



**West Tennessee Workforce
Development Board**
www.westtennesseecareers.org

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Board Chair

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Local Workforce Development Area 11 Policy Memorandum # 17-10

Subject:

Local Workforce Development Board Member Nomination Process (WIOA), Board Certification & Board Functions

Purpose:

The purpose of this Policy Memorandum is to provide guidance and clarification to Local Workforce Development Boards regarding local board membership, board nomination/confirmation process, and state certification of Local Boards.

References: TEGL 27-14; WIOA Section 107(b) (1) (2) (3)(4) (5) (6); WIOA Section 107(c)(1)(A)

Background: Replaces Workforce Investment Act (WIA) guidance and processes relating to Local Workforce Development Boards (LWDBs). A strategy must be developed in partnership with the Chief Local Elected Official (CLEO) and Local Elected Officials (LEOs) in order to continuously improve and strengthen the workforce development system by aligning employment, training, and education programs. Implementation of strategies that meet the needs of both job seekers and the employers will assist in the promotion of economic growth in LWDA-11.

Policy:

It shall be the policy of West Tennessee Workforce Development Board that Policy Memorandum 17-10 (Local Workforce Development Board Member Nomination Process (WIOA), Board Certification & Board Functions) will be adhered to in establishing and maintaining LWDB-11.



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Action:

1. **Board Establishment**

(WIOA Section 107 (a)); Except as provided in subsection (c) (2) (A), there shall be established, and certified by the Governor of the State, a local workforce development board in each local area of a State to carry out the functions described I subsection (d) (and any functions specified for the local board under this Act or the provisions establishing a core program) for such area.

2. **Composition of Board**

Minimum requirements per TEGL 27-14 will be as follows:

- *Business*: A majority of Local Board members will be representatives who are owners, chief executive or operating officers, or other business executives, or employers with optimum policymaking or hiring authority; and
- *Workforce*: Not less than twenty (20) percent of the members will be workforce representatives. Such representatives will include:
 - Two or more representatives of labor organizations; and
 - One or more representatives of a joint labor-management registered apprenticeship program; and
- *Education*: At least one member will be a representative of an entity administering education and training activities in LWDA-11. At least one member will be a representative of a provider of adult education and literacy activities under Title II of WIOA. Finally, at least one member will be a representative of an institution of higher education that provides workforce training (including community colleges; and
- *Governmental or Community Development*: The members will include at least one representative of each of the following:
 - Economic or community development entities in LWDA-11;
 - The State Employment Service Office, under Wagner-Peyser, serving in LWDA-11; and
 - Programs carried out under Title I of the Rehabilitation act of 1973.
- *Other Members*: The CLEO may appoint, at their discretion, other individuals to the Local Board who represent local agencies or entities administering transportation, housing and public assistance, or philanthropic organizations.
- *Chairperson*: The members of the Local Board shall elect a chairperson for the local board from among the representatives described in the section above entitled *Business*.
- *Standing Committees*: **IN GENERAL** – the Local Board may designate and direct the activities of standing committees to provide information and to assist the Local Board in carrying out activities under this section. Such standing committees shall be chaired by a member of the Local Board, may include other members of the Local Board, and shall include other individuals appointed by the Local Board who are not members of the Local Board and who the Local Board determines have appropriate experience and expertise. At a minimum, the Local Board may designate each of the following:
 - A standing committee to provide information and assist with operational and other issues relating as members representatives of the one-stop partners.
 - A standing committee to provide information and to assist with planning, operational, and other issues relating to youth, which shall include community-based organizations with a demonstrated record of success in serving eligible youth.

- A standing committee to provide information and to assist with other issues relating to the provision of services to individuals with disabilities, including issues relating to compliance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (41 U.S.C. 12101 et seq.) regarding providing programmatic and physical access to the services, programs, and activities of the one-stop delivery system, as well as appropriate training for staff on providing supports for or accommodations to, and finding employment opportunities for, individual with disabilities.
- *Additional Committees:* The Local Board may designate standing committees in addition to the standing committees specified in the above paragraphs.

3. Nomination of Individuals to Local Board

Due to LWDB-11 being comprised of multiple governmental jurisdictions, an Interlocal Agreement (located at <http://westtennesseecareers.org/>) has been signed by all LEOs designating a CLEO having authority to act on behalf of the other LEOs. Per WIOA Section 107 (c)(1)(A), LWA-11 CLEO will select members to serve on the Local Board by soliciting nominations according to the requirements of Local Board composition. Nominations will be solicited by the CLEO from entities of business, workforce (labor management/apprenticeships), education, government or community development. This policy disallows staff to the LWDB, staff of the fiscal agent, staff employed by One-Stop Operators, and contracted service providers from nominating members to the board or serving on the board, thus avoiding any conflicts of interest.

4. Required Documentation to Support Nomination

Authority to appoint members of LWDB-11 lies solely with the CLEO. Nominations for an individual to serve on the local board will come from the head of an organizations representing businesses, labor, education, or economic and community development; however, the signature to authorize the nominee must come from the CLEO. A Conflict of Interest Statement (Attachment I) will be signed by the nominee assuring the individual has disclosed any business connection of the nominee or their immediate family which could be interpreted as unfairly beneficial to a party receiving WIOA program funds.

A **Conflict of Interest Form** signed by the nominee to the board, a signed **nomination form** (Attachment II), and a **signed letter** from the head of the organization the nominee represents acknowledging the nominee's optimum policy making authority, as it aligns with a resume or work history, supporting the qualifications of nominee will be submitted to the appointing CLEO in LWDA-11.

5. Certification of LWDB-11 Nominee by TDLWD

Completed nomination form will be submitted to the Tennessee Department of Labor and Workforce Central Office – at Workforce.Board@tn.gov – for review. Once reviewed, the Local Board will receive a follow-up letter of certification or denial within seven (7) business days. Should additional documentation be requested from TDLWD in order to make a determination, the member should not be seated on the local board. Once a certification letter has been received from TDLWD, the nomination can be affirmed.

6. Functions of Local Board (WIOA Section 107 (d))

The functions of the Local Board shall include the following:

- I. Development of Local Plan
- II. Workforce Research and Regional Labor Market Analysis
- III. Convening, Brokering, Leveraging
- IV. Employer Engagement
- V. Career Pathways Development
- VI. Proven and Promising Practices
- VII. Technology
- VIII. Program Oversight
- IX. Negotiation of Local Performance Accountability Measures
- X. Selection of Operators and Providers
- XI. Coordination with Education Providers
- XII. Budget and Administration
- XIII. Accessibility for Individuals with Disabilities

No Local Board may provide training services. A Local Board may provide career services through a one-stop operator **ONLY** with the agreement of the Chief Local Elected Official and the Governor.

Contact:

Questions regarding this policy should be addressed to Jimmy Bell, LWDB-11 Director, at SWHRA, 1527 White Avenue, P.O. Box 264, Henderson, TN 38340. Phone: (731) 983-3688. Email: jbelle@swhra.org.

Attachments:

- Attachment 1 – Conflict of Interest Form
- Attachment II – Board Nomination Form
- Attachment III – LWDB-11 Board Composition

Effective Date: July 1, 2017

Expiration Date: Until further notice

Approved:



Jimmy Bell, LWDA-11 Director

Attachment 1

Conflict of Interest Statement
(Board Member)

CONFLICT OF INTEREST STATEMENT

While serving as a member of the West Tennessee Workforce Investment Board, I shall conduct my activities and myself in a principled manner to avoid any direct or apparent conflicts of interest in matters, which could be construed to constitute a conflict of interest.

As a Board member, I understand that I shall refrain from voting on, and participating in any decision-making involving the selection, award, or administration of a contract supported by state or federal funds, which could give rise to a real or apparent conflict of interest. I further understand that such a conflict would arise when I, any member of my immediate family, my business partners, or any organization that employs or is about to employ any of these parties, have a direct financial or other interest in the matter under consideration.

In advance of consideration of a matter in which I may have a conflict of interest, I shall so notify the Board Chairman and Local Elected Officials and disclose the conflict.

Name (PRINT)

Signature

Date

*send in with nomination form

Attachment II

Board Nomination Form



LOCAL WORKFORCE DEVELOPMENT BOARD NOMINATION

| | | | |
|--|--|---|---|
| 1. Name (First, Mi, Last) <input style="width:100%;" type="text"/> | | 2. Local Workforce Development Area # <input style="width:50px;" type="text"/> | 3. Date <input style="width:50px;" type="text"/> |
| 4. Street Address <input style="width:100%;" type="text"/> | | Gender: Male <input type="checkbox"/> Female <input type="checkbox"/> Race: White <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> Amer Indian <input type="checkbox"/> Native Alaskan <input type="checkbox"/> Asian <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Other <input type="checkbox"/> | |
| 5. City <input style="width:100%;" type="text"/> | 6. County <input style="width:100%;" type="text"/> | | |
| 7. State <input style="width:100%;" type="text"/> | 8. Zip <input style="width:100%;" type="text"/> | | |
| 9. Home Telephone (include area code) <input style="width:100%;" type="text"/> | 10. Work Telephone (include area code) <input style="width:100%;" type="text"/> | | |
| 11. Category Recommended: <input type="checkbox"/> Business (50% plus)* <input type="checkbox"/> Labor/Apprenticeship (Minimum 20%)* <input type="checkbox"/> Other* | | | |
| 13. Private Sector (Business) Representative a) Nominee's Title: <input style="width:100%;" type="text"/> b) Name of Business: <input style="width:100%;" type="text"/> | | c) Number of Employees: <input style="width:50px;" type="text"/> d) Nature of Business: <input style="width:100%;" type="text"/> e) Minority Owned Business? Yes <input type="checkbox"/> No <input type="checkbox"/> | |
| 14. Labor/Apprenticeship Representative <i>If Labor:</i> a) Title: <input style="width:100%;" type="text"/> b) Please specify local labor council or building and trades council of affiliation: <input style="width:100%;" type="text"/> <i>If Apprenticeship</i> a) Organization <input style="width:100%;" type="text"/> b) Type <input style="width:100%;" type="text"/> <i>If "Other" – Organization</i> <input style="width:100%;" type="text"/> | | 15. Education Representative: a) Title: <input style="width:100%;" type="text"/> b) Institution/Organization/Agency: <input style="width:100%;" type="text"/> c) Adult Educ. <input type="checkbox"/> d) Higher Educ <input type="checkbox"/> e) Other <input type="checkbox"/> | |
| 16. ECD/VocRehab/Wagner-Peyser Representative: a) Title: <input style="width:100%;" type="text"/> b) Name of Agency: <input style="width:100%;" type="text"/> c) Office Location Serving the LWDA: <input style="width:100%;" type="text"/> | | 17. Other Explain: <input style="width:100%; height: 50px;" type="text"/> | |
| 18. RECOMMENDATION OF NOMINATOR: I hereby recommend the above named person for membership on the Local Workforce Development Board for LWDA: <input style="width:50px;" type="text"/> <div style="border: 1px solid black; padding: 5px; width: 100%; text-align: center;">Signature and date</div> <div style="border: 1px solid black; padding: 5px; width: 100%; text-align: center;">Typed/Printed Name and Title of Nominator</div> | | 19. ACTION BY LOCAL ELECTED OFFICIAL: Subject to certification required by Section 107 of the Workforce Innovation and Opportunity Act of 2014 the person nominated herein has been duly appointed to the Local Workforce Development Board by the Chief Elected Official of LWDA # <input style="width:50px;" type="text"/> Term of Appointment: From <input style="width:50px;" type="text"/> To: <input style="width:50px;" type="text"/> N/A <input type="checkbox"/> <div style="border: 1px solid black; padding: 5px; width: 100%; text-align: center;">Signature of Local Chief Elected Official and date</div> | |

Attachment III

LWDB-11 Board Composition

Local Workforce Development Board

| LWDA # 11 | | | | 1/4/2018 |
|--|---|---------------------|---|--|
| Type of Representative | Group | Names | Agency | Totals |
| Business 50%+ | Group A | | | <i>Place a "1" in this column for each rep</i> |
| | Business | Gem Bell | Tenakor Apex | 1 |
| | Business | Dawn Bramblett | Bramblett Group | 1 |
| SBA | Business | Craig S. Butler | BOW Properties, LLC & Blue Ribbon M&C LLC | 1 |
| | Business | Donna Butler | Arvin Sango | 1 |
| | Business | Pam Durbin | Monogram Refrigeration | 1 |
| | Business | Ben Ferguson | Personnel Placement Holdings LLC | 1 |
| SBA | Business | Tim Ferguson | Tim Ferguson Plumbing, Heating & Air, Inc. | 1 |
| | Business | David Hunt | H & H Services | 1 |
| | Business | Bob McNutt | Leroy Somer | 1 |
| | Business | John Smith | Yards & More | 1 |
| | Business | Joe Stephens | Back-Yard-BBQ | 1 |
| | Business | Jeff Thomas | Murray Guard | 1 |
| <small>(Must have at least 10 reps for this group to have a majority for a minimum-sized board)</small> | | | | |
| | | | Percent of Business for current board | 55% |
| | | | Total | 12 |
| Reserve for the SBA/501(c)(3) Organization | | | | |
| Labor/Apprenticeship | Group B | | | |
| Minimum 20% | | | | |
| | Labor | Joe Coleman | Amalgamated Transit Union Local 1285 | 1 |
| | Labor | Adren Crawford | Jackson Central Labor Council - SMART | 1 |
| | Labor | David Johnson | Jackson Central Labor Council | 1 |
| | Labor | Debi Kenner | United Food & Commercial Workers Union | 1 |
| | Labor | Ricky King | Communication Workers of America | 1 |
| Unable to obtain representation willing to serve at this time | Apprenticeship* | | unable to obtain representation willing to serve at this time | 0 |
| <small>(Must have at least 4 reps from this group to have the required 20% for a board size of 19)</small> | | | | |
| | | | need at least with current total members | 23% |
| | | | Total | 5 |
| *if program is available. | | | | |
| Educational | Group C | | | |
| | Title II Eligible Provider | Stewart Stanfill | Henderson County AE | 1 |
| | Higher Ed., Providing WIOA Education., Providing WIOA | Dr. Allana Hamilton | JSCC | 1 |
| <small>(Must have at least 2 specified reps from this group)</small> | | | | |
| | | | Total | 2 |
| Economic Com./Govern. | Group D | | | |
| | Economic/Community Development. | Vicki Bunch | Jackson Area Chamber | 1 |
| | Wagner-Peyser | Kristie Bennett | TDOL/WFD | 1 |
| | Rehabilitation | Linda Randolph | Voc Rehab | 1 |
| <small>(Must have at least 3 specified reps from this group)</small> | | | | |
| | | | Total | 3 |
| CEO's Choices | Group E | | | |
| <small>(All reps from this group are optional.)</small> | | | | |
| | | | Total | 0 |
| Total Board Membership | | | | 22 |