

Mass Workforce Issuance

Workforce Issuance No. 14-08

☒ **Policy** ☐ **Information**

To: Chief Elected Officials
Workforce Investment Board Chairs
Workforce Investment Board Directors
Title I Administrators
Career Center Directors
Title I Fiscal Officers
DCS Operations Managers

cc: WIA State Partners

From: Alice Sweeney, Director
Department of Career Services

Date: January 31, 2014

Subject: **Workforce Investment Board Certification Guidance FY14 - REVISED**

Purpose:

To provide local Workforce Investment Boards (LWIB) with instructional guidance in the preparation of the LWIB Certification package related to the programs and services provided through the Workforce Investment Act (WIA) of 1998 and other programs as designated by the Commonwealth.

This policy has been revised to accommodate both Certified and Non-Certified WIBs:

For Non-Certified WIBS

- For WIBs that do not meet Certification, the Conditional Certification period will be in effect through June 30, 2014;
- During that period, the WIB must produce/revise/clarify documents that will meet Certification criteria.
- Instruction will be given as to the specific submission of documentation to fully meet Certification requirements.
- Technical assistance will be provided, as required, during the conditional certification period.
- Certifications may occur on a rolling basis, as requisite documentation is submitted and accepted.

- Policy provisions relating to final non-certification will be followed if certification is not achieved by June 30th

For Certified WIBS

The period of certification that is applicable to the FY14 WIB Certification process will be changed from (July 1, 2013 – June 30, 2015) to (January 1, 2014 – December 31, 2015).

This Policy replaces MassWorkforce Policy #13-41

Background:

The policy provides local Workforce Investment Boards (LWIB) with instructional guidance in the preparation of the LWIB Certification package related to the programs and services provided through the Workforce Investment Act (WIA) of 1998 and other programs as designated by the Commonwealth. This policy guidance replaces all prior policies related to Workforce Investment Board certification.

The Workforce Investment Act of 1998 (Section 117) requires the establishment of a Local Workforce Investment Board (LWIB) in each local area of a state. LWIBs must be certified by the Governor and are charged with setting policy for the workforce investment system within the locally defined area. The Massachusetts Workforce Investment Board (MWIB) 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 Massachusetts Workforce Investment Board (MWIB), establishes criteria for use by local area Lead Elected Officials (LEO) for appointment of members to the local boards in accordance with the requirements set forth by federal law, the Governor and the MWIB.

The Commonwealth continues its strategy to strengthen the capacity of local Workforce Investment Boards by examining the challenges posed by the changing economic landscape and the needs of industry and employers.

Accordingly, for FY14, Massachusetts will require additional elements for certification, the genesis of which is contained in the “High Performing Workforce Board” initiative; which began in 2008 and concluded in 2012. The additional elements required for certification represent stages of change in the MA Workforce Investment system. WIA-regulated certification represents a “baseline” for workforce boards. The Massachusetts additional requirements are intended to encourage the Commonwealth’s workforce boards along a continuum toward excellence.

The FY14 WIB Certification Policy presents a measurable set of statewide standards intended to accelerate the continual improvement of the Massachusetts workforce development system. The FY14 Massachusetts WIA WIB Certification will include the examination of the following:

- WIB membership reflecting compliance with WIA law (Membership Roster, including Youth Council). Membership review will include an examination of Board membership representation from critical industries/sectors and/or key stakeholder groups
- WIA performance against local goals

- WIB By-Laws
- Executed CEO/LWIB Agreement
- Statement of WIB status as an incorporated or non-incorporated entity
- WIB organizational chart
- Local governance organizational chart
- Strategic Plan & Response to strategic plan questions
- Dashboard or Scorecard & response to dashboard/scorecard questions
- Relevant Performance Tools & response to performance tools questions
- Revenue Plan & response to revenue plan questions
- OSCC Charter Document

This Policy document provides instructions and guidance for the completion of the FY14 WIB Certification process including membership criteria established by the Workforce Investment Act and additional required criteria established by the Commonwealth, through which Massachusetts Workforce Investment Boards will be organized and certified.

Policy:

The certification requirements described herein shall be met by each board in the Commonwealth that serves as the Workforce Investment Board under WIA, based upon the Workforce Investment Act of 1998, the Governor's Executive order Number 413 issued July 30, 1999, and this policy. WIBs that do not meet the FY14 WIB Certification requirements will be designated as "Conditionally Certified;" the Conditional Certification period will be in effect through June 30, 2014. During this period, the WIB must produce/revise/clarify documents that will meet Certification criteria. WIBs that receive a Conditional Certification will be given instruction as to the specific submission of documentation to fully meet Certification requirements. Technical assistance will be provided, as required, during the conditional certification period. Certifications may occur on a rolling basis as requisite documentation is submitted and accepted.

Following the conditional time period, WIBs that do not meet the FY14 WIB Certification will be subject to action, under WIA §117(2)(C) "Failure to achieve certification" or WIA §117(3) "Decertification."

WIBs that do not meet the requirements for FY14 Massachusetts Certification will receive a Conditional Certification, valid through June 30, 2014, during which time technical assistance will be provided. During this time, if the parties agree that the issue(s) might be most appropriately resolvable through consolidation of the WIB with another WIB, that conversation will be facilitated by EOLWD/DCS. EOLWD and DCS will formally acknowledge the possibility to the partners and meet with local representatives to determine the specific issues and a related action plan.

WIBs that do not meet the requirements for FY14 Massachusetts Certification based upon actions taken and appropriate documents received by June 30, 2014 will be subject to an assessment of the ability of the WIB to sustain workforce activities and subject to an examination regarding potential decertification. The CEO and WIB Chairperson for the local area that has failed to meet the FY14 Massachusetts WIB Certification criteria will receive notification from DCS that the WIB is potentially non-viable. The CEO and Chairperson will be

required to meet with the DCS Director and the Secretary of Labor and Workforce Development to defend/document/demonstrate the WIB's ability to continue as the workforce development oversight entity for the region. If the Workforce Investment Board is decertified, a new Workforce Investment Board must be appointed and certified as an element of a reorganization plan developed in collaboration with the Chief Local Elected Official for the area.

WIB Certification Period Extension

WIB Certification Policy #13-41 formally extended the certification period through December 31, 2013. That end date remains in effect through this revised Policy (#14-08).

However; due to the necessity of this policy revision, as of the date that any board is officially "Certified" (date of the Certification letter), the new FY14 Certification will be retroactive to January 1, 2014. **The period of certification for all certified boards is January 1, 2014 through December 31, 2015.**

This policy guidance replaces all prior policies related to Workforce Investment Board certification.

Action Required:

Local Workforce Investment Boards must submit **one copy of the complete FY14 WIB Certification package with original signatures** prepared according to the attached instructions to:

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

All packages must be submitted no later than **October 21, 2013.**

NOTE: A CD-Rom (minimum 740MB capacity) will also be required.

Attention: Packages which do not contain all required signatures, assurances and documents outlined in the Submission Checklist will not be reviewed.

Effective: This policy is effective immediately. WIB Certification is effective upon approval from the Department of Career Services.

References: Workforce Investment Act of 1998
WIA Final Rule, Federal Register 08/11/00
Massachusetts Open Meeting Laws, G.L. c. 30A, §§ 18-25
Office of Attorney General Open meeting Law Guidelines
Massachusetts Conflict of Interest Law, G.L. c. 268A, §S 1-25
State Ethics Reform Law, G.L. c. 268A, § 28

Attachments:

Attachment A – Signature Form, Contact Sheet & Assurances

Attachment B – LWIB/CEO Agreement Template

Attachment C – Membership Matrix Templates (WIB and Youth Council)

Inquiries: Please email all questions to PolicyQA@detma.org. Also, indicate Issuance number and description.

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Attachment A:	Signature Form, Contact Sheet and Assurances
Attachment B:	LWIB/CEO Agreement Template
Attachment C:	Membership Matrix Templates (WIB and Youth Council)

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Timeline and Submission Instructions

May 29, 2013: WIB Certification Policy Issued for 10 day field review and comment period

June 11, 2013: Deadline for field commentary

June 13, 2013: DCS and Local WIBs conference call - discussion of field commentary

June 26, 2013: WIB Certification Policy issued and posted on Massworkforce.org

October 21, 2013: WIB Certification Package due to DCS

One hard copy of the Certification Package with original signature and CD Rom must be submitted to:

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

October 22 –January 17, 2014 Certification Package review and follow-up

Complete packages will be reviewed within 30 days of submission. Additional information or clarifications may be requested during this period. Copies of all requests for information will be sent to the WIB Chairperson and LWIB Executive Director.

February 2014: LWIB notification of certification status

An approval letter will be sent to LWIBs meeting all certification requirements. Letters of conditional certification will be issued to LWIBs not meeting certification requirements.

February – June 2014: final period of time to submit required documents/meet all certification requirements

WIBs that do not meet the requirements for FY14 Massachusetts Certification will receive a Conditional Certification, valid through June 30, 2014, during which time, technical assistance will be provided. During this time, if the parties agree that the issue(s) might be most appropriately resolvable through consolidation of the WIB with another WIB, that conversation will be facilitated by EOLWD/DCS. EOLWD and DCS will formally acknowledge the possibility to the partners and meet with local representatives to determine the specific issues and a related action plan.

WIBs that do not meet the requirements for FY14 Massachusetts Certification based upon actions taken and appropriate documents received by June 30, 2014 will be subject to an assessment of the ability of the WIB to sustain workforce activities and subject to an examination regarding potential decertification. The CEO and WIB Chairperson for the local area that has failed to meet the FY14 Massachusetts WIB Certification criteria will receive notification from DCS that the WIB is potentially non-viable. The CEO and Chairperson will be required to meet with the DCS Director and the Secretary of Labor and Workforce Development to defend/document/demonstrate the WIB's ability to continue as the workforce development oversight entity for the region. If the Workforce Investment Board is decertified, a new Workforce Investment Board must be appointed and certified as an element of a reorganization plan developed in collaboration with the Chief Local Elected Official for the area.

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Submission Checklist: Documents Required for Submission by the LWIB

- ❑ Attachment A
 - Signed cover page with original signatures
 - ❑ The name of the individual who will act as the primary contact for the LWIB relative to the Certification Process.
 - ❑ The e-mail addresses for the Chief Elected Official, LWIB Chair, LWIB Executive Director and Primary Contact
 - ❑ Required Assurances
- ❑ Executed CEO/LWIB Agreement (*and/or responses to the CEO/LWIB Agreement Template (Attachment B)*)
- ❑ Copy of the LWIB By-Laws
- ❑ Articulation of WIB status as an incorporated (Corporate name & date Articles of Incorporation filed in MA) or non-incorporated entity.
- ❑ Local Governance Organizational Charts
 - A. Local Workforce Investment Board Organizational Chart identifying its FY14 committee / sub-committee structure, staffing structure, etc.
 - B. Local Workforce Development System Organizational Chart that depicts the local area's workforce development system governance structure.
- ❑ Current WIB and Youth Council Membership Matrix (***Attachment C***)
- ❑ WIB Strategic Plan and responses to Strategic Plan questions
- ❑ Dashboard or Scorecard & responses to dashboard/scorecard questions
- ❑ Relevant Performance Tools & responses to performance tools questions
- ❑ Revenue Plan and responses to revenue plan questions
- ❑ CD-Rom version of the Certification Package

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Definitions

Annual Business Plan - yearly planning document for the local area outlining workforce priorities and performance goals and the integrated budget.

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 WIA 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 WIA are in place and operating effectively; may not be the Career Center Director or any position that creates a potential operational conflict of interest.

Community Based Organization (CBO) - means 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 WIA Adult and Dislocated Worker Programs, Wagner Peyser (WP), Trade Adjustment Assistance and various other workforce activities. 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 WIA 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 WIB pursuant to the requirements of WIA Title 1 as long as the direction does not violate a provision of WIA. Appointment of a fiscal agent does not relieve the CEO of liability for misuse of grant funds.

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

LWIA - a local workforce investment board area designated under Section 116 of WIA.

LWIB - the local Workforce Investment Board for an area established under Section 117 of WIA.

Local Grant Recipient - the unit of local Government and Chief Elected Official designated by the Governor as the recipient of WIA funds for an LWIA.

Open Meeting Law - each LWIB must conduct business in conformance with 117(e) of WIA 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 of the services provided locally by Federal, State or WIB reviewers 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 136 (c) of WIA.

Unified Complaint Policy - WIA Communication Policy 11-27 describes the Unified Workforce Investment System Complaint process which outlines policy and procedures for complaint resolution related to the WIA program. The local WIB must develop a local policy consistent with 11-27 and must provide local complaint policies and procedures to all appropriate organizations and staff within the workforce investment 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 – Wagner-Peyser authorizes the provision for labor exchange services for job seekers and employers. Title III of the Workforce Investment Act amends the Wagner-Peyser Act.

WIA 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 Investment Activity - an employment and training activity and youth activity.

Youth Council - a sub group of the WIB focused on youth activities established under Section 117 (h) of WIA.

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Certification Requirements Overview

1. WIBs must submit a complete package with all required documents included. Local packages with missing documents will not be reviewed until the package is complete.
2. **Section A** includes the basic elements of Massachusetts WIB Certification, which will be reviewed for completeness and adherence to state-required standard.
3. **Section B** requires additional elements for certification, the genesis of which is contained in the “High Performing Workforce Board” initiative; which began in 2008 and concluded in 2012. The additional elements required for certification represent stages of change in the MA Workforce Investment system. WIA-regulated certification represents a “baseline” for workforce boards. The Massachusetts additional requirements are intended to encourage the Commonwealth’s workforce boards along a continuum towards excellence.
4. Review of submission resulting in a “pass” for all required documents and responses, resulting in WIB Certification for FY14 (January 1, 2014 – December 31, 2015).

The following sections detail the requirements and documents pursuant to Workforce Investment Board Certification. This Certification process includes requirements that must be met by each entity designated as the Local Workforce Investment Board for the programs and services provided through the Workforce Investment Act of 1998 and other programs designated by the Commonwealth.

The signatures of the designated Chief Elected Official (CEO) and WIB chairperson on the signature page of the submission package attest to their agreement with, understanding of, and compliance with all assurances and documents.

SECTION A

I. MEMBERSHIP

The Commonwealth is committed to strengthening the local boards and ensuring that business representation is reflective of emerging and primary employment opportunities within the region as outlined in the Workforce Investment Act. Board membership will also be reviewed with regard to appropriate representation from critical industries/sectors and key stakeholders in accordance with the WIB Strategic Plan.

A. **Board Member Nomination and Appointment**

The nomination process assures that all nominations are submitted to the Chief Elected Official in accordance with the WIA Regulations at 20 CFR Section 661.325 that state: *The local Board is appointed by the chief elected official(s) in the local area in accordance with State criteria established under WIA section 117(b), and is certified by the Governor every two years, in accordance with WIA section 117(c)(2).*

Members who represent organizations, agencies or other entities must be individuals with optimum policy-making authority within the entities that they represent. Business members must be individuals who are owners, chief executive officers, chief operating officers or other individuals with optimum policy making or hiring authority WIA §661.315 (c) & (d).

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

The following criteria have been met in the appointment of all new members:

1. **Business candidates must:**

- Be nominated by local business membership organizations and/or business trade associations;
- Reflect the industrial composition and geographic region of the communities in which businesses are concentrated; and
- Represent businesses with employment opportunities that reflect the employment opportunities in the local area.

The definition of “business” candidates requires that members in that category provide employment opportunities in the local area. As new appointments are made to the WIB in the “business” category, self-employed individuals with no employees, individuals who are no longer employed in positions with optimal policymaking or hiring authority within their organizations, and individuals who have retired and have also relinquished or forfeited policymaking and hiring authority with their businesses may no longer be appointed as representatives of the business sector. Current “business” members who do not, or who no longer meet the requirements may complete their current terms. However, if they do not

meet the qualifications for “business” membership when their terms expire they may not be appointed for a new term as “business” members.

Self-employed business owners with employees are eligible to serve on the WIB as a business member provided they reflect employment opportunities in the local area.

Business membership organizations or business trade organizations comprised of members representing specific industry sectors or occupational areas or whose primary focus relates to the employment, training and growth of businesses within the region will continue to be considered as business representatives on the WIBs.

Business membership organizations that have a membership base that is diverse in nature with a focus that is primarily oriented toward more generic civic activities within a community may not serve as “business representatives” on the WIB. Such organizations may assist the CEO in identifying nominees as business representatives on the WIB from among its members. These individuals and/or organizations may also continue as WIB members if appointed in another required category if appropriate or in the “other” category at the discretion of the CEO.

For profit training providers do not qualify as “business” representatives. After the required educational representatives are appointed these entities may be appointed under that provision, or any others that might be appropriate.

2. Education representatives must:

- Be nominated by regional or local educational agencies, institutions, or organizations representing such local entities. Nominations for the local providers representing Adult Education and Literacy (WIA Title II) must be made by the Massachusetts Department of Education.
- Include a representative from a community college where one exists.

Note: Subsequent to the appointment of *required* educational representatives the CEO may appoint “for-profit” training providers under this category; as such entities do not qualify as “business representatives.”

3. Labor representatives must be nominated by local labor federations (or if no employees are represented by such labor organizations, other representatives of employees).

4. Direct appointments include:

- Community based organizations (CBOs) include those representing individuals with disabilities and veterans for a local area in which there is such an organization.
- Economic development may include private economic development entities.

- One-Stop Career Center partners are entities that carry out activities at the local level and other partners from state/regional agencies (with no local grant recipient). One-Stop Career Center required partners may represent more than one funding stream and are represented by an MOU that is part of the Local Annual Plan.
- Other agencies include other members representing appropriate entities at the discretion of the CEO.

B. Terms of appointments:

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

C. Membership requirements:

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

- Local Workforce Investment Board members appointed by the Chief Elected Official as required under the Workforce Investment Act shall constitute the official voting membership of the Board.
- At least 51% of the members of the LWIB will be appointed from businesses which are representative of the primary employers in the region as described in Section 1A.
- The local board chairperson shall be elected from among the business representatives on the board. (*WIA sec. 117(b)(5).*) *Section 117(b)(2)(A) of the Workforce Investment Act.*
- 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.
- A minimum of four voting members of the WIB must also serve on the Youth Council.

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 WIB.

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 matrix must be promptly 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.

The LWIB Certification package must include LWIB and Youth Council Membership Matrices, completed and reflective of the above requirements. Please refer to Attachment C, for the Membership Matrix Template.

- The LWIB 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 LWIB Matrix also requires an entry for 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 locations located within the local workforce investment 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 Matrix should indicate the total number of its member organizations that are located within the local workforce investment area.
- The Youth Council Membership Matrix requires entry of each member's name and title (title not required for designated "Parent" or "Youth Representative"), the organization or agency represented by the member, the city or town in which the member's organization or agency is located (for designated "Parent" and "Youth Representative" the city/town of residence should be noted), and the start and end date of the individual's membership term.

II. LWIB/CEO AGREEMENT

The governance and operation of the Local Workforce Investment System is contingent on a successful partnership between the Chief Elected Official and the LWIB related to their respective roles which are outlined in the agreement between the Chief Elected Official and the Local Workforce Investment Board. In furtherance of the Workforce Investment Act and Regulations, the Commonwealth requires the completion of an LWIB-CEO agreement and the template is provided in **Attachment B** to ensure that the necessary regulatory and operational elements are described, included and understood by both parties. This will facilitate the delivery of optimal workforce development services for individuals and employers within the Workforce Investment area. **The LWIB By-Laws may not alter or circumvent this agreement.**

The responses to be provided within the LWIB/ Agreement describe the local workforce organizational design and the functions that each entity will assume related to its statutory and locally agreed upon responsibilities and the communication process that will be used to ensure that the goals and objectives outlined in the Annual Business Plan as well as the Workforce Investment Act are achieved.

The LWIB/CEO Agreement is not intended to serve as a detailed planning document. The Annual Business Plan is the document in which the LWIB and CEO will describe work plans, timelines and performance goals related to the direct delivery of workforce

development services and activities within the region.

For local convenience and to assure a standard of consistency across the full workforce investment system, the LWIB/CEO agreement should be consistent with the attached template, provided as **Attachment B**. LWIBs are required to submit a current, fully executed LWIB/CEO Agreement as a component of the Massachusetts WIB Certification package. Local agreements must contain all of the elements outlined in the template or the template must be completed in addition to the submitted LWIB/CEO Agreement.

NOTE: 20 CFR 667.705(c) requires that a written agreement be executed by the chief elected officials in the region concerning the liability of the individual jurisdictions that constitute the local WIA area. A copy does not have to be submitted with these assurances, but the WIB must ensure that such an agreement is in place. The requirement was communicated to local areas via WIA Communication 99-11. In the absence of such an agreement, full liability rests with the current local grant recipient.

Changes to the LWIB/CEO Agreement:

The LWIB/CEO Agreement must cover 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 LWIB/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.

III. LWIB BY-LAWS

The LWIB 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 WIB Certification Package. A copy of the minutes of the board meeting at which the by-laws were voted on and adopted should be attached.

IV. 501(c)(3) STATUS

The board must include as part of its LWIB 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 WIB Certification submission package must include two (2) organizational charts:

1. **Local Workforce Investment Board Organizational Chart** identifying its FY14 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.

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SECTION B

The new elements required for certification represent stages of change in the Massachusetts Workforce Investment System. WIA regulated and standard state certification requirements represent a “baseline” for all workforce boards. Massachusetts “additional requirements” push the boards towards a continuum of excellence.

The goals of this new component of the Massachusetts WIB Certification are to promote planning within the framework of a current and forward-looking Strategic Plan (SP) that is data-based, contains viable goals and concrete benchmarks, identifies and highlights active regional collaborations and promotes the use of measurement and tools to drive system performance.

The first component extracts information that demonstrates the region is using and analyzing data, honing in on the most relevant issues and skills gaps and defining and measuring their strategies. Components #2, 3 and 4 promote more robust strategies to strengthen OSCC performance and in seeking other funds.

Reviewers will rate this section as follows: “non-responsive,” “acceptable,” “highly responsive/exemplary.”

- 1. Please include the Local Workforce Investment Board’s Strategic Plan (SP) covering current and out years.**

The SP will be reviewed for the following:

The SP demonstrates an analysis of the labor market data that outlines employment patterns, skill and education needs, employer hiring patterns and other various trends relevant to the workforce system.

The SP articulates workforce development strategies (OSCC services and other) to address the challenges and skill gaps.

The SP identifies benchmarks/measures of success toward outcomes in the identified industry sectors (e.g. number of new health care workers in the region).

Please respond to questions “a” and “b.”

1a. Please briefly list the key the economic development goals for the region.

- Please describe the participation of the LWIB in the development in those goals.

- Please describe the coordination of workforce investment activities with economic development strategies. Please include key action items, goals and benchmarks.

1b. Please describe any activities that your WIB has participated in that demonstrate cross regional planning and collaboration in response to business and industry workforce needs.

2. Dashboard or Scorecard

Please include the dashboard or scorecard that is used by the local Workforce Investment Board to measure how the region is achieving results on the SP measures.

The dashboard/scorecard should, at a minimum, include the following:

- Industry measures
- Employer measures
- Job placement measures
- Unemployed individuals
- Special populations
- Youth

Please respond to the following:

2a. Please describe how your dashboard/scorecard communicates results:

- to the board
- to the public

2b. Please provide concrete examples of how the dashboard/scorecard demonstrates the value added to the region by the board, through its impact on employers, job seekers and youth.

3. Performance Tools

Please include the performance tools that are used in your region.

Please respond to the following:

3a. Please list and describe the performance tools that are used in your region to demonstrate service delivery oversight:

- OSCCs
- Youth services

3b. Please provide information that demonstrates how these performance tools are reflective of the Strategic Plan and the goals within that plan.

4. Revenue Plan

Please include the local Workforce Board's Revenue Plan.

The Revenue Plan will be reviewed for the following:

Identifies all existing funding that supports the strategies within the Strategic Plan.

Identifies the amount of revenue that will be needed to fully implement SP strategies.

Outlines the "gap analysis" (current funding vs. funds needed to implement strategies).

Please respond to the following:

4a. Please describe the new resources the Workforce Investment Board has raised for the region outside of traditional federal Workforce Investment Act resources.

4b. Please explain how the Revenue Plan demonstrates that, at a minimum, the local infrastructure is sufficient to execute the delivery of workforce services in furtherance of the Board's strategies.

5. OSCC Career Center Charter and related documents

Please include the current OSCC Charter document.

The OSCC Charter will be reviewed for the following:

Charter is current; duration is stipulated.

Charter includes clear, concrete OSCC goals, objectives and timeframes.

Charter includes clear protocols & responsibilities of the parties related to communication, reporting, re-chartering and appeals.