

West Virginia State Workforce Development Board

Policy Area: Local and Regional Governance

Title of Policy: Certification of Local Workforce Development Boards

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Approved by: WV Workforce Development Board

Revision Date:

I. Purpose

This issuance provides guidance regarding certification of Local Workforce Development Boards under the Workforce Innovation and Opportunity Act (WIOA).

II. Summary

Each local workforce development area designated in the State of West Virginia is required to establish and maintain a Local Workforce Development Board (Local Board). Chief local elected officials appoint the Local Board, which is certified every two years by the Governor.

The Local Board is part of a statewide workforce system which is business-driven, customer-centric, streamlined, and outcome-oriented. The Local Board is expected to carry out strategies and policies that support workforce and economic development in the local area that is aligned with the WIOA State Plan implemented by the West Virginia State Workforce Development Board (WVSWDB). The Local Board sets policy for the local area, in the context of broader state policy, and is the regional strategic convener, or acts in partnership with a designated regional convener, in addressing workforce development issues, including but not limited to, WIOA activities.

The Local Board must be led by committed business leaders who can ensure that the local 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 best to organize the regional workforce system to most effectively serve the needs of current and emerging private sector employers and job seekers;
- How best to provide comprehensive services to regional private sector employers;
- How best to deploy available resources to achieve negotiated local performance accountability measures and build capacity for continuous improvement; and
- How to expand the resource base and service capability through the development of strategic partnerships, an integrated service delivery system, and generation of additional public and private funding.

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, 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*

IV. Policy

Consistent with the requirements of WIOA and state law, the Governor shall certify Local Boards at least once every two years. The responsibilities of chief local elected officials and the Governor in the certification of Local Boards are outlined under Procedures. WorkForce West Virginia may provide further additional guidance as needed to support and coordinate the process.

V. Procedures

Local Level Responsibilities

Chief local elected officials must submit the following certification documentation to the WWSWDB every two years:

- Chief local elected officials must submit the *Local Board Certification Application* form by the deadline indicated on the form. Forms must be submitted every two years to remain compliant with WIOA.
- The submitted *Application* must be kept on file at the local level.
- The Local Board must meet within 30 days after the Governor's notification of certification approval to elect a chairperson.
- The name and contact information for the chairperson, as well as any subsequent changes in the chairperson designation, must be submitted to the WWSWDB within 10 days of the vote.
- Chief local elected officials must submit to the WWSWDB updated Local Board membership information as changes to Board members occur.

Governor's Responsibility

- The WWSWDB shall recommend the certification of the Local Board to the Governor upon its determination that the composition of the Local Board and the appointment of the individuals to the Local Board are consistent with the criteria established in Section 107 of WIOA and this policy.
- Subsequent certification of the Local Board is required once every two years by the Governor with the recommendation from the WWSWDB.

- The Governor shall notify the chief local elected officials within 30 days after the submission of the listing of the Local Board members and supporting documents of the certification or denial of the proposed Local Board. The criteria for certification or denial of certification will be based on the relevant composition requirements in WIOA Section 107 and this policy.
- If after a reasonable effort, the chief local elected officials in multiple units of local government within a local area are unable to reach an agreement as described above, the Governor shall appoint the members of the Local Board from individuals nominated.
- For subsequent certifications of the Local Board, in addition to compliance with composition requirements, the Governor shall consider the extent to which the Local Board has ensured that workforce development activities have enabled the local area to meet the local performance measures and the Local Board's success in carrying out its obligations under federal and state law.
- If a Local Board fails to achieve certification, the chief local elected officials will be required to reappoint and submit a membership listing following the procedures outlined above.

Attachment

Local Board Certification Application