



**North Carolina Department of Commerce
Division of Workforce Solutions**

DWS Policy Statement Number: PS 03-2019

Date: April 1, 2019

**Subject: Updates to Local and Regional Area Plan Instructions
for Program Year 2019**

From:

Daniel L. Giddens

Daniel L. Giddens
Assistant Secretary for Workforce

Purpose: To transmit the N.C. Division of Workforce Solutions' (DWS) Program Year 2019 Local and Regional Area Workforce Innovation and Opportunity Act (WIOA) Title I Plan Instructions.

Background: Program Year (PY) 2019 (July 1, 2019 – June 30, 2020) is the fourth year of the WIOA Four-Year Plan. The Division requires each local board to review the local plan and the local board membership, in partnership with the chief elected official, and prepare and submit modifications to the local plan to reflect changes in labor market and economic conditions or other factors affecting the implementation of the local plan. [WIOA Section 108(a)].

Action: Workforce Development Areas are to follow the attached instructions for development of Local Area Plan updates for July 1, 2019 through June 30, 2020.

Plans are due to the Division of Workforce Solutions by **May 7, 2019** and are to be submitted through the Workforce Information System Enterprise (WISE).

Effective Date: Immediately

Expiration: June 30, 2020

Contact: Division Planner

Attachment: PY 2019 Local Workforce Development Area Plan Instructions

**North Carolina Instructions
for Local and Regional
Workforce Development Area Plans**

Workforce Innovation and Opportunity Act

Title I

**PY 2019 Plan Update
July 1, 2019 – June 30, 2020**

RESCINDED

*North Carolina Department of Commerce
Division of Workforce Solutions
4316 Mail Service Center
313 Chapanoke Road, Suite 120
Raleigh, NC 27699-4316*

Instructions

Introduction

The Workforce Innovation and Opportunity Act (WIOA) requires each Workforce Development Board (WDB) to develop and submit, in partnership with the local chief elected official a comprehensive four-year plan. Four-Year Plans were submitted in May 2016. Annually, each WDB is to provide updates to the Comprehensive Four-Year Plan (PY 2016). The WIOA Program Year (PY) 2019 Plan is to provide current information and be effective July 1, 2019 - June 30, 2020 and will include all current local policies. The Comprehensive Four-Year Plan (PY 2016) should be maintained and updated, as appropriate.

Federal and State Requirements for Local Administration of the Workforce Innovation and Opportunity Act

Local Workforce Development Boards should reference the Workforce Innovation and Opportunity Act, Public Law 113-128, enacted July 22, 2014. Additional information is available at the U.S. Department of Labor Employment and Training Administration website: www.doleta.gov.

North Carolina policy information is available at <https://www.nccommerce.com/document-collection/workforce-policies>. Local Workforce Development Boards may reference the North Carolina [WIOA Unified State Plan](#).

Plan Submission and Due Date

The Local Plan must be submitted through Workforce Information System Enterprise (WISE). ***The due date is May 7, 2019.*** Each attachment must be submitted and labeled separately in either Word or PDF format. Attachments not submitted separately will not be accepted. Forms requiring original signatures may be mailed to the local Board's assigned Planner at: N.C. Division of Workforce Solutions, 4316 Mail Services Center, Raleigh, NC 27699-4316. Hand delivered documents may be left at 313 Chapanoke Road, Suite 120, Raleigh, NC 27603.

Workforce Development Board Overview

The Local Area Overview provides important contact information that is used throughout the Division. It is important that this section remain current during the Program Year. Updates should be submitted to the local Board's assigned Division Planner when changes occur, especially to contact names and addresses in the Overview Section.

1. Provide the Local Area's official (legal) name as it appears on the local Consortium Agreement established to administer the Workforce Innovation and Opportunity Act (WIOA) or, if not a Consortium, in the formal request for Local Area designation. If the Local Area is a Consortium, attach a copy of the current Consortium Agreement. Name document: Local Area Name Consortium Agreement.
2. Provide the name, title, organization name, address, telephone number and e-mail address of the Workforce Development Director.

Name:	Title:
Organization:	Address:
Phone number:	Email address:

3. Provide the name, elected title, local government affiliation, address, telephone number and e-mail address of the Local Area's Chief Elected Official.

Name:	Elected Title:
Government:	Address:
Phone number:	Email address:

4. Provide the name, title, business name, address, telephone number and e-mail address of the individual authorized to receive official mail for the Chief Elected Official, if different than question 3.

Name:	Title:
Business Name:	Address:
Phone number:	Email address:

5. Provide the name, address, telephone number and email address of the Administrative/Fiscal Agent responsible for disbursing Local Area WIOA grant funds. This is the entity responsible for the disbursement of grant funds. [WIOA Sections 107(d)(12)(B)(i)(III) and 108(b)(15)].

Name:	Title:
Organization:	Address:
Phone number:	Email address:

6. Provide the name, title, organization name, address, telephone number and e-mail address of the Administrative/Fiscal Agent's signatory official.

Name:	Title:
Organization:	Address:
Phone number:	Email address:

7. Attach a copy of the Administrative Entity/Fiscal Agent's organizational chart with an 'effective as of date'. Name document: *Administrative Entity Name Organizational Chart*.
8. Provide the Administrative Entity's Data Universal Numbering System (DUNS) number and assurance that the 'System for Award Management' (SAM) status is current. Administrative Entities must register at least annually on the SAM website (<https://www.sam.gov/portal/SAM/##11>) to receive Federal funding [required by Federal Acquisition Regulation (FAR) Section 4.11 and Section 52.204-7].
9. Provide the name of the local Workforce Development Board's equal opportunity officer who shall be responsible for assuring that discrimination does not occur in its programs or projects. (PS 07-2018)

Composition of the local Workforce Development Boards shall comply with WIOA Section 107. Local Workforce Development Board Membership Requirements have been provided as reference at [Appendix D](#).

10. Provide each Workforce Development Board members' name, business title, business name and address, telephone number and e-mail address on the provided form. The first block is reserved to identify the Board chairperson (*form provided*). Indicate all required representation and indicate if vacant. [WIOA Section 107(b)(2)]. Name document: *Local Area Name WDB List*. See [Appendix D](#) for Local Area Workforce Development Boards membership requirements.

Note: Check the block on provided form certifying compliance with required WIOA local Workforce Development Board business nomination process.

* Use and identify categories as indicated on the form. Do not change required category names.

The local Workforce Development Board must establish bylaws in accordance with applicable local procedures, state and federal laws to include WIOA Final Rules and Regulations 679.310(g). The Board shall submit bylaws that clearly demonstrate all WIOA and North Carolina required elements described in [Appendix A](#). Additional bylaws guidance and electronic meeting formats have been provided in [Appendix B](#) and [Appendix C](#).

11. Attach the Workforce Development Board By-laws including date adopted/amended. List any recent changes here. Name document: Local Area Name WDB By-laws.

Note: If changes are needed to meet the NC DWS Bylaws requirements, include an expected date of submission with Plan response.

Sunshine Provision - The Local Board shall make available to the public, on a regular basis through electronic means and open meetings, information regarding the activities of the Local Board, including information regarding the Local Plan prior to submission of the Plan, and regarding membership, the designation and certification of one-stop operators, and the award of grants or contracts to eligible providers of youth workforce investment activities, and on request, minutes of formal meetings of the Local Board. [WIOA Section 107(e)]

12. Describe how the Workforce Development Board meets the Sunshine Provision.

Public Comment - The Workforce Development Board shall make copies of the proposed Local Plan available to the public through electronic and other means, such as public hearings and local news media; allow for public comment not later than the end of the 30 day period beginning on the date the proposed plan is made available; and, include with submission of the Local Plan any comments that represent disagreement with the Plan. [WIOA Section 108(d)]

13. Describe how the Workforce Development Board will make copies of the proposed Local Plan available to the public. [WIOA Section 108(d)]

14. Attach a copy of the Local Workforce Development Board's organizational chart with an 'effective as of date.' Include position titles. Name document: Local WDB Name Organizational Chart.

15. Complete the following chart for the PY19 Local Workforce Development Board's planned meeting schedule to include time, dates and location. *[Expand form as needed.]*

Date	Time	Location (include address and room #)

Note: All local Workforce Development Board meetings will be held in accessible facilities. All materials and discussions should be available in an accessible format upon request.

16. Attach a copy of the signed 'Certification Regarding Debarment, Suspension, and other Responsibility Matters – Primary Covered Transactions' (*form provided*). [Required by the Regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, participants' responsibilities.] Name document: Local Area Name Debarment Form.

Note: Document must bear the original signature of the Administrative Entity signatory official. Mail the signed Certification form original to Division Planner.

17. Submit the original Workforce Development Board and Chief Elected Official (CEO) Signatory Page (*form provided*), bearing the original signatures of the Chief Elected Official(s) and the Workforce Development Board Chairman, and attach a copy of the signed document. Name document: Local Area Name Signatory Page.

Note: Mail the signed original Signatory Form to Division Planner.

WIOA Title I Programs

NCWorks Career Centers

1. Identify NCWorks Career Center location(s) including Tier 1, Tier 2, Affiliate, and Specialized sites; On-site partners; how NCWorks Career Center operator(s) are designated; provider(s) of WIOA career services and method of selection; whether youth services provider is on-site and, if so, youth services offered. Use the NCWorks [Career Center Chart](#). [WIOA Section 121(b)(1)(A) and (b)(1)(B)] Name document: Local Area Name Career Centers.
2. Provide the date and process for when the competitive procurement of the One-Stop Operators(s) occurred. Include the expected length of the contract (one-four years).
3. What strategies have been used to better meet the needs of individuals with barriers to employment and increase access to services and programs of the one-stop delivery system, such as improving digital literacy skills; and leveraging resources and capacity within the local workforce development system?
4. How are training programs such as apprenticeship, on-the-job training, and other work-based learning opportunities leading to industry-recognized credentials aligned with employers' needs, and marketed to support talent development?

Business Services

1. Please state and briefly describe the priorities of Business Service Representatives and/or Employer Services staff.
2. Please describe the efforts the Workforce Development Board has made to deliver business services on a regional basis.
3. Describe how the Board leverages existing business organizations (chambers, economic developers, community colleges, universities, etc.) to promote work-based learning activities.
4. Complete the following chart (by placing an X in each applicable box) to demonstrate work-based learning opportunities available in the local Workforce Board area. *[Expand form as needed.]*

On-the-Job Training	Local Incumbent Worker Training	Internships	Job Shadowing	Paid/Unpaid Work Experience	Specify Others:

5. Please complete the following chart.

Business Services Elements		Executed by Board staff (x)	Executed by Service Provider staff (x)	Executed by other (x)	Briefly explain
<p>a. The Workforce Development Board uses initiatives designed to meet the needs of employers in the corresponding region. [WIOA Section 108 (b)(4)(B)]</p>					
	Incumbent Worker Training Programs				
	On-the-Job Training				
	Customized Training				
	Work Opportunity Tax Credits				
	Business Edge Layoff Aversion				
	Sector Strategies				
	Career Pathways Initiatives				

Business Services Elements		Executed by Board staff (x)	Executed by Service Provider staff (x)	Executed by other (x)	Briefly explain
b. The Workforce Development Board coordinates and promotes entrepreneurial skills training and microenterprise services. [WIOA Section 108 (b)(5)]					
c. The Workforce Development Board enhances the use of apprenticeships to support the regional economy and individuals' career advancement					
d. The Workforce Development Board coordinates workforce investment activities carried out in the Local Area with statewide rapid response activities as described in WIOA section 134(a)(2)(A). [WIOA Section 108 (b)(8)].					
e. The Workforce Development Board collaborates in the alignment of economic development efforts. [WIOA Section 108 (b)(4)(A)(iii)].					

Business Services Elements		Executed by Board staff (x)	Executed by Service Provider staff (x)	Executed by other (x)	Briefly explain
<p>f. The Workforce Development Board facilitates the engagement of businesses, including small business employers and in-demand sector occupations [WIOA Section 108 (b)(4)(A)(i)(ii)].</p>					
<p>g. The Workforce Development Board provides an analysis of workforce in the region, including labor force employment and unemployment data, labor market trends, and educational and skill levels of workforce in the region, including individuals with barriers to employment [WIOA Section 108 (b)(1)(C)].</p>					
<p>h. The Workforce Development Board collaborates with business and industry leaders to provide an analysis of the regional economic conditions to include existing and</p>					

Business Services Elements		Executed by Board staff (x)	Executed by Service Provider staff (x)	Executed by other (x)	Briefly explain
<p>emerging in-demand industry sectors and occupations, and knowledge and skills needed to meet the employment needs of employers in those industry sectors and occupations [WIOA Section 108 (b)(1)(A)(i)(ii) and (B)].</p>					

Performance and Accountability

1. Examine the local Board's current Adult, Dislocated Worker, and Youth performance on the Federal Primary Indicators of Performance for PY 2018 and previous Program Years (reports available via FutureWorks).
 - a. What are the primary factors in the local area that impact performance levels (both positively and negatively)?
 - b. What strategies are in place to maintain or improve performance?
 - c. If the local Board is not on track to meet yearly performance indicator goals, please discuss what corrective actions/steps would be undertaken to address the concern.
 - d. How is performance information shared throughout the hierarchy of staff? In particular, please detail how the Board addresses performance data in its relationship with its contractor and how case managers are using performance data to drive local area performance.
2. In recent years, many Workforce Development Boards have seen decreasing population counts for the number of Dislocated Workers served. Please describe the strategies the Board has in place to ensure this population is sufficiently (proportionately) represented in the performance pool. Be sure to include whether the Board makes use of nontraditional Dislocated Worker definitions (such as any individuals who are long-term unemployed and can, therefore, be considered Dislocated Workers) in the response.
3. The Measurable Skill Gains measure is a real-time indicator denoting participants who are making demonstrable progress on a track toward Credential Attainment. Please describe how the Board makes use of the information the Measurable Skill Gains measure provides as a means of ensuring the Board reaches its Credential Attainment indicator goal.
4. Please describe the process for monitoring service providers in the local area. Include details such as how it is conducted, who is involved, how often, et cetera.

Adult and Dislocated Worker Services

1. Provide the date and process for the competitive procurement of the Adult and Dislocated Worker Programs that ensures an arm's-length relationship between the Workforce Development Board and service delivery. Identify any service provider contract extensions.

Note: While Final Regulations Section 679.410 (b) and (c) provide exceptions to the competitive procurement process, WDBs *must* have an arm’s-length relationship to the delivery of services.

2. Attach the Local Workforce Development Board’s Adult and Dislocated Worker (DW) service providers chart effective July 1, 2019 using the [Adult/Dislocated Worker Service Provider List](#) provided. Name document: *Local Area Name Adult and DW Providers 2019*.
3. Describe how and when eligible training providers are reviewed at the local level and how customers are informed they have choices in choosing their providers. Define what “significant number of competent providers” means in the local area. Include whether the local Workforce Development Board uses more strict performance measures to evaluate eligible training providers. Attach if a separate policy. Name document: *Local Area Name Eligible Training Providers Policy*. [Division Policy Statement 21-2015]
4. Describe follow-up services provided to Adults and Dislocated Worker.

Per Training and Employment Guidance Letter (TEGL) 19-16 and Section 134(C)(2)(A), funds described shall be used to provide career services, which shall be available to individuals who are adults or dislocated workers through the one-stop delivery system and shall, at a minimum, include—...(xiii) follow up services, including counseling regarding the workplace, for participants in workforce investment activities authorized under this subtitle who are placed in unsubsidized employment, for not less than 12 months after the first day of the employment, as appropriate.

Youth Services

1. Describe the local area’s Youth Program design. [WIOA Section 129(c)(1)(A)]
2. How does the local area ensure the Individual Service Strategy (ISS) identifies appropriate services based on the objective assessment and is linked to youth performance indicators, career pathways and program elements? [WIOA Section 129(c)(1)(B); Page 1508]
3. Describe the local area strategy to ensure youth program activities lead to a High School diploma or its equivalent or a recognized postsecondary credential and post-secondary education and training opportunities. [WIOA Section 129(c)(1)(C)]
4. Describe the local strategy to prepare youth for unsubsidized employment, including with small employers, specifically those that include in-demand industry sectors and occupations of the local and/or regional labor markets. [WIOA Section 129(c)(1)(C)(v)]
5. Please complete the [Youth Program Elements chart](#) provided to demonstrate how the local Workforce Development Board ensures each of the 14 youth program elements is

made available to youth participants.[WIOA Section 129(c)(2)(A)] Name document: Local Area Name Youth Program Elements

6. How does the local area ensure that the minimum of 20 percent of funds is spent on work experience and is the local area expending the 20 percent minimum on work experience? [WIOA Section 129(c)(4)]
7. Does the Workforce Development Board have a standing committee to provide information to assist with planning, operational and other issues relating to the provision of services to youth? [WIOA Section 107(b)(4)(A)(ii)]

If no, describe how oversight to planning, operational and other issues relating to the provision of services to youth will be provided.

If yes, please provide a response to the following:

- a) Provide the committee’s purpose/vision.
- b) Provide the committee’s top three goals or objectives for PY 2019.
- c) Attach the list of members to include members’ agency/organization, one of which must be a community-based organization with a demonstrated record of success in serving eligible youth. Provide the Committee’s Chair information in the first block (who must be a Workforce Development Board member.) Name document: Local Area Name Youth Committee Members. [WIOA Section 107(b)(4)(A)(ii)] and,
- d) Complete the following chart for the PY 2019 Youth Committee’s planned meeting schedule to include dates, time and location. *[Expand form as needed.]*

Date	Time	Location (include address and room #)

8. Provide the date and process for when the competitive procurement of the Youth Programs was completed, to include any contract extensions.
9. Attach the Local Workforce Development Board Youth service provider’s chart, effective July 1, 2019, using the [Youth Service Provider List](#) provided. Complete each column to include specifying where Youth Services are provided. Name the document: Local Area Name Youth Providers 2019.

10. Specify if the Local Workforce Development Board plans to offer incentives for youth. If yes, attach the Youth Incentive Policy to include: a) criteria to be used to award incentives; b) type(s) of incentive awards to be made available; c) whether WIOA funds will be used and d) whether the Local Workforce Development Board has internal controls to safeguard cash/gift cards. Name document: *Local Area Name Youth Incentive Policy*.

Note: Federal funds may not be spent on entertainment costs.

Local Innovations

1. List additional funding received by the local Workforce Development Board to include special grants (Enhancement, Finish Line, Innovation), National Dislocated Worker Grants (disaster), YouthBuild, outside funding and others to include a brief description the source and the amount.

Grant Name/Kind	Description	Source and Amount

2. Describe one local Workforce Development Board best adult/dislocated worker program practice.
3. Describe one local Workforce Development Board best youth program practice.
4. Describe one local Workforce Development Board regional strategy that has yielded positive results.
5. Describe one local Workforce Development Board Incumbent Worker or other business services best strategy.

PY 2019 Local Area Plan Required Policy Attachments

1. The following policies must be attached as separate documents in the PY 2019 Plan. Name documents: Local Area Name, Policy Name.

Please make a notation below if the Policy has been revised for Program Year 2019.

Policy	Attached (Yes/No)	Revised for PY2019 (Yes/No)
1. Adult/ Dislocated Worker Work Experience Policy (PS 10-2017)		
2. Competitive Procurement Policy (PS 19-2017)		
3. Conflict of Interest Policy (PS 18-2017)		
4. Equal Opportunity Procedures (PS 07-2018)		
5. Financial Management Policy for Workforce Innovation and Opportunity Act Title I (PS 20-2017, Change 1)		
6. Individualized Training Account Policy		
7. On-the-Job Training Policy (PS 04-2015)		
8. Oversight Monitoring Policy and Tools		
9. Priority of Service Policy (PS 03-2017)		
10. Youth Work Experience Policy (PS 10-2017)		
11. Supportive Services Policy		

2. Designate whether or not you have the following Optional Policies. If yes, attach the policy as a separate document. Name documents: Local Area Name, Policy Name. [Example: IWT Policy – Yes. Attached as *Workforce Development Board, IWT Policy*.

Policy	Yes (attached)	N/A
1. Local Area Incumbent Worker Training Policy		
2. Local Area Needs-Related Policy		
3. Local Area Transitional Jobs Policy		
4. Local Area Youth Incentive Policy		

3. Individual Training Accounts (ITAs) are required [Regulations Section 680.300] to pay the cost of training provided with Adult and Dislocated Worker funds and limitations on duration and amount may be included [Regulations Section 680.320]. Please provide the following ITA elements in summary:

Individual Training Accounts (ITA) Summary	
Dollar Amounts	
Time Limits	
Degree or Certificates allowed (Associate's, Bachelor's, other)	
Procedures for determining case-by-case exceptions for training that may be allowed	
Period of time for which ITAs are issued (semester, school year, short term, etc.)	
Supportive Services covered by ITA (uniforms, tools, physical exams, etc.)	
Other	

4. Please specify the supportive services provided by the local Board Supportive Services Policy. List specific items under Supplies, Emergency and Other, as identified in the local Policy. *[Expand form as needed.]*

Transportation	Childcare	Supplies <i>(include examples)</i>	Emergency <i>(include examples)</i>	Other <i>(include examples)</i>

Required Attachment Checklist from Plan Instructions:

- Signed copy of Consortium Agreement (if applicable)
- Administrative Entity Organizational Chart
- Workforce Development Board List (*form provided*)
- Workforce Development Board By-laws
- Local Area Organizational Chart
- Local Area Certification Regarding Debarment * (*form provided*)
- Local Area Signatory Form* (*form provided*)
- Local Area NCWorks Career Center System (*form provided*)
- Local Area Adult and Dislocated Worker Services Providers (*form provided*)
- Local Area Eligible Training Provider Policy (*optional*)
- 14 Youth Program Elements Chart (*form provided*)
- Local Area Youth Committee Meeting Schedule (*optional*)
- Local Area Youth Committee Members (*optional*)
- Local Area Youth Services Providers (*form provided*)
- Local Area Youth Incentive Policy (*optional*)

*Mail signed and unfolded *originals* to assigned Division Planner at N.C. Division of Workforce Solutions at:

313 Chapanoke Road, Suite 120, 4316 Mail Services Center, Raleigh, NC 27699-4316.

Appendix

Bylaws Required Elements...	A
Bylaws Guidance ...	B
Guidance for Meetings via Electronic Means ...	C
Local Workforce Development Board Membership Requirements ...	D

Certification Regarding Debarment, Suspension, and Other Responsibility Matters

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, Participant's Responsibilities.

(Before completing this certification, read the instructions on the following page which are an integral part of the certification.)

- 1) The prospective primary participant certifies, to the best of its knowledge and belief, that it and its principals:
 - a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any federal department or agency;
 - b) have not within a three-year period preceding this certification been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;
 - c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - d) have not within a three-year period preceding this certification had one or more public transactions (federal, state or local) terminated for cause or default.
- 2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Printed Name and Title of Authorized Administrative Entity Signatory Official

Signature

Date

Instructions for Certification

1. By signing and submitting the certification signature page with this proposal, the prospective primary participant is providing the certification set out above.
2. The inability of a person to provide the certification required above will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out above. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participants, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, Subpart 9.4, debarred, suspended, declared ineligible or voluntarily excluded from participation in this covered transaction.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "A Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not proposed for debarment under 48 CFR Part 9, Subpart 9.4, debarred, suspended, ineligible or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-Procurement programs.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, Subpart 9.4, suspended, debarred, ineligible or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

[Local Area Name] WIOA Board List
(Effective Date Here)

	Category	Name and Business Title	Name and Business Address	Phone Number	Email Address	Term
1.	Business, Chair <i>(Can be one of the required small business seats.)</i>					
2.	Business					
3.	Business					
4.	Business					
5.	Business					
6.	Business					
7.	Business					
9.	Small Business					

[Local Area Name] WIOA Board List
(Effective Date Here)

	Category	Name and Business Title	Name and Business Address	Phone Number	Email Address	Term
10.	Small Business					
11.	Labor Organization, or where none exists, other representative of employees <i>(provide organization affiliation)</i>					
12.	Labor Organization, or where none exists, other representative of employees <i>(provide organization affiliation)</i>					
13.	Joint Labor-Management, or union affiliated, registered apprenticeship program. Or where none exists, representative of registered apprenticeship program <i>(provide representative's affiliation)</i>					

[Local Area Name] WIOA Board List
(Effective Date Here)

	Category	Name and Business Title	Name and Business Address	Phone Number	Email Address	Term
14.	Labor or Apprenticeship or Community Based Organizations addressing needs of eligible youth <i>(Identify choice of category represented)</i>					
15.	Adult Education and Literacy eligible under WIOA Title II					
16.	Higher Education					
17.	Vocational Rehabilitation Program					

[Local Area Name] WIOA Board List
(Effective Date Here)

	Category	Name and Business Title	Name and Business Address	Phone Number	Email Address	Term
18.	Economic Development					
19.	Wagner-Peyser Act					

Notes:

- In obtaining nominations and making appointments, follow Workforce Innovation and Opportunity Act Section 107(b)(2) and US Department of Labor Training and Employment Guidance Letter (TEGL) 27-14.
- *If Local Workforce Development Board Area has more than 19 total members: 1) add lines to chart and complete all columns for additional members; 2) ensure required percentages are still met.
- Use form provided and identify categories as indicated on the form. Do not change required category names.

By submission of this form, the Workforce Development Board certifies its compliance with the appointment and nomination process of business representatives from among local business organizations and business trade associations. [WIOA Section 107(b)(2)(A)]

Workforce Innovation and Opportunity Act of 2014

Program Year 2019 Local Plan Signatory Page for

Local Workforce Development Area Name

We affirm that the Local Area Workforce Development Board (WDB) and the Chief Elected Official(s) of the Local Area, in partnership, have developed and now submit this update to the Comprehensive, Strategic Regional and Local Area Plan in compliance with the provisions of the Workforce Innovation and Opportunity Act of 2014 and instructions issued by the Governor under authority of the Act.

Submission Date

Workforce Development Board Chair

Chief Elected Official

Typed or Printed Name

Typed or Printed Name

Typed or Printed Title

Typed or Printed Title

Signature

Signature

Date

Date

Directions for Completing Attachment NCWorks Career Center System

Complete **Attachment** to describe the Local Area's One-Stop Career Center system.

Column A, include each One-Stop Career Center(s)' name and street address, host facility and hours of operation.

Column B, specify the type of Career Center and list all counties served by site. *Type of Center Designation: Tier 1, Tier 2, Specialized, Affiliates

-Add location of Youth Sites if not included with above designations.

Column C, list the on-site partners, identify funding source and agency name such as Title I (Adult, Dislocated Worker, Youth, Job Corps, YouthBuild, National Farmworkers and Native American Programs), Wagner-Peyser, Trade Act, Career and Technical Education. Career Center Partners should, at a minimum, reflect required WIOA partners (WIOA 121(b)(1)(B)).

Column D, list the Center Operator (agency name) and Method of Selection (Competitive, Sole Source to include if contract was extended).

Column E, list the WIOA Providers of Career Services (agency name) and method of selection.

Column F, indicate whether youth services are provided on-site.

Column G, indicate additional on-site partners.

[Local Area Name] NCWorks Career Center System
 (Reflects Local Area Structure as of July 1, 2019)

A. One-Stop Location(s) (Address, Phone number and Hours)	*B. Tier 1 or Tier 2 Specialized or Affiliate	C. On-site Partners	**D. Career Center Operator and Method of Selection	E. Provider(s) of WIOA Career Services and Method of Selection	F. Provider(s) and Type of On-site Youth Services	G. Additional Partners

*Type of Center Designation:
 -Tier 1
 -Tier 2
 -Specialized
 -Affiliates – At locations where A, DW and WP services are provided

**Method of Selection:
 -Competitive Procurement
 -Sole Source
 -Contract Extended

PY 2019 WIOA [Board Name] Adult & Dislocated Worker Service Providers List

WIOA Adult/Dislocated Worker Service Provider (Organization Name, Address and Telephone Number)	Contact Person (Name, Title and E-mail Address and Telephone Number)	County/Countries Served and where services are provided** (One-Stop, Office, Both)	Type of Organization (State Agency, For-profit, Non-profit, other-specify)	Type of Contract (Cost Reimbursement, Fixed Price, Performance Based, Hybrid, other-specify)

(RFP Conducted: date here)

**Note where Services are provided: at the One-Stop Centers, the Office location provided, combination. Be specific.

PY 2019 WIOA [Board Name] Youth Service Providers List

WIOA Youth Service Provider (Organization Name, Address)	Contact Person (Name, Title and E-mail Address and Telephone Number)	County/Countries Served and where services are provided** (One-Stop, Office, Both)	Type of Organization (State Agency, For-profit, Non-profit, other-specify)	Type of Contract (Cost Reimbursement, Fixed Price, Performance Based, Hybrid, other-specify)

(RFP Conducted: date here)

**Note where Youth Services are provided: at the One-Stop Centers, the Office location provided, combination. Be specific.

WIOA Youth Program Elements

In order to support the attainment of a secondary school diploma or its recognized equivalent, entry into postsecondary education, and career readiness for participants, the WIOA Youth Program shall provide elements consisting of the following program elements.

Please denote whether the required WIOA Program Element will be WIOA funded by the Local Area, provided by referral, or both.

	WIOA Youth Program Elements	WIOA Funded (Specify Provider)	Referral by Agreement (Specify Provider)
1.	Tutoring, study skills training, instruction, and evidence-based dropout prevention and recovery strategies that lead to completion of the requirements for a secondary school diploma or its recognized equivalent (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized postsecondary credential		
2.	Alternative secondary school services, or dropout recovery services, as appropriate		
3.	Paid and unpaid work experiences that have as a component academic and occupational education, which may include (i) summer employment opportunities and other employment opportunities available throughout the school year; (ii) pre-apprenticeship programs; (iii) internships and job shadowing; and (iv) on-the-job training opportunities		
4.	Occupational skill training, which shall include priority consideration for training programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations in the local area involved		
5.	Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster		
6.	Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors, as appropriate		
7.	Supportive services		
8.	Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months		
9.	Follow-up services for not less than 12 months after the completion of participation, as appropriate		
10.	Comprehensive guidance and counseling, which may include drug and		

	WIOA Youth Program Elements	WIOA Funded (Specify Provider)	Referral by Agreement (Specify Provider)
	alcohol abuse counseling and referral, as appropriate		
11.	Financial literacy education		
12.	Entrepreneurial skills training		
13.	Services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services		
14.	Activities that help youth prepare for and transition to postsecondary education and training		

NC Local Workforce Development Board Bylaws Required Elements

At a minimum the local Workforce Development Board bylaws must include the following items for Division of Workforce Solutions approval.

When submitting the local bylaws, please specify the section (provide a clear crosswalk) where the following required elements are located within the submitted bylaws. The WIOA requirements are highlighted in yellow and the Division required elements are italicized within the document.

NOTE: Elements 1-7 are the *required* elements designated at WIOA Final Rule 679.310(g).

1. The nomination process used by the CEO(s) to elect the local Board chair and members.
2. The term limitations and how the term appointments will be staggered to ensure only a portion of membership expire in a given year.
3. The process to notify the CEO(s) of a Board member vacancy to ensure a prompt nominee within ninety (90) days of the vacancy.
4. The proxy and alternative designee process that will be used when a Board member is unable to attend a meeting and assigns a designee as per the requirements of 20 CFR 679.110(d)(4).
5. The use of technology such as phone and web-based meetings, that will be used to promote Board member participation (20 CFR 679.110(d)(5)).
6. The process to ensure Board members actively participate in convening the workforce development system's stakeholders, brokering relationship with a diverse range of employers, and leveraging support for workforce development activities.
7. A description of any other conditions governing appointment or membership on the Board as deemed appropriate by the CEO(s); (20 CFR 679.310(g)(1-7)).

North Carolina specific requirements that must be specified within the bylaws:

8. *The adopted generally accepted parliamentary procedure, such as Robert's Rules of Order, chosen by the Board.*
9. *Whether an appointee filling a vacancy will serve the remainder of the unexpired term or be appointed for a new full term.*
10. *The Board's policy assuring attendance and participation of its members.*
11. *Quorum requirements to be not less than 51% constituting 51% of the total Board positions.*
12. *Any standing committees the Board has established shall be included in the bylaws.*
13. *The Board's conflict of interest policy, which may not be any less stringent than the requirements of the Division's Policy, shall be referenced in the bylaws.*
14. *The process the Board will take when expedient action is warranted between Board meetings, such as calling a special meeting or allowing the Executive Committee to act on behalf of the Board.*
15. *Board meetings will be held in accessible facilities with accessible materials available upon prior request.*
16. *The Board will meet no less than four times per program year.*

Note: This template reflects multiple counties within a Consortium. Single-county Boards and non-Consortia will need to adjust their bylaws accordingly.

NAME HERE Workforce Development Board Bylaws

Article 1 **Name and Purpose**

Section 1. Name

The name of this organization shall be the NAME HERE Board (hereinafter referred to as the “Board”).

Section 2. Purpose and Responsibilities

The purpose for which the Board is organized is to perform all functions of a Workforce Development Board and Local Workforce Development Area as set forth in the Federal Workforce Innovation and Opportunity Act of 2014 (“WIOA”), or the corresponding provision of any applicable federal or state laws of related purpose and the rules and regulations promulgated thereunder, and Section 143B-438.11 of the North Carolina General Statutes and to perform such functions with the NAME HERE Workforce Development Board.

The Board service area shall encompass the counties of COUNTY NAME(s) HERE.

The Board responsibilities shall include:

1. Develop and submit local plan annually to the Governor, a comprehensive 4-year local plan, in partnership with the Chief Elected Official;
2. Perform workforce research and regional market analysis;
3. Convene local workforce development system stakeholders to assist in the development of the local plan and identify non-federal expertise and resources to leverage support for workforce development activities;
4. Lead efforts to engage with a diverse range of employers and with entities in the region involved;
5. Lead efforts with representatives of secondary and postsecondary education programs in the local area to develop and implement career pathways within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers;
6. Lead efforts in the local area to identify proven and promising strategies and initiatives for meeting the needs of employers, and workers and jobseekers in the local workforce system, and to identify and disseminate information on promising practices carried out in other local areas;

7. Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, workers, and jobseekers;
8. Conduct program oversight;
9. Negotiate and reach agreement on local performance accountability measures;
10. Designate or certify one-stop operators and, in appropriate circumstances, terminate for cause the eligibility of such operators;
11. Coordinate activities with education and training providers in the local area;
12. Develop a budget for the activities of the local Board consistent with the local plan and the duties of the local Board and subject to the approval of the Chief Elected Official;
13. Annually review the physical and programmatic accessibility provisions of all one-stop centers in the local area, in accordance with the Americans with Disabilities Act of 1990.

Article 2

Board Members

Section 1. Appointment

There shall be a Board of no more than NUMBER HERE (Optional) Board members. Members of this organization shall be appointed by the following procedure: The Chief Elected Official (Chairman of the XXXX County Board of Commissioners, hereinafter referred to as the CEO) shall appoint members based on nominations from the following: local business organizations; local education agencies; vocational education institutions, community-based organizations, and higher educational institutions; and private and proprietary schools; state or local labor organizations and other interested organizations.

The number of business sector nominees shall be at least 51 percent of the number of individuals to be appointed and are appointed from amongst individuals nominated by local business organizations and business trade associations. The nominated candidate or company must be a member of the nominating organization. A majority of the Members shall be representatives of businesses in the local area (including small businesses or organizations representing businesses that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area) and are owners, chief executives or operating officers, or other business executives or employers with optimum policy making or hiring authority. The members of the local Board shall represent diverse geographic areas within the local area.

Section 2. Composition

Organized Labor and Community Based Organizations: Not less than 20 percent of the Members shall be representatives of the workforce within the local area, who:

- (i) shall include representatives of labor organizations, who have been nominated by local labor federations, or 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 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 organizations that serve veterans or that provide or support competitive integrated employment for individuals with disabilities; and
- (iv) may include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth;

Education and training activities: The Board shall include representatives of entities administering education and training activities in the local area, who:

- (i) shall include a representative of eligible providers administering adult education and literacy activities under Title II of the WIOA;
- (ii) shall include a representative of institutions of higher education providing workforce investment activities (including community colleges);
- (iii) may include representatives of local educational agencies, and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to training;

The Board shall include representatives of governmental and economic and community development entities serving the local area, who:

- (i) shall include a representative of economic and community development entities;
- (ii) shall include an appropriate representative from the state employment service office under the Wagner-Peyser Act serving the local area;
- (iii) shall include an appropriate representative of the programs carried out under Title I of the Rehabilitation Act of 1973, serving the local area;
- (iv) may include representatives of agencies or entities administering programs serving the local area relating to transportation, housing, and public assistance, and
- (v) may include representatives of philanthropic organizations serving the local area; and

This Board may include such other individuals or representatives of entities as the Chief Elected Official determines appropriate.

Section 3. Tenure

All appointments will be for a two-year term to expire on June 30 of each respective term. However, the first year of the 2015 WIOA program year, Board members with one year remaining of WIOA appointment will serve a term of one year. No member shall serve more than three (3) consecutive terms (6 years) or a total of five (5) terms (10 years) in any one appointed position. An individual whose initial appointment is to fill an unexpired term or an initial staggered term of less than two years, shall be eligible to serve the number of full-length terms other members are eligible to serve, unless, prior to the time for reappointment that individual has already served six consecutive years. Members may be re-appointed at the discretion of the Chief Elected Official subject to the term limitations outlined in this section.

The Board shall advise the Consortium Counties of potential Board member vacancies prior to the end of the term. In the case of a midterm vacancy, an immediate replacement shall be requested of the Consortium County represented by the departing Board member. The appointed Board member shall fill the remaining term of office.

The Board shall not compensate Board Members for their services, but by resolution of the Board, a fixed sum and expenses, if any, may be allowed for attendance at each regular or special meeting of the Board.

Section 4. Termination for Cause

By two-thirds majority vote of the membership or by action of the Chief Elected Official, a member may be removed for cause from the Board. Cause would be for such actions as malfeasance, misfeasance, misconduct, or any action which would be deemed not in the best interest of the Board; or three (3) unexcused absences from regular scheduled meetings within the preceding twelve calendar months. Notice that a removal vote that may be taken for cause must be included on the agenda of said meeting. The Chair shall send a precautionary letter to the said Board member upon two (2) unexcused absences within the preceding twelve calendar months prior to the next meeting.

Section 5. Resignation

Letters of resignation must be submitted to the NAME HERE Workforce Development Board Chair. Three consecutive absences without justification will be considered defacto resignation. Justification must be submitted in writing. The Board Chair has the authority to accept or deny justification.

Section 6. Vacancies

Upon vacancy of any position on this Board, the procedure in Article II, Section 1, will be followed to provide replacement representation to complete the remainder of that term of appointment.

Article 3 Meetings

Section 1. Regular Meetings

The Board shall meet at such time and place as determined by the Chairperson in an accessible facility. The Board will meet no less than four times per program year. Regular Board meetings are face to face; however, Board members may access meetings via conference call, video communications and other alternative methods.

Five working days' notice shall be delivered to each member stating a reasonable time, date and place of the meeting and the meeting's purpose unless deemed an emergency by the Chair or Executive Committee calling for said special meeting.

Section 2. Special Meetings

The Chair of the Board and Committee Chair may, when deemed necessary, call a special meeting of the Board via conference call, video communications, or alternative media sources for transacting any business designated in the call.

Section 3. Quorum

At all meetings (regular or special) of the Board, a majority of the Board members present constitutes a quorum for transacting business. A quorum shall require the participation of Board members constituting 51% of the total board positions. Proxy representatives who are unable to cast votes shall not count toward meeting the quorum requirement. Votes may be cast via electronic medium for remote attendees. The act of the majority of the Board members present at a meeting at which a quorum is present shall be the act of the Board. However, a two-thirds vote of those present shall be required to amend any provision of these Bylaws.

Section 4. Conduct of Meetings

All meetings of this Board shall be conducted in accordance with the latest edition of Robert's Rules of Order.

Section 5. Open Meetings

Local Board Conducts Business Openly: The local Board must conduct its business in an open manner as required by WIOA sec. 107(e), by making available to the public, on a regular basis through electronic means and open meetings, information about the activities of the local Board. (20 CFR 679.390) This includes:

- a. Information about the Local Plan, or modification to the Local Plan, before

- submission of the plan;
- b. List and affiliation of local Board members;
- c. Selection of one-stop operators;
- d. Award of grants or contracts to eligible training providers of workforce investment activities including providers of youth workforce investment activities;
- e. Minutes of formal meetings of the local Board; and
- f. Local Board bylaws, consistent with § 679.310(g).

Section 6. Proxy Representation and Voting

A member may designate a representative to attend a meeting of the Board in his/her absence. The proxy must meet the membership criteria for the member's affiliation type. The proxy will count toward the appointed member's attendance. The representative may participate in discussions and may vote so long as the member provides written voting instructions to the Chair allowing his/her proxy representative to cast votes in accordance with the written voting instructions.

The Chair shall not vote except in the case of a tie, in which event he/she shall cast the deciding vote. Once a quorum is established, a quorum will be deemed to exist for the remainder of the meeting, or for an adjourned meeting, even if the number of Board members present is reduced below the minimum number necessary to initially establish a quorum. Each Board member present shall be entitled to one (1) vote on each matter for which a vote is taken. Votes may be cast telephonically or via electronic medium.

Section 7. Conflict of Interest and Voting

NAME HERE Board members shall not cast a vote, or take interest in, any decision-making capacity on the provision of services by such Individual (or any organization which that Individual directly represents), nor on any issue which would provide any direct financial benefit to that Individual.

No Board member shall participate in a governmental decision including voting on a matter (including recommendations, appointments, obligating, or committing the NAME HERE Board to a course of action) when such action influences a decision or exercises judgment in making a decision.

Any Board member with a potential or actual conflict of interest shall comply with requirements for public disclosure and recusal.

Each Board member shall annually confirm a statement that affirms such person:

1. Has received a copy of the Board's Conflict of Interest and Code of Conduct Policies in accordance with state policy;
2. Has read and understands the policy; and
3. Has agreed to comply with the policy.

Article 4 **Organization**

Section 1. Officers

The officers of this Board shall be a Chair, a Vice-Chair, and a Secretary.

Section 2. Election of Officers

Officers of this Board shall be elected in June for two-year terms. The Chair and Vice-Chair will be elected from among the members who are representatives of the business sector. The secretary will be elected from among all members.

The Chair shall appoint a nominating committee to recommend officers who shall be elected from the Board's business sector membership and shall begin their term at the beginning of the new program year effective July 1. These officers shall serve until their successors are elected and qualified or until they are no longer Board members. If an officer is unable to complete his/her term the Board shall elect a successor to complete the remaining portion of the original term. The Vice-Chair shall not be required to succeed the Chair at the end of the Chair's term of office.

Section 3. Chair

The Chair shall preside at Board meetings, designate standing and ad hoc committees deemed appropriate and appoint their Chair and members.

Section 4. Vice-Chair

The Vice-Chair shall assume all duties and responsibilities of the Chair in his/her absence from meetings. In the event that the office of Chair is vacated before the end of the term, the Vice Chair shall assume the office in an acting capacity until such time as the Board elects a new Chair.

Section 5. Secretary

The Secretary shall be responsible for proper notification of meetings, review and submission of the minutes to the Board, and shall carry out any other duties deemed appropriate by the Chair. Local Area staff will serve as support personnel in performing these duties.

Section 6. Executive Committee

The Executive Committee shall consist of the Chair, Vice Chair, Secretary (from a sector other than business), and the previous Chair or Vice Chair. As determined by the Chair of the Board, chairs of Board committees will attend Executive Committee meetings. Responsibilities of the

Executive Committee are as follows: make standing committee assignments and coordination among committees, prepare recommendations to Board on state and national issues, act as needed between regularly scheduled Board meetings, and develop immediate and long-range goals for Board concurrence.

Section 7. Vacancy

If an office becomes vacant, the Board shall elect a successor at its next meeting.

Article 5 **Committees**

Section 1.

The Chair of the Board shall have the power, except as otherwise provided in this Article, to appoint the members of any Committee for a term of two (2) years. No Committee, except as elsewhere provided in this Article, shall take any action or position on behalf of the Board, bind the Board or exercise the authority of the Board in the management of the Corporation. The Chair of all the Committees shall be members of the Board. The Executive Committee of the Board shall meet at the call of the Chair of the Board or the written request of any two (2) members of the committee. The Board's other Committees shall meet at the call of their respective Chair or the Chair of the Board.

Section 2.

Electronic meetings shall be permissible in lieu of face-to-face committee meetings at the discretion of the Committee Chair. An electronic meeting of the Committee occurs when Board members are in different locations, connected by electronic means, through audio, video or both. All votes taken during an electronic meeting shall be by roll call. All scheduled electronic meetings shall be held in such a way that all members participating can hear each other at the same time. When speaking, each member will be asked to clearly identify himself, so that proper recognition is given and recorded. All Board policies, administrative practices, and bylaws shall apply equally to electronic meetings.

Section 3.

The local workforce development board may establish standing committees to provide information and assist the Board in carrying out its responsibilities (20 CFR 679.360).

Article 6
Amendments

Section 1. Amendment Procedure

Board Bylaws can be amended at any regular Board meeting provided the proposed amendment(s) has been submitted in writing to the Board members at least two weeks prior to the meeting.

Section 2. Vote Needed

The Bylaws shall be amended upon affirmative vote by a two-thirds majority of the Board.

Article 7
Severability

In the event that any of the rules, regulations, restrictions, covenants, or conditions of these Bylaws are held to be partially or wholly invalid or unenforceable for any reason, such holding shall not affect, alter, modify, or impair in any manner any of the other terms, provisions, rules, regulations, restrictions, covenants, or conditions contained herein.

Adopted This NUMBER DATE Day of MONTH, YEAR.

Signed:

Board Director Printed Name and Signature

Date

Chief Elected Official Printed Name and Signature

Date

Board Chair Printed Name and Signature

Date

Guidance Regarding Meetings and Conferencing via Electronic Means

All public Workforce Development Board meetings and Committee meetings will be held at specified times and places which are convenient and open to the public.

The Board believes it is in the best interest of its members, systems, and customers that the fullest participation and attendance in all meetings be achieved whenever possible. Furthermore, it recognizes that the use of electronic, audio or video conferencing for meeting attendance and voting requirements is permissible so long as the meeting is conducted in accordance with the Sunshine Provision.

The Board in all of its regular and special, standing committee, and ad hoc committee meetings complies with and intends to comply with the provisions of the Sunshine Provision. Therefore, the Board hereby adopts this policy, to be used when needed, to make use of the capabilities for conferencing by electronic means or any other type of audio or video conferencing for its meetings *or* any of the standing committee and ad hoc committee meetings as set forth and adopted according to the following rules as applicable:

- A. All pertinent provisions of the Sunshine Provision must be complied with, including specifically the proper notice of any regular or special meeting, the proper record keeping or minutes of each meeting, the appropriate agenda preparation for each meeting, which in addition shall be posted along with the notice of the meeting; and, in particular, any use of closed sessions shall be in compliance with the provisions of WIOA.
- B. All Board and Committee members attending meetings by electronic conferencing shall be entitled to vote as if they were personally and physically present at the meeting site so long as a quorum is, in total, present and accounted for, and their votes shall be recorded by the Board Director.
- C. A Board or Committee member who attends a meeting by electronic, video, or audio conference must provide notice to the Board Director at least 24 hours prior to the meeting unless such advance notice is impracticable.
- D. The location of the meeting included on the notice shall be equipped with a suitable transmission system (e.g., a speakerphone) in order that the public audience, the members in attendance and any staff in attendance will be able to hear any input, vote, or discussion of the conference and that the member attending by electronic means shall have a similar capability of hearing and participating in such input, vote, or discussion.
- E. As the Board or its committees begin each new matter of business, the Chair will check with all remote location(s) where members are to ensure that each such connection is active.
- F. When a motion is made, and seconded, and discussion regarding the motion begins, the Chair will check that the connection with remote location(s) where members are present is active. Prior to closing discussion and taking any vote, the Chair will ask all remote location(s)

where member(s) is(are) present whether there are any additional comments, questions, or information to be added to the discussion.

- G. All decisions will be made using majority rule except when a higher vote is required. There will be no muting of any connections with remote location(s) where members are present at any time. There will be no sidebar discussions.
- H. The procedures outlined above shall also apply to each Board and its Committee members.

Local Workforce Development Boards Membership Requirements

Representative of Business	Who May Satisfy the Requirements
<p style="text-align: center;">(WIOA Section 107(b) (2)(A))</p>	<p>The majority of the members of the Local Board must be representatives of business in the local area. At a minimum, two members must represent small business as defined by the U.S. Small Business Administration. Business representatives serving on Local Boards may also serve on the State Board. Each business representative must meet the following criteria:</p> <ul style="list-style-type: none"> • be an owner, chief executive officer, chief operating officer, or other individual with optimum policy making and hiring authority; • provide employment opportunities in in-demand industry sectors or occupations, as those terms are defined in WIOA section 3(23); and provide high-quality, work-relevant training and development opportunities to its workforce or the workforce of others (in the case of organizations representing business as per WIOA Sec. 107(b)(2)(A)(ii); and • are appointed from among individuals nominated by local business organizations and business trade associations.
<p style="text-align: center;">Representative of Workforce</p> <p style="text-align: center;">(WIOA Section 107(b)(2)(B))</p>	<p>Not less than 20 percent of the members of the Local Board must be workforce representatives. These representatives:</p> <ul style="list-style-type: none"> • must include two or more representatives of labor organizations, where such organizations exist in the local area. Where labor organizations do not exist, representatives must be selected from other employee representatives; <i>[In North Carolina, such examples include the North Carolina Association of Educators (NCAE) or the State Employees Association of North Carolina (SEANC)].</i> • must include one or more representatives of a joint labor management, or union affiliated, registered apprenticeship program within the area who must be a training director or a member of a labor organization. If no union affiliated registered apprenticeship programs exist in the area, a representative of a registered apprenticeship program with no union affiliation must be appointed, if one exists, and may include: <p>In addition to the representatives enumerated above, the Board may include the following to contribute to the 20 percent requirement:</p> <ul style="list-style-type: none"> • one or more representative of community-based organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of individuals with barriers to employment,

	<p>including organizations that serve veterans or provide or support competitive integrated employment for individuals with disabilities; and</p> <ul style="list-style-type: none"> • one or more representatives of organizations that demonstrated experience or expertise in addressing the employment, training, or education needs or eligible youth, including representatives of organizations that serve out-of-school youth.
<p>Representatives of Education and Training (WIOA Section 107(b) (2)(C))</p>	<p>The balance of Local Board membership must include:</p> <ul style="list-style-type: none"> • At least one eligible provider administering adult education and literacy activities under WIOA Title II; • At least one representative from an institution of higher education providing workforce investments activities, including community colleges; and • At least one representative from each of the following governmental and economic and community development entities: <ul style="list-style-type: none"> • Economic and community development entities; • The state Employment Service Office under the Wagner-Peyser Act (29 U.S. C. 49 et seq.) serving the local area; and • The programs carried out under Title I of the Rehabilitation Act of 1973, other than Sec. 112 or part C of that title. <p>In addition to the representatives enumerated above, the CLEO may appoint other appropriate entities in the local area, including:</p> <ul style="list-style-type: none"> • Entities administering education and training activities who represent local educational agencies or community-based organizations with demonstrated expertise in addressing the education and training needs for individuals with barriers to employment; • Governmental and economic and community development entities who represent transportation, housing, and public assistance programs; • Philanthropic organizations serving the local area; and • Other appropriate individuals as determined by the Chief Elected Official.

Source: USDOL Training and Employment Guidance Letter (TEGL) 27-14