



SOUTH FLORIDA WORKFORCE INVESTMENT BOARD

Executive Committee Meeting

THURSDAY, July 8, 2021

8:00 A.M.

CareerSource South Florida Headquarters
7300 Corporate Center Drive
Conference Room 2
Miami, Florida 33126

AGENDA

1. Call to Order and Introductions
2. Approval of Executive Committee Meeting Minutes
 - A. June 10, 2021
3. Information – REACH Act - House Bill 1507 Update
4. Recommendation as to Approval of Amendments to the By-Laws of the SFWIB
5. Recommendation as to Approval of Rapid Response and Layoff Aversion Initiatives
6. Recommendation as to Approval of the BEAN Automotive Apprenticeship Program

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"Members of the public shall be given a reasonable opportunity to be heard on a specific agenda item, but must register with the agenda clerk prior to being heard."



SFWIB EXECUTIVE COMMITTEE

DATE: July 8, 2021

AGENDA ITEM NUMBER: 2A

MEETING MINUTES

June 17, 2021 at 8:15 A.M

CareerSource South Florida Headquarters

<p>EXECUTIVE COMMITTEE MEMBERS IN ATTENDANCE</p> <ol style="list-style-type: none"> 1. Perez, Andy, <i>Chairman</i> 2. Gibson, Charles, <i>Vice-Chairman</i> 3. del Valle, Juan Carlos 4. Ferradaz, Gilda 	<p>EXECUTIVE COMMITTEE MEMBERS NOT IN ATTENDANCE</p> <ol style="list-style-type: none"> 5. Garza, Maria <p>SFWIB STAFF</p> <p>Beasley, Rick Anderson, Frances Bennett, Renee Gilbert, David Jean-Baptiste, Antoinette Kavehersi, Cheri Kelly, Travis Mc Farland, Cassandra</p>	<p>AUDIENCE:</p> <p>Rodanes, Carlos</p>
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Agenda items are displayed in the order they were discussed.

- 1. Call to Order and Introductions**
SFWIB Vice-Chairman Gibson called the meeting to order at 8:40am, asked all those present introduce themselves and he noted that quorum had not been achieved.
- 2. Approval of Meeting Minutes of June 10, 2021**
Item deferred
- 3. Information – 2021-2022 In-State Allocations**
- 4. Information – SFWIB Strategic Plan Update**
- 5. Information – House Bill 1507 – Workforce Related Programs and Services**

Vice-Chairman Gibson introduced the item and Mr. Beasley further presented.

He additionally noted he'd asked finance staff Renee Bennett (Comp Controller) and Basil Petro (Assistant Comp Controller).

Mr. del Valle requested additional details on potential impact to this year's budget. He inquired what were the most important issues. Mr. Beasley explained that although there would not be a significant impact to contracts, there would be drastic impacts to refugee services.

Mr. Beasley continued with his presentation.

Mr. Beasley additionally noted possible reductions to career center leases, as well as space size. Mr. Beasley furthermore noted potential cuts in headquarter costs. He additionally noted defer filling the Chief of Staff position recently advertised.

Mr. del Valle verified potential impacts to headquarter funds and Mr. Beasley explained. He noted vacant positions that may not be filled.

He additionally shared possible initiatives:

- The "Peace and Prosperity" initiatives in partnership with Miami-Dade County Mayor Danielle Levine Cava and Commissioner Kionne L. Mcghee.
- Summer Youth Employment
- TechHire

In terms of Monroe county, he noted percentage reduction from six percent to 3 percent in funding. And with regards to impacts to career center leases, he gave one example of a space located in Liberty City area for the relocation of the Northside center (located in the area of 54th street and NW 23th avenue).

Vice-Chairman Gibson inquired about quality/details of the leased potential space. Mr. Beasley explained.

Mr. Beasley furthermore provided updates on relocation of centers in the Keys, as they will be located at local college sites.

He continued his discussion on apprenticeship programs.

With Vice-Chairman Gibson asked whether if these programs would be new implemented on already in existence. Mr. Beasley explained the programs to-be-implemented would be brand new.

[Mr. Gibson stepped out of the meeting room]

There was continued discussion.

[Mr. Gibson stepped returned to the meeting room]

Vice-Chairman Gibson inquired about approval procedures the following remaining pending items. Mr. Beasley explained that items can be moved for approval by consensus.

6. Recommendation as to Approval to Renew Existing Workforce Services Contract for Program Year 2021-2022

Vice-Chairman Gibson introduced the item and Mr. Beasley further presented.

Mr. Juan Carlos del Valle moved the approval to renew existing workforce services contract for program year 2021-2022. Motion seconded by Ms. Gilda Ferradaz; **Motion Passed for Recommendation to the Full Board by Consensus of the Members Present**

7. Recommendation as to Approval to Renew Existing Workforce Services Contract for Program Year 2021-2022

Vice-Chairman Gibson introduced the item and Mr. Beasley further presented.

Mr. Juan Carlos del Valle moved the approval to renew existing workforce services contract for program year 2021-2022. Motion seconded by Ms. Gilda Ferradaz; **Motion Passed for Recommendation to the Full Board by Consensus of the Members Present**

8. Recommendation as to Approval to Allocate Funds for the Miami-Dade County Public Schools for the Miami-Dade Pre-Apprenticeship Internship Program

Vice-Chairman Gibson introduced the item and Mr. Beasley further presented.

Ms. Gilda Ferradaz moved the approval to allocate funds for the Miami-Dade County Public Schools for the Miami-Dade Pre-Apprenticeship Internship Program. Motion seconded by Mr. del Valle; **Further Discussion(s):**

Vice-Chairman Gibson inquired about the requirements of Request For Proposal (RFP) when contracting with local governmental entities. Mr. Beasley explained this agency is permitted to directly contract with local governmental entities (without an RFP process).

Motion Passed for Recommendation to the Full Board by Consensus of the Members Present

9. Recommendation as to Approval of TechHire Internship Program

Vice-Chairman Gibson introduced the item and Mr. Beasley further presented.

Mr. Juan Carlos del Valle moved the approval TechHire Internship Program. Motion seconded by Ms. Gilda Ferradaz; **Motion Passed for Recommendation to the Full Board by Consensus of the Members Present**

10. Recommendation as to Approval of Amendments to the By-Laws of the SFWIB

Vice-Chairman Gibson introduced the item and Mr. Beasley further presented.

He furthermore provided changes to the proposed amended By-Laws.

Ms. Ferradaz inquired about the number of meetings members allowed to miss.

Mr. Beasley responded a total of two absences allowable. She later asked whether if those attending virtually, would be counted towards a quorum. Mr. Beasley responded, “Yes” he noted the maximum excused about must not exceed three a year.

Vice-Chairman Gibson asked whether if there’s a standard process for removing members from the board. Mr. Beasley explained.

There was continued discussion.

Ms. Ferradaz inquired virtual attendance

Mr. del Valle requested clarification on page 12 of the By-Laws which details the requirements of telecommunication attendance. He asked whether if this language also includes virtual attendance (2 meetings a year). Mr. Beasley provided details on proposed language and noted all meetings will take place in person (there a total of six regularly scheduled board meetings a year). Anyone attending via teleconference (virtual) would count as a quorum count. **Modify Language:** “Members can participate twice a year”

Ms. Ferradaz recommended holding virtual meetings during current pandemic as she questioned whether if there would be virtual meetings in the future. Mr. Beasley clarified.

Modify Language: “Members can participate virtually two times; when necessary to have meetings virtually” (during emergencies (example natural disasters/pandemics).

Maximum virtual meetings per year is two (not to include emergency meetings held virtually) (**Modify Language:** remove words “twice a year”).

There was continued discussion.

- Modifications requested on pages six (6) and twelve

SFWIB Policy Manager Cheri Kavehersi reviewed with the members on recommended changes to the By-Laws.

There was continued discussions.

Vice-Chairman Gibson recommended differentiating the types of “acceptable excuses”.

Mr. del Valle asked how are virtual meetings called by CSSF counted towards regular virtual attendance limitations. Mr. Beasley explained.

There was continued discussion related to meeting attendance criteria and limitation.

New Business(es):

- Mr. Beasley updated the members on a volume of exit cases

There being no further business to come before the Committee, meeting adjourned at 9:58am.



SFWIB EXECUTIVE COMMITTEE

DATE: 7/8/2021

AGENDA ITEM NUMBER: 3

AGENDA ITEM SUBJECT: FLORIDA HOUSE BILL 1507, REACH ACT UPDATE

AGENDA ITEM TYPE: **INFORMATIONAL**

RECOMMENDATION: N/A

STRATEGIC GOAL: **STRENGTHEN THE ONE-STOP DELIVERY SYSTEM**

STRATEGIC PROJECT: **Strengthen workforce system accountability**

BACKGROUND:

On June 24, 2021, House Bill 1507, the Reimagining Education and Career Help (REACH) Act of 2021 was signed into law by Governor Ron DeSantis. The REACH Act was initially passed by the Florida House of Representatives on April 14, 2021 with full bipartisan support. The bill was put forth and passed, due in part, to the federal audit conducted by the United States Department of Labor (USDOL) which revealed weaknesses in the CareerSource Florida network; and because legislators were of the opinion that “Floridians have been hamstrung by an outdated and fragmented workforce system that puts more emphasis on inputs rather than outcomes”.

As a result, on June 15, 2021, CareerSource Florida (CSF) Board of Directors announced the approval of more than \$29 million in investments for training, education and systems alignment to help Floridians embark on career pathways to self-sufficiency and economic prosperity. CSF President and CEO Michelle Dennard stated, “The investments approved by the CareerSource Florida Board reflect strategic initiatives and priorities directed by Governor DeSantis to strengthen alignment among CareerSource Florida, the state Department of Economic Opportunity and the state Department of Education to help ensure all Floridians can find meaningful work.”

Key Points

1. Signed into law on June 24, 2021.
2. HB 1507 passed on April 14, 2021 with bipartisan support.
3. Passed as a result of a federal audit that revealed weaknesses in the CareerSource network.
4. The bill was passed because legislators felt “Floridians have been hamstrung by an outdated and fragmented workforce system that puts more emphasis on inputs rather than outcomes.”
5. Creates the Office of Reimagining Education and Career Help (REACH) Act.
6. Requires workforce programs meet actual outcome standards.
7. Credential is defined.

8. Requires digital credentialing.
9. Automated consumer-first workforce system.
10. Revises various provisions related to apprenticeship and pre-apprenticeship programs
11. Money back (tuition) guarantee program. This program allows students a/k/a participants to get their money back if they cannot get a job within six months of completing workforce programs.
12. Ensures job seekers and students are confident that Florida is closer than ever to providing the most unified and exceptional workforce system in the nation to help them land and grow in an in-demand careers.
13. Outlines what is promoted as the most significant redesign of the workforce system of any other state in America.
14. Revises and creates provisions relating to workforce services including renaming the Workforce Estimating Conference to the “Labor Market Estimating Conference”.
15. Improves every Floridian’s opportunity to achieve self-sufficiency via a system-wide holistic approach.
16. Requires certain contracts to be performance based.

The REACH Act effective date is July 1, 2021. A copy of the REACH ACT Checklist is attached for the review of the Committee.

FUNDING: N/A

PERFORMANCE: N/A

ATTACHMENT

**Reimagining Education and Career Help (REACH) Act
(HB 1507)**

REGULATIONS	SECTION	YES	NO	REFERENCE	NOTES (site the local policy with Board approval date)
	1. REACH Act FS 14.36				
	a. No-Wrong-Door Entry Strategy				
	Does the SFWIB cross-train all CareerSource center staff on workforce related programs, including how to use an integrated case management system, develop an individual employment plan, conduct a comprehensive needs assessment, pre-certify individuals for workforce related programs, and on any other activities to reinforce a no-wrong-door-entry strategy?				
	If not, is there a plan to begin efforts that will allow the implementation of a strategy that will improve equity and access to the myriad of state and federally funded workforce related programs available to citizens in WDA 23?				
	Does the SFWIB coordinate and facilitate a common intake form and/or case management system for workforce related programs to minimize duplicate data entry?				
	Does the SFWIB coordinate and/or facilitate a MOU, in consultation with, the DEO and the DCF to permit Supplemental Nutrition Assistance Program (SNAP) and TANF clients to pre-certify for WIOA training services without having to physically visit a one-stop center?				
	Has the SFWIB identified other state and/or federal programs that serve individuals with significant barriers to employment as demonstrated by low placement, employment, and earnings rates? If so, are there strategies that have been identified that will increase the utilization of those programs? If not, is there a plan to identify and begin implementing such programs?				
	b. Workforce Opportunity Portal				
	Does the SFWIB's Employ Miami/Employ Monroe provide participants with an overall view of all available services?				
	Does the SFWIB review each training program added to the WDA 23 ETPL at least 1 year after the program's first graduating class and at applicable intervals after the first review to ensure quality?				
	Is there a system currently available that provides access to labor market data consistent with official information developed by the Labor Market Estimating Conference (formerly known as the workforce Estimating Conference) as well as information on how to appropriately use and analyze the presented data, including any limitations?				
	c. Use of Funds				
	Does the SFWIB currently have innovative ITA programs that enables participants to attain self-sufficiency?				
	Does the SFWIB currently evaluate the effectiveness of performance-based contracts as it relates to increasing a participant's wages and long-term employment?				
	Does the SFWIB have funds available or set aside for incumbent worker training for the digital media industry?			FS 445.038	
	If so, are there both public and private training providers on the SFWIB ETPL that offer the broadband digital media training programs?				
	If not, is there a strategy to add public and private training providers to the SFWIB ETPL who offer broadband digital media training programs?				
	Are there training programs for broadband digital media jobs listed on the occupations list developed by the Labor Market Estimating Conference?				
	If so, are the broadband digital media occupations currently listed on the WDA 23 TOL?				
	d. One-Stop Centers				
	Currently, does the SFWIB have an integrated service delivery system that includes common registration and intake for required one-stop partners and support service integration, and case management across programs and agencies? If so, has the SFWIB developed training on the use of the system and how to prequalify individuals for workforce programs?				
	Does the SFWIB require training referrals for an ITA be used for programs that prepare individuals to enter occupations identified by the Labor Market Estimating Conference? If so, does the SFWIB withhold or condition any portion of final payment contingent upon a participant's successful job placement?				
	Does the SFWIB have the requisite number of mandatory partners located within the CareerSource centers?				
	e. Program Evaluation				
	Does the SFWIB track participants as they transition from public assistance to self-sufficiency? If so, is the participant's co-enrollment in programs included as part of the performance measure?			Section 445.033, Florida Statutes	
	Does the SFWIB have a mechanism in place to effectively assess the impact of services on workforce participants who are dually served?				

	If so, how does the SFWIB measure the performance of workforce related programs and services for participants who receive TANF, family self-sufficiency program benefits and/or in welfare transition programs?				
	Is there an annual performance report that analyzes participants as they transition from public assistance to self-sufficiency?				
	At a minimum, does the report include the following measures?				
	the percent of participants working in unsubsidized employment;				
	the percent of participants who stop receiving benefits for reasons other than disqualification or sanction;				
	the number of sanctions and waivers that are granted, measured by the type of sanction or waiver and the number of completed compliance activities that lead to a restoration of benefits.				
	the median placement wage rate;				
	the TANF work participation rate; and				
	a self-sufficiency index, by county, calculated each quarter based on the percent of current or former participants who stop receiving benefits or are working 30 or more hours per week and at 1 and 2 years after participants stop receiving benefits or work 30 or more hours per week.				
	the percentage of participants earning at or above 200 percent of the federal poverty level 3 years after participants stop receiving benefits or work 30 or more hours per week.				
	the expected range of performance for each county on the self-sufficiency index.				
	f. Local Plan				
	Is the SFWIB local plan in alignment with the vision and goals of the state plan?				
	Did the plan allow the public to review and comment on the development of the plan?				
	2. Labor Market Estimating Conference fdba Workforce Estimating Conference (renames, removes requirements of WEC and provides requirements for LMEC) FS 216.135				
	Upon receipt of the State's Demand Occupation List, does the SFWIB have a process in place to further determine the occupational requirements for WDA 23?			FS 216.136	
	If so, does the process include a mechanism to address critical occupational shortages in industry sectors not adequately represented?				
	3. Measuring Outcomes of Workforce Education Programs				
	Does the SFWIB ensure the workforce related programs are offered by both public and private training providers?				
	If so, when measured, do the parameters include employment wages, continued education, student loan debt, and receipt of public assistance by participant graduates of workforce, certificate, or degree programs?				
	If not, is there a mechanism currently in place that provides the data and/or allows the aforementioned details to be measured?				
	Does the measurement include all graduates regardless of funding or only participants receiving workforce funding?				
	Are the programs reviewed at least one year after the program's first graduating class?				
	4. Workforce Innovation and Opportunity Act Title I Funds				
	Is the percentage of funds allocated to and expended on Individual Training Accounts (ITA) in compliance with federal and state requirements?				
	If not, was the SFWIB granted a waiver from CareerSource Florida?				
	Does the SFWIB allow tuition, books and fees of training providers and other training services prescribed and authorized under WIOA to qualify as ITA expenditures?				
	5. Local Board Requirements				
	a. Members				
	Does the SFWIB list the names of its members on the website?			Amends FS 445.007	
	Are there term limits for SFWIB members?				
	If so, is there a provision for exceptions?				
	Are SFWIB members who are not otherwise required to file a full and public disclosure of financial interests under s. 8, Art. II of the State Constitution or s. 112.3144 required to file a statement of financial interests under s. 112.3145?			Section 8, Article II of the State of Florida Constitution or FS 112.3144; FS 112.3145.	
	If so, does the SFWIB's website inform the public that each disclosure or statement has been filed with the Commission on Ethics and provide information how each disclosure or statement may be reviewed?				
	Is the SFWIB Executive Director or designated person responsible for the operational and administrative functions of the board, who is not otherwise required to file a full and public disclosure of financial interests under s. 8, Art. II of the State Constitution or s. 112.3144 required to file a statement of financial interests under s. 112.3145?			Section 8, Article II of the State of Florida Constitution or FS 112.3144; FS 112.3145.	
	If so, does the SFWIB's website inform the public that each disclosure or statement has been filed with the Commission on Ethics and provide information how each disclosure or statement may be reviewed?				
	Does the SFWIB limit its Chair's term of service to 2 years and no more than two terms as Chair?			Pub. L. No. 113-128, Title I, s. 107(b)(2)(A)	
	Do the SFWIB members serve staggered terms and are not allowed to serve for more than 8 consecutive years, unless such member is a representative of a governmental entity?				
	Are there requirements in place for certain contracts between SFWIB members and certain entities?				
	If so, are there exceptions?				
	Are the actions of the SFWIB consistent with all federal and state laws?				
	If so, is there a mechanism in place to monitor for inconsistencies timely?				
	If not, how will the SFWIB ensure compliance with all federal and state laws?				

	Does the SFWIB require the DEO to review certain documentation when considering whether to approve a contract?			
	Will the decision to remove the SFWIB's authority to review a decision by the DEO to deny a contract impact its operations?			
	Is the SFWIB prepared to disclose certain compensation information to the DEO upon request?			
	b. Meetings			
	Does the SFWIB use any method of telecommunications to conduct its meetings, including establishing a quorum through telecommunications?			
	If so, does the SFWIB provide the public with proper notice of the telecommunications meeting and reasonable access to observe and participate when appropriate?			
	c. Contracting			
	Does the SFWIB the adhere to procurement and expenditure procedures required by federal law and policies of the department and the state board for the expenditure of federal, state, and nonpass-through funds?			
	Are there specific performance expectations and deliverables included in all contracts executed by the SFWIB?			
	Prior to contracting with an SFWIB member; a relative, as defined in s. 112.3143(1)(c), of a member; an organization or individual represented on the SFWIB; or an employee of the SFWIB, does the SFWIB submit documentation demonstrating adherence to the law for review and approval prior to execution?			
	Are said contracts approved by a two-thirds vote of the SFWIB?			
	If so, are all conflicts of interest disclosed prior to the vote in a manner that is consistent with the procedures outlined in s. 112.3143(4)?			
	Are SFWIB members who may benefit from the contract, or whose organization or relative may benefit from the contract, required to abstain from the vote?			
	Although prior DEO approval is not required, are contracts under \$10,000 between an SFWIB member, a relative, as defined in s. 112.3143(1)(c), of an SFWIB member, or of an employee of the SFWIB approved by a two-thirds vote of the SFWIB, once a quorum has been established?			
	If so, does the SFWIB report the contract(s) to the DEO and CareerSource Florida within 30 days after approval?			
	Are all contracts between the SFWIB and a member of the SFWIB; a relative, as defined in s. 112.3143(1)(c), of an SFWIB member; an organization or individual represented on the SFWIB; or an employee of the SFWIB, approved on or after July 1, 2021, published on the SFWIB website within 10 days after approval by the SFWIB or the DEO, whichever is later?			
	Does said contact(s) remain on the SFWIB website for at least 1 year after termination of the contract?			
	Does the SFWIB provide documentation to the DEO that includes performance of the entity with which the SFWIB is proposing to contract, if applicable, and the nature, size, and makeup of the business community served by the SFWIB, including whether the entity is the only provider of the desired goods or services within WDA 23?			
	d. Budget			
	Does the SFWIB submit its budget to the DEO no later than 2 weeks after it has been approved by the SFWIB Chair?			
	Does the SFWIB publish its budget on the SFWIB website within 10 days after approval by the DEO?			
	If so, does the budget remain on the SFWIB website for the duration of the fiscal year?			
	Is the SFWIB most recent Internal Revenue Service Form 990, Return of Organization Exempt from Income Tax posted on the SFWIB website within 60 calendar days after it is filed with the IRS?		FS 92.525(2)	
	If so, does it remain posted on the website for 3 years after it was filed?			
	Does the SFWIB annually submit to the DEO the amount and nature of compensation paid to all executives, officers, directors, trustees, key employees, and the highest compensated employees, as defined for purposes of the Internal Revenue Service Form 990, Return of Organization Exempt from Income Tax?		FS 92.525(2)	
	Is the compensation information posted on the SFWIB website for a period of 3 years after it is first published?			
	6. One-Stop Delivery System (ITA)			
	Does the SFWIB require ITA to be expended on programs that prepare participants to enter occupations identified by the Labor Market Estimating Conference?		Amended FS 445.009; FS 216.136	
	Does the SFWIB require training services, when delivered through an ITA, to be performance based?			
	Does the SFWIB withhold at least 10 percent as part of a performance based final payment?			
	If so, does a successful job placement trigger a final payment of at least 10 percent?			
	7. Consumer-First Workforce System			
	Does the SFWIB have a system in place that can serve participants in an efficient and effective manner until the consumer-first workforce system is implemented?		Amends FS 445.011	
	Is the system integrated for the effective management of the one-stop delivery systems that includes common registration and intake for the required one-stop partners, screening for needs and benefits, case management, training benefits management, service and training provider management, performance reporting, executive information and reporting, and customer-satisfaction tracking and reporting?			

Does the system provide current reports for budgeting, expenditure, and performance information for assessing performance related to outcomes, service delivery, and financial administration for workforce programs pursuant to s. 445.004(5) and (9)?			FS 445.004(5) and (9)	
Does the current system include auditable systems and controls to ensure financial integrity and valid and reliable performance information?				
Is there a system in place that supports service integration and case management across programs and agencies by providing case tracking for participants in workforce programs, participants who receive benefits pursuant to public assistance programs under chapter 414, and participants in welfare transition programs?				
Is there an automated job-matching information system that is accessible to employers, job seekers, and other users via the Internet?				
Does the SFWIB have a mechanism in place to ensure that any contract entered into or renewed on or after July 1, 2021 are performance based?				
8. Student Career Services			FS 1006.75	
Does the SFWIB have partnership agreements with local colleges and universities to provide workforce and job placement services to their current students and alumni?				
If so, does the SFWIB ensure the career services and job placement resources preparing students/participants for employment upon completion of their academic work?				
Are the following career services resources provided?				
Exploring and identifying career opportunities.				
Identifying in-demand jobs and associated earning outcomes.				
An understanding of the skills and credentials needed for specific jobs.				
Identifying opportunities to gain on-the-job experiences.				
Creation of a digital resume.				
9. Workplace Readiness				
a. Work-Based learning				
Does the SFWIB have a process in place to allow apprenticeship and preapprenticeship programs to be added to the SFWIB ETPL?			FS 446.041; s. 446.032(1); s. 446.021(5)	
Are the minimum standards required of the apprenticeship and preapprenticeship training providers?				
Are preapprenticeship training providers required to follow the same process for being added to the SFWIB ETPL as other public and private training providers?				
Does the SFWIB prioritize apprenticeship, preapprenticeship and other paid work-based learning programs?				
Does the SFWIB ensure its work-based learning opportunities meet the following criteria:				
Are developmentally appropriate?				
Identify learning objectives for the term of the experience?				
Explores multiple aspects of the industry for which a participant is engaged in the experience?				
Develops workplace skills and competencies?				
Assess performance?				
Provides opportunities for work-based reflection?				
Links to the next step(s) in a career planning and preparation in a participant's chose career pathway?				
Is provided in an equal and fair manner?				
Is documented and reported in compliance with state and federal labor laws?				
Does the SFWIB have uniform minimum standards and guidelines for determining participant eligibility, obligations of employers, and requirements of institutions that offer work-based learning opportunities?				
10. Healthcare Workforce				
a. Nursing				
Does the SFWIB have a process in place that focuses on and increases clinical placement opportunities for participants in training for nursing?				
Are nursing training programs listed on the SFWIB ETPL?				
If so, are the current offerings sufficient and have successful outcomes?				
If not, is there a plan in place to increase the number of training providers with successful outcomes for nursing training programs?				
Are nursing program participants retention rates tracked from program entry to graduation?				
Are the number of participants who take and pass the NCLEX tracked?				
Are the number of participants who become employed as practical or professional nurses tracked?				
Are nursing program participants' educational advancement tracked through career pathways by comparing their initial degree to the highest degree obtained?				

REACH Act - HB 1507

#	REFERENCE	F.S.	SECTION	Bill Page#	CURRENT	PROPOSED CHANGES	NOTES
1	TEN 13-20	14.36	Creation of the Reimagining Education and Career Help (REACH) ACT	P. 11			See also Utah Department of Workforce Services (DWS), and the RAND Corporation Presentation to the Education & Employment Committee (Jan. 26, 2021).
2		216.136	Consensus estimating conferences; duties and principals.	P. 19			
3		288.047	Quick-response training for economic development.	P. 21			
4		443.151	Procedure concerning claims.	P. 114			
5		445.002	Definitions	P. 22			
6		445.003	Implementation of the federal Workforce Innovation and Opportunity Act.	P. 22			
7		445.004	CareerSource Florida, Inc., and the state board; creation; purpose; membership; duties and powers.	P. 29			
8		445.006	State plan for workforce development.	P. 42			
9		445.007	Local workforce development boards.	P. 45			
10		445.009	One-stop delivery system.	P. 56			
11		445.010	Workforce system information technology; principles and information sharing.	P. 115			
12		445.011	Workforce information systems.	P. 56			
13		445.033	Evaluation.	P. 56			
14		445.038	Digital media; job training.	P. 62			
15		445.045	Development of an Internet-based system for information technology industry promotion and workforce recruitment.	P. 117			
16		446.021	Definitions of terms used in ss. 446.011-446.092.	P. 63			
17		446.032	General duties of the department for apprenticeship training.	P. 63			
18		446.041	Apprenticeship program, duties of the department.	P. 66			
19		446.0915	Worked based learning opportunities	P. 67			
20		570.07	Department of Agriculture and Consumer Services; functions, powers, and duties.	P. 68			
21		943.22	Salary incentive program for full-time officers.	P. 117			
22		1001.64	Florida College System institution boards of trustees; powers and duties.	P. 117			
23		1001.706	Powers and duties of the Board of Governors.	P. 69			
24		1003.4156	General requirements for middle grades promotion.	P. 71			
25		1003.42	Required instruction.	P. 73			
26		1003.4203	Digital materials, CAPE Digital Tool certificates, and technical assistance.	P. 74			
27		1003.491	Florida Career and Professional Education Act.	P. 77			
28		1003.492	Industry-certified career education programs.	P. 79			
29		1003.4935	Middle grades career and professional academy courses and career-themed courses.	P. 81			
30		1004.013	Strengthening Alignment between Industry and Learning (SAIL) to 60 Initiative.	P. 82			
31		1004.015	Florida Talent Development Council.	P. 83			
32		1004.02	Definitions.	P. 85			
33		1006.75	Student career services.	P. 86			
34		1007.25	General education courses; common prerequisites; other degree requirements.	P. 87			
35		1008.39	Florida Education and Training Placement Information Program.	P. 89			
36		1008.40	Workforce Development Information System.	P. 90			
37		1008.41	Workforce education; management information system.	P. 93			
38		1008.44	CAPE Industry Certification Funding List and CAPE Postsecondary Industry Certification Funding List.	P. 94			
39		1009.895	Open Door Grant Program.	P. 98			
40		1011.80	Funds for operation of workforce education programs.	P. 103			
41		1011.801	Workforce Development Capitalization Incentive Grant Program.	P. 108			
42		1011.802	Florida Pathways to Career Opportunities Grant Program.	P. 110			
43		1011.803	Money-Back Guarantee Program.	P. 111			
44		1011.81	Florida College System Program Fund.	P. 113			



SFWIB EXECUTIVE COMMITTEE

DATE: 7/8/2021

AGENDA ITEM NUMBER: 4

AGENDA ITEM SUBJECT: AMENDMENTS TO THE BY-LAWS OF THE SFWIB

AGENDA ITEM TYPE: **APPROVAL**

RECOMMENDATION: SFWIB staff recommends to the Executive Committee to recommend to the Board the approval of amendments to the By-Laws of the SFWIB, as set forth below.

STRATEGIC GOAL: **STRONG WORKFORCE SYSTEM LEADERSHIP**

STRATEGIC PROJECT: **Strengthen workforce system accountability**

BACKGROUND:

SFWIB staff recommends to the Executive Committee to recommend to the Board the approval of amendments to the By-Laws of the SFWIB, as set forth below.

At the April 15, 2021 meeting, the South Florida Workforce Investment Board (SFWIB) approved amendments to the SFWIB By-Laws which amended several items including Board vacancies, canceling and rescheduling of meetings, as well as, technical revisions.

SFWIB staff and the County Attorney's office drafted additional amendments for the composition, use of media technology and telecommunications, vacancies, attendance, reappointments, and other requirements as it relates to the SFWIB.

1. Article III (a)(1) - WIOA requirements for composition of board members;
2. Article III (b) - Vacancies on the board;
3. Article III (c) - Nominations of board members;
4. Article III (d) - Communications media technology and telecommunications;
5. Article V - Duties and responsibilities of the board;
6. Article III (e) - Attendance, reappointment and removal of board members;
7. Article III (f) - Reappointments
8. Article VI – Committees and Councils
9. Article VII – Meetings; and
10. Technical revisions.

A draft of the amended By-Laws with tracked changes, as well as, the SFWIB membership requirements, process and application packet is attached for review of the Executive Committee.

FUNDING: N/A

PERFORMANCE: N/A

ATTACHMENT

~~[[BY LAWS]]~~¹ >>BYLAWS<< OF THE SOUTH FLORIDA WORKFORCE INVESTMENT BOARD

Article I - Authority and General Powers

~~[[A]]~~ Pursuant to Paragraph 1.f. of the Interlocal Agreement Creating The South Florida Workforce Investment Board For Region 23 of the ~~[[State]]~~ >>state<< of Florida >>as may be amended or renewed from time to time (hereinafter the "Interlocal Agreement"), << ~~[[Chapter]]~~ >>chapter<< 445, Florida Statutes, and applicable ~~[[State]]~~ >>state<< and federal law, the South Florida Workforce Investment Board (hereinafter the "SFWIB">> or "Board"<<) hereby creates and establishes ~~[[SFWIB By Laws]]~~ >>bylaws<< for the governance of the ~~[[South Florida Workforce Investment Board]]~~ >>SFWIB<<. ~~[[The composition of the SFWIB and the appointment, terms, and removal of members of the SFWIB are set forth in Paragraph 1.k. of the Interlocal Agreement Creating the South Florida Workforce Investment Board for Region 23 of the State of Florida]].~~

Article II - Adoption and Amendment

~~[[A]]~~ >>(a) Adoption – <<The SFWIB shall adopt these ~~[[By Laws]]~~ >>bylaws<< at any meeting of the ~~[[SFWIB]]~~ >>Board<< upon the affirmative vote of a majority of the then appointed membership of the SFWIB who are empowered to vote.

~~[[B]]~~ >>(b) Amendment – <<Amendment of these ~~[[By Laws]]~~ >>bylaws<< may occur at any meeting of the ~~[[SFWIB]]~~ >>Board<< upon ~~[[fourteen]]~~ >>14<< calendar ~~[[days prior]]~~ >>days'<< notice to the members of the SFWIB >>by placement of such amendment(s)<< ~~[[that amendment of these By Laws shall be]]~~ >>an<< agenda of the

¹ Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Commented [GS(1): Pursuant to 20 C.F.R. § 679.310, the following must be included in the bylaws.

(1) how the term appointments will be staggered to ensure only a portion of membership expire in a given year. Please advise how this is done.

(2) The proxy and alternative designee process that will be used when a WDB member is unable to attend a meeting and assigns a designee as per the requirements at 20 C.F.R. § 679.110(d)(4). I have never seen this done. Please advise whether there is a process for same. If so, please provide specifics. If not, we should discuss establishing.

(3) The process to ensure WDB members actively participate in convening the workforce development system's stakeholders, brokering relationships with a diverse range of employers, and leveraging support for workforce development activities. Please explain how this is done.

Commented [CKE2]: (1) Language regarding staggered appointments to the Board is included under Article III – Board Membership, section (f) Reappointments. Please let me know if that is the appropriate place or if it should be included elsewhere within the document.

(2) At present, the Interlocal Agreement does not allow voting by proxy and/or for an alternative designee to represent a board member. In accordance with Article 1, section 1 of the Interlocal Agreement only appointed members of the SFWIB are able to attend committee and board meetings. However, if this is required, we can, at your convenience, discuss establishing a process.

(3) SFWIB members actively participate in convening the workforce development stakeholders through focus groups with key representatives of targeted industries, community workshops with job seekers, conversation and information sharing with business and economic development partners, and advocacy meetings with elected officials.

Commented [GS(3): The Mayor is authorized to appoint non-voting members. Are there any non-voting members?

Commented [CKE4]: Although we don't currently have any non-voting members on the Board; we have had non-voting members in the past.

[[SFWIB]] >>Board<< and upon the affirmative vote of two- thirds of the then appointed members of the SFWIB who are empowered to vote.

Article III - >> Board Membership

(a) Composition – The SFWIB shall consist of members that represent government, business, education, labor, and economic development among other sectors of the communities in Miami-Dade and Monroe Counties.

Commented [GS(5)]: The requirements included herein are taken from WIOA sec. 107 and 20 C.F.R. § 679.320.

(1) Business Representatives – A majority of the SFWIB’s membership must be representatives of business in the local area.

A. At a minimum, two Board members must represent small businesses as defined by the U.S. Small Business Administration.

B. Each business representative must meet the following criteria:

1. Be an owner, chief executive officer, chief operating officer, or other individual >>business executives or employers<< with optimum policy-making or hiring authority. >>A representative with “optimum policy-making authority” is an individual who can reasonably be expected to speak affirmatively on behalf of the entity he or she represents and to commit that entity to a chosen course of action as defined in 20 CFR § 679.120(a)<<; and

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Commented [GS(6)]: Add definition.

2. Provide employment opportunities in in-demand industry sectors or occupations, as those terms are defined in section 3(23) of the Workforce Innovation Opportunity Act (“WIOA”).

Commented [CKE7]: The exact language from the WIOA sec. 107 (b)(2)(A)(i) states, “or other business executives or employers with optimum policymaking or hiring authority”. I’ve inserted the language as written accordingly as well as the definition detailed in the regulations. Please let me know if I additional details are needed.

(2) Workforce Representatives – At least 20 percent of Board members must be workforce representatives as follows:

A. At a minimum two Board members must represent labor organizations. In the event there are no labor organizations in the area, Board members must be selected from other employee representatives.

B. At a minimum one Board member must represent a joint labor-management, or union affiliated, registered apprenticeship program within the area and 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.

C. One or more members may represent community-based organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of individuals with barriers to employment, including organizations that serve veterans or provide or support competitive integrated employment for individuals with disabilities.

D. One or more members may represent organizations that have demonstrated experience and expertise in addressing the employment, training, or educational needs of eligible youth, including representatives of organizations that serve out-of-school youth.

(3) Education, Government, and Economic and Community Development

Representatives – In addition to the above, membership on the Board must include:

A. At least one eligible training provider administering adult education and literacy activities under title II of WIOA;

B. At least one representative from an institution of higher education providing workforce investment activities, including community colleges; and

C. At least one representative from each of the following governmental and economic and community development entities:

1. Economic and community development entities;
2. The State Employment Service office under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) serving the local area; and
3. The programs carried out under title I of the Rehabilitation Act of 1973, other than sec. 112 or part C of that title.

(4) Other Representatives – In addition to the above, membership on the Board may include individuals or representatives of other appropriate entities in the local area, including:

A. Entities administering training and educational activities who represent local educational agencies or community-based organizations with demonstrated expertise in addressing the training or educational needs for individuals with barriers to employment;

B. Governmental and economic and community development entities who represent transportation, housing, and public assistance programs;

C. Philanthropic organizations serving the local area;

D. Agencies or entities administering programs serving the local area relating to transportation, housing, and public assistance; and

E. Other appropriate individuals as determined by the chief elected official.

(b) Vacancies – Upon being notified of a vacancy on the Board, the Chair, subject to Board approval, shall establish a Nominating >>Committee<< ~~Task Force~~ to solicit potential members to fill such vacancy. The >>Nominating Committee<< ~~Task Force~~ shall solicit nominations from

- Commented [GS(8)]:** Consider replacing with Nominating Task Force with Nominating Committee here and in other applicable provisions throughout the document.
- Commented [GS(9)]:** How are governmental seats filled?
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the business, education, labor, >>government,<<, >>community-based organizations,<< or economic and community(?) development >>entities<< ~~sectors~~ for seats vacated by members representing each respective sector as provided more fully in the South Florida Workforce Investment Board d/b/a CareerSource South Florida Board Membership Process (“Membership Process”) & New Member Nomination and Reappointment Form (“Member Nomination and Reappointment Form”).

Commented [CKE10]: I replaced sectors with “entities”.

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(c) Nominations – The Nominating >>Committee<< ~~Task Force~~ shall refer to the Executive Director all candidates nominated to fill each vacancy on the Board. Upon the Executive Director’s determination that the >>Committee’s<< ~~Task Force’s~~ nominations are consistent with membership requirements, the SFWIB’s Agenda Clerk will provide the nominees with a Membership Nomination and Reappointment Form and Recruitment Brochure and request that the nominees return the form and a resume to the Agenda Clerk. Thereafter, and in compliance with Membership Process, the Executive Director shall submit the nominees’ information to the Executive Committee for consideration. Upon approval, a memorandum and supporting documentation shall be transmitted to the Mayors of Miami-Dade County and Monroe County recommending the nominees’ appointment to the Board.

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(d) Communications Media Technology – Members may attend a meeting by means of communications media technology, defined in section 28-109.002 of the Florida Administrative Code to mean the electronic transmission of printed matter, audio, full-motion video, freeze frame video, compressed video, and digital video by any method available and shall include, but not be limited to, telephone conference, video conference or similar communications equipment. Members using communications media technology to attend meetings must be: (i) allowed to participate in Board discussions; (ii) able to be heard by other Board members; and (iii) able to be

heard by the public. Although SFWIB members are permitted to use communications media technology to attend meetings, physical attendance at all Board and committee meetings is expected. If a member is unavailable to be physically present and would like to participate in the meeting using communications media technology, said member shall notify the Chair and Executive Director no later than 48 hours prior to the start of said meeting so that such communications media technology may be established for said meeting. These bylaws shall not be construed to authorize any proceeding otherwise subject to the provisions of section 286.011, Florida Statutes, to be held exclusively by means of communications media technology without making provision for the attendance of any member of the public who desires to attend unless expressly authorized by law. SFWIB meetings conducted using communications media technology shall comply fully with section 120.54, Florida Statutes, and Chapter 28-109, Florida Administrative Code, as may be amended from time to time.

Commented [GS(11): Is this acceptable?

Commented [CKE12]: This timeframe appears to be acceptable based upon current practices unless the Director determines otherwise.

(e) Attendance – >> Members of the SFWIB must attend four meetings in a fiscal year, July 1-June 30, two of which may be through communications media technology. Meetings held for all through communications media technology shall not count toward meeting maximum for the year. Any member who is absent from two SFWIB meetings within a fiscal year, shall be deemed to have voluntarily resigned from the SFWIB unless said member’s absences are excused by the Chair for cause.<< In the event that any member of the SFWIB, without >>cause<<-acceptable excuse, fails to attend, either physically or through communications media technology, four or more SFWIB meetings, excluding committee and >>council<< task force meetings, >>in a fiscal year-occurring during any 12-month period, the Executive Director shall send a letter to the SFWIB member and, if applicable, to the appointing entity notifying the member and the appointing entity of said member’s absences and that their status as a member on the SFWIB is in jeopardy >>of

Commented [GS(13): Should there be language pertaining to providing notification of absences? If so, when should members provide notice and should there be any specifics included about the absence?

Commented [GS(14): Alternative and stronger language could be also be considered for inclusion. For instance, something along the lines of:

Members must attend ____ meetings in a fiscal year, July 1-June 30. Any member who is absent from ____ SFWIB meetings within a fiscal year, shall be deemed to have voluntarily resigned from the SFWIB unless said member’s absences are excused by the Chair for cause.

Commented [GS(15): Include the number or meetings.

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being deemed as a voluntary resignation from the SFWIB<<, encouraging the member to attend meetings, and reminding him or her of SFWIB’s attendance policy. In the event that any SFWIB member, without acceptable excuse, fails to be physically present at >>two<< or more SFWIB meetings, excluding committee and >>council<< ~~task force~~ meetings, occurring >>in a fiscal year<<~~during any 12-month period~~, the Executive Director shall notify the chief elected official who appointed the member and recommend on behalf of the SFWIB that the member be removed from the SFWIB due to being deemed as having voluntarily resigned. “Acceptable Excuse” is defined as an absence for medical reasons, business reasons, personal reasons, or any other reason that the SFWIB, by majority vote, deems appropriate.

(f) Reappointments – A member shall not serve on the Board for more than two years unless said member is reappointed to serve on the Board in the manner set forth in Membership Process. >> The SFWIB members may be reappointed by the Chief Local Elected Official who appointed the SFWIB member. Members are selected on odd and even years thereby ensuring a level of consistency in membership and workforce board experience.<<

(g) Removal of Members – Pursuant to section 445.007, Florida Statutes, the Governor may remove a member of the Board, the Executive Director of the Board, or the designated person responsible for the operational and administrative functions of the Board for cause as defined therein.

Article IV -<< **Officers of the Board**

[[~~(A)~~]] >>(a) Chairperson – A member representing the business sector shall be elected the<< [[The]] Chair of the SFWIB [[shall be elected by the SFWIB at a meeting of the SFWIB]] in accordance with [[Pub. L. No. 105-220, Title I, s. 117(b)(2)(A)(i)]] >>all applicable state and federal laws and regulations<<. The Chair may be removed from office as Chair

Commented [GS(16): Include the number.

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Commented [GS(17): This is pursuant to section 20 C.F.R. § 679.330.

without cause at any time upon the affirmative vote of a majority of the then appointed members of the SFWIB who are empowered to vote.

(1) The Chair of the SFWIB shall be the presiding officer at all meetings of the SFWIB.

(2) The term of the Chair of the SFWIB shall not exceed two years and ~~>>the Chair<<~~ shall serve no more than two terms in office or four years, whichever is less.

(3) The Chair of the SFWIB shall appoint ~~[[all of the chairs of committees and task forces]]²~~ ~~>>committee chairs and members<<~~ of the SFWIB ~~[[and all members of all committees and task forces of the SFWIB]]~~, subject to the approval or ratification of the SFWIB. All such committee and ~~>>council<<~~ ~~task force~~ chairs and members of committees and ~~>>councils<<~~ ~~task forces~~ of the SFWIB shall serve at the pleasure of the Chair of the SFWIB and the Chair of the SFWIB may remove the chair of any such committee or ~~>>councils<<~~ ~~task force~~ and any and all such committee members or ~~>>council<<~~ ~~task force~~ members, without cause at any time.

(4) The Chair of the SFWIB shall serve as a nonvoting, *ex officio* member of all committees of the SFWIB and ~~>>councils<<~~ ~~task forces~~ of the SFWIB and the presence of the Chair of the SFWIB shall not count for the purposes of determining the existence of a quorum at any meeting of a SFWIB committee or SFWIB ~~>>council<<~~ ~~task force~~.

~~[[B)]]~~ ~~>>(b) Vice-Chairperson – <<~~The Vice-Chair of the SFWIB shall be elected by the Board at a meeting of the SFWIB. The Vice-Chair shall be elected from among the ~~[[representatives described]]~~ ~~>>eligible members of the SFWIB and<<~~ in ~~[[Pub. L. No. 105-220, Title I, s. 117(b)(2)(A)(i)]]~~ ~~>>accordance with all applicable state and federal laws and regulations<<~~. The Vice-Chair may be removed from office as Vice-Chair without cause at any time upon the

Commented [GS(18)]: I suggest deleting references to task forces. Instead of task force, the references should be to committees or councils, which are currently used. If this edit is accepted, delete all references to task forces and replace them with committees or councils.

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² As used herein, committees include references to SFWIB councils.

affirmative vote of a majority of the then appointed members of the SFWIB who are empowered to vote.

(1) The Vice-Chair of the SFWIB shall be the presiding officer at any meeting of the SFWIB when the Chair of the SFWIB is absent >>or unable to proceed<<.

(2) The term of the Vice-Chair of the SFWIB shall not exceed two years and >>the Vice-Chair<< shall serve no more than two terms in office or four years, whichever is less.

(3) In the event that the office of the Chair of the SFWIB is vacant, the Vice-Chair shall assume the duties and powers set forth in >>subsections (a)(1), (3) and (4) herein<< ~~[(A)(1), (3) and (4) hereinabove]~~ until such time as the office of the Chair of the SFWIB is no longer vacant.

~~[(C)]~~ >> (c) Secretary – <<The Executive Director of the SFWIB shall serve *ex officio* as the Secretary of the SFWIB.

(1) The Secretary is hereby empowered to authenticate and certify documents of the SFWIB and to utilize the official seal of the SFWIB to authenticate and certify documents of the SFWIB.

(2) The Secretary shall seek to ~~[[insure]]~~ >>ensure<< that the proceedings of all SFWIB meetings, SFWIB committee meetings, and SFWIB ~~>>council<<~~ ~~task force~~ meetings and any other meetings of the SFWIB are noticed and recorded in accordance with >>Florida's Government in the Sunshine Law, chapter 286, Florida Statutes, as may be amended from time to time, and other applicable laws<< ~~[[the Public Meetings Law of the State of Florida]]~~.

(3) In the absence or unavailability of the Secretary of the SFWIB, the Secretary shall appoint a member of the staff of the SFWIB to serve as the Secretary Pro ~~[Tem]~~ >>Tem<<

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for any such meeting. The Chair of the SFWIB shall be notified of such appointment, or, in the event of a vacancy in the office of the Chair, the Vice-Chair shall be notified of such appointment.

(4) In the event that the office of the Secretary is vacant, the Chair, or in the event of a vacancy in the office of the Chair, the Vice-Chair, shall appoint a member of the staff of the SFWIB to serve as the Secretary Pro Tem of the SFWIB until such time as the office of the Secretary of the SFWIB is no longer vacant.

>>Article V - Duties and Responsibilities

The SFWIB's responsibilities shall include, but not be limited to the following:

- (a) Develop, submit, ratify, or amend the local plan pursuant to applicable state and federal laws and regulations, as may be amended from time to time;
- (b) Cooperate and comply with CareerSource Florida, Inc. the Department of Economic Opportunity and any successor or other entities that have oversight or statutory authority related to the operation and administration of the SFWIB;
- (c) Oversee the one-stop delivery system in Region 23;
- (d) Develop a budget for the purpose of carrying out the mandates of section 445.007, Florida Statutes; and
- (e) Act consistently with the terms provided in the ~~Third~~ Amendment to Interlocal Agreement Creating the South Florida Workforce Investment Board for Workforce Area 23 of the State of Florida and any amendments, extensions, or renewals thereto.

~~[[Article IV]]~~ Article VI~~<<~~ - Committees and ~~>>~~Councils~~<<~~ Task Forces

~~[[A-]]~~ ~~>>~~(a) Audit Committee - ~~<<~~ The Audit Committee shall be a standing committee of the

SFWIB and shall meet with respect to those matters assigned to said Committee by the

Commented [GS(19): These responsibilities are summaries of some, not all, of the responsibilities provided in section 445.007. Please include others that are not statutorily required but should be noted herein.

Commented [CKE20]: Is this the correct number? I am not sure if we should change this or not. Are we now on the fourth or fifth iteration of the amendments?

Commented [GS(21): Is the audit committee still current? Are there any task forces? Councils should also be added.

Commented [CKE22]: No, it is my understanding that the Audit Committee has not met since prior to WIOA. Should this be stricken from the document. All financial matters are taken before the Finance and Efficiency Council.

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Commented [GS(23): Please see below and note, the requirements of 20 C.F.R. § 679.360 as they relate to standing committees. Do the standing committees comply with the regulation?
20 C.F.R. § 679.360 (a) Standing committees may be established by the Local WDB to provide information and assist the Local WDB in carrying out its responsibilities under WIOA sec. 107. Standing committees must be chaired by a member of the Local WDB, may include other members of the Local WDB, and must include other individuals appointed by the Local WDB who are not members of the Local WDB and who have demonstrated experience and expertise in accordance with § 20 C.F.R. § 679.340(b) and as determined by the Local WDB. Standing committees may include each of the following:

(1) A standing committee to provide information and assist with operational and other issues relating to the one-stop delivery system, which may include representatives of the one-stop partners.

(2) A standing committee to provide information and to assist with planning, operational, and other issues relating to the provision of services to youth, which must include community-based organizations with a demonstrated record of success in serving eligible youth.

(3) A standing committee to provide information and to assist with operational and other issues relating to the provision of services to individuals with disabilities, including issues relating to compliance with WIOA sec. 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding providing programmatic and physical access to the services, programs, and activities of the one-stop

Commented [GS(24): Include the number of members on the audit committee and how the membership of the committee is determined.

Chair or, in the event there is a vacancy in the office of the Chair, by the Vice-Chair. The Audit Committee shall make recommendations to the SFWIB on ~~[[the]]~~ matters ~~[[so]]~~ assigned to ~~>it<< [[the Audit Committee]]~~.

Commented [GS(25): Include who assigns the matters to the committee

~~[[B]]~~ >>(b) Executive Committee – << >>The Executive Committee shall be comprised of the Chairs and Vice-Chairs of each of the three councils in addition to the Chair and Vice-Chairs of the Board for a total of eight members.<< The Executive Committee shall be a standing committee of the SFWIB and is empowered to act on behalf of the SFWIB on matters relating ~~>>solely<< to~~ contracts, board governance, policy recommendations, development and recommendations for by-law changes, and serves as the board’s nominating committee<<~~if the SFWIB is unable to reach a quorum at a particular meeting, except that the Executive Committee shall not approve contracts with an organization or individual represented on the SFWIB. This authority only extends to those contractual matters which were on the SFWIB agenda where a quorum was not met.~~ The Executive Committee shall report to all members of the SFWIB of any actions it has taken on behalf of the SFWIB by distributing meeting minutes >>and all actions taken by the Executive Committee shall be ratified at the next meeting of the SFWIB where a quorum is present.<< The Executive Committee shall also meet with respect to those matters assigned to said Committee by the Chair or, in the event there is a vacancy in the office of the Chair, by the Vice-Chair. The Executive Committee shall make recommendations to the SFWIB on the matters so assigned to >>~~it<< [[the Executive Committee]]~~.

Commented [GS(26): Include the number of members on the executive committee and how the membership of the committee is determined

Commented [CKE27]: The Executive Committee consists of the Chairs and Vice-Chairs of each of the three councils plus the Chair and Vice-Chairs of the Board for a total of eight members.

~~[[C]]~~ >>(c) Ad Hoc Committees – << All other committees ~~[[of the SFWIB]]~~ and >>councils<< ~~task forces~~ of the SFWIB shall be established in accordance with >>applicable<< federal and ~~[[State law]]~~ >>state laws<< by the Chair, or in the event of a vacancy in the office of

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the Chair, by the Vice-Chair, subject to the approval or ratification of the SFWIB. All committees and ~~>>councils<< task forces~~ shall be consistent with federal and ~~[[State law]]~~ ~~>>state laws<<~~. All committees and ~~>>councils<< task forces~~ shall have the power to make recommendations to the SFWIB on the matters assigned to the committee or ~~>>council<<, task force~~ ~~[[by the Chair, or in the event there is a vacancy in the office of the Chair, by the Vice Chair]]~~.

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~~>>Article VII - Meetings<< [[Article V - Procedure~~

Commented [GS(28)]: Should a provision be added for special or emergency meetings?

(A)] ~~>>(a) Procedure -~~ ~~<<All meetings of the SFWIB, committees of the SFWIB and~~ ~~>>councils<< task forces~~ of the SFWIB shall be ~~>>held in such places to comply with~~ ~~Florida's Government in the Sunshine Law, chapter 286, Florida Statutes, as may be amended~~ ~~from time to time and<<~~ conducted in accordance with Robert's Rules of Order, ~~>>12th<< 10th~~ Edition, First Printing October 2000, ISBN-0-7382-0384-X (hardback)/ 0-7382-0307-6 (paperback), except that the SFWIB ~~[[By-Laws]]~~ ~~>>Bylaws<<~~ shall prevail in the event of a conflict with the aforesaid Robert's Rules of Order, ~~>>12th<< 10th~~ Edition.

Commented [CKE29]: There is language under (e) regarding special meetings. Does the language suffice or should it also be included or moved here?

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Commented [GS(30)]: Should this remain the 10th edition or be revised to the most current edition of Robert's Rules?

(b) ~~Quorum -~~ ~~<<Except as provided in~~ ~~[[Section 445.07]]~~ ~~>>section 445.007<<~~, ~~[[Fla. Stat.]]~~ ~~>>Florida Statutes<<~~ or as otherwise provided ~~[[in the SFWIB By-Laws]]~~ ~~>>herein<<~~, an affirmative vote of a majority of the voting members of the ~~>>SFWIB<<~~ ~~[[quorum]]~~ present shall ~~>>constitute a quorum and<<~~ be required for the SFWIB ~~[[to take any action and for]]~~ ~~>>or any of~~ ~~its<<~~ committees and ~~>.councils<< task forces~~ ~~[[of the SFWIB]]~~ to take any action.

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~~>> (1) Telecommunications - Pursuant to section 445.007, Florida Statutes, and as~~ ~~otherwise permitted by law, meetings may be conducted using any method of~~ ~~telecommunications~~ ~~>>twice per year upon approval by the SFWIB Board~~ ~~Chairman<<~~, including establishing a quorum through telecommunications. In the

event a quorum of the Board or Executive Committee is not present at a meeting, Board members present may indicate their approval of a matter through a consensus vote. Any matter approved by a consensus vote must be voted on at the next meeting of the Board or Executive Committee where a quorum is present.

[(B)] >>(c) Conflict of Interest – <<Any member of the SFWIB or any member of any committee or >>council<< ~~task force~~ of the SFWIB with a conflict of interest on a matter shall refrain from voting or otherwise participating in the proceedings related to that matter and shall leave the public meeting room or other place of the public meeting until the consideration of that matter is concluded. Any such person who does not leave the public meeting room or other place of the public meeting shall be deemed absent for purposes of constituting a quorum, counting the vote or for any other purpose. >>Members of the Board shall comply with all state and local laws relating to conflict of interest.<<

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[(C)] >>(d) Meetings Per Calendar Year<< The SFWIB shall meet not less than four times per calendar year.

>>(e) Special Meetings<< Special meetings of the SFWIB may be called by the Chair, or in the event of a vacancy in the office of the Chair, by the Vice-Chair or by a request in writing signed by not less than a majority of the then appointed members of the SFWIB who are empowered to vote and said written, executed request is filed with the Secretary of the SFWIB.

[(D)] >>(f) Contracts with individuals or organizations on the SFWIB<< In accordance with [(Chapter)] >>chapter<< 445, Florida Statutes, if the SFWIB enters into a contract with an organization or individual represented on the SFWIB, the contract must be approved by a two-thirds vote of the Board, a quorum having been established. >>Additionally, prior to

contract with a member of the Board or a relative, as defined in section 112.3134(1)(c), Florida Statutes, of a Board member or of an employee of the Board, the SFWIB must comply with the requirements of section 445.007(11), Florida Statutes.<< The Board member who could benefit financially from the transaction must abstain from voting on the contract. Regardless of whether or not a particular member or members of the SFWIB will be attending the meeting of the SFWIB when such contract may be discussed or approved by the SFWIB at a public meeting of the SFWIB, it shall be the duty of all members of the SFWIB, regardless of the member's intention or plan to attend or not to attend such meeting, to contact and advise the Secretary of the SFWIB of any such contract as soon as possible and prior to any such contract being considered by the SFWIB for discussion or action or vote.

>>(g) Minutes – Minutes will be taken >>through use of an electronic recording device and transcribed by the agenda clerk<< at all duly noticed meetings.

Commented [GS(31)]: Please include how minutes are taken.

(h) Notice – Written notice shall be provided to the public at least seven days prior to all regularly scheduled meetings of the SFWIB and any of its committees including those conducted using telecommunications. All such meetings shall be conducted in accordance with section 286.011, Florida Statutes.

(i) Members of the Public – Members of the public must be provided reasonable access to observe and, when appropriate, participate in all meetings of the SFWIB and any of its committees or councils including those conducted using telecommunications in a manner consistent with section 286.0114, Florida Statutes. Each member of the public who desires to address the Board at a meeting, including those conducted using telecommunications, shall register with the Clerk of the Board and request an opportunity

to speak about any specific item. The speaker shall state his or her name, address, if he or she is speaking on their own behalf or representing an entity and said entity's view. Unless the Chair of the Board grants further time, each individual shall be limited to three minutes. All remarks shall be addressed to the Board as a whole and not simply to individual Board members or staff.

(j) Cancellation/Rescheduling – Meetings may only be cancelled or rescheduled by the Chair of the Board or a majority vote of the Board members present at a regularly scheduled meeting. However, in the event that the Executive Director is notified between regularly scheduled meetings that a quorum will not be available for the next regularly scheduled meeting, such meeting may be canceled or rescheduled by the Chair of the Board. All Board members shall be notified of such cancellation or rescheduling with as much notice as possible.<<

~~[(E) In the event that any member of the SFWIB, without acceptable excuse fails to be physically present at two (2) or more of the meetings of the SFWIB, excluding committee and task force meetings of the SFWIB, occurring during any twelve (12) month period, the Executive Director of the SFWIB shall send a letter to the SFWIB member notifying the member of his or her absences. In the event that any SFWIB member, without acceptable excuse, fails to be physically present at three (3) or more of the meetings of the SFWIB, excluding committee and task force meetings of the SFWIB, occurring during any twelve (12) month period, then the Executive Director shall notify the Chief Elected Official who appointed the member and recommend on behalf of the SFWIB that the member be removed from the SFWIB. "Acceptable Excuse" is defined as an absence for medical~~

~~reasons, business reasons, personal reasons, or any other reason that the SFWIB, by majority vote, deems appropriate.]]~~



SFWIB EXECUTIVE COMMITTEE

DATE: 7/8/2021

AGENDA ITEM NUMBER: 5

AGENDA ITEM SUBJECT: RAPID RESPONSE AND LAYOFF AVERSION INITIATIVES

AGENDA ITEM TYPE: **APPROVAL**

RECOMMENDATION: SFWIB staff recommends to the Executive Committee to approve changing the name of the contracted entity to the proper legal name, as set forth below.

STRATEGIC GOAL: **BUILD DEMAND-DRIVEN SYSTEM W/ EMPLOYER ENGAGEMENT**

STRATEGIC PROJECT: **Develop integrated Business Service teams**

BACKGROUND:

On June 17, 2021, the SFWIB approved an allocation of \$450,000 in WIOA Dislocated Worker funding to the following business organizations to enhance rapid response & layoff aversion activities, as well as, business intermediary teams:

- Greater Miami Chamber of Commerce - \$150,000
- Beacon Council - \$150,000
- Miami-Dade Chamber of Commerce - \$75,000
- CAMACOL - \$75,000

On the previous agenda, SFWIB staff failed to utilize the proper legal name for the Greater Miami Chamber of Commerce and the Beacon Council. Therefore staff is recommending to the Executive Committee to approve this item that clarifies the proper legal name of the Greater Miami Chamber of Commerce as the the South Florida Progress Foundation and the proper name for the Beacon Council which is the Beacon Council Economic Development Foundation. These are the legal names of the entity in which SFWIB will contract with as previously approved.

FUNDING: N/A

PERFORMANCE: N/A

NO ATTACHMENT



SFWIB EXECUTIVE COMMITTEE

DATE: 7/8/2021

AGENDA ITEM NUMBER: 6

AGENDA ITEM SUBJECT: BEAN AUTOMOTIVE APPRENTICESHIP PROGRAM

AGENDA ITEM TYPE: **APPROVAL**

RECOMMENDATION: SFWIB staff recommends to the Executive Committee to recommend to the Board the approval to allocate an amount not to exceed \$105,000 in Workforce Innovation and Opportunity Act funds for 1,000 hours of OJT reimbursement to Bean Automotive for the Automotive Technician Specialist Apprenticeship Program, as set forth below.

STRATEGIC GOAL: **BUILD DEMAND-DRIVEN SYSTEM W/ EMPLOYER ENGAGEMENT**

STRATEGIC PROJECT: **Emphasize work-based learning and training**

BACKGROUND:

At the June 2021 board meeting, the South Florida Workforce Investment Board (SFWIB) approved the Miami Dade College (MDC) Automotive Technician Specialist Apprenticeship Program with Bean Automotive Group. The program is the result of a collaboration between the MDC Apprenticeship Program, Bean Automotive Group, Miami-Dade Beacon Council Miami Community Ventures, and the SFWIB to address the shortage of qualified automotive technicians in Miami Dade County.

The Automotive Technician Specialist Apprenticeship Program will prepare qualified individuals with the necessary skills to become master technicians, certified with the Toyota and Lexus brands. The first apprenticeship cohort is scheduled to launch with 15 candidates in July of 2021. The candidates will complete 220 hours of Related Technical Instruction (RTI) and 2,000 hours of On-the-Job Training (OJT).

The SFWIB will reimburse Bean Automotive Group 50% of the OJT salary for the 15 apprentices' first 1,000 hours. Miami Dade College will serve as the Apprenticeship Sponsor, RTI provider and provide support for other relevant training services and tools for the apprentices. The total cost to the SFWIB for the program is \$105,000.00.

FUNDING: Workforce Innovation and Opportunity Act (WIOA)

PERFORMANCE: As outlined below:

Number of Participants Served – 15

Number of Participants to Complete Training – 15

Number of Participants to be Placed in Jobs – 15

Cost Per Placement - \$7,000.00

Average Wage - \$14.25

Net Economic Benefit - \$22,640.00

Return-On-Investment - \$3.23

Economic Impact - \$339,600.00

NO ATTACHMENT