

## **Idaho Policy for Appointment/Certification of Local Workforce Development Boards Under the Workforce Innovation and Opportunity Act (WIOA) Updated 04-07-2020**

### **Purpose**

Section 107 of the Workforce Innovation and Opportunity Act (WIOA) authorizes Local Elected Officials in designated local workforce development areas to appoint local workforce development boards, in accordance with criteria established by the Governor of each state. The Local Board is responsible for developing a strategy to continuously improve and strengthen the workforce development system through innovation in, and alignment and improvement of, employment, training and education programs to promote economic growth.

**Reference:** WIOA Section 106(b); TEGL 27-14  
Idaho Policy for Appointment/Certification of Local Workforce Development Boards Under the Workforce Innovation and Opportunity Act (WIOA) Adopted October 19, 2015 (replaced on 04-07-2020)

The policy that follows describes certification criteria established by the Governor, through the Idaho Workforce Development Council, and is divided into the following sections:

- I. Roles and responsibilities of local boards
- II. Composition requirements for local boards
- III. The certification process
- IV. Certification timelines
- V. Recertification/Decertification of local boards

### **I. Roles and Responsibilities**

The local workforce development board is responsible for the functions outlined in 20 CFR 679.370 which include:

- a. Developing and submitting local and regional plans;
- b. Conducting workforce research and regional labor market analysis;
- c. Convening local stakeholders to assist in the development of the local plan and in identifying resources to support workforce development activities.
- d. Leading efforts to engage employers;
- e. Leading efforts to develop and implement career pathways;
- f. Identifying and promoting proven and promising practices for meeting the needs of employers, workers and job seekers;
- g. Developing strategies to use technology to maximize the accessibility and effectiveness of the local workforce development system;
- h. Conducting oversight of the workforce development system in the local area and ensuring the appropriate use and management of funds;
- i. Negotiating methods for funding the infrastructure costs of one-stop centers
- j. Selecting service providers for youth workforce investment activities, training services, career services and one-stop operators.

- k. Ensuring there are sufficient numbers and types of providers of career and training services that maximize consumer choice;
- l. Enhancing coordination with education and training providers;
- m. Developing a budget for the activities of the local workforce development board;
- n. Assessing the physical and programmatic accessibility of one-stop centers annually in accordance with applicable nondiscrimination provisions under Title I of the WIOA and the Americans with Disabilities Act; and
- o. Certification of one-stop center.

## II. Composition

- a. Each Local Board must comply with the composition requirements listed at WIOA Section 107(b)(2).
- b. Local Elected Officials may appoint other individuals or representatives of other appropriate entities, including entities representing individuals with multiple barriers to employment and other special populations, as deemed appropriate.
- c. Members that represent organizations, agencies or other entities shall be individuals with optimum policy-making authority within the entities they represent.
- d. Statutorily required Local Board members (letter a, above) must be appointed as full voting members.
- e. The Chairperson of the Local Board must be elected from among the business representatives.

## III. Certification Process

Applications for certification of Local Boards must contain the following information:

- 1. Name, address, title, organizational affiliation/place of business, membership category, and term of appointment of proposed Local Board appointees. For those business sector representatives that are not chief executive officers or chief operating officers, the application must describe the “optimum policy-making or hiring authority” of the proposed appointee(s).
- 2. Documentation that the proposed business sector appointments represent businesses with employment opportunities that reflect the employment trends of the local area;
- 3. Assurances that the Local Board will:
  - a. select a Chair from among the business sector representatives on the local board;
  - b. adopt bylaws which comply with conflict of interest provisions described in Section 107(h) of WIOA as well as any conflict of interest policies established by the State.
  - c. conduct business in an open manner, in accordance with Section 107(e) of WIOA, by making available to the public, on a regular basis through open meetings, information about the activities of the local board, including information about the local plan before submission of the plan, about membership, the designation of One Stop operators, and the award of grants or contracts to eligible providers of youth activities, and on request, minutes of formal meetings of the local board.
- 4. Signature(s) of Chief Elected Official(s) authorized to act on behalf of the Local Elected Officials requesting certification.

Submit applications to:  
Workforce Development Council  
514 W Jefferson St  
Boise, Idaho 83720

#### **IV. Timelines**

Applications should be submitted prior to December 31 for consideration for the subsequent program year.

#### **V. Recertification/Decertification**

a. Recertification

Recertification of Local Boards will be based upon compliance with membership and nomination requirements (in filling board vacancies), the extent to which the local board has ensured that workforce development activities have enabled the local area to meet local performance measures, and fiscal integrity. Failure of a local board to meet recertification requirements may result in dissolution of the board.

b. Decertification

Local Boards may be decertified by the Governor at any time (after notice has been provided, along with an opportunity for comment) for fraud or abuse, failure to carry out the roles and responsibilities described above, or failure to meet local performance measures for two consecutive program years (in accordance with WIOA Section 116(c)).

If a Local Board is decertified, the Governor may require that a new Local Board be appointed and certified for the local area pursuant to a reorganization plan developed by the Governor, in consultation with Local Elected Officials in the local area.