

COMMONWEALTH OF VIRGINIA
WORKFORCE INVESTMENT ACT
VIRGINIA EMPLOYMENT COMMISSION

FIELD GUIDANCE MEMORANDUM #02-09

TO: CHIEF LOCAL ELECTED OFFICIALS
LOCAL WORKFORCE INVESTMENT BOARDS

FROM: WIA UNIT

SUBJECT: LOCAL WORKFORCE INVESTMENT BOARD RECERTIFICATION PROCEDURE

DATE: JULY 1, 2002

State policy 99-2, *Establishment of Local Workforce Investment Boards* (LWIB) outlines the guidelines for initial certification of the board. WIA 117(c)(2)(A) requires that LWIBs be recertified every two years. In order to recertify each LWIB, the WIA Unit will evaluate several criteria using the comprehensive procedure outlined in this memorandum.

PROCEDURE FOR RECERTIFYING LOCAL WORKFORCE INVESTMENT BOARDS

The WIA Unit will assess each LWIB by reviewing data submitted by the local area (i.e. local plans, quarterly reports, etc.), information generated from the Virginia Workforce Network (VWN) and, when necessary, by interviewing LWIB members, local area staff and WIA Consultants in relation to the following criteria:

Composition (Possible Points – 25)

Members of the LWIB that represent organizations, agencies, etc. must be individuals with optimum policymaking authority within their respective organizations or agencies. Additionally, the majority of the members of the LWIB must be representatives of businesses in the local area.

At a minimum, the LWIB should consist of:

- a. (5 points) Representatives of businesses in the local area who:
1. Are owners of businesses, chief executives or operating officers of businesses, and other business executives or employers with optimum policymaking or hiring authority,
 2. Represent businesses with employment opportunities that reflect the employment opportunities of the local area; and
 3. Are appointed from among individuals nominated by local business organizations and business trade associations.

- b. (5 points) Representatives of local educational entities, including representatives of local educational agencies, local school boards, entities providing adult education and literacy activities, and postsecondary educational institutions (including representatives of community colleges, where such entities exist), selected from among individuals nominated by regional or local educational agencies, institutions, or organizations representing such local educational entities;
- c. (5 points) Representatives of labor organizations (for a local area in which employees are represented by labor organizations), nominated by local labor federations, or (for a local area in which no employees are represented by such organizations), other representatives of employees;
- d. (5 points) Representatives of community-based organizations (including organizations representing individuals with disabilities and veterans, for a local area in which such organizations are present);
- e. (5 points) Representatives of economic development agencies, including private sector economic development entities and representatives of each of the one-stop partners.

Local Performance Measures (Possible Points – 30)

According to WIA 117(d)(5), the LWIB, Chief Local Elected Official (CLEO) and Governor must negotiate and reach agreement on local performance measures as described in WIA 136(c), which outlines the criteria for establishing local performance measures. Minimally, these local measures must consist of:

- a. (10 points) The core indicators of performance for employment and training activities described in WIA 136(b)(2)(A) for adults, dislocated workers and participants who are eligible youth age 19 through 21 include:
 - 1. Entry into unsubsidized employment;
 - 2. Retention in unsubsidized employment 6 months after entry into the employment;
 - 3. Earnings received in unsubsidized employment 6 months after entry into the employment; and
 - 4. Attainment of a recognized credential relating to achievement of educational skills, which may include attainment of a secondary school diploma or its recognized equivalent, or occupational skills, by participants who enter unsubsidized employment, or by participants who are eligible youth age 19 through 21 who enter postsecondary education, advanced training, or unsubsidized employment.
- b. (10 points) The core indicators of performance for participants who are eligible youth age 14 through 18 include:
 - 1. Attainment of basic skills and, as appropriate, work readiness or occupational skills;

2. Attainment of secondary school diplomas and their recognized equivalents; and
 3. Placement and retention in postsecondary education or advanced training, or placement and retention in military service, employment, or qualified apprenticeships.
- c. (10 points) The customer satisfaction indicators of performance that measure the customer satisfaction of employers and participants with services received from workforce investment activities. Customer satisfaction may be measured through surveys conducted after the conclusion of participation in workforce investment activities.

Substantive and Process Responsibilities (Possible Points – 45)

Thirdly, the LWIB must have successfully carried out the eleven functions outlined in section III: *Functions of the Local Board* of State policy 99-2 in order to receive the maximum amount of points available at this level. Points will be awarded based on responses to the following questions:

- a. (3 points) Have the vision, goals, objectives and policies for the Local Workforce Investment Area (LWIA) been developed? Is the vision linked with the economic development mission for the LWIA?
- b. (3 points) Has a comprehensive 5-year local strategic plan been submitted (and revised or updated, as appropriate) that is consistent with the State plan?
- c. (3 points) Has a One-Stop Operator, or consortium, been designated and certified?
- d. (3 points) Have eligible providers of youth activities been selected by awarding grants or contracts on a competitive basis based on the recommendations of the Youth Council?
- e. (3 points) Have eligible training providers for adults and dislocated workers been identified, approved and submitted to the State for inclusion on the Statewide Eligible Training Provider List?
- f. (3 points) Have eligible providers of intensive services for adults and dislocated workers been identified? In the event that the One-Stop Operator does not provide the intensive services, have award contracts for intensive services been arranged?
- g. (3 points) Has the LWIB provided oversight with respect to local programs of youth, adult and dislocated worker activities authorized under the WIA?
- h. (3 points) Have local performance measures been negotiated?
- i. (3 points) Has the LWIB participated in the development of a Statewide employment statistics system?

- j. (3 points) Have workforce investment activities authorized under WIA been coordinated with local economic development strategies? Have employer linkages been developed through the coordination of those strategies?
- k. (3 points) Has the LWIB promoted the participation of private sector employers in the Statewide workforce investment system through connecting, brokering and coaching activities? Has the LWIB, through the One-Stop Operator or other venues, assisted local employers in meeting hiring needs?
- l. (3 points) Has the LWIB entered into an agreement with the CLEO(s) that clearly details the partnership between the two entities for the governance and oversight of activities under the WIA?
- m. (3 points) Has the LWIB appointed a Youth Council?
- n. (3 points) Has a budget been developed to carry out the duties of the LWIB? Has this budget been approved by the CLEO(s)?
- o. (3 points) Is the LWIB providing core, intensive or training services through the one-stop system? Is the LWIB serving as One-Stop Operator for the LWIA? If so, was this arrangement approved by the CLEO(s) and the WIA Unit?

SCORING

After all information has been evaluated, the WIA Unit will assign points to the level of proficiency achieved by the LWIB in each area. Documentation to support each rating will be provided in the final report and a copy of the review will be provided to the LWIB for future reference.

A maximum of 25 points may be earned at the first level of the recertification process: Composition. Up to five (5) points will be awarded for each of the criterion outlined in this section. To receive the maximum amount of points at this level, the LWIB must meet the minimum composition requirements outlined in WIA 117(b)(2). In order to adequately evaluate this level, all LWIBs must submit Forms A-D from <http://www.vec.state.va.us/wia.cfm?loc=wia&info=localwia> to the WIA Unit. The WIA Unit will review these forms to award points for the composition of the LWIB.

A maximum of 30 points will be awarded at the second level of the recertification process: Local Performance Measures. Up to ten (10) points will be awarded for each of the criterion outlined in this section. To receive the maximum amount of points available at this level, the LWIB must have demonstrated that workforce investment activities have been carried out in the local area that have enabled the local area to meet at least eight (8) of the 17 performance measures **AND** the two customer satisfaction measures. The WIA Unit will review performance data generated from the VWN to measure the effectiveness of this endeavor.

A maximum of 45 points will be awarded at the third level of the recertification process: Substantive and Process Responsibilities. Up to three (3) points will be awarded for each of the criterion outlined in this section. To receive the maximum amount of points available at this level,

the LWIB must have demonstrated the success in carrying out the eleven responsibilities mandated by the WIA. The WIA Unit will award points based on the responses to the questions listed above which were derived from State policy 99-2.

NOTIFICATION

All LWIBs will be notified of the results of the recertification process by June 30 of each year of recertification. When necessary, the WIA Unit may extend the deadline to address extenuating circumstances that may arise. The following levels of recertification may be received:

Recertification

Once the points are compiled, LWIBs with a total of 90-100 points will receive a Letter of Recertification. LWIBs who score in this percentile will have met all of the provisions outlined above, with minor areas needing improvement.

Contingent Recertification

LWIBs who receive a total of 70-89 points will be sent a Letter of Contingent Recertification with suggestive provisions for the LWIB to address in order to receive full recertification. Boards who score in this range may not have a substantial amount of provisions to address, but will need to provide clarity or additional information on items that could not be rated based on the information received.

Once these suggestive provisions are addressed and approved by the WIA Unit, a Letter of Recertification will be issued. If the provisions are not addressed within seven (7) business days, or cannot be approved based upon the information submitted, no additional opportunities will be provided to correct these provisions during this process. In this situation, a Letter of Non-Recertification will be issued.

Non-Recertification

In the event that a LWIB receives a total of 69 points or less, a Letter of Non-Recertification will be issued. The need for substantial improvement, even after applying exhaustive technical assistance methods, would cause the LWIB to score in this range. Per WIA 117(c)(3), if a LWIB fails to achieve certification, another LWIB will be appointed and certified pursuant to the provisions of State policy 99-2.

APPEALS AND QUESTIONS

Decisions may be appealed using the guidelines outlined in State policy 02-01, **Processing Grievances and Complaints** at <http://www.vec.state.va.us/wia.cfm?loc=wia&info=vaplans>.

Questions regarding this procedure should be forwarded, in writing, to Caprichia Thurston at cthurston@vec.State.va.us.