

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Social Services	(2) MEETING DATE 9/22/2015	(3) CONTACT/PHONE Dawn Boulanger - 805-781-1835 Michael Coughlin - 805-781-1908		
(4) SUBJECT Submittal of a resolution formally designating the San Luis Obispo County Workforce Investment Board and its members as the Workforce Development Board and request to approve bylaws for the Workforce Development Board of San Luis Obispo County. All Districts.				
(5) RECOMMENDED ACTION It is recommended that the Board: <ol style="list-style-type: none"> <li>1) Adopt the resolution formally designating the Workforce Investment Board and its current members as the Workforce Development Board in accordance with the Workforce Innovation and Opportunity Act (WIOA Public Law 113-128 Section 107); and</li> <li>2) Approve bylaws for the Workforce Development Board under the WIOA (2014).</li> </ol>				
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? N/A	
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ___) <input type="checkbox"/> Board Business (Time Est. ___)				
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A				
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A			(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A    Date: <u>May 19, 2015, July 7, 2015, July 21, 2015</u>		
(17) ADMINISTRATIVE OFFICE REVIEW Morgan Torell				
(18) SUPERVISOR DISTRICT(S) All Districts				

# County of San Luis Obispo



TO: Board of Supervisors

FROM: Leland W. Collins, Social Services Director  
Dawn Boulanger - 805-781-1835

DATE: 9/22/2015

SUBJECT: Submittal of a resolution formally designating the San Luis Obispo County Workforce Investment Board and its members as the Workforce Development Board and request to approve bylaws for the Workforce Development Board of San Luis Obispo County. All Districts.

## **RECOMMENDATION**

It is recommended that the Board:

- 1) Adopt the resolution formally designating the Workforce Investment Board and its current members as the Workforce Development Board in accordance with the Workforce Innovation and Opportunity Act (WIOA Public Law 113-128 Section 107); and
- 2) Approve bylaws for the Workforce Development Board under the WIOA (2014).

## **DISCUSSION**

### **Background**

On March 11, 2008, the Board designated the Department of Social Services (DSS) as the Administrative Entity and Fiscal Agent for the local workforce investment area, now designated a workforce development area. In this capacity, DSS receives Workforce Investment Opportunity Act (WIOA) funds directly from the State, distributes the funds to program providers, issues purchase orders and contracts, conducts internal fiscal audits, and participates in State fiscal audits. In its capacity as the Administrative Entity, DSS is submitting new bylaws and Workforce Development Board (WDB) membership composition for your Board's approval.

On July 22, 2014, the WIOA, the first legislative reform of the public workforce system in 15 years, was signed into law. WIOA is designed to strengthen and improve the public workforce system and put job seekers back to work by helping workers acquire the skills employers need and help employers access the talent pool needed to compete in a global economy. WIOA supersedes the Workforce Investment Act (WIA) of 1998 (workforce development services provided by contractors via workforce development contracts with the County). It also amends the Adult Education and Family Literacy Act of 1998 (services provided by local school districts), the Wagner-Peyser Act of 1933 (services provided by California Employment Development Department (EDD)), and the Rehabilitation Act of 1973 (services provided by the CA Department of Rehabilitation (DOR)).

The transition period to fully implement the WIOA is occurring over two program years, 2014-15 (as an initial planning period) and 2015-2016 (as the official transition year) respectively. Approval of the new board composition and bylaws will facilitate the transition and ensure that the local area components are fully in place and compliant as of the federally mandated July 1, 2016 deadline. The State Workforce Development Board approved San Luis Obispo County's application for Existing Local Area Designation and Local Board Certification under WIOA in June 2015 following County approval and submittal of the application in May. These identified the geographic area for the local workforce development area (San Luis Obispo County) and the composition of the local Workforce Development Board (previously the Workforce Investment Board).

### **Workforce Development Boards under WIOA**

WIOA, similar to its predecessor legislation, mandates that the Chief Local Elected Official (the County Board of Supervisors) designate a Local Workforce Development Board (WDB) to set policy direction and to oversee WIOA funded operations. State and federal WIOA implementation guidance allowed for certifying existing Workforce Investment Boards (WIBs) as WDBs and existing WIB members as WDB members. WIOA mandates that the WDB maintain a business majority (more than 50 percent) and its composition include representatives from business, local educational entities, labor groups, and economic development agencies, while reducing the number of mandated public sector partners to representatives of the abovementioned Acts amended by WIOA (DOR and EDD) thereby creating a smaller, more agile WDB.

During the initial implementation year, the WIB convened a WIOA Membership and Bylaws ad hoc committee to review the requirements of WIOA and identify options for WDB composition and structure. The committee presented its recommendations to the Executive Committee of the WIB in June and July 2015, prior to the full WIB unanimously approving the new bylaws (attached) which reduce the membership from 35 to 25 members and new committee structure at its August 6, 2015 meeting. The WIB approved eliminating five (5) vacant business seats, two (2) vacant community based organization seats, and three (3) vacant one-stop partners seats. A roster of members and vacant seats to be eliminated is attached. The proposed WDB composition includes the following:

<b>Type of Seat</b>	<b>Number of Seats</b>
Business	13 (2 vacant)
Economic Development	2 (0 vacant)
Local Education	2 (1 vacant)
Labor	5 (4 vacant)
Mandated:	3 (comprised of the following):
DOR	1 (0 vacant)
EDD	1 (0 vacant)
Small Business Development Center	1 (1 vacant)
<b>Total WDB Seats</b>	<b>25 (8 vacant)</b>

### **Workforce Development Board Bylaws**

The WDB bylaws replace the bylaws held by the WIB and describe the new and expanded duties of the local workforce board in compliance with the WIOA. The bylaws address the following areas:

- Article I: Background, Name, and Definitions – statutory authority and terms.
- Article II: Purpose and Function- mission and purpose.
- Article III: Board of Directors – representatives, terms, meetings, and attendance.
- Article IV: Committees – formation, membership, and purpose.
- Article V: Staffing and Support- support staff and program administration.
- Article VI: Conflict of Interest- voting restrictions and disclosure obligations.
- Article VII: Miscellaneous – effective dates and amendments.

### **Related Actions**

The Board approved the application for Initial Local Area designation on May 19, 2015 and then approved contracts with WIOA providers, Goodwill Central Coast and Henkel & McCoy, on July 7, 2015. Membership appointments to fill vacancies in labor, local education, and small business are scheduled for your consideration in late October. Mandated One-Stop system partner memorandums of understanding will be brought forth for your consideration sometime in the spring 2016.

### **OTHER AGENCY INVOLVEMENT/IMPACT**

The San Luis Obispo County Workforce Investment Board (WIB) approved the bylaws and membership changes at its August 6, 2015 meeting. County Counsel reviewed and approved the resolution and bylaws for form and legal effect, and the County Clerk reviewed the process and recommendations for WDB composition.

### **FINANCIAL CONSIDERATIONS**

This item has no impact on the County's General Fund as WIOA programs are fully financed by federal funding.

## **RESULTS**

Approval of the resolution and bylaws will allow the WDB to fulfill State mandates for oversight of the local workforce development system. The WDB supports the countywide goal of a prosperous community through its actions and recommendations.

## **ATTACHMENTS**

1. Attachment 1 - WDB Resolution
2. Attachment 2 - WDB Roster and Terms
3. Attachment 3 - WDB Bylaws