

ATTACHMENT I

Supplement to 100 DCS 17.115

MassHire Workforce Board Certification Guidance: FY27-FY28

As the MassHire Workforce Boards (MWB) prepare for the certification process, the MassHire Department of Career Services (MDCS) is issuing this technical assistance supplement to assist the Boards in ensuring that their governance structure and roles and responsibilities are well-defined and compliant with the Workforce Innovation and Opportunity Act (WIOA). Links to additional technical assistance materials are provided below.

I. **MWB Membership**

Membership requirements for MWBs are found in WIOA Section 107(b)(2). The local elected official(s) in each area appoint members to the MWB. The MA policy describes specific membership requirements provided for in the WIOA statute. Federal regulations at 20 CFR 679 Subpart C provide additional guidance.

Background:

Under the Comprehensive Employment and Training Act (CETA), cities and other “prime sponsors” exercised strong control over the workforce development system. As CETA evolved into the Job Training Partnership Act (JTPA), then to the Workforce Investment Act (WIA), and currently to WIOA, local control became a partnership between local elected officials and an appointed board with a business-led majority. This evolution ensured that the business-led board and the local elected officials were equal partners in local workforce development leadership. It also ensured that local boards and one-stop career centers were not a department within a municipal government. To this end, it is vital that the roles and responsibilities of all parties are understood and adhered to in forming local boards. Under the statute, the local elected official is expressly not a member of the local board. This ensures that there is no undue influence over the members. It is inappropriate for an elected official to appoint a designee or liaison to the MWB to represent their interests or those of the municipal government. Any appointment that lends to the appearance of representation of a local elected official has the potential to erode the concept of the partnership under which the system is envisioned and weaken firewalls intended to provide program integrity. Such appointments would also not meet the requirement of WIOA that members of the local board have “optimum policymaking authority” within their organization. The role of the chief elected official is to appoint members to the MWB and then work with the board as a partner.

Further, the MWB selects their chairperson from among the business representatives on the MWB. The chief elected official does not appoint the chair of the board.

II. **Local MWB/CEO Agreement**

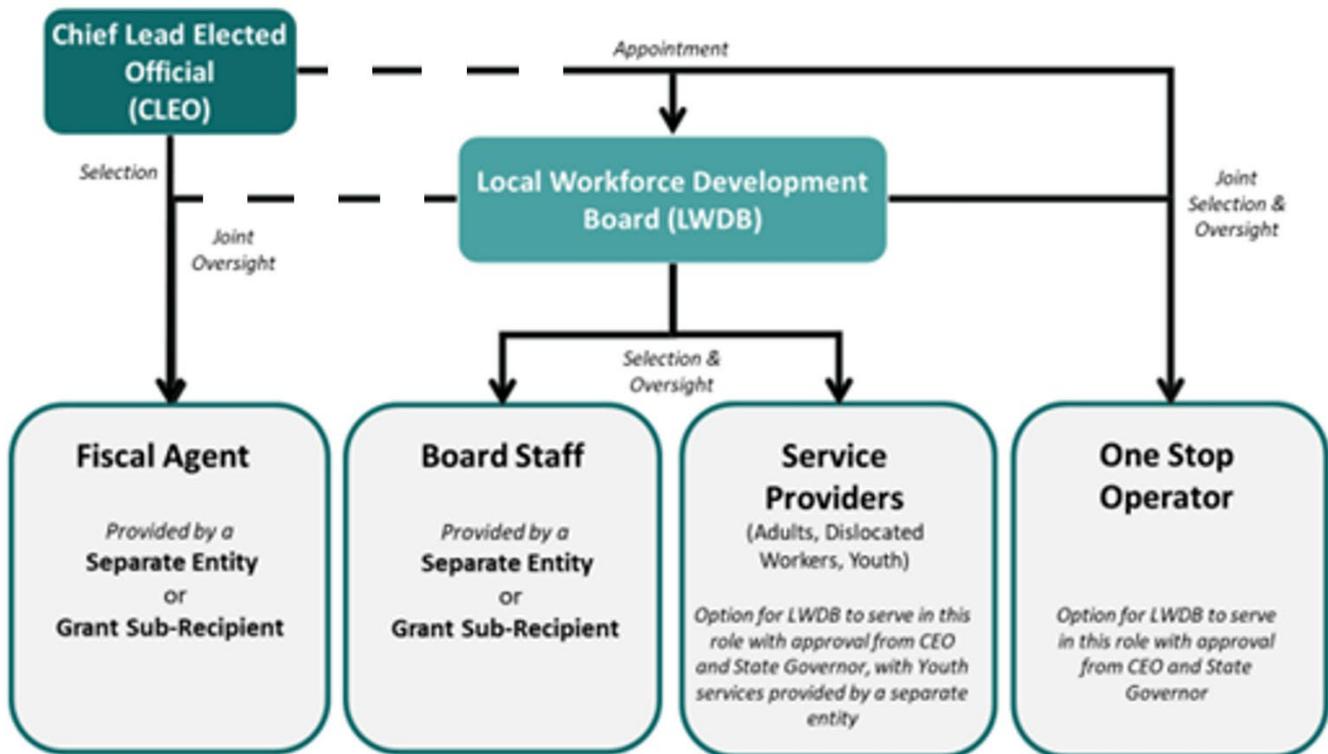
Any agreement entered into between the local MWB and CEO must be compliant with the letter of and spirit of WIOA to ensure that all parties conduct themselves as partners within the system.

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As an example, the Agreement cannot be used to circumvent the principles of WIOA. This includes language allowing the CEO to hire staff to the MWB or select the chairperson, as such language would be non-compliant with WIOA. Here is a chart showing the roles and responsibilities throughout the workforce development system. [WIOA Governance Chart](#)

IV. Organizational Charts

The organization charts submitted for certification must show clear lines of reporting that are compliant with WIOA. For example, the organization chart must show that staff to the MWB (such as a director) reports to the MWB and not the CEO. The organizational chart must clearly show that the MWB is an independent body not under the direction of the CEO or any designee. An individual who reports to the CEO directly is not part of the MWB or local area structure for purposes of WIOA. The chart below is simple but clearly shows lines of reporting and responsibility. There are slight variations to this that are noted under each entity. The **roles and responsibilities** highlighted at the top level are non-negotiable nor subject to waiver, or other agreement. The chart below shows roles and responsibilities but does not define all possible allowable frameworks.



Additional Governance Resources:

[WorkforceGPS - Governance Training Webcast Series](#)

[WorkforceGPS – The Foundations of Governance in WIOA](#)