

MASSACHUSETTS

Workforce Investment Act

STEERING COMMITTEE

WIA Communication No. 99-09

✓ Policy

Information

To: Lead Elected Officials
Regional Employment Board Chairs
Regional Employment Board Directors
Service Delivery Area Directors or Designee
Career Center Directors
DET Regional Directors
DET Area Directors
(Distributions attached)

cc: WIA State Partners (Distributions attached)

From: The Department of Labor and Workforce Development - WIA Steering Committee

Date: November 4, 1999

Subject: Local Workforce Investment Boards Created as New Entities

Background:

The Workforce Investment Act (WIA) requires that local Workforce Investment Boards (WIBs) be created in each local area of the state. In partnership with the Chief Elected Official(s) (CEO), the WIB sets the policy and direction for the portion of the statewide workforce investment system within that local area.

For more than a decade Massachusetts has been a leader for the rest of the country with an innovative workforce development system. Regional Employment Boards (REBs) were created with enhanced responsibilities relative to the mandates of the Job Training Partnership Act of 1982, which WIA now replaces.

In building upon the REBs, WIA identifies the minimum composition of these local workforce boards (section 117(b)(2)) and requires that such boards be certified by the Governor (section 117(a)).

Action Required:

This communication specifically addresses the minimum composition of the local WIBs that will meet the certification criteria of the Governor. Additional WIA Communications will follow concerning the process for identifying Chief Elected Officials (CEOs) and designating an area as a Workforce Investment Area. Following the determination of the CEO(s) for each workforce investment area, the local WIB can be formed. Local WIB certification requirements will be forwarded to the CEO(s) and local WIB chair following formation of the local WIB.

The Governor has determined that it is the best interests of the Commonwealth that a new State Workforce Investment Board be created pursuant to the minimum requirements set forth in the Workforce Investment Act.

To that end, the Governor recently issued Executive Order 413, *Creating A Workforce Investment Board for the Commonwealth*, creating the State Workforce Investment Board. [See WIA Communication No. 99-06] This Executive Order, while creating a wholly new board, builds on the current membership of the MassJobs Council.

Consistent with that Executive Order, the Governor has determined that it is in the best interests of the Commonwealth that the CEOs in each local area establish a local Workforce Investment Board pursuant to the minimum requirements set forth in Section 117(b)(2). The current system of Regional Employment Boards (REBs) in Massachusetts does not include the Youth Councils required by Section 117(h) of the Workforce Investment Act. The Governor believes that the effective establishment of said Youth Councils is an integral and essential element of the successful implementation of the Workforce Investment Act in Massachusetts.

In establishing the local Workforce Investment Board, the CEO may at his/her sole discretion and consistent with local Chief Elected Official Agreements, select and automatically transfer individual members of the current REB serving the local area to the new local WIB to meet the criteria required under Section 117(b) **provided that those REB members designated by the CEO for automatic transfer who would be required to undergo a nomination process under Section 117(b), have previously undergone a nomination process from a group consistent with those groups or organizations defined under Section 117(b).** For those local WIB members designated as automatic transfers by the CEO, no further nomination/appointment process is required. However, the CEO must make such automatic transfer designations in writing and file them with the Deputy Director of Workforce Development within the Massachusetts Department of Labor and Workforce Development. Upon receipt by the Deputy Director of Workforce Development, said designations will take immediate effect.

Local WIB Composition, in accordance with section 117(2) *shall at a minimum* include

- Representatives of business in the local area who –
 - Are owners of businesses, chief executives or operating officers of businesses, and other business executives or employers with optimum policy making or hiring authority;
 - Represent businesses with employment opportunities that reflect the employment opportunities of the local area; and
 - Are appointed from among individuals nominated by local business organizations and business trade associations;
- Representatives of local educational entities, including representatives of local educational agencies, local school boards, entities providing adult education and literacy activities, and postsecondary education institutions (including representatives of community colleges, where such entities exist), selected from among individuals nominated by regional or local educational agencies, institutions, or organizations representing such local educational entities;
- Representatives of labor organizations (for a local area in which employees are represented by labor organizations), nominated by local labor federations, or (for a local area in which no employees are represented by such organizations), other representatives of employees;
- Representatives of community based organizations (including organizations representing individuals with disabilities and veterans, for a local area in which such organizations are present);
- Representatives of economic development agencies including private sector economic development entities; and
- Representatives of each of the one-stop partners.

Local WIB Composition, in accordance with section 117(2) *may* include such other individuals or representatives of entities as the chief elected official in the local area may determine to be appropriate.

Also, a majority of the members of the local board shall be representatives of business in the local area as described above and the Chair *must* be elected from the private sector members.

It is the intent of the Commonwealth to provide as much flexibility as possible and to promote the active and ongoing partnership between the Chief Elected Officials and the local Workforce Investment Boards. Current CEOs and REBs, in their transition planning, are encouraged to continue to work closely together to ensure the unique needs of their local labor market are met through cost effective program design, oversight and performance accountability.

In summary, in appointing members to the WIB, the Chief Elected Official may:

- 1) appoint all members of the current REB or Private Industry Council (PIC) to the WIB, with additions appropriate to meet the requirements set forth in section 117;
- 2) appoint completely new individuals to the WIB rather than any of those currently serving on the REB or PIC, in accordance with the requirements set forth in section 117;
- 3) appoint some but not all members of current REB or PIC to the WIB, with additions appropriate to meet the requirements set forth in section 117;

Questions and Comments: Any questions related to this correspondence should be directed to Jonathan Raymond at (617) 727-6573, extension 107.

Filing: Please file this in your notebook of previously issued WIA Communications Series Issuances as 99-09.