

MEMORANDUM

DATE: March 8, 2016
TO: Family and Human Services Committee
CC: Enid Mendoza
FROM: Stephen Baiter, Executive Director
SUBJECT: **Local Board Recertification for the Workforce Innovation & Opportunity Act (WIOA)**

This item brings forward critical action for local board recertification of the Workforce Development Board of Contra Costa County (WDBCCC) under the Workforce Innovation and Opportunity Act (WIOA). The California Workforce Investment Board (State Board) and the Employment Development Department (EDD), acting under the authority of the Governor, have established policies and procedures to fully comply with the new WIOA requirements for subsequent local area designation and local board recertification.

Recommendations:

- a) Recommend that the Contra Costa County Board of Supervisors decertify the current Workforce Investment Act (WIA) local board and vacate all members from that board
- b) Recommend that the Contra Costa County Board of Supervisors approve new board structure that meets the requirements of the Workforce Innovation and Opportunity Act (WIOA)
- c) Recommend that the Contra Costa County Board of Supervisors approve local board recertification under WIOA
- d) Recommend that the Contra Costa County Board of Supervisors appoint candidates to new WIOA-compliant Workforce Development Board of Contra Costa County

Background:

Local board structure and size:

In order for boards to be more strategic and to benefit the overall operation of the workforce system, the Workforce Innovation and Opportunity Act (WIOA) substantially changes Local Board composition. WIOA reduces the number of required board members while maintaining a business and industry majority with a business chairperson and increasing representation from labor and employment and training organizations.

To comply with the requirements of the new legislation, the Executive Committee of the local WIOA board met January 21, 2016 and recommended a WIOA Board configuration for consideration by the Board of Supervisors. To meet the categorical membership percentages, and ensure multiple stakeholder representation, the WDB is recommending a board of no less than nineteen (19) and no more than twenty-five (25) members. The bottom range of this option represents the minimum required local board size under WIOA, while the upper range adds up to six (6) additional representatives in the following enumerated categories: 1) business; 2) workforce; 3) education and training.

Category – Representatives of Business (WIOA Section 107(b)(2)(A))

- Up to thirteen (13) representatives (required level – greater than 50%)

Category – Representatives of Workforce (WIOA Section 107(b)(2)(A))

- Up to five (5) representatives (required level – 20%)

Category – Representatives of Education and Training (WIOA Section 107(b)(2)(C))

- One (1) Adult Education/Literacy Representative (WIOA Title II)
- One (1) Higher Education Representative
- One (1) Economic and Community Development Representative
- One (1) Wagner Peyser Representative
- One (1) Vocational Rehabilitation Representative

Two (2) additional seats from the above categories, including constituencies referenced in Attachment III of Training Employment & Guidance Letter (TEGL) 27-14.

| Category | Required Percentage | Minimum | Maximum |
|---|---------------------|-----------|-----------|
| Representatives of Business | >50% | 10 | 13 |
| Representatives of workforce | 20% | 4 | 5 |
| Representatives of Education & Training | N/A (5 seats total) | 5 | 5 |
| Additional Seats from WIOA constituencies | N/A | 0 | 2 |
| TOTAL | 100% | 19 | 25 |

Local board re-certification

A WIOA- compliant board structure is one of the first steps toward meeting the criterion for local board recertification. Following the establishment of board configuration, candidate nominations to fill the above configuration must be approved by the Contra Costa County Board of Supervisors.

The WIOA Sections 106 and 107 provide the criteria for the initial designation of local areas and initial certification of local boards. Specifically, the WIOA Section 107 requires the Governor to certify one local board for each local area in the state once every two years.

It states that in order to be recertified, the Local Board must have met WIOA membership requirements, met or exceeded performance accountability measures, achieved fiscal integrity, and provide status updates on key WIOA provisions.

For the WDB to be recertified as a local board WIOA, signed documents must be submitted to the California Workforce Development Board (State Board) and California Employment Development Department no later than March 30, 2016. To meet the established March 31, 2016 deadline as set forth in [WSD15-13](#), WDB staff completed the attached “Local Workforce Development Board Recertification Request for Program Years 2016-2018. This tool includes information relative to program performance, fiscal integrity, local board membership, and WIOA implementation efforts.

Local Area Designation and Local Board Recertification are required for the WDB to continue to operate as a local workforce area with a certified board in the State of California as of July 1, 2016 and sets the

stage for more robust efforts around the transition to WIOA and ensuing steps that the WDB will need to take toward full implementation over the next two years.

Local board candidates

Candidates for the local board have been recommended by the appropriate constituencies for appointment to the WDBCCC. Applications from candidates for available seats on the board are attached. At the present time, twenty-four (24) of twenty-five (25) seats are going to be filled with the recertification request. The one seat that is currently considered “vacant” is an additional (and therefore optional) seat and will be filled in accordance with provisions as set forth by the U.S. Department of Labor and State of California.

Fiscal & Customer Impact:

Local Area Designation and Local Board Recertification are required for the WDB to continue to operate as a local workforce area with a certified board in the State of California as of July 1, 2016. The vast majority of the WDB’s operating funds are contingent on this action. Submittal of this item will continue to ensure that the WDB can be responsive to the needs of business and job seeker customers that utilize programs and services under its purview.

Attachments:

- 1) Attachment III – U.S. Department of Labor Training & Employment Guidance Letter (TEGL) 27-14
- 2) Local Board Recertification Request for Contra Costa County
- 3) Candidate Applications for the Workforce Development Board