

MassHire Workforce Board (MWB) Guidance: Membership and Appointments

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 MWB.

For each local area in the State, the members of the Local Workforce Development Board (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(b)(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;

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- 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 colleges; 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:

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- 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 MassHire Board assures compliance with the following membership requirements:

- MassHire 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.

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- At least 51% of the members of the MassHire Workforce Board will be appointed from businesses which are representative of the primary employers in the region as described in Section 1A.
- MassHire Workforce Board 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 above.
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 via email to the Lisa Caissie at the MassHire Department of Career Services: Lisa.J.Caissie@MassMail.State.MA.US.

E. Membership Matrix

The MWB Membership Matrix 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 MWB Membership Matrix also requires an entry or 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 area). For business members who are from business membership organizations or business trade associations that qualify the individual for board membership as a business representative, the Matrix should indicate the total number of its member organizations that are located within the local workforce area.

Please complete and submit the Membership Matrix located in Attachment A.