

**WASHINGTON STATE
WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD
MEETING NO. 158
NOVEMBER 17, 2011**

**CERTIFYING WORKFORCE DEVELOPMENT COUNCILS
2012 PROCESS**

The Workforce Investment Act (WIA) requires governors to certify Workforce Development Councils (WDCs) every two years. Current council certifications end on June 30, 2012. Chief Local Elected Officials (CLEOs) appoint WDC members consistent with the membership criteria in WIA and additional criteria established by the Governor “in partnership with the State Board” (WIA Sec.117(b)(1)).

It is the role of the Workforce Training and Education Coordinating Board to: (1) recommend certification criteria to the Governor; (2) determine if the applications for WDC certification meet federal and state criteria; and (3) recommend certification approval to the Governor. The current criteria for membership is detailed in Appendix A. To carry out the Board’s 2012 council certification review, staff propose that the criteria remain the same and the Board employ the following process and timeline:

Proposed Certification Timetable

Step 1 – The chair appoints a Board committee that includes business and labor representation and Employment Security Department representation.

Step 2 – **March 30, 2012.** CLEO applications for WDC certification are due to the Board.

Step 3 – **April 2 through April 20, 2012.** Board staff review council certification applications, paying close attention to whether local council appointments correspond with the criteria for membership. Staff obtain clarification of any questions and prepare summary briefs to assist in the Board committee’s review.

Step 4 – **Second half of April 2012.** Board committee meets (in-person or by teleconference). At the meeting, committee members vote to recommend to the Governor approval for local council certifications. If the committee decides not to approve an application, it is returned to the designated CLEO. In the event of a tie, the committee refers the application to the full Board for consideration.

Step 5 – **May 3, 2012.** The full Board meets. The committee reports to the full Board the committee’s recommendation. The Board adopts recommendations.

Step 6 – **Before June 30, 2012.** The Governor’s office reviews the Board’s advice and the Governor then notifies the CLEOs of her decision.

Board Action Required: The Board has the option to discuss this topic and take action in January 2012, or adopt the recommended motion under this Tab.

RECOMMENDED MOTION

WHEREAS, The Governor must certify one local Workforce Development Council in each Workforce Development Area of the state every two years and current certifications of the local councils end in June 2012; and

WHEREAS, One of the functions of the Workforce Training and Education Coordinating Board as the state Workforce Investment Board under the Workforce Investment Act is to assist the Governor in the certification of the Workforce Development Councils; and

WHEREAS, Board members should recommend certification criteria to the Governor and establish a process on how to manage the review of applications for Workforce Development Council certification;

THEREFORE BE IT RESOLVED, That the Workforce Training and Education Coordinating Board approve the proposed certification criteria in Appendix A and the process and timeline on Page 1.

**WASHINGTON STATE'S 2010
WORKFORCE DEVELOPMENT COUNCIL
MEMBERSHIP CRITERIA**

- (1) Business. Section 117(b) of the Workforce Investment Act (WIA) requires a majority (at least 51 percent) of Council be representatives of business. The Council shall include representatives of business in the local area, who are owners of business, chief executives or operating officers of business, and other business executives or employers with optimum policymaking or hiring authority. The business members shall represent businesses with employment opportunities that reflect the employment opportunities of the local area; and are appointed from among individuals nominated by local business organizations and business trade associations.

Additional state criteria established in 1999: Business members must include at least three representatives of businesses with substantial employment and at least three representatives of small businesses employing fewer than 50 employees. Local business organizations and associations must nominate individuals, and the Chief Local Elected Officials (CLEOs) must appoint members from among the nominees. Business defined: Members are owners of businesses, chief executives, or operating officers of businesses, and their private sector executives (including business contractors) with maximum “within region” policy or hiring authority. Additionally, CLEOs are encouraged to select representatives from key economic sectors in the area and employers with highly regarded human resource practices.

- (2) Labor. WIA Section 117(b) requires that there be at least two representatives of labor. Washington state’s criteria, established in 1999, requires that the Council membership include at least three labor representatives.¹ The central labor councils must nominate individuals, and the CLEOs must appoint members from among the nominees.
- (3) Education. WIA Section 117(b) requires that there be at least two representatives of education. Washington state’s criteria, established in 1999, requires that there be at least two representatives of K-12 education and at least two representatives of postsecondary education. Local education agencies, institutions, or organizations must nominate representatives. The CLEOs must appoint members from among the nominees.
- (4) WIA Section 117(i) requires that there must be at least one member who represents each of the following:
- The state’s public vocational rehabilitation agency.
 - Public assistance agencies.
 - Economic development agencies.
 - Community-based organizations.
 - The public employment services.

¹ Business and labor members whose term on a Council has not expired on June 30, 2012, do not need to be re-nominated by the appropriate nominating entity. CLEOs will need to ask the appropriate nominating entity to re-nominate any business or labor member whose current term ends on or before June 30, 2012, if the member seeks to serve for another term.

Note: Federal CFR 661.315 requires Councils, other than those established under WIA Sec.117(i) Alternative Entity, to have two or more representatives of community-based organizations, two or more representatives of economic development, and one member representing each One-Stop partner. An entity administering two or more of the required One-Stop programs may be represented on a Council by a single individual (WIA 12-16-98 rule).

- (5) If any of the membership criteria requires a change in the membership categories represented on a pre-existing entity or in the charter of a pre-existing entity, per Department of Labor rule (CFR 661.330), then these criteria are null and void for that entity.
- (6) Meeting annual WIA Title I-B levels of performance is a council certification criteria (WIA Sec.117(c)(3)(B)).

Council Member Demographics

When the Workforce Development Councils submit their Council certification application in March 2012, they will be asked to also provide a chart identifying member demographics. Please note the information supplied on the demographics chart is not a council certification criteria element.

2012-2016 Local Area WIA and Wagner-Peyser Operations Plans

In early 2012, the Employment Security Department, in coordination with the Workforce Board, will issue planning guidelines to Workforce Development Councils for the development of a five-year Local Area WIA and Wagner-Peyser Operations Plan. The following instructions will be included in the larger set of planning guidelines:

1. Describe how, as business vacancies on the Council occur in 2012-2016, the local area nomination process will be structured to assure that business leader appointments are “...owners, chief executive officers, chief operating officers, or other individuals with optimum policymaking or hiring authority.” (CFR 661.315(d))
2. Describe how, in the process of filling future vacancies, steps will be taken to recruit business leaders from underrepresented key regional strategic industry clusters;
3. Describe steps to be taken to retain and increase Council member diversity; and
4. Describe the ways the Council will engage community members and community advocates, including women, people of color and individuals with disabilities in the work of the Council in 2012-2016.

Note: The current local area WIA and Wagner-Peyser Operations Plans, expiring on June 30, 2012, similarly contain descriptions of how Councils are giving attention to these four items.