

Local Workforce Development Boards

Board Member Training



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DOL Federal Award Term and Conditions

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DWD's Equal Opportunity and Nondiscrimination Guidance Letter is available at

Indiana Department of Workforce Development Policy Website

Welcome

This Training module provides a high-level introduction to the Workforce Innovation and Opportunity Act (WIOA), the One-Stop Delivery System, and the requirements of Local Workforce Development Board (WDB) members.

Although related guidance links are provided on several slides, please visit the <u>References and Resources</u> slides at the end of the module to access a full list of links to Federal regulations, Indiana State Code, and other valuable resources provided in this module.



The Workforce Innovation and Opportunity Act (WIOA)

WIOA is a Federal law that is designed to strengthen and improve the public workforce system and to help people, including youth and individuals with barriers to employment, obtain high-quality jobs and assist employers with hiring and retaining skilled workers.

WIOA Public Law 113-128, 113th Congress

One-Stop Delivery System

- The one-stop delivery system brings together workforce development, educational, and other human resource services in a seamless customer-focused service delivery network that enhances access to program services and improves long-term participant employment outcomes. One-stop partners administer separately funded programs as a set of integrated streamlined services to customers.
- Title I of WIOA assigns responsibilities at the local, State, and Federal level to ensure the
 creation and maintenance of a one-stop delivery system that enhances the range and quality
 of education and workforce development services that employers and individual customers
 can access.
- This system requires physical locations (One-Stop Centers) and programs, services, and activities that are linked physically or technologically.

WIOA One-Stop Delivery System 20 CFR 678.300

Local Workforce Development Areas/Regions

Local Areas

- The Governor must designate "local areas" for the State to receive WIOA title I, subtitle B funding.
- The purpose of a local area is to serve as a jurisdiction for the administration of workforce development activities and execution of adult, dislocated worker, and youth funds allocated by the State.
- The Governor must also assign local areas to a "region."

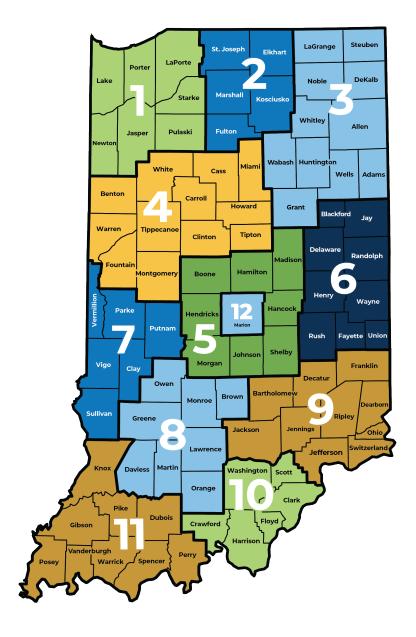
Regions

- The purpose of identifying regions is to align workforce development activities and resources with larger regional economic development areas and available resources to provide coordinated and efficient services to both job seekers and employers.
- There are currently 12 regions with 12 local Workforce Development Boards in Indiana.

WIOA Local Governance 20 CFR Part 679

Indiana's Local Workforce Development Areas/Regions

- 1. <u>Northwest Indiana Workforce Board</u> (Region 1)
- 2. <u>Northern Indiana Workforce Board</u> (Region 2)
- 3. Northeast Indiana Regional Workforce Board (Region 3)
- 4. West Central Region 4 Workforce Board (Region 4)
- 5. <u>Central Indiana Regional Workforce Board</u> (Region 5)
- 6. <u>Eastern Indiana Economic Growth Region</u> (Region 6)
- 7. <u>Western Indiana Economic Growth Region</u> (Region 7)
- 8. South Central Region 8 Workforce Board (Region 8)
- 9. <u>Southeast Indiana Workforce Board</u> (Region 9)
- 10. <u>Southern Indiana Works</u> (Region 10)
- 11. <u>Southwest Indiana Workforce Board</u> (Region 11)
- 12. <u>EmployIndy</u> (Region 12)



Six Core One-Stop Program Partners

The six core WIOA program partners coordinate with the local WDB to provide access to program services through the one-stop delivery system. The core programs are:

- Title I: Employment and Training Services
 - Adult, Dislocated Worker, and Youth Programs
- Title II: Adult Education
- Title III: Employment Service (Wagner-Peyser Act)
- Title IV: Vocational Rehabilitation

WIOA ensures that core employment and training service programs are coordinated and complimentary so that job seekers acquire skills and credentials that meet employer needs.

One-Stop Partners 20 CFR Part 678 Subpart B

Six Core One-Stop Program Partners

Title I: Employment and Training Services

- The **Adult program** provides career and training services to help job seekers who are at least 18 years old succeed in the labor market.
- The **Dislocated Worker program** provides services to assist dislocated workers in re-entering the workforce as quickly as possible and overcome barriers to employment.
- The **Youth program** serves eligible youth, ages 14-24, who face barriers to education, training, and employment.

Six Core One-Stop Program Partners

Title II: Adult Education and Family Literacy Act (AEFLA)

• The Adult Education and Family Literacy Act (AEFLA) supports programs that help adults learn basic skills including reading, writing, math, English language proficiency, and problemsolving.

Title III: Employment Service (Wagner-Peyser Act)

• The Employment Service system provides labor exchange and basic career services to all job seekers and helps businesses with their hiring needs.

Title IV: Vocational Rehabilitation (VR)

• WIOA aligns the VR program with the other core programs to integrate service delivery across programs, enhances access to services, and improves long-term employment outcomes for individuals with disabilities.

Additional Required One-Stop Partners

- Job Corps
- YouthBuild
- Department of Housing and Urban Development (HUD)
- <u>Senior Community Service Employment</u>
 <u>Program (SCSEP)</u>
- Jobs for Veterans State Grants (JVSG)
- Trade Adjustment Assistance (TAA)
- Employment and training activities carried out under the Community Services Block Grant (CSBG)





Additional Required One-Stop Partners

- Migrant/Seasonal Farmworker Program (MSFW)
- Programs authorized under section 212 of the Second Chance Act
- <u>Perkins Postsecondary Career and Technical</u>
 <u>Education</u>
- <u>Unemployment Insurance (UI)</u>
- Indian and Native American Programs
- Temporary Assistance for Needy Families

Note: Not all required partner programs will have a presence in every office.

One-Stop Centers: American Job Centers (AJC)

- AJCs are designed to help businesses find qualified workers and help job seekers to obtain employment and training services to enhance their careers.
- Services are provided through a variety of WIOA partners.
- Customers can visit a center in person or connect to the center's information online or through kiosk remote access.
- All states are required to use the AJC logo. However, states can develop their own "brand" to be used in conjunction with AJC. Indiana AJCs centers are identified as WorkOne/AJC.
- There are two types of WorkOne/AJCs: comprehensive and affiliate.



One-Stop Centers: American Job Centers (AJC)

A **comprehensive** center is a physical location where job seekers can access workforce programs, services, and activities. A comprehensive center must have at least one Title I staff person present.

An **affiliate** center makes one or more of the WIOA partner programs, services, and activities available to job seekers and employer customers.

Every WDB is required to have at least one comprehensive center and may have one or more affiliate centers.

Comprehensive Center 20 CFR 678.305
Affiliate Center 20 CFR 678.310

WIOA requires the State Workforce Development Board to establish objective criteria and procedures for the local boards to use in evaluating the effectiveness, physical and programmatic accessibility, and continuous improvement of their WorkOne/AJCs.

WDBs must follow these procedures and certify their WorkOne/AJCs every three years.

Center Certification 20 CFR Part 678 Subpart F



Workforce Development Boards: State Boards

- The state board and its by-laws are established by the Governor. State boards must meet membership requirements and represent diverse geographic areas of the state.
- Functions of the state board include:
 - Developing and implementing the four-year WIOA state plan.
 - Developing and updating comprehensive state performance and accountability measures.
 - Developing allocation formulas for the distribution of funds for employment and training activities for adult and youth workforce activities to local WDBs.

WIOA funding is distributed to states based on a set formula that considers factors including the state's population size and unemployment rate.

State Workforce Development Board 20 CFR 679.100



Department of Workforce Development (DWD)

DWD, in partnership with the State Workforce Development Board, provides leadership, oversight, and guidance to workforce development partners to ensure programs offered through the workforce system are implemented and administered in alignment with State and Federal requirements to meet the needs of Indiana employers and job seekers.

Agency Vision:

Economic security and better employment outcomes for all Hoosiers.

Agency Values:

- Helpful We strive to ensure everyone we interact with, including our co-workers, partners, and customers, benefits from our efforts.
- Accountable We take responsibility for our actions and the outcomes.
- Respectful We foster a culture of high regard for the people we serve.
- Integrity We do the right thing, the right way.
- Continuous Improvement Ongoing effort to enhance our work and skills.

Indiana Department of Workforce Development Website

Local Workforce Development Boards (WDB)

Local WDB members are appointed by the chief elected official(s) in accordance with state criteria, and the board is certified by the governor every two years.

- The purpose of the local board is to:
 - Provide strategic and operational oversight in collaboration with the required and additional partners and workforce stakeholders to help develop a comprehensive and high-quality workforce development system in the local area and larger planning region;
 - Assist in the achievement of the State's strategic and operational vision and goals as outlined in the Unified or Combined State Plan; and
 - Maximize and continue to improve the quality of services, customer satisfaction, effectiveness of the services provided.

WIOA funding flows through the state (DWD) to the local WDBs.

Local Workforce Development Boards 20 CFR Part 679 Subpart C

WIOA State and Local Plans

WIOA State Plans provide the framework for states to outline a strategic vision and goals for how their workforce development systems (One-Stop System) will achieve the purposes of WIOA.

State Plans serve as four-year action plans to develop, align, and integrate the state's systems and provide a platform to achieve the state's vision and strategic and operational goals.

WIOA State Plan Portal
WIOA State Plan 34 CFR Part 361 Subpart D

The **local plan** serves as 4-year action plan to develop, align, and integrate service delivery strategies and to support the State's vision and strategic and operational goals. Local plan strategies include:

- Direct investments in economic, education, and workforce training programs;
- Applying job-driven strategies; and
- Enabling economic, education, and workforce partners to build a skilled workforce.

WIOA Local Plan 20 CFR Part 679 Subpart D

Memoranda of Understanding and Infrastructure Agreements (MOU/IFA)

To establish a high-quality workforce system and enhance collaboration among partner programs, WIOA requires local boards to develop an MOU/IFA with all partners within the workforce development area.

The MOU/IFA is a product of local negotiation. It is an agreement developed and executed among the WDB, chief elected official(s), and the WorkOne/AJC partners.

The MOU/IFA must be updated at least every three years to reflect any changes in the signatory official of the WDB, WorkOne/AJC partners, chief elected officials, or infrastructure funding.

WIOA MOU 20 CFR Part 678 Subpart C



Chief Elected Official

- As defined by WIOA, chief elected official (CEO) means the chief elected executive officer of a unit of general local government in a local area.
- WIOA allows areas with more than one unit of local government to execute an agreement among the CEOs of those units that specifies the roles of the individual CEOs in carrying out their responsibilities identified in the law, including appointing local WDB members and identifying the method to be used to determine financial liability amongst the individual jurisdictions.
- DWD further requires the CEOs to identify one CEO to serve as the Regional Chief Elected Official (RCEO). The purpose of the RCEO is to serve as the point of contact for all CEO business, the signatory for items not requiring approval from all CEOs, and any other responsibilities outlined in the CEO agreement. This agreement must establish the authority of the RCEO and delineate the individual responsibilities of the CEOs and the RCEO.

WIOA Local Governance 20 CFR Part 679

CEO Responsibilities

Under WIOA, CEOs are charged with multiple responsibilities including but not limited to:

- Appointing members to the local WDB;
- Establishing by-laws for local WDB membership;
- Serving as, or designating, a fiscal agent for grant funds allocated to the local area;
- Complying with applicable uniform cost principles included in the appropriate circulars or rules of the Office of Management and Budget;
- Assuming liability for any misuse of grant funds allocated to the local area; and
- Providing consultation to the Governor, DWD, and the State WDB, where required under WIOA.

Other responsibilities, in partnership with the local WDB, include:

- Developing and submitting local plans and subsequent modifications;
- Conducting oversight for all local adult, dislocated worker and youth workforce investment activities and the entire one-stop delivery system in the local area;
- Negotiating and reaching agreement on local performance indicators;
- Negotiating with required partners on the methods of funding infrastructure costs of the WorkOne/AJCs;
- Approving budgets for the activities of the local WDB; and
- Providing agreement for the local WDB to develop and enter a memorandum of understanding (MOU) with one-stop partners.

WDB Member Characteristics

At a minimum, each local WDB must consist of representatives from the four (4) categories described in the next four slides. All members of the local WDB must:

- Be individuals with optimum policy-making authority within the entities they represent;
- Meet the criteria for the category they represent; and
- Represent diverse geographic areas within the LWDA.

NOTE: An individual with optimum policy-making authority is defined in 20 CFR 679.340 as an individual who can reasonably be expected to speak affirmatively on behalf of the entity they represent and to commit that entity to a chosen course of action.

Local WDB Required Members 20 CFR 679.320

Percent of Total Membership >50% Business Workforce Education & Training ■ Government, Economic & Community Development

Board Membership Category Overview

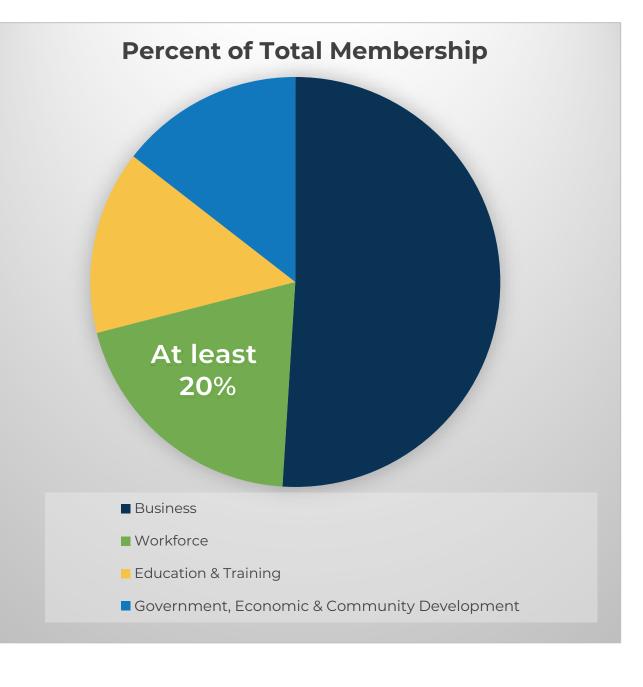
Business

Over 50 percent of local WDB members must be business representatives in the local area. Each individual representing this category must:

- Be an owner, chief executive officer, chief operating officer, or other individual with optimum policy-making authority or hiring authority; and
- Provide employment opportunities in indemand industry sectors or occupations as defined in WIOA Sec. 3(23).

See <u>Indiana Department of Workforce</u>

<u>Development Policy Website</u> for related state policy guidance.

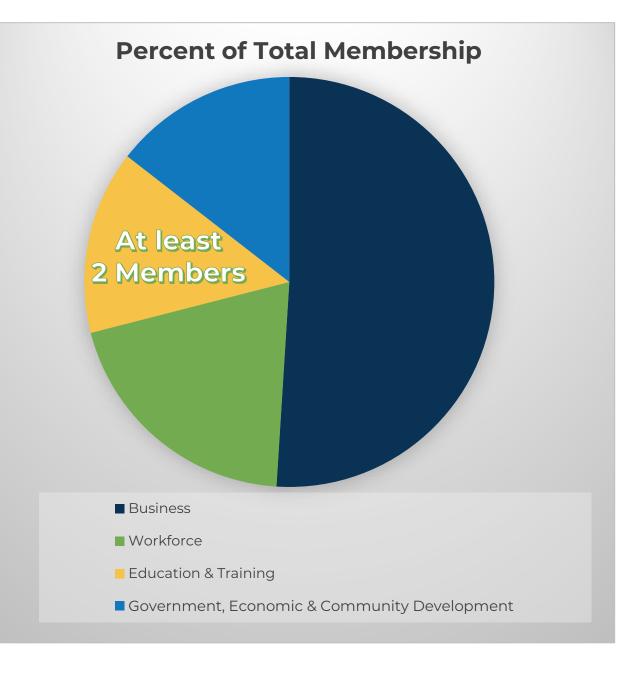


Board Membership Category Overview

Workforce

At least 20 percent of local WDB members must be workforce representatives and must include:

- Two or more representatives of labor organizations, where such organizations exist in the LWDA.
- One or more representative(s) of a joint labor-management, or union affiliated, registered apprenticeship program.



Board Membership Category Overview

Education and Training

Local WDB membership must include **at least** one representative from each of the following education and training entities:

- An eligible training provider that administers adult education and literacy activities under WIOA Title II; and
- An institution of higher education providing workforce investment activities, including community colleges.

Percent of Total Membership At least 3 Members Business Workforce Education & Training ■ Government, Economic & Community Development

Board Membership Category Overview

Government, Economic and Community Development

Local WDB membership must include **at least one** representative from each of the following government, economic, and community development entities:

- Economic and community development entities serving the LWDA;
- Wagner-Peyser Employment Service program serving the LWDA; and
- Vocational rehabilitation programs authorized under Title I of the Rehabilitation Act of 1973, as amended by WIOA Title IV.

Local WDB Functions

The local WDB must perform the functions described in WIOA Sections 107(d), 108 and 20 CFR 679.370. A few key functions are provided below:

- Develop and submit the 4-year local plan, in partnership with the CEO(s);
- Conduct program oversight, in partnership with the CEO(s);
- Ensure appropriate use and management of adult, dislocated worker, and youth funds, in partnership with the CEO(s);
- Negotiate local performance accountability measures with the CEO(s) and the Governor;
- Negotiate methods for funding the infrastructure costs of one-stop centers in the local area; and
- Select one-stop operators, providers of youth workforce investment activities, providers of training services, and providers of career services.

Local Board Functions 20 CFR 679.370

Local WDB Functions

- Coordinate workforce activities with education and training providers as described in 20 CFR 679.370(n)(1-3);
- Develop a budget for the activities of the local WDB, with approval from the CEO(s) and consistent with the local plan and duties of the local WDB;
- Assess the physical and programmatic accessibility of all one-stop centers in the local area; and
- Certify one-stop centers in accordance with 20 CFR 678.800 and DWD policy.
 - **NOTE:** If the local WDB or staff to the local WDB serve in the role of one-stop operator for a local area, DWD shall be responsible for conducting the one-stop center certification for each one-stop center in that area.

See the <u>Indiana Department of Workforce Development's Policy Website</u> for related state guidance.

Staff to the Board

Each local WDB has the authority to hire a director and other staff to assist in carrying out the functions of the board. If the WDB elects to hire staff, the following requirements must be met.

- The local WDB must establish and apply a set of qualifications for the position of director that ensures the individual selected has the requisite knowledge, skills, and abilities to meet identified benchmarks and to assist in carrying out the functions of the local WDB.
- The local WDB's director and staff must be subject to limitations on payment of salary and bonuses described in WIOA sec. 194(15).
- In general, local WDB staff may assist the local WDB only in fulfillment of its required functions as described in WIOA Sec. 107(d). If the local WDB staff provide additional workforce functions beyond the functions described in WIOA Sec. 107(d), local WDB staff must enter into a written agreement with the local WDB and CEO(s) to clarify the staff's roles and responsibilities.
- If the local WDB also serves as the one-stop operator, the restrictions on the provision of career and training services by the local WDB as one-stop operator also apply to the staff of the local WDB.

Staff to the Local WDB 20 CFR 679.400



WDB Standing Committees

Standing committees may be established by the local WDB to provide information and assist with operational and other issues relating to the onestop delivery system, the provision of services to youth, and the provision of services to individuals with disabilities.

NOTE: Boards may also designate other standing committees.

Local WDB Standing Committee 20 CFR 679.360

WorkOne/AJC (One-Stop) Operator: Eligible Entities

One-stop operators may be a single entity (public, private, or nonprofit) or a consortium of entities. The types of entities that may be a one-stop operator include, but are not limited to, the following:

- An Employment Service State agency established under the Wagner-Peyser Act;
- A community-based organization, nonprofit organization, or workforce intermediary; or
- A Local WDB, with the approval of the CEO(S) and the Governor.

Local WDBs must ensure that, in carrying out WIOA programs and activities, one-stop operators:

- Disclose any potential conflicts of interest;
- Do not establish practices that create disincentives to providing services to individuals with barriers to employment; and
- Comply with Federal regulations and procurement policies relating to the calculation and use of profits.

One-Stop (WorkOne/AJC) Operator Entities 20 CFR 678.600

WorkOne/AJC (One-Stop) Operator: Role/Responsibilities

- At a minimum, the one-stop operator must coordinate the service delivery of required onestop partners and service providers. **NOTE:** Local WDBs may establish additional roles for onestop operators.
- A one-stop operator may **not** perform the following functions:
 - Convene system stakeholders to assist in the development of the local plan;
 - Prepare and submit local plans;
 - Be responsible for oversight of itself;
 - Manage or significantly participate in the competitive selection process for one-stop operators;
 - Select or terminate one-stop operators, career services, and youth providers; or
 - Negotiate local performance accountability measures; or develop and submit budget for activities of the Local WDB in the local area.

One-Stop (WorkOne/AJC) Operator Role 20 CFR 678.620

WorkOne/AJC (One-Stop) Operator: Selection Process

- The Local WDB must select the one-stop operator through a competitive process, as required by sec. 121(d)(2)(A) of WIOA, at least once every 4 years.
- Local boards must use a competitive process based on local procurement policies and procedures and the principles of competitive procurement in the Uniform Guidance.
- The competition for a one-stop operator must clearly articulate the role of the one-stop operator.
- Entities must prepare written documentation explaining the determination concerning the nature of the competitive process to be followed in selecting a one-stop operator.

One-Stop (WorkOne/AJC) Operator Selection 20 CFR 678.605

Uniform Guidance for Federal Awards - 2 CFR Part 200

Local WDBs Fiscal Responsibility

- Local WDBs are expected to be good stewards of public funds. This fiduciary responsibility
 requires paying careful attention to important measures of success for programs and grants.
 WDBs must ensure that good management practices and controls are in place for the proper
 expenditure of funds and verifying program outcomes. Local WDBs must:
 - Establish and maintain legally binding documents that outline basic operational structure and governance procedures; and
 - Set up proper fiscal controls and auditing procedures for the Board and its sub-recipients.
- Effective boards should also look for ways to expand opportunities for investment from other sources. Funding from non-government sources such as foundations and industry associations gives boards the ability to experiment with innovative ideas and serve populations not directly tied to WIOA programs.

WorkforceGPS, WDB Guide 508, A call to Action for Workforce Development Boards

WIOA Performance Accountability

WIOA establishes performance accountability indicators (Primary Indicators of Performance) to assess the effectiveness of states and local areas in achieving positive outcomes for individuals served by the workforce development system's six core programs (partners). The Primary Indicators of Performance are:

- Employment Rate 2nd Quarter After Exit
- Employment Rate 4th Quarter After Exit
- Median Earnings 2nd Quarter After Exit
- Credential Attainment
- Measurable Skill Gains
- Effectiveness in Serving Employers

DWD negotiates performance for each primary indicator of performance with DOL to establish statewide goals.

DWD then negotiates with each local board to establish their expected performance goals.

TEGL 10-16, Change 3 TEGL 11-19, Change 2



Employment Rate

2nd Quarter after Program Exit

• This measures the percentage of program participants who are employed during the second quarter after leaving the program.

4th Quarter after Program Exit

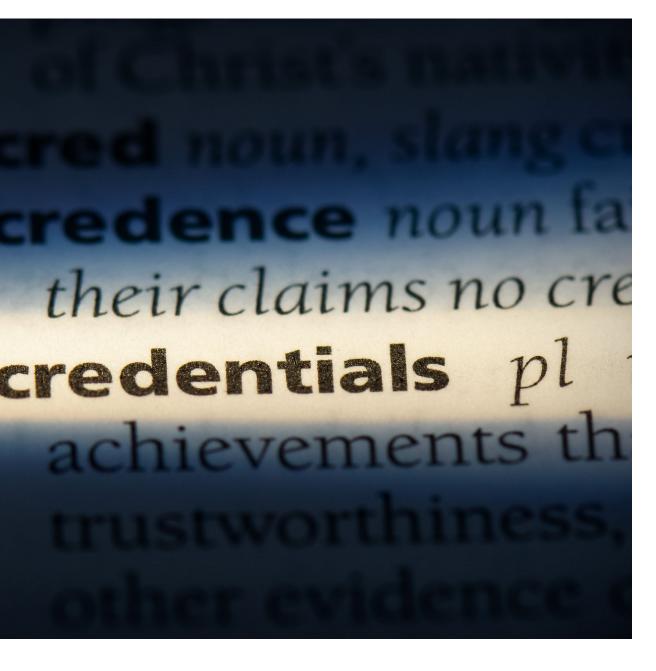
• This measures the percentage of program participants who are employed during the fourth quarter after leaving the program.

NOTE: For Title I Youth, the employment rate indicator is the percentage of participants in education or training activities or in unsubsidized employment during the second and fourth quarters after exit.

Median Earnings

This indicator measures the median earnings of participants who are employed during the second quarter after exiting the program.





Credential Attainment

This indicator focuses on the percentage of participants who obtain a recognized postsecondary credential or a secondary school diploma or equivalent during participation or within one year of program exit.

NOTES:

- Individuals in on-the-job training (OJT) and customized training are excluded from this indicator.
- This indicator does not apply to the Employment Service program.

Measurable Skill Gains

This indicator tracks the progress of participants in skill development, often measured through assessments or standardized tests.





Effectiveness in Serving Employers

This indicator, defined as Retention with the Same Employer, measures the percentage of participants employed by the same employer in the second and fourth quarters after exiting the program.

See the guidance below for additional information on WIOA primary indicators of performance:

TEN 24-23

WIOA Effectiveness in Serving Employers
Performance Indicator, 89 FR 13814 (Feb. 23, 2024)

Federal Regulations

WIOA Required Partners 20 CFR 678.400

Local Workforce Board 20 CFR Part 679 Subpart C

WIOA State Plan Regulations (20 CFR Part 676)

WIOA Regional and Local Plan 20 CFR Part 679 Subpart D

WIOA One-Stop Delivery System 20 CFR 678.300

Center Certification 20 CFR Part 678 Subpart F

Local Workforce Development Boards 20 CFR Part 679 Subpart C

Memorandum of Understanding Regulations (20 CFR Part 678 Subpart C)

Local WDB Standing Committee 20 CFR 679.360

Staff to the Local WDB 20 CFR 679.400

One-Stop Partners 20 CFR Part 678 Subpart B

Federal Regulations (Continued)

Comprehensive Center 20 CFR 678.305

Affiliate Center 20 CFR 678.310

State Workforce Development Board 20 CFR 679.100

WIOA State Plan 34 CFR Part 361 Subpart D

WIOA Local Plan 20 CFR Part 679 Subpart D

WIOA Memorandum of Understanding 20 CFR Part 678 Subpart C

WIOA Local Governance 20 CFR Part 679

Local Board Functions 20 CFR 679.370

Local WDB Required Members 20 CFR 679.320

One-Stop (WorkOne/AJC) Operator Entities 20 CFR 678.600

One-Stop (WorkOne/AJC) Operator Role 20 CFR 678.620

One-Stop (WorkOne/AJC) Operator Selection 20 CFR 678.605

Workforce Innovation and Opportunity Act

WIOA Public Law 113-128, 113th Congress

Federal Guidance

TEGL 10-16, Change 3 Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Core Programs

TEGL 11-19, Change 2 Negotiations and Sanctions Guidance for the Workforce Innovation and Opportunity Act (WIOA) Core Program

TEN 24-23 Effectiveness in Serving Employers Final Rule Publication Notice

FY 2024 DOL Federal Award Term and Conditions

Uniform Guidance for Federal Awards - 2 CFR Part 200

Federal Registry: Final Rule

WIOA Effectiveness in Serving Employers Performance Indicator, 89 FR 13814 (Feb. 23, 2024)

USDOL WIOA Website

USDOL WIOA Website

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Indiana Department of Workforce Development

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DWD Policy Team

Questions regarding the content of this training module should be directed to policy@dwd.in.gov.

WorkforceGPS

WorkforceGPS, WDB Guide 508, A call to Action for Workforce Development Boards



Thank you