



PIEDMONT REGION

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## **Chief Local Elected Officials-Board Agreement**

### **Virginia Career Works - Piedmont Region**

**Local Workforce Development Area 6 (LWDA 6)**

**Effective Date: January 17, 2019**

## **Purpose**

The purpose of this agreement is to describe the respective roles and responsibilities under the Workforce Innovation and Opportunity Act (WIOA) of the Virginia Career Works – Piedmont Region (VCW - Piedmont) Council, made up of the Chief Local Elected Officials from Local Workforce Development Area 6 (LWDA6), and the VCW - Piedmont Board, made up of public and private representatives from around the region.

## **Virginia Career Works – Piedmont Region Council Responsibilities**

The sole duties of the Council include, but are not limited to the following:

- Designate the Grant Recipient for LWDA6;
- Designate the Fiscal/Administrative Agent, if applicable, for LWDA6;
- Accept fiscal liability for the use of WIOA funds;
- Appoint LWDB members and maintain Local Board Membership Certification every 2 years;
- Accept annual A-133 audit;
- Approve annual budget submitted by the LWDB and any subsequent modifications through the fiscal/program year;
- Approve the LWDB By-laws;
- Oversee funds contributed to LWDA6 by the localities in this agreement for additional projects and services in the region; and
- Any other functions, responsibilities or actions referred to within the CLEO Agreement or this agreement as requiring action by the Council.

## **VCW - Piedmont Council and Board Shared Responsibilities**

In partnership with the VCW - Piedmont Board, the VCW - Piedmont Council's additional responsibilities include, but are not limited to the following:

- Development of a vision and goals for the local workforce development system that are aligned with both the economic development missions for the local area and Virginia Board of Workforce Development's (VBWD) goals
- Development of the 4-year local strategic plan to include a workforce demand plan and a plan for business engagement
- Selection of one-stop operator(s) and locations, including operators of career services if the one-stop operator does not provide career services as described in section 134(c)(2)
- Selection of training providers
- Approval of the local one-stop operation(s) budget
- Conduct oversight of local programs of youth, adult and dislocated worker activities authorized under Title I of WIOA
- Negotiate and reach agreement with the VBWD on behalf of the Governor on local performance accountability measures; and
- Any other activities as required by the Workforce Innovation and Opportunity Act, Section 107(d), by state statute or by the Governor.

## **VCW - Piedmont Board Responsibilities**

The establishment of the VCW - Piedmont Board in LWDA6 is to create a public-private partnership to ensure that the region's workforce development activities and strategies are focused on providing a trained and skilled workforce that meets the current and future demand of the local employer's in

Central Virginia. In following this vision, the VCW - Piedmont Board will solely be responsible for the following strategic activities:

- Decide how best to organize the regional workforce system to most effectively serve the needs of current and emerging private sector employers and job seekers;
- Decide how best to provide comprehensive services to regional private sector employers;
- Decide how best to deploy available resources to achieve negotiated local performance accountability measures and build capacity for continuous improvement; and
- Decide how to expand the resource base and service capability through the development of strategic partnerships, an integrated service-delivery system, and generation of additional public and private funding.

In order to complete the above strategic activities, the VCW - Piedmont Board will also be responsible for the following items, which include but are not limited to:

- Conduct workforce research and regional labor market analysis in accordance with Section (d)(2) of the Workforce Innovation and Opportunity Act;
- Develop a budget for the purpose of carrying out the duties of the VCW - Piedmont Board, subject to the approval of the VCW - Piedmont Council;
- Meet at least quarterly and review presented financial reports that reflect actual expenditures and their relationship to the approved budget as well as workforce program outcomes and their relationship to negotiated performance levels;
- Solicit and accept grants and donations from sources other than federal funds made available under Title I of WIOA assuming the VCW - Piedmont Board is organized in a manner to do so;
- Select eligible providers of youth activities by awarding grants or contracts on a competitive basis;
- Identify eligible providers of training services for adults and dislocated workers;
- Assist the Governor and the Virginia Board of Workforce Development to develop a statewide employment statistics system;
- Coordinate the workforce activities under WIOA with local economic development strategies and develop employer linkages with those activities;
- Promote the participation of local private sector employers through the statewide workforce development system;
- Lead efforts to engage with a diverse range of employers and with entities in the region involved to:
  - Promote business representation on the VCW - Piedmont Board;
  - Develop effective linkages with employers in the region to support employer utilization of the local workforce development system and to support local workforce investment activities;
  - Ensure that workforce investment activities meet the needs of employers and support economic growth; and
  - Develop and implement proven or promising strategies for meeting the employment and skill needs of workers and employers;
- In partnership with representatives of secondary and postsecondary education programs, lead efforts in LWDA6 to develop and implement career pathways within the region by aligning the

employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment;

- Lead efforts in LWDA6 to identify and promote proven and promising strategies and initiatives for meeting the needs of employers and workers and job seekers, and identify and disseminate information on findings;
- Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers and workers and job seekers by:
  - Facilitating connections among the intake and case management information systems on the one-stop partner program;
  - Facilitating access to services in remote areas;
  - Identifying strategies for better meeting the needs of individuals with barriers to employment; and
  - Leveraging resources and capacity with the local workforce development system, including resources and capacity for services for individuals with barriers to employment;
- Enter into Memorandums of Understanding with workforce development system partners;
- Coordinate activities with education and training providers in LWDA6, including providers of workforce investment activities, providers of adult education and literacy activities under Title II, providers of career and technical education and local agencies administering plans under Title I of the Rehabilitation Act of 1973 as described in Section 107 (D)(11); and
- Annually assess the physical and programmatic accessibility of all one-stop centers in the local area are described in Section 107 (D)(12).

## **VCW - Piedmont Board Detailed Operations**

### **Membership Composition**

The VCW - Piedmont Council has the sole authority to appoint members to the VCW - Piedmont Board in accordance with Section 107(b) of WIOA and Virginia Board of Workforce Development Policy 200-02. A detailed composition of the VCW - Piedmont Board will be outlined in the VCW - Piedmont Policy titled “Workforce Development Board Composition”.

### **Bylaws Development**

The VCW - Piedmont Board shall approve a standard set of Bylaws that provides detail into the operations of the meetings of the VCW - Piedmont Board and its subsequent committees. This will include details on voting procedures, elections of officers, committee provisions, public notices of meetings and conflict of interest and confidentiality procedures.

## **Leadership and Committee Establishment**

### **Chairperson**

The members of the VCW - Piedmont Board shall elect a chairperson from among the private sector representatives. The chairperson shall serve as the Executive Committee Chair and shall identify the method for selecting the chairs for all standing committees and taskforces of the VCW - Piedmont Board. If the VCW - Piedmont Board elects Co-Chairs, both Planning Districts must be represented.

### Executive Committee

The Executive Committee will consist of the following members:

- Chair (or Co-Chairs)
- Immediate Past Chair
- VCW - Piedmont Council Chair
- All VCW - Piedmont Committee Chairs
- One At-Large Member (can be private sector or non-business representatives)

Details of the Executive Committee's authority and responsibility should be outlined in the VCW - Piedmont Bylaws.

### Programmatic Committees

The VCW - Piedmont Board has the authority to establish programmatic committees as workforce development challenges arise or a new focus area emerges for LWDA6 and the process for establishing those committees should be outlined in the VCW - Piedmont Board Bylaws.

### General Administrative Provisions

#### Sunshine Provisions

The VCW - Piedmont Board shall share information regarding its meetings and activities with the public subject to the provisions of the Virginia Freedom of Information Act.

The VCW - Piedmont Board shall make available to the public, on a regular basis through open meetings, information regarding the activities of the VCW - Piedmont Board, including information regarding the local plan prior to submission of the plan, membership, the designation and certification of one-stop operator(s) consistent with the State Plan, and the award of grants or contracts to eligible providers of youth activities, and the minutes of formal meetings of the VCW - Piedmont Board.

In order to comply with the Sunshine Provisions, the VCW - Piedmont Board and any Committees authorized to take official action on behalf of the VCW - Piedmont Board shall do the following:

- Take official action and engage in deliberations only at meetings open to the public. "Official action" includes making recommendations, establishing policy, making decisions, and/or voting on matters of VCW - Piedmont Board business. "Deliberations" are discussions of VCW - Piedmont Board business necessary in order to reach decisions.
- Ensure that all meetings are held in locations accessible to individuals with disabilities and that all information is available in accessible and alternate formats.
- Give public notice of meetings in accordance with applicable state code provisions, including public notice in advance of any special meeting or rescheduled regular meeting. No public notice need be given of an emergency meeting called to deal with a real or potential emergency involving a clear and present danger to life or property.
- Ensure that votes of VCW - Piedmont Board members be publicly cast and, in the case of roll call votes, recorded.

- Keep written minutes of all public meetings, including date, time and place of the meeting, members present, the substance of all official actions, a record of roll call votes, and the names of any citizens who appeared and gave testimony.
- Closed executive sessions may be used according to the provisions of the Virginia Freedom of Information Act. Such sessions may be held during or after an open meeting, or may be announced for a future time. If closed session is not announced for a specific time, VCW - Piedmont Board members must be notified 24 hours in advance of the date, time, location and purpose of the session. The reason for holding an executive session must be announced at the open meeting either immediately prior or subsequent to the executive session.
- Official action on any matter discussed at an executive session must be taken at an open meeting.

#### Conflict of Interest Provision

All members of the VCW - Piedmont Board serve a public interest and trust role and have a clear obligation to conduct all affairs in a manner consistent with this concept. All decisions of the VCW - Piedmont Board are to be based on promoting the best interest of the state and the public good.

Accordingly:

- All members of the VCW - Piedmont board are subject to the provisions of the State and Local Government Conflict of Interest Act;
- The VCW - Piedmont Board shall adopt in its Bylaws a conflict of interest policy meeting the minimum standards set forth in the State and Local Government Conflict of Interest Act. The conflict of interest standards shall apply to all Board members (voting and non-voting).
- A member of the VCW - Piedmont Board shall neither cast a vote on, nor participate in, any decision-making capacity on the provision of services by such member (or by an organization that such member directly represents); not on any matter that would provide any direct benefit to such member or the immediate family of such member. Immediate family means (1) a spouse and (2) any other person residing in the same household as the member, who is a dependent of the member or of whom the member is a dependent. Dependent means any person, whether or not related by blood or marriage, which receives from the member, or provides to the member, more than on-half of his/her financial support.
- Any VCW - Piedmont board member (or specific entity represented by that member) who participates in the development of contract specifications or standards is prohibited from receiving any direct financial benefit from any resulting contract.
- Any VCW - Piedmont Board member who participates in a VCW - Piedmont Board decision relating to specific terms of a contract, the determination of specific standards for performance of a contract, the development of Invitations for Bid or Requests for Proposals or other such bid processes leading to a contract, or any similar decisions is prohibited from receiving any direct financial benefit from any results contract. In addition, no corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, trust, foundation or other entity shall receive the contract if it would create a conflict of interest for the Board member who participated in this manner.
- Each VCW - Piedmont Board member shall file a statement of economic interest with the VCW - Piedmont Board Staff as a condition of assuming membership and then annually while serving as

a Board member. The VCW - Piedmont Council shall determine the composition of the statement of economic interest.

- Any VCW - Piedmont Board member with a potential or actual conflict of interest shall disclose that fact to the VCW - Piedmont Board as soon as the potential conflict is discovered and, to the extent possible, before the agenda for the meeting involving the matter at issue is prepared. If it is determined during a meeting that a conflict of interest exists, the member must verbally declare such conflict of interest, such declaration must be clearly noted in the minutes, and such member must excuse himself from the remainder of the discussion and voting on that item. Each VCW - Piedmont Board member is responsible for determining whether any potential or actual conflict of interest exists or arises during his tenure on the VCW - Piedmont Board.
- If a contract or purchase is made by the VCW - Piedmont Board involving its own member with a conflict of interest, the VCW - Piedmont Board shall justify the terms and conditions of the contract or purchase and document that the contract or purchase was adequately bid or negotiated and that the terms of the contract or price of the purchase are fair and reasonable.
- VCW - Piedmont Board members who are also one-stop center operators shall not serve on any committees that deal with oversight of the one-stop system or allocation of resources that would potentially be allocated to that member's program.
- All members of the VCW - Piedmont Board are subject to all other provisions of the State and Local Government Conflict of Interest Act not outlined above.

**Effective Dates of this Agreement**

This agreement shall take effect October 27, 2016 by a majority vote of all members of the VCW - Piedmont Council and the VCW - Piedmont Board on and shall remain in effect until the WIOA law is no longer in effect.

**Amendment of the Agreement**

This agreement may be modified by a written amendment approved by a majority vote of all members of the VCW - Piedmont Council and VCW - Piedmont Board, following notice of (1) the specific language of the proposed amendment, and (2) of the date, time and location of the meeting at which the amendment will be presented to the VCW - Piedmont Council and VCW - Piedmont Board for a vote.

**Signatures**

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*VCW - Piedmont Council Chair Signature*

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*VCW - Piedmont Board Chair Signature*

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*VCW - Piedmont Council Chair Printed Name*

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*VCW - Piedmont Board Chair Printed Name*

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*Date*

