



Innovative Workforce Solutions

YUMA COUNTY WORKFORCE DEVELOPMENT BOARD
WORK SESSION

Informational Meeting
Martin Luther King Center
300 S. 13th Avenue, Yuma, AZ 85364
September 17, 2019

MINUTES

I. CALL MEETING TO ORDER

Maria Chavoya called the meeting to order at 4:47 p.m.

II. ROLL CALL

The roll was called, and those present and absent were:

Members Present	Members Absent
1. Judith Castro	1. Valentin Casillas (Excused)
2. Maria Chavoya	2. Blanca G. Garza (Excused)
3. Daniel Corr	3. Charles Grube (Excused)
4. Jesus Garcia	4. Marisol Kelland
5. Kevin Imes	5. Steven M. Miller (Excused)
6. Gregory LaVann	6. Wayne Rooks (Excused)
7. Samuel G. Loveless	7. Tracy Shultz (Excused)
8. Douglas A. Pancrazi	8. Antonio Zuniga (Excused)
9. Maria P. Vasquez	

Thereby a quorum was not established.

Guests (From Sign-in list)

Adriana McBride, YPIC
Patrick Goetz, YPIC
Susan Thorpe, Yuma County
Linne Pancrazi, Yuma County

Nidia Herrera, YPIC
Beatriz Aguilar, YPIC

III. *CALL TO THE PUBLIC

There were no comments from the public.

IV. INTRODUCTIONS

Maria Chavoya introduced Samuel G. Loveless as a new Board Member. Mr. Loveless introduced himself to the Board and informed he is the Executive Director for Haven of Yuma. He has lived in Yuma for about 5 years. Madam Chair, Maria

Chavoya asked members present and guest to introduce themselves.

The board along with Susan Thorpe has been working together during the summer on the Board Composition under the Workforce Innovation and Opportunity Act. Maria Chavoya thanked Susan Thorpe for all her help.

V. BOARD COMPOSITION UNDER THE WORKFORCE INNOVATION AND OPPORTUNITY ACT

Interim Executive Director, Nidia Herrera presented a power point on the Board Composition under the Workforce Innovation and Opportunity Act. Power Point is attached.

VI. BOARD CERTIFICATION UPDATE

Interim Executive Director, Nidia Herrera presented a power point on the Board Certification update which is included with the Board Composition under the Workforce Innovation and Opportunity Act Power Point. Power Point is attached.

Maria Chavoya informed the members to please inform or report any change in work status as soon as it occurs.

Nidia Herrera and staff were commended by Board members for still complying with the needs of the community and employers.

Maria Chavoya informed the Board that Election of Officers/Dissemination Forms will be sent out tomorrow.

VII. ADJOURNMENT

The meeting adjourned at 5:43 p.m.

Respectfully submitted by Beatriz Aguilar, Clerk of the Board.

**YUMA COUNTY
WORKFORCE
DEVELOPMENT BOARD
“RECERTIFICATION”**

BY NIDIA HERRERA

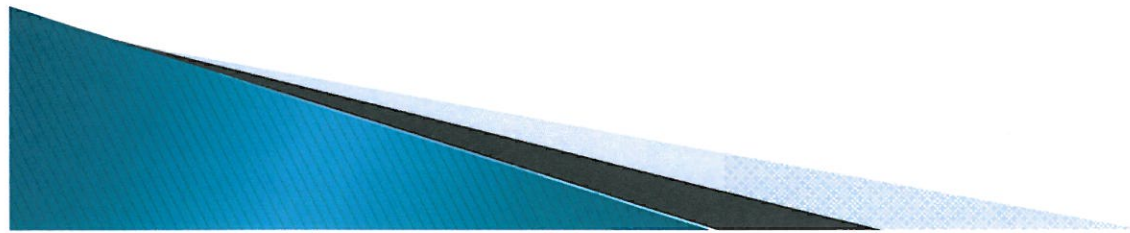


A Brief History

- ▶ CETA: 1973-1982 Comprehensive Employment & Training Act
 - ▶ JTPA: 1982-1998 Job Training Partnership Act
 - ▶ WIA: 1998-2014 Workforce Investment Act
 - ▶ WIOA: 2014-Present Workforce Innovation and Opportunity Act
- 

Workforce Innovation and Opportunity Act WIOA (Composition of the Board)

- ▶ WIOA was adopted (Signed by President Obama) July 22, 2014
- ▶ Sect 107 of the WIOA covers the Workforce Development Boards composition



WIOA: Composition of the Board

(b) MEMBERSHIP.—

(1) STATE CRITERIA.—The Governor, in partnership with the State board, shall establish criteria for use by chief elected officials in the local areas for appointment of members of the local boards in such local areas in accordance with the requirements of paragraph (2).

(2) COMPOSITION.—Such criteria shall require that, at a minimum—

(A) a majority of the members of each local board shall be representatives of business in the local area, who—

(i) are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority;

(ii) represent businesses, including small businesses, or organizations representing businesses described in this clause, that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area; and

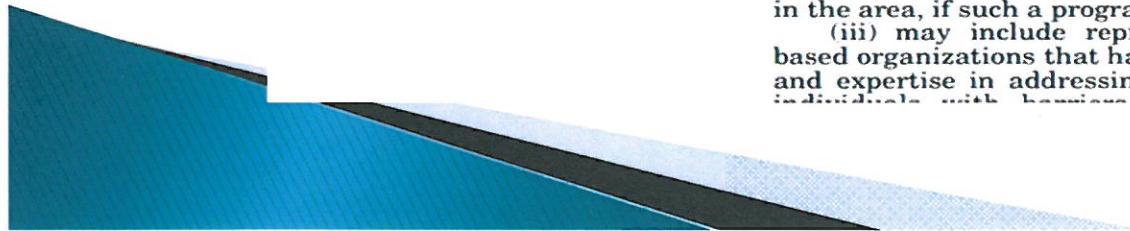
(iii) are appointed from among individuals nominated by local business organizations and business trade associations;

(B) not less than 20 percent of the members of each local board shall be representatives of the workforce within the local area, who—

(i) shall include representatives of labor organizations (for a local area in which employees are represented by labor organizations), who have been nominated by local labor federations, or (for a local area in which no employees are represented by such organizations) other representatives of employees;

(ii) shall include a representative, who shall be a member of a labor organization or a training director, from a joint labor-management apprenticeship program, or if no such joint program exists in the area, such a representative of an apprenticeship program in the area, if such a program exists;

(iii) may include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including



DOL: Final Regulations

20 CFR 679.300

- ▶ Department of Labor & Education (Published the Proposed Regulations)
- ▶ Final Rules & Regulations August 19, 2016

Federal Register / Vol. 81, No. 161 / Friday, August 19, 2016 / Rules and Regulations 56099

development system achieve the purposes outlined in WIOA sec. 2, and assist in the achievement of the State's strategic and operational vision and goals outlined in the State Plan. Paragraphs (b)(2) and (3) of § 679.300 require the Local WDB to assist in the achievement of the State's strategic and operational vision and goals as outlined in the Unified State Plan or Combined State Plan, and to maximize and continue to improve the quality of services, customer satisfaction, and effectiveness of the services provided. No change to the regulatory text was made in response to these comments.

Section 679.310 What is the Local Workforce Development Board?

Title 20 CFR 679.310 implements WIOA sec. 107 by defining the Local WDB and its functions.

Comments: Commenters suggested changes regarding the function of establishing by-laws covered in § 679.310(g) including suggesting that the criteria that apply to the selection of Local WDB members also should apply to by-laws of the Board, and that Board members should not be required to actively participate in convening system stakeholders.

Department Response: WIOA sec. 107(b)(1) and § 679.320 describe the Local WDB membership requirements as enumerated in WIOA. The WIOA statute does not indicate that by-laws

Department Response: Paragraph (e) of § 679.310 says that if a local area includes more than one unit of general local government the chief elected officials may execute an agreement to describe their responsibilities for carrying out the roles and responsibilities. This agreement may include the assignment of liabilities among the units of local government. The chief elected officials should address financial roles in this agreement. In addition there is authority under WIOA sec. 107(d)(12)(B)(i)(I) that the Governor may agree to take on the liability of the chief elected official.

Comments: A commenter stated that the term "elect" in the nomination process should be changed to "appoint."

Department Response: The Department agrees and has changed the term "elect" in § 679.310(g)(1) to "select."

Comments: Regarding the nomination process, a commenter asked the Department to clarify whether the Board chair will be nominated by a vote of the Local WDB members and not by the chief elected official.

Department Response: The Local WDB is required to elect the chairperson as outlined in § 679.330 in accordance with WIOA sec. 170(b)(3).

Comments: The proposed regulations in § 679.310(g) would require the CEO to establish by-laws for Local WDBs. A

Comments: A commenter requested that the Department revise the section so that the Local WDBs must draft by-laws "after consultation with and approval by the chief elected official."

Department Response: WIOA sec. 107 delegates the establishment of by-laws to the chief elected official. The chief elected official must establish the by-laws in order to constitute a Local WDB. Paragraph (c) of § 679.310 allows the Local WDB and the chief elected official(s) to enter into an agreement that describes the respective roles and responsibilities of the parties which does not prohibit the Local WDB's role in the development of future by-laws. The suggested change is not necessary and no change to the regulatory text was made in response to this comment.

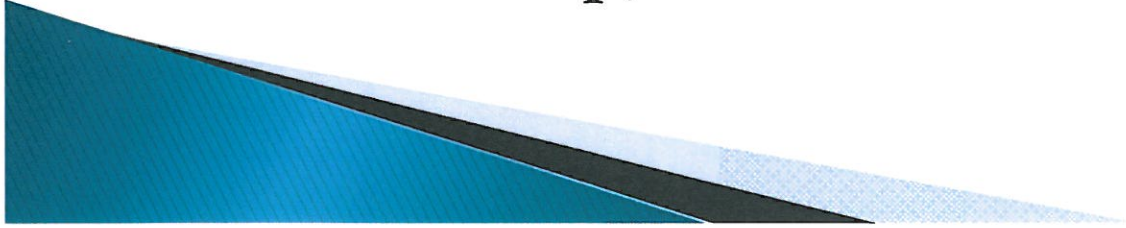
Section 679.320 Who are the required members of the Local Workforce Development Board?

Title 20 CFR 679.320 addresses the required members on the Local WDB in accordance with WIOA sec. 107.

Comments: The Department received comments of support for this section but one commenter suggested that it may cause political tension to allow a Chief Elected Official to appoint Local WDB members.

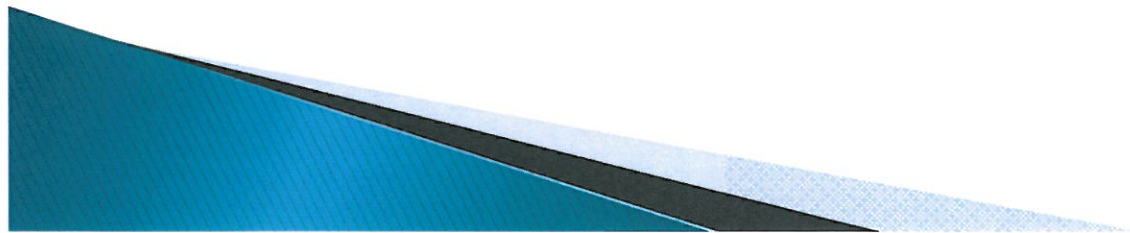
Department Response: WIOA clearly contemplates that Chief Elected Officials will use the State established criteria to appoint Local WDB

02/16/2017
Governance Policy

- ▶ The Workforce Arizona Council provided guidance through the Local Governance Policy adopted on 02/16/2017
 - ▶ Section VII of the Policy states that to be recertified, the Board must meet the following:
 - ▶ Updated Agreement (BOS & LOCAL BOARD), By-Laws, Sunshine Provision, Board Membership, etc.
- 

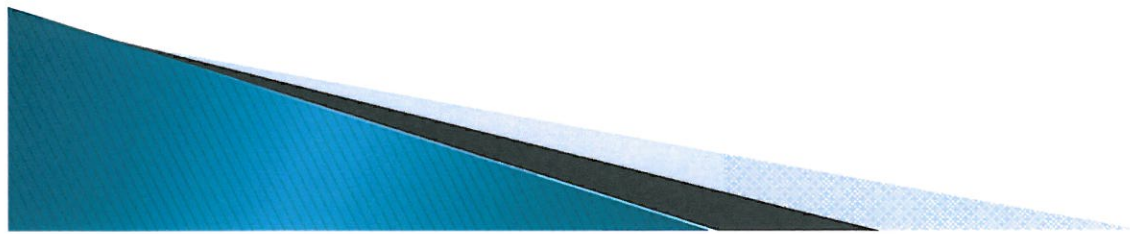
Under WIA & WIOA:

- ▶ Who appoints the LOCAL BOARD members?
 - a) The Elected Official (Board Of Supervisors)
 - b) The LOCAL BOARD
 - c) The State



Under WIA & WIOA

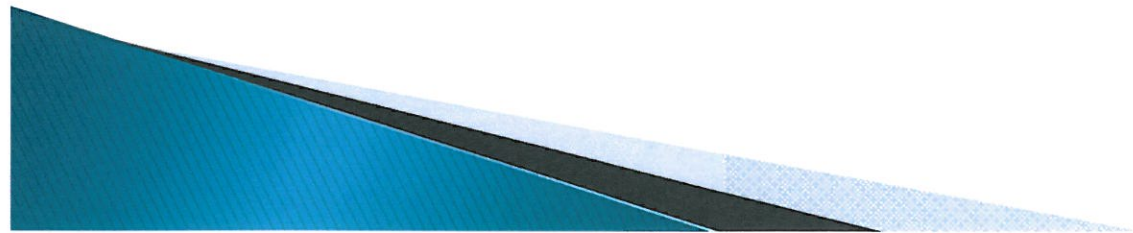
- ▶ Who Nominates Business Members?
 - a) Local Business Organizations or Business Trade Associations.
 - b) The Elected Official (Board of Supervisors)
 - c) The LOCAL BOARD



Who is responsible for what?

The Governance Puzzle! - Piecing Together Our Roles and Responsibilities
Key WIOA Roles and Responsibilities

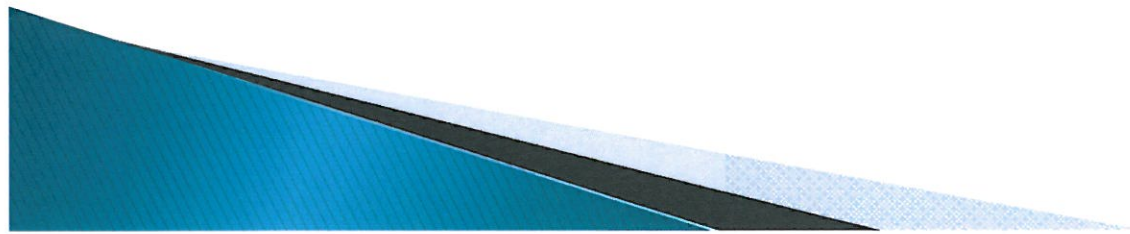
Roles and Responsibilities	Citations	Governor	State WDB	State Agency/ Official	Chief Elected Official (CEO)	Local WDB	Local Fiscal Agent	Required One Stop Partners	One-Stop Operator
[May] enter into an agreement that describes the respective roles and responsibilities of the parties	§ 679.310 (c)				X	X			
Sit on the State WDB (two or more statewide collectively representing both cities and counties)	§ 679.110 (b)(3)(iii)(A)(2)				X				
Appoint the Local WDB in accordance with State criteria	§ 679.310 (a) § 679.350				X				
If the local area includes more than one unit of government, must specify CEO liability across individual jurisdictions in a written agreement and [may] also include a description of CEO responsibilities.	§ 679.310 (e) § 683.719 (b)(2)				X				
Establish by-laws, consistent with State policy for Local WDB membership	§ 679.310 (g)				X				
Select Local WDB members and establish a formal nomination and appointment process	§ 679.320 (a), (g)				X				



Local Governance Policy

06/05/2019

- ▶ More guidance by the WAC on Local Governance policy after DOL Monitoring visit report on May 2019
- ▶ Same requirements as on Local Governance from 2017... but more detail.

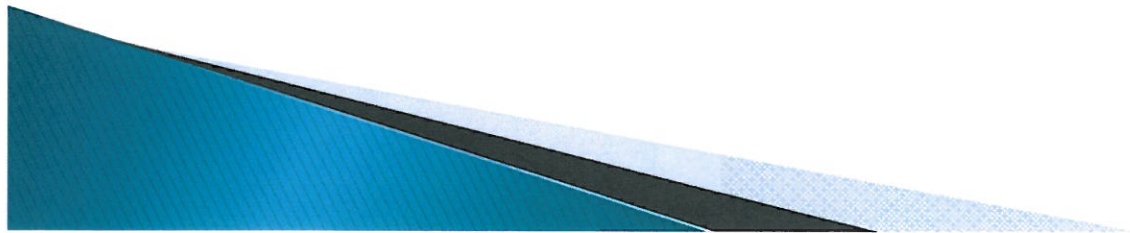


Steps taken since April 2019 toward Certification

ACTION TAKEN BY YPIC	STATUS
Draft Shared Governance Agreement (in collaboration with BOS) and Draft Organizational Chart	Reviewed by LOCAL BOARD "Review Committee": In process: Review by BOS and State
Draft By-Laws (BOS allowed us to provide input)	Reviewed by LOCAL BOARD Executive Committee and BOS In process: Review by State
Draft Conflict of Interest Policy & Declaration of Conflict of Interest Form	Reviewed by Executive Committee In Process: Review by BOS and State
Organizational Chart Revised to show different Reporting Structures for the different functions of the LOCAL BOARD	Reviewed by Review Team of the LOCAL BOARD: In Process: Review by BOS, State, and DOL

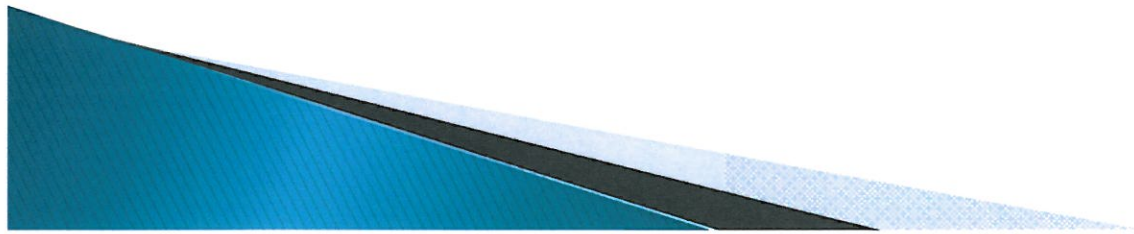
Composition of the Board WAC Local Governance Policy

- ▶ **Business sector** (Pg. 14 & 15)
 - Must always be the Majority (more than 50% of members)
- ▶ **Workforce**
 - At least 20% (Pg. 15)
- ▶ **Balance of the Board: Required Partners, Higher Education, Economic Development** (Pg. 15 & 16)



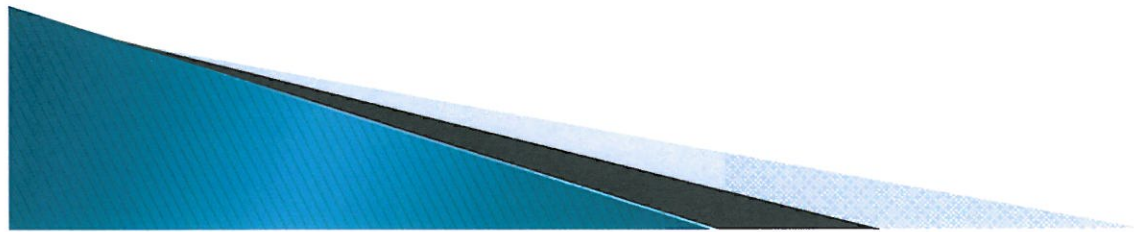
Other steps taken

- Analysis of the Board membership to ensure compliance with WIOA
 - Surveys were sent out
 - Information analyzed based on answers
 - Consultation with State Officials
 - Individual meetings to notify members



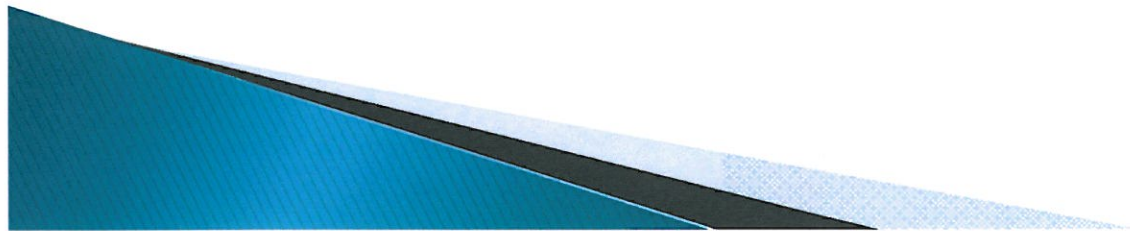
Reduction of Board Size

Membership required the reduction in size to meet the LOCAL BOARD composition from 28 to the minimum required by law of 19.



To Summarize

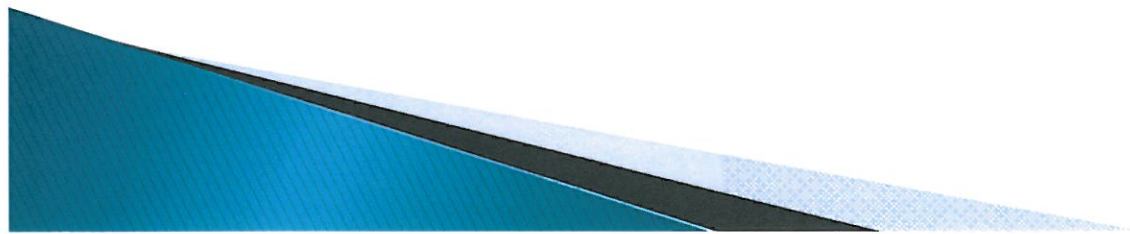
- ▶ Because of the Governance requirements are not officially approved (Membership, Bylaws, agreements, conflict policies, etc.) the certification of the LOCAL BOARD is pending...
- ▶ The LOCAL BOARD has not been certified...



Positive Outcomes

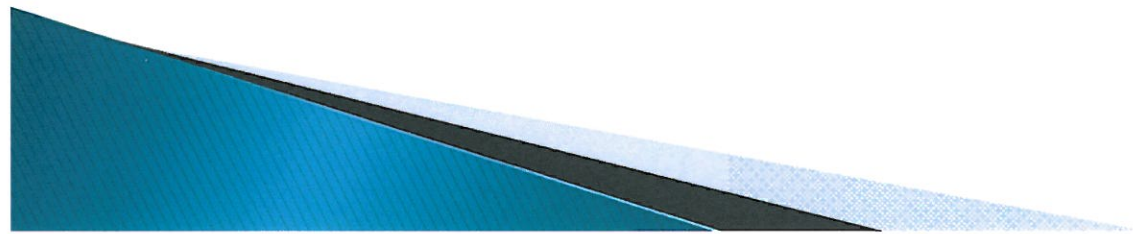
The Business Community and Job Seekers services have not been interrupted or affected.

Performance Standards measured by the State of AZ for Program Year 2018/2019 were **Met or Exceeded.** 😊



Annual Performance Outcome – Adult

Employment Rate (Q2) (Cohort Period: 07/01/2017 - 06/30/2018)		Employment Rate (Q4) (Cohort Period: 01/01/2017 - 12/31/2017)		Median Earnings (Cohort Period: 07/01/2017 - 06/30/2018)	Credential Rate (Cohort Period: 01/01/2017 - 12/31/2017)		Measurable Skill Gains (Cohort Period: 07/01/2018 - 06/30/2019)	
	Rate		Rate	Earnings		Rate		Rate
	73.50%		65.00%	\$5000.00		65.00%		NA
232	76.07 %	197	71.12 %	\$5988.95	27	77.14 %	66	70.97 %
305		277			35		93	
Num	Rate	Num	Rate	Earnings	Num	Rate	Num	Rate



Annual Performance Outcome-Dislocated Worker

Employment Rate (Q2) (Cohort Period: 07/01/2017 - 06/30/2018)		Employment Rate (Q4) (Cohort Period: 01/01/2017 - 12/31/2017)		Median Earnings (Cohort Period: 07/01/2017 - 06/30/2018)	Credential Rate (Cohort Period: 01/01/2017 - 12/31/2017)		Measurable Skill Gains (Cohort Period: 07/01/2018 - 06/30/2019)	
	Rate		Rate	Earnings		Rate		Rate
	76.50%		70.00%	\$6500.00		54.80%		NA
<u>44</u>	73.33 %	<u>36</u>	73.47 %	<u>\$6508.46</u>	<u>6</u>	60.00 %	<u>8</u>	53.33 %
<u>60</u>		<u>49</u>			<u>10</u>		<u>15</u>	
Num	Rate	Num	Rate	Earnings	Num	Rate	Num	Rate

Annual Performance Outcome – Youth

		Placement Rate (Q2) (Cohort Period: 07/01/2017 - 06/30/2018)		Placement Rate (Q4) (Cohort Period: 01/01/2017 - 12/31/2017)		Median Earnings (Cohort Period: 07/01/2017 - 06/30/2018)	Credential Rate (Cohort Period: 01/01/2017 - 12/31/2017)		Measurable Skill Gains (Cohort Period: 07/01/2018 - 06/30/2019)	
		Rate		Rate		Earnings		Rate		Rate
Target		67.50%		64.00%		NA		50.00%		NA
Actual	Numerator	<u>129</u>	68.98 %	<u>130</u>	70.27 %	<u>\$4006.84</u>	<u>113</u>	71.97 %	<u>126</u>	62.38 %
	Denominator	<u>187</u>		<u>185</u>			<u>157</u>		<u>202</u>	
		Num	Rate	Num	Rate	Earnings	Num	Rate	Num	Rate