

<b>West Virginia State Workforce Development Board</b>	
<b>Policy Area:</b> Local and Regional Governance	
<b>Title of Policy:</b> Duties of Local Workforce Development Boards	<b>Number:</b> 200-03
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**I. Purpose**

The purpose of this issuance is to provide guidance regarding the duties of Local Workforce Development Boards under the Workforce Innovation and Opportunity Act (WIOA).

**II. Summary**

Each local workforce development area designated in West Virginia is required to establish and maintain a Local Workforce Development Board (Local Board). Chief Local Elected Officials (CLEOs) appoint the Local Board, which the Governor certifies every two years.

The Local Board is part of a statewide “No Wrong Door” workforce system that is business-driven, customer-focused, and outcomes-oriented. The Local Board is expected to carry out strategies and policies that support the goals and objectives outlined in the WIOA State Plan while providing oversight for local workforce development services and activities. The Local Board sets policy for the local area in the context of broader state policy and should serve as the regional strategic convener in addressing workforce development issues.

The Local Board shall be led by committed business leaders who can ensure that the regional workforce system is responsive to current and projected labor market demand, will contain a broad range of partners needed to develop a comprehensive vision for the local workforce system, and will focus on strategic decisions, not operational management.

The Local Board has responsibility for making the following critical decisions:

- How to build and maintain resources and service capability for the region through strategic partnerships, integrated service delivery, and generation of additional public and private funding;
- How best to organize the regional workforce system to most effectively implement initiatives aimed at building the skills of the regional workforce for careers in high-demand, high-quality occupations;
- How best to provide comprehensive services to regional private sector employers; and
- How best to deploy available resources to achieve negotiated levels of local performance and build capacity for continuous improvement.

### III. References

- Workforce Innovation and Opportunity Act (Pub. L. 113-128)
- United States Department of Labor, *Workforce Innovation and Opportunity Act; Final Rule*, 20 CFR, Part 679.370, Workforce Innovation and Opportunity Act Local Governance, What are the functions of the Local Workforce Development Board?
- United States Department of Labor, *Workforce Innovation and Opportunity Act; Final Rule*, 20 CFR, Part 679, Subpart B, Workforce Innovation and Opportunity Act Local Governance
- 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*
- West Virginia Code, §5B-2B-4 *West Virginia Workforce Investment Act*
- West Virginia Code § 6B-1 *West Virginia Governmental Ethics Act*

### IV. Policy

Local Boards carry out their responsibilities in partnership with chief local elected officials. The term “chief local elected official” means the chief elected executive officer of a unit of general local government in a local area or an elected official so designated by the chief local elected official.

A *Chief Local Elected Official Agreement* outlining responsibilities is required where a local area includes more than one unit of local government. This agreement must specify which entity will serve as the fiscal and administrative agent, as well as the roles of the individual chief elected officials in regard to Local Board nominations and appointments and carrying out all other responsibilities assigned to the chief local elected officials under WIOA.

The joint responsibilities include, but are not limited to the following:

- Development of a vision and goals for the local workforce development system that are aligned with the economic development mission for the local area and West Virginia State Workforce Development Board (WVSWDB) goals, objectives, and strategies
- Development of the four-year local plan to include a workforce demand plan and a plan for business engagement
- Selection of one-stop operator(s) and locations
- Selection of training providers
- Approval of the local one-stop operation(s) budget
- Program oversight
- Negotiations with the Governor to reach agreement on local performance accountability measures

- Any other activities as required by the Workforce Innovation and Opportunity Act, Section 107(d), by state statute, or by the Governor

## **V. Procedures**

The responsibilities and functions of the Local Board include the following:

- The Local Board shall enter into an agreement with the chief local elected officials clearly detailing the partnership between the two entities for the governance and oversight of activities under WIOA.
- The Local Board shall develop a budget for the purpose of carrying out the duties of the Local Board. The chief local elected officials must approve the budget.
- The Local Board, in partnership with chief local elected officials, shall develop the vision, goals, objectives, and policies for the local workforce development area consistent with WWSWDB goals, objectives, and policies.
- The Local Board, in partnership with the chief local elected officials, shall develop and submit to the Governor, a local strategic plan that meets the requirements in Section 108 of WIOA.
- The Local Board, in partnership with the chief local elected officials, shall negotiate and reach agreement with the WWSWDB on behalf of the Governor on local performance measures.
- The Local Board, with the agreement of the chief local elected officials, shall select one-stop operator(s) through a competitive process and may terminate for cause the eligibility of one- stop operators.
- The Local Board shall select eligible providers of youth activities by awarding grants or contracts on a competitive basis.
- The Local Board shall identify eligible providers of training services for adults and dislocated workers.
- The Local Board, in partnership with the chief local elected officials, shall conduct oversight with respect to local programs of youth, adult, and dislocated worker activities authorized under WIOA.
- The Local Board shall assist the Governor in developing a statewide employment statistics system.
- The Local Board shall coordinate the workforce activities authorized under WIOA with local economic development strategies and develop employer linkages with those activities.
- The Local Board shall promote the participation of local private sector employers in coordination with other state and local economic development and education providers.

- The Local Board shall conduct research, data collection, and analysis related to the workforce needs of the regional economy as determined to be necessary after receiving input from a wide array of stakeholders.
- The Local Board shall develop and implement proven or promising strategies for meeting the employment and skill needs of workers and employers. These strategies may include the establishment of industry and sector partnerships aimed at providing the skilled workforce needed by employers in the region and expanding employment and career advancement opportunities for workforce development system participants in in-demand industry sectors or occupations.
- The Local Board shall develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, workers, and job seekers. These strategies may include:
  - Facilitating access to services provided through the one-stop delivery system involved, including access in remote areas;
  - Identifying strategies for better meeting the needs of individuals with barriers to employment, including strategies that augment traditional service delivery, and increase access to services and programs of the one-stop delivery system, such as improving digital literacy skills; and
  - Leveraging resources and capacity within the local workforce development system, including resources and capacity for services for individuals with barriers to employment.
- The Local Board may employ staff and/or utilize other options for carrying out these responsibilities.
- The Local Board may solicit and accept grants and donations from sources other than federal funds made available under WIOA.
- The Local Board is responsible for any other activity as required by the Workforce Innovation and Opportunity Act, Section 107(d) or by the Governor.

For more detailed guidance visit United States Department of Labor, *Workforce Innovation and Opportunity Act; Final Rule*, 20 CFR, Part 679.370, Workforce Innovation and Opportunity Act Local Governance, What are the functions of the Local Workforce Development Board?

### **Restrictions**

- The Local Board may not provide training services unless granted a waiver by the Governor due to an insufficient number of eligible providers of training services to meet the local area demand. The waiver shall apply for not more than one (1) year and may be renewed for not more than one (1) additional year.
- The Local Board may not be designated or certified as a one-stop operator unless an agreement is reached with the chief local elected officials and the Governor.
- The Local Board may not mandate curricula for schools.