

West Virginia State Workforce Development Board	
Policy Area: State Governance	
Title of Policy: Establishment and Membership of State Workforce Development Board	Number: 100-01 (2024)
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I. Purpose

This issuance establishes and outlines the membership of the State Workforce Development Board under the Workforce Innovation and Opportunity Act (WIOA).

II. Summary

Under the Workforce Innovation and Opportunity Act (Pub. L. 113-128), the State Workforce Development Board is established to guide and lead the state workforce system and activities, including overseeing delivery of services in a customer-focused manner through the one-stop system.

III. References

- Workforce Innovation and Opportunity Act (Pub. L. 113-128)
- Training and Employment Notice No. 05-14, *Workforce Innovation and Opportunity Act Announcement and Initial Informational Resources*
- Training and Guidance Letter No. 19-14, *Vision for the Workforce System and Initial Implementation of the Workforce Innovation and Opportunity Act of 2014*
- United States Department of Labor, Workforce Innovation and Opportunity Act; Final Rule, 20 CFR, Part 679 Subpart A, State Workforce Development Board
- West Virginia Code, §5B-2B-3. *West Virginia Workforce Development Board; membership of board; meetings; quorum requirements.*

IV. Policy

Consistent with federal and state law, the West Virginia State Workforce Development Board (WVSWDB) is created and operational to fulfil the responsibilities and duties assigned. Primarily, the WVSWDB oversees the delivery of customer-focused employment and training services through the West Virginia “No Wrong Door” one-stop system, including monitoring performance and implementing continuous improvement.

Consistent with WIOA section 101(b) and the West Virginia Code §5B-2B-3, members of the WVSWDB shall represent diverse geographic areas of the state. The following individuals shall be members of the WVSWDB:

- 1) The Governor, or his or her designated representative;
- 2) The President of the Senate, or his or her designee, and the Speaker of the House of Delegates, or his or her designee, both of whom shall be nonvoting members of the board;
- 3) Members appointed by the Governor, with the advice and consent of the Senate, which shall include:
 - a) Representatives of businesses or organizations, who shall comprise a majority of the board membership, who:
 - (i.) Are the owner or chief executive officer for the business or organization, or is an executive with the business or organization with optimum policy-making or hiring authority, and may also be members of a local workforce development board;
 - (ii.) Represent businesses, or organizations that represent businesses that provide employment and training opportunities which include high-quality, work-relevant training and development in demand industries or occupations in West Virginia;
 - (iii.) Are appointed from a list of potential members proposed by state business organization and business trade associations; and
 - (iv.) At a minimum, one member representing small businesses as defined by the U.S. Small Business Administration.
 - b) Not less than twenty percent of the board shall be representatives of the workforce within the state, which:
 - (i.) Shall include two or more representatives of labor organizations appointed from a list proposed by state labor federations;
 - One representative shall be a member of a labor organization or training director from a joint labor-management apprenticeship program, or, if no such joint program exists in the state, a member of a labor organization or training director who is a representative of an apprenticeship program;
 - 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 or 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 representative of organizations that serve out-of-school youth.

- c) The balance of the members shall include representatives of government:
 - (i.) The lead state officials with primary responsibility for each of the core programs. Where the lead official represents more than one core program, that official shall ensure adequate representation of the needs of all core programs under his or her jurisdiction; and
 - (ii.) Two or more chief elected officials, collectively representing both cities and counties, where appropriate.
- d) The Governor may include other appropriate representatives and officials such as state agency officials responsible for one-stop partner programs, economic development or juvenile justice programs in the state, individuals who represent an Indian tribe or tribal organization, and state agency officials responsible for education programs in the state, including chief executive officers of community colleges and other institutions of higher education.

The chairperson of the WSWDB shall be a business representative. Unless explicitly allowed, a board member shall not represent more than one of the categories indicated above.

V. Procedures

To meet the requirements of the WIOA statute and regulations, as well as foster transparent board governance, the Governor and WSWDB shall develop a set of bylaws consistent with state law that outline Board appointment procedures, terms of members, the nomination process of Board members, and how vacancies impact Board business.

In addition, the bylaws shall address other WSWDB membership issues and processes, as appropriate.