- Must include one or more representatives from a Registered Apprenticeship program on both the State and Local WDBs. WIOA stipulates that membership must come from a joint-labor management Registered Apprenticeship program. The program must be registered with the USDOL OA or with the SAA. The Registered Apprenticeship representative must be a member of a labor organization or a training director of the joint program. If there are no joint labor-management Registered Apprenticeship programs in the State, the Chief Local Elected Official should appoint a representative from a non-union Registered Apprenticeship program. The apprenticeship representative should have optimum decision-making capacity. Representatives from the SAA and the USDOL OA cannot serve in this capacity; they can, however, serve as advisors to the WDB and work in a non-official capacity;
  - May include one or more representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of individuals with barriers to employment, including organizations that serve Veterans or provide support competitive integrated employment for individuals with disabilities; and
  - May include one or more representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.
- The LWDB must also include:
- At least one eligible provider administering adult education and literacy activities under WIOA Title II;
  - At least one representative from an institution of higher education providing workforce development activities; including community college and
  - At least one representative from each of the following governmental and economic and community development entities:
    - Economic and community development entities
    - The State employment service office under Wagner-Peyser Act (29 U.S.C. 49 et seq.) serving the local area; and
    - The programs carried out under title I of the Rehabilitation Act of 1973, other than sec. 112 or part C of that Title
- The membership of LWDBs may include individuals or representatives of other appropriate entities in the local area, including:
- Entities administering education and training activities who represent local educational agencies or community-based organizations with demonstrated expertise in addressing the education or training needs for individuals with barriers to employment;
  - Governmental and economic and community development entities who represent transportation, housing, and public assistance programs;

- Philanthropic organizations serving the local area; and
  - Other appropriate individuals as determined by the chief elected official.
- Chief Elected Officials must establish a formal nomination and appointment process, consistent with the criteria established by the Governor and State Board under sec. 107(b)(1) of WIOA for appointment of members of the Local Boards, that ensures:
- Business representatives are appointed from among individuals who are nominated by local business organizations and business trade associations
  - Labor representatives are appointed from among individuals who are nominated by local labor federations (or, for a local area in which no employees are represented by such organizations, other representatives of employees); and
  - When there is more than one local area provider of adult education and literacy activities under title II, or multiple institutions of higher education providing workforce investment activities as described in WIOA 107(b)(2)(C)(i) or (ii), nominations are solicited from those particular entities (WIOA sec. 107(b)(6)).
- An individual may be appointed as a representative of more than one entity if the individual meets all the criteria for the representation, including the criteria described above, for each entity.
- All required LWDB members must have voting privilege. The CEO may convey voting privileges to non-required members.

#### **B. Terms of Appointment**

The term of appointment for the business members of the LWDB must be constructed in such a way that not all appointments expire in the same calendar year.

#### **C. Membership Requirements**

The Local Workforce Development Board assures compliance with the following membership requirements:

- Local Workforce Development Board members appointed by the Chief Elected Official as required under the Workforce Innovation and Opportunity Act shall constitute the official voting membership of the Board.
- At least 51% of the members of the LWDB will be appointed from businesses which are representative of the primary employers in the region as described in Section 1A.

- The LWDB chairperson shall be elected from among the business representatives on the board (WIOA sec. 107(b)(3) and section 117(b)(2)(A)).
- The balance of the membership shall represent education, economic development, organized labor, community based agencies, and the One-Stop Career Center partners as described in Section 1B.

**Note:** Any program or activity that may have multiple grant recipients, administrative entities or organizations responsible for administering its funds in the local area that is a required partner in the One-Stop system, is entitled to **one seat** on the LWDB.

#### **D. Membership Vacancies**

All membership vacancies or changes in membership must be filled within 90 calendar days with the exception that all vacancies of One-Stop Career Center partner organizations must be filled within 60 calendar days.

Following any membership changes a revised membership template must be submitted to the Department of Career Services, Charles F. Hurley Building, 19 Staniford Street, 1<sup>st</sup> Floor, Boston, MA 02114 to the attention of Lisa Caissie. Or, emailed to: [Lisa.J.Caissie@MassMail.Sta...MA.US](mailto:Lisa.J.Caissie@MassMail.Sta...MA.US).

#### **E. Membership Template**

The LWDB Membership Template requires entry of each member's name and title, organization he/she represents, the local city or town in which the member's organization is located and the start and end date of the individual's membership term.

For business members, the LWDB Membership Template also requires an entry of the type of business the member represents, as well as the number of employees in the member's company (the total should reflect only the number of employees for sites located within the local workforce development area). For business members who are from business membership organization or business trade associations that qualify the individual for board membership as a business representative, the Template should indicate the total number of its member organizations that are located within the local workforce development area.

**Please complete and submit the Membership Template located in Attachment B.**

## **II. LWDB/CEO AGREEMENT**

The governance and operation of the Local Workforce Development System is contingent on a successful partnership between the Chief Elected Official and the LWDB related to their respective roles which are outlined in the agreement between the CEO and the LWDB. In furtherance of the Workforce Innovation and



Opportunity Act and Regulations, the Commonwealth requires the completion of an LWDB/CEO agreement. The Agreement facilitates the delivery of optimal workforce development services for individuals and employers within the Workforce Development area. **The LWDB By-Laws may not alter or circumvent this agreement.**

The LWDB/CEO Agreement should describe the local workforce organizational design and the functions that each entity will assume related to its statutory and locally agreed upon responsibilities, as well as the communication process that will be used to ensure that the goals and objectives outlined in the Local Plan and the Workforce Innovation and Opportunity Act are achieved.

The recipient of the funds is responsible for all funds under its grant(s) awarded under WIOA Title I and the Wagner-Peyser Act. (20 CFR § 683.710)

The local government's chief elected official(s) in a local workforce development area is liable for any misuse of the WIOA grant funds allocated to the local area under WIOA sections 128 and 133, unless the chief elected official(s) reaches an agreement with the Governor to bear such liability.

When a local workforce area or region is composed of more than one unit of general local government, the liability of the individual jurisdictions must be specified in a written agreement between the chief elected officials.

When there is a change in CEO(s), the LWDB is required to inform the new CEO(s), in a timely manner, of their responsibilities and liabilities as well as the need to review and update any written agreements among the CEO(s).

The use of a fiscal agent does not relieve the CEO of responsibility for any misuse of grant funds allocated to the local area under WIOA sections 128 and 133.

LWDBs are required to submit a current, fully executed LWDB/CEO Agreement as a component of a Massachusetts WDB Certification package.

**The LWDB/CEO Agreement template is located in Attachment C.**

#### **Changes to the LWDB/CEO Agreement:**

The LWDB/CEO Agreement must cover, at a minimum, the new two-year certification period. In order to remain a valid document, the Agreement must be modified if any of the following conditions change:

- ✓ There is a new Chief Elected Official
- ✓ There has been a change in the entity named to assist in the administration of the grant funds, to act as the local grant sub-recipient or local fiscal agent
- ✓ The term of the document has expired or has not been properly modified



***Changes or modifications to the LWDB/CEO Agreement must be submitted to the Department of Career Services, Charles F. Hurley Building, 19 Staniford Street, 1st Floor, Boston, MA 02114 to the attention of Lisa Caissie. Or, a signed, scanned copy may be sent to [Lisa.J.Caissie@MassMail.State.MA.US](mailto:Lisa.J.Caissie@MassMail.State.MA.US).***

### **III. LWDB BY-LAWS**

The LWDB must submit its current by-laws. The by-laws must have been voted upon and officially adopted by the membership in advance of the date of submission of the WDB Certification Package.

A copy of the minutes of the Board meeting at which the by-laws were voted on and adopted should be attached.

WIOA §679.310 (g):

The CEO must establish by-laws, consistent with State policy for Local WDB membership, that at a minimum address:

1. The nomination process used by the CEO to select the Local WDB chair and members;
2. The term limitations and how the term appointments will be staggered to ensure only a portion of membership expire in a given year;
3. The process to notify the CEO of a WDB member vacancy to ensure a prompt nominee;
4. The proxy and alternative designee process that will be used when a WDB member is unable to attend a meeting and assign a designee as per the requirements at §679.110(d)(4);
5. The use of technology such as phone and Web-based meetings, that will be used to promote WDB member participation;
6. The process to ensure WDB members actively participate in convening the workforce development system stakeholders, brokering relationships with a diverse range of employers, and leveraging support for workforce development activities; and
7. A description of any other conditions governing appointment or membership on the Local WDB as deemed appropriate by the CEO.

### **IV. 501(c)(3) STATUS**

The Board must include as part of its LWDB Certification package a statement articulating its current status with respect to Section 501 (c)(3) of the Internal Revenue Code for non-profit organizations. Incorporation under Section 501 (c)(3) expands the board's capacity to seek additional sources of funding from private resources. The Corporate name and date of filing of the Articles of Incorporation must be provided.

## **V. ORGANIZATIONAL CHARTS**

The WDB Certification submission package must include two (2) organizational charts:

1. **Local Workforce Development Board Organizational Chart** identifying its committee/sub-committee structure, staffing structure, etc.
2. **Local Workforce Development System Organizational Chart** that depicts the local area's workforce development system governance structure.

**Note:** A clear firewall between local oversight and the delivery of services *must* be evident in either the governance chart or in an accompanying narrative description.

### **SECTION B (Phase II)**

#### **I. LOCAL UMBRELLA MEMORANDUM of UNDERSTANDING**

Please include the Local Umbrella Memorandum of Understanding – fully executed, with or without final Infrastructure Funding Agreement (IFA) No. Final IFAs must be in place no later than 1/1/18.

#### **II. LOCAL ONE-STOP CAREER CENTER CERTIFICATION POLICY**

Please include the Local Board's One-Stop Career Center Certification Policy and planned timeline for OSCC Certification.

#### **III. LWDB STRATEGIC PLAN**

The Strategic Plan demonstrates utilization of “business intelligence” to develop data driven strategies based on analysis of Labor Market Information. The Strategic Plan includes strategies for the Board to convene, broker and leverage strategic partnerships with key stakeholders, e.g., WIOA Core Partners, career and technical education, community colleges and other higher education entities, organized labor, and others. The Strategic Plan develops and/or replicates successful career pathway models and industry sector interventions that involve significant employer engagement activity and includes use of job driven strategies & innovative use of work-based models of training interventions – OJT, apprenticeship, internship, etc. It describes the role of the board in the development of the region's comprehensive economic development strategies as well as the coordination of the workforce activities with economic development strategies.

**Please insert an electronic link to the Local Workforce Development Board's current Strategic Plan (SP).**

## SECTION C (Phase III)

### IV. MASSACHUSETTS LWDB CERTIFICATION STANDARDS

The Massachusetts Workforce Development Board's (MWDB) WIOA Steering Committee established several subcommittees and workgroups to address key priorities, strategies, and policies pursuant to the implementing provisions of the Workforce Innovation and Opportunity Act (WIOA).

The Jobseeker and Employer Subcommittee established four working groups to focus on key aspects of WIOA implementation. The workgroups were: Career Center Standards and Process, Employer Engagement, Performance Measurement and **Workforce Board Certification Standards**.

The Massachusetts Workforce Development Board (MWDB) Certification Standards Workgroup, comprised of 13 representatives of Local Workforce Boards, One-Stop Career Centers, Community Colleges, Vocational Rehabilitation (MRC and MCB), Adult and Community Learning Services, public education and Commonwealth Corporation and staffed by EOLWD/DCS, worked over a ten-month period to develop workforce board certification standards built upon the Massachusetts High-Performance Board standards to create new standards of excellence for Workforce Boards under WIOA.

The Massachusetts Local Workforce Board Certification Standards for Fiscal Year 2018 include the following components:

- A. One-Stop Career Center (OSCC) Operator/Service Provider Competitive Selection
- B. One-Stop Career Center (OSCC) Oversight
- C. Youth Service Strategy
- D. Youth Service Oversight
- E. Demand-Driven Strategies and Solutions
- F. Partnerships / MOUs

A set of criteria, elements and measures have been developed for each standard.

**Using the following section as a template, please provide responses by March 31, 2018:**

#### A. **One-Stop Career Center Operator/Service Provider Competitive Selection**

1. As required by WIOA §121(d)(2)(A), the Local Workforce Development Board must select the One-Stop Operator through a competitive process at least once every four years.

- a. *Please outline the steps that form the process from planning to closeout of the OSCC competitive selection in your region. Include a description of written policies and procedures, method of procurement (e.g. sealed bids, RFQ), written standards of conduct and procedures that promote full and open competition and demonstrate how the process promotes transparency.*
2. A comprehensive process exists to review, rate and award OSCC operation, including safeguards and firewalls
  - a. *Please discuss safeguards and firewalls implemented in the process to review, rate and award OSCC operation.*
3. The LDWB has a plan in place to address transition challenges
  - a. *In the event of the selection of a new OSCC Operator/Service Provider local boards must have a plan for transition. Please describe the LWDB's process to address all aspects of a transition, including but not limited to averting a break in customer services, unemployment insurance costs for displaced staff and facilities lease buyout issues.*
4. All Core Partners have been included in the OSCC Operator/Service Provider Competitive Selection process
  - a. *Please describe how your OSCC Competitive Selection process is inclusive of (1) Core Partners' articulated roles in the development of the required MOU with selected Operators within the Competitive Selection document (e.g. RFP) and (2) the OSCC Operator/Service Provider selection process.*
5. Employers have been included in the OSCC Operator/Service Provider Competitive Selection Process
  - a. *Please describe how your OSCC Competitive Selection process is inclusive of (1) employer input into the Competitive Selection Document (e.g. RFP) design and the articulation of demand-driven employer strategies within the Competitive Selection document and (2) the OSCC Operator/Service Provider selection process.*

**B. OSCC Oversight (WIOA sec. 107 (d)(8))**

1. Oversight and monitoring is an integral function of the LWDBs to ensure the One-Stop Operator's compliance with the requirements of WIOA, the activities per the Statement of Work, performance reporting requirements and the term and conditions of the contract or agreement governing the One-Stop Operator. The Local Board demonstrates that it has a robust mechanism for oversight and monitoring of the OSCC that includes oversight of performance against federal/state and locally

established performance goals, customer (Business and Jobseeker) service process that includes target populations and collaboration with core partners.

- a. Please describe the local board committee(s), staffing structure and process for OSCC oversight and monitoring. In the absence of a specific committee, define the mechanism and process in place for oversight and monitoring, including the criteria described above.*
2. The Local Board ensures the integration of services across all programs, including Core Partner programs.
  - a. Please describe the methods through which WIOA Core Partners and board members actively influence OSCC operations, programs, services and performance standards.*
3. The Local Board implements a strategy and process to conduct oversight that checks in on effectiveness of leadership and management.
  - a. Please provide a description of the process that is in place to monitor customer service satisfaction (Business and Jobseeker) and management practices, including leadership ability of key staff and compliance with WIOA Section 188 (Nondiscrimination and Equal Opportunity) for every OSCC under the purview of the Board.*
4. OSCC and Youth Services maximize access to services to diverse populations.
  - a. Please describe your universal design strategy that measures and promotes continuous improvement in customer services (Jobseeker, Youth, Employer); attach customer service flowcharts, as appropriate.*

#### **C. Youth Service Strategy**

1. The Local Board is engaged in design and development of Youth service strategies to in-school youth, and out-of-school youth that are disconnected from education and training.
  - a. Please provide a comprehensive description of how the Board has engaged in the design and development of Youth services, how the planned services are integrated within the Local Strategic Plan and how WIOA Core Partner populations will benefit from the suite of Youth Services.*

#### **D. Youth Service Oversight**

1. The Local Board has an oversight mechanism in place for standards and procedures, e.g. Standing Youth Committee or other oversight mechanism.

- a. Please describe how the Board is informed of decision making about program service needs, funding and resource allocation, as well as program service implementation to ensure in-school and out-of-school youth are adequately served.*
  2. The Local Board works with OSCCs and Core Partner Programs to meet youth needs and achieve outcomes.
    - a. Please describe how the Board engages with youth service providers, stakeholders, One-Stop Career Centers and required WIOA partners to develop integrated service delivery strategies designed to support positive outcomes for in-school youth and out-of-school youth.*
  3. The Local Board has a monitoring and evaluation system in place for youth service providers.
    - a. Please describe how the Board ensures providers of youth services are in compliance with their proposed plan of service and are in alignment with local youth services elements and requirements; including framework services, program service elements, and eligibility requirements.*
    - b. Please describe how the Board evaluates program effectiveness towards meeting the needs of in-school and out-of-school youth.*
  4. The Local Board has a technical assistance system in place to ensure quality programming.
    - a. Please describe the type of technical assistance available to providers of youth services to ensure quality programming; e.g. opportunities for professional development, training, workshops, appropriate distribution of youth resources, etc. to support staff in meeting established outcomes.*

#### **E. Demand-Driven Strategies and Solutions**

1. The Local Board demonstrates that its strategies and actions are driven by business needs. The Board demonstrates use of business-driven strategies and use of work based models (e.g., OJT, Apprenticeship).
  - a. Please describe your region's job-driven strategies implemented or planned.*
  - b. Please describe the strategies in place for career pathways development or replication.*
2. The Local Board demonstrates implementation of career pathways programming, entry points, and WIOA Core Partner engagement.

- a. Please describe the process used to develop career pathways programming through building relationships with businesses and provide examples of such programming.*
    - b. Please describe how your planning processes are inclusive of Core Partners' engagement in career pathway development. Provide a description or flow chart that demonstrates multiple entry points and the ability for career pathways programming to adapt to changing industries.*
  3. The Local Board demonstrates local employer utilization of the OSCC, with a focus on the business members of the Board.
    - a. Please describe the number or percentage of board members who utilize the OSCC for the following activities: posting open jobs, industry briefings, recruitments, applicant prescreening, applicant assessment, and work experiences including internships and job shadowing.*
    - b. Please describe your local area employer marketing and outreach mechanism and strategies and describe how the board promotes the use of the OSCC by local businesses. Please include data on demonstrated increase in job orders, employer events.*
  4. The Local Board demonstrates active promotion of federal and state programs that are designed to provide customized training and/or facilitate employer access to tax credits and other incentives.
    - c. Please describe the promotional activity for employer incentive programs that has been undertaken by the board during the past twelve months.*

#### **F. Partnerships / MOUs**

1. The Local Board has conducted a robust process to develop the Umbrella MOU with Core Partners that is inclusive of comprehensive service elements.
  - a. Please provide a description of the following:*
    - i. Partner entities that are represented in the Local Umbrella MOU process*
    - ii. How each of the required MOU elements have been addressed and any impending MOU revisions*
    - iii. Plan for Shared Cost contributions*
    - iv. Plan for Infrastructure Costs contributions*
    - v. Plan for oversight of the customer service processes as described in the Local Umbrella MOU*

2. The Local Umbrella MOU has been fully executed and includes resource sharing commitments.
  - a. *Please describe progress to date with regard to resource sharing commitments.*
3. The Partnerships established within the MOU demonstrate commitment to enhancing services for jobseeker and employer shared customers.
  - a. *Related to the customer service flow described in the Local Umbrella MOU, please explain how the new service design is intended to improve/enhance services to Business and Jobseeker customers.*
4. The Local Umbrella MOU reflects the vision, goals, and strategies for partnerships as defined in the State MOU.
  - a. *Please describe the Local Board's plan and process for oversight of quality service delivery for all shared customers.*

Non-Active



## **V. DOCUMENTATION of COMPLETION of OSCC CERTIFICATION**

Please complete and submit template in **Attachment D**.

## **VI. DESCRIPTION of REGIONAL PLANNING PROGRESS to DATE**

The regional planning process, an initiative of the Workforce Skills Cabinet, brings together regional partners in Education, Workforce and Economic Development in order to collectively determine high priority regional career pathways and craft collaborative solutions to meet the Commonwealth's jobseeker and employer needs.

Expected Regional Planning Outcomes:

- A. Establishment of seven (7) multi-system regional WSC teams:** Teams are established via a joint communication from EOLWD, EOE, EOHED and represent regional workforce, economic development, and education partners.
- B. Collectively driven review of standardized, consistent labor market information** highlighting regional talent needs; SWOT analysis of the labor market trends; confirmation of high priority list of occupations for the region; creation of a Regional Labor Market Blueprint for the regions.
- C. Collectively formulated goals and collective accountability** to meet talent needs in priority occupations. Goals are quantified and shared across sectors.
- D. WSC Regional Teams utilizing a priority list of occupations to:** pursue federal, state, and private funding opportunities (*All*); Develop sector partnerships and expanded education and training (*All*); Set curriculum and seat capacity within education systems, and connect to job training (*Education*); Outreach to business to work with One Stop Career Centers to develop new referrals for hiring candidates (*Economic Development, Workforce*); Coordinate additional programs and resources. State Workforce Skills Cabinet uses regional blueprint developed by WSC Regional Leadership teams to inform funding decisions at a state level and apply for federal grant resources)

### **Instruction**

- If your full Regional Blueprint has been conditionally approved in the initial feedback form sent by EOLWD, please provide a link to the blueprint or attach the blueprint.
- If your full Regional Blueprint has not been conditionally approved in the initial feedback form sent by EOLWD, please submit your draft Blueprint and your region's timeline/work plan to finalize your blueprint by the date agreed upon with EOLWD.

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When submitting Phase III documents, please ensure that Membership Template, CEO/LWDB Agreement, Signatories and By-Laws are current.