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WORKFORCE DEVELOPMENT COUNCIL

317 W Main Street, Boise, Idaho 83735-0510

Memorandum of Understanding between Idaho Workforce Development Council (WDC) and East Central Idaho Planning and Development Association

Purpose

The Workforce Innovation and Opportunity Act (WIOA), 29 U.S.C. §§ 3101 *et seq.*, provides for statewide and local governance of Idaho's workforce development system. See 20 CFR § 679. As such, this memorandum of understanding, outlines the functions and responsibilities of the Workforce Development Council in its roles as state and local workforce development board and the East Central Idaho Elected Official Consortium represented by the East Central Idaho Planning and Development Association, Inc. in its role as local workforce development board under WIOA.

Background

As directed by U.S. Department of Labor Training and Employment Guidance Letter 27-14, the Workforce Innovation and Opportunity Act of 2014, Sec. 106(b), requires the Governor to develop a policy for designation of local workforce development areas in consultation with the State Workforce Development Council, chief elected officials and consideration of public comments. On October 19, 2015, the Council adopted the Idaho Policy for Designation of Local Workforce Development Areas Under the Workforce Innovation and Opportunity Act (Attachment A). At this time, the Governor continued to recognize the nine-county area of East Central Idaho and the remaining thirty-five (35) Idaho counties (Balance of State) as the two local workforce development areas in the State of Idaho as originally designated in 2005.

The current policy continues to provide for two local areas, the East-Central District local area and the Balance of Idaho local area, to be initially designated under WIOA.

Subsequent designation is ongoing as long as each area performs successfully, sustains fiscal integrity, and meets the requirements for regional planning as outlined in WIOA Sec. 106(c)(1) unless the local area and chief elected official notify the Governor that they no longer seek designation.

As part of the approved 2016-2020 WIOA State Plan, the Governor required the development of a single statewide regional plan and obtained a waiver to allow the Governor's Workforce Development Council to serve as the single workforce development board for the two planning areas, in addition to serving as the state board.

The Workforce Development Council (Council) is established within the Executive Office of the Governor in accordance with Idaho Code, Title 72, Chapter 12. The WDC assists the Governor in fulfilling the requirements of the State and Local Workforce Development Board as set forth in WIOA, Section 101 (d), codified at 29 U.S.C. § 3111(d).

The East Central Idaho Elected Officials Consortium (Consortium) represents the local elected officials of Bonneville, Butte, Clark, Custer, Fremont, Jefferson, Lemhi, Madison, and Teton counties. The Consortium has been designated as a local workforce area since 2005.

The East Central Idaho Elected Official Consortium has authorized the Board of Directors of **East Central Idaho Planning and Development Association (ECIPDA)**, to represent them in matters regarding WIOA. ECIPDA has agreed to maintain the governance structure outlined above.

Roles and Responsibilities

The following are broad descriptions of the relationship and responsibilities between the entities:

Workforce Development Council as State and Local Workforce Development Board

The Council is directed to advise the Governor, Legislature and appropriate state agencies on matters related to developing and implementing a comprehensive workforce development strategy for Idaho. Members of the Council and an executive director are appointed by the Governor. The Council directs the Idaho Department of Labor (IDOL), as both state and local fiscal agent and administrative entity, to implement its policies and subrecipient agreements, including allocation formulas for the distribution of WIOA Title IB funds, under 20 CFR § 679.

East Central Idaho Planning and Development Association

ECIPDA supports development of the state's single statewide plan, taking into consideration the special needs of East Central Idaho. ECIPDA may nominate individuals who represent the workforce area served by ECIPDA for the Governor's approval and appointment to the Workforce Development Council. ECIPDA shall provide other support to the Council in support of the workforce development system as negotiated annually.

Financial Considerations

A statement of work and budget shall be agreed upon annually. The parties agree that this agreement shall in no way be construed to bind or obligate the State of Idaho beyond the term of any particular appropriation of funds by the State Legislature or United State Congress as may exist from time to time, nor bind or obligate the State of Idaho beyond the Governor's discretionary allocation of WIOA funds to ECIPDA.

Term

This MOU shall be effective as of April 8, 2020, and remain in full force and effect until modified, or terminated by either party providing a minimum of 30 days written notice.

No Additional Legal Duties Created

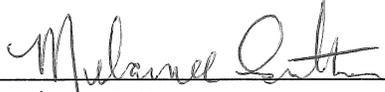
No provisions herein are intended to, or shall be construed to, create any duty or legal obligation upon the WDC or ECIPDA that does not otherwise exist pursuant to applicable state and federal laws.

Entire Agreement; Amendments

This MOU constitutes the entire understanding and agreement between the parties relating to the subject matter hereof and supersedes all prior negotiations and agreements of the parties. This MOU may only be amended by a written instrument duly signed by both parties.

Accepted on February 27, 2020 by:

Wendi Secrist
Executive Director
Idaho Workforce Development Council



Melanee Sutton
President
East Central Idaho Planning and Development
Association, Inc.