



**SOUTH FLORIDA WORKFORCE INVESTMENT BOARD
EXECUTIVE COMMITTEE MEETING
THURSDAY, JULY 11, 2024
8:15 A.M.**

CareerSource South Florida
7300 Corporate Center Drive
Miami, Florida 33126

The public may view the session online. **Registration is required:**
https://us02web.zoom.us/webinar/register/WN_ISSH7LAzTdywsrtfD2Q3IA

AGENDA

1. Call to Order and Introductions
2. Approval of Executive Committee Meeting Minutes
 - A. June 13, 2024
3. Information – WIOA Four Year Plan 25-29
4. Information – ITA Expenditure Requirement Waiver
5. Information – WIOA Reauthorization – Senate HELP Committee Legislation
6. Information – New Workforce Area Designation
7. Recommendation as to Approval of the Updated SFWIB By-Laws
8. Recommendation as to the Approval of the Related Party Training Vendor

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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 MEETING

DATE: 7/11/2024

AGENDA ITEM: 2A

AGENDA TOPIC: MEETING MINUTES

SFWIB EXECUTIVE COMMITTEE MEETING MINUTES

DATE: June 13, 2024

ZOOM ONLY: https://us02web.zoom.us/webinar/register/WN_ISSH7LAzTdywsrtfD2Q3IA

1. **CALL TO ORDER:** Vice-Chairman del Valle called to order the regular meeting of the SFWIB Executive Committee Meeting at 8:26AM on June 13, 2024.
2. **ROLL CALL:** 7 members; 4 required; 6 present: Quorum established.

SFWIB EXECUTIVE COMMITTEE MEMBERS PRESENT	SFWIB MEMBERS ABSENT/EXCUSED	SFWIB STAFF
(All attending members participated via Zoom) del Valle, Juan-Carlos, Vice-Chairman Canales, Dequasia Chi, Joe Ferradaz, Gilda Gibson, Charles, Chair Roth, Thomas “Tom”	Loynaz, Oscar, M.D.	Beasley, Rick Bennett, Renee Curry, Willie Morgan, Ebony Smith, Robert Perrin, Yian ADMINISTRATION/IT Gonzalez, Yoandy McFarland, Cassandra
OTHER ATTENDEES		
Glean-Jones, Camela, FEC Perez, Andy, FEC Pintado, Kirenina, FEC		

Agenda items are displayed in the order they were discussed.

2A. Approval of Executive Committee Meeting Minutes – May 8, 2024

Vice Chairman del Valle presented agenda item 2A. May 8, 2024 Executive Committee Meeting minutes for review in advance of approval.

Motion for approval by Mr. Roth; Chairman Gibson seconded; **motion is passed without dissent.**

No further comments or suggestions were submitted from the members. Item closed.

3. Information – PY 2024-25 Proposed Budget Outcomes

Vice-Chairman del Valle introduced the item; Mr. Beasley began his presentation by advising Executive Committee members that the Finance and Efficiency Council is actively participating in the call to gain insights into the budget outcomes for PY 2023-2024. This included a comprehensive overview of community investments, job placements and their projected growth, average wage increases, and the economic benefit per placement, which continues to increase year over year.

In addition to the PY 2023-2024 SFWIB budget outcome review, Mr. Beasley presented a brief overview of the draft PY 2024-2025 SFWIB budget, which is currently under review. He briefly explained the overall projected budget for the year and proposed allocations. The final budget will be presented at the upcoming FEC and SFWIB meetings.

There was further discussion regarding job placements and the draft PY 2024-2025 budget.

Mr. Perez highlighted the increasing cost of living in South Florida and inquired about steps to help constituents' secure better jobs to achieve self-sufficiency. In response, Mr. Beasley confirmed that the board would prioritize the acceleration of in-demand skills through the Prior Learning Assessment project. This initiative, presented to the full board in December 2023, is a joint effort with the Council for Adult and Experiential Learning (CAEL). We will, initially be working primarily with Miami Dade College and Atlantis University, with the intention to expand to other institutions participating in the Academic Leaders Council of Opportunity Miami.

Mr. Beasley discussed the Florida Gap Map and highlighted ten (10) zip codes in Miami-Dade County that need substantial investment. In the next program year, our focus will be on these areas in connection with the PLA project.

No further comments or suggestions were submitted from the members. Item closed.

4. **Information – Governance Update**

Vice-chairman del Valle introduced the item; Mr. Beasley provided an update on the new Governance Agreement, which replaces the Interlocal Agreement with Monroe County. The ordinance has passed the first reading on June 4, 2024, and is scheduled to be presented to the Miami-Dade County Board of County Commissioners (BOCC) for public comment and the final reading on Tuesday, June 18, 2024.

No further questions or comments were presented for consideration. Item closed.

5. **Information – Florida Gap Map 2024**

Vice-Chairman del Valle introduced the item. Mr. Beasley presented the Florida Gap Map, specifically focusing on ten (10) identified zip codes in Dade County with 30 percent or more children living in poverty. He outlined plans for targeted investments and training programs in these ten areas, which represents approximately 341,000 individuals, to enhance skill sets and improve job prospects.

Mr. Roth inquired about how the zip codes identified in the Gap Map would correlate with areas that are eligible to receive services. Mr. Beasley shared that CSSF already links zip codes to career centers. The ten identified zip codes have four dedicated locations. He also reminded the Committee that we have been awarded a grant through the Florida Department of Commerce, to open a new location at the Miami-Dade County Downtown Library. It is set to launch in early 2025.

No further questions or comments were presented for consideration. Item closed.

6. **Local Workforce Development Board – 3rd Quarter Performance Update**

Vice-Chairman del Valle introduced the item; Mr. Beasley presented the 3rd quarter federal indicators of performance measures. The SFWIB is currently meeting and/or exceeding all 18 of the federal indicators of performance measures. In addition, the SFWIB is one out of four LWDBs who met and/or exceeded all 18 performance measures.

No further questions or comments were presented for consideration. Item closed.

7. **Information – Miami-Dade County Commission Update**

Vice-Chairman del Valle introduced the item; Mr. Beasley further presented an overview of workforce engagement across all thirteen districts in Miami-Dade County.

He also discussed the importance of working with the Beacon Council and other chambers to attract higher-paying industries to South Florida.



No further questions or comments were presented for consideration. Item closed.

New Business – Greater Miami Service Corp

Mr. Beasley shared an important update about the proposed merger of the Greater Miami Service Core under CareerSource South Florida, which could bring in more funding for the organization. While the idea is well received by the Mayor and former Commissioner Gordon, Commissioner McGhee has another proposal under consideration. Updates will be provided as they are received.

With no further business presented to the Committee, the meeting adjourned at 9:26 am.

DRAFT



SFWIB EXECUTIVE COMMITTEE

DATE: 7/11/2024

AGENDA ITEM NUMBER: 3

AGENDA ITEM SUBJECT: GUIDELINES FOR DEVELOPMENT OF THE 2025-2029 WIOA LOCAL WORKFORCE PLAN

AGENDA ITEM TYPE: **INFORMATIONAL**

RECOMMENDATION: N/A

STRATEGIC GOAL: **HIGH ROI THROUGH CONTINUOUS IMPROVEMENT**

STRATEGIC PROJECT: **Strengthen workforce system accountability**

BACKGROUND:

On April 29, 2024, CareerSource Florida released the Workforce Innovation and Opportunity Act Local and Regional Workforce Plan Guidelines for 2025 -2029. The guidelines were provided under Public Law 113-128, the Workforce Innovation and Opportunity Act (WIOA), which requires each LWDB, in partnership with the chief local elected official(s), to develop and submit a comprehensive four-year local plan to the state. The local and regional plan provides the framework for local areas to define how their workforce development systems will achieve the purposes of WIOA, pursuant to 20 Code of Federal Regulations (CFR) 679.500 and 20 CFR 679.540.

WIOA emphasizes the importance of collaboration and transparency in the development and submission of local and regional plans. LWDBs provide leadership, and should seek broad stakeholder involvement, in the development of their local and regional plans. Chief local elected officials, LWDB members, core program partners, combined planning partners, mandatory one-stop career center partners, and local economic development entities are an integral part of the planning process.

The WIOA Local & Regional Plan guidelines outline specific requirements local plans must address in eight strategic areas:

- LWDBs must identify and describe policies, procedures, and local activities that are carried out in the local workforce development area (local area), consistent with the strategic and operational elements of the state's WIOA combined plan and CareerSource Florida Strategic Policy 2021.12.09.A.1 – Comprehensive Employment Education and Training Strategy.

- Additionally, LWDB's must address how the service delivery will coordinate with core programs of the Florida Department of Education's Division of Vocational Rehabilitation, Division of Blind Services and Division of Career and Adult Education, and other state plan partner programs (per WIOA § 103(a)(1) and (2)): Provide individuals with an opportunity to develop skills intended to meet the present and future needs of employers;
- Align with the CareerSource Florida Board of Director's (state board) business and market- driven principles to be the global leader for talent. These principles include;
 - Increasing the prosperity of workers and employers.
 - Reducing welfare dependency.
 - Meeting employer needs.
 - Enhancing productivity and competitiveness.

The following are the eight strategic areas:

- **Organizational Structure**
 - Chief Local Elected Official(s)
 - Local Workforce Development Board
 - Local Grant Sub-recipient (Local fiscal agent or administrative entity)
 - One-Stop Operator and One-Stop Career Centers
 - Provider of Workforce Services
 - Youth Services Provider
 - Career Center Staff
- **Analysis of Need and Available Resources**
- **Local Workforce Development Board Strategic Vision and Goals**
- **Description of Strategies and Program Services**
 - Workforce Development System Description
 - Adult and Dislocated Worker Employment & Training Activities
 - Training Services
 - Youth Workforce Investment Activities
 - Self-Sufficiency Definition
 - Supportive Services and Needs-Related Payments
 - Individuals with Disabilities
 - Linkage with Unemployment Insurance (referred to as Reemployment Assistance in Florida) programs
 - Highest Quality of Services to Veterans and Covered Persons
 - Entities Carrying Out Core Programs and Combined State Plan Partner Programs
 - Employer Engagement
 - Enhancing Apprenticeships

- **Description of the Local One-Stop Delivery System**
 - General System Description
 - Customer Access
 - Integration of Services
 - Sub-grant and Contracts
 - Service Provider Continues Improvement

- **Coordination of Services**
 - Coordination of Program / Partners
 - Coordination with Economic Development Activities
 - Coordination with Rapid Response
 - Industry Partnerships
 - Coordination with Relevant Secondary and Postsecondary Education
 - Coordination of Wagner-Peyser Services
 - Coordination of Adult Education and Literacy
 - Reduction of Welfare Dependency

- **Performance & Effectiveness**

- **Regional Planning Requirements**

SFWIB Staff is drafting a new plan and will host a series of town hall meetings to solicit feedback from key stakeholders and the community at large. Once complete, staff will present the new plan to the SFWIB Board for approval.

FUNDING: N/A

PERFORMANCE: N/A

NO ATTACHMENT



SFWIB EXECUTIVE COMMITTEE

DATE: 7/11/2014

AGENDA ITEM NUMBER: 4

AGENDA ITEM SUBJECT: INDIVIDUAL TRAINING ACCOUNT EXPENDITURE REQUIREMENT WAIVER

AGENDA ITEM TYPE: **INFORMATIONAL**

RECOMMENDATION: N/A.

STRATEGIC GOAL: **STRONG WORKFORCE SYSTEM LEADERSHIP**

STRATEGIC PROJECT: **Strengthen workforce system accountability**

BACKGROUND:

On June 17, 2024, CareerSource Florida (CSF) approved a revision to Administrative Policy 074 - Individual Training Account (ITA) Expenditure Requirements and Waiver Request Process. The previous version of the policy outlined required activities and allowable costs for ITA expenditures and allowed an automatic waiver that each local area could claim for the fiscal year based on calculations provided by FloridaCommerce's Bureau of Financial Management. Additionally, the policy provided guidance for local boards to request permission to allocate and expend less funding on ITAs.

CSF amended the original policy to affirm the state workforce development board's guiding principles. These principles aim to develop and implement strategies that support Floridians needing new skills and provide guidance that enables all workforce development partners, including Local Workforce Development Boards (LWDBs), to facilitate access to education, training, and meaningful employment for job seekers. The revised policy also supports businesses in identifying, developing, and retaining employees through high-impact support.

The revised policy requires LWDBs to allocate and expend a minimum of 50 percent of the WIOA Adult and Dislocated Worker formula funds that they expect to expend each fiscal year (July-June) to satisfy the state ITA requirement. This minimum allocation of 50 percent (or waiver percentage) of funds to be expended in the fiscal year must be reflected in the local board's budget submitted to FloridaCommerce. The revised policy also removed the automatic waiver each local area could claim for the fiscal year based on CareerSource Florida's sliding scale provided by FloridaCommerce's Bureau of Financial Management.

On June 20, 2024, the SFWIB approved the budget for Program Year 2024-2025. The approved PY24-25 budget included a waiver request to allocate 40 percent of the WIOA dollars for training. In preparation for SFWIB's budget submission to FloridaCommerce, SFWIB staff will complete the waiver request for Mayor Levin Cava's approval and signature.

FUNDING: N/A

PERFORMANCE: N/A

NO ATTACHMENT



SFWIB EXECUTIVE COMMITTEE

DATE: 7/11/2024

AGENDA ITEM NUMBER: 5

AGENDA ITEM SUBJECT: WIOA REAUTHORIZATION - SENATE HELP COMMITTEE LEGISLATION

AGENDA ITEM TYPE: **INFORMATIONAL**

RECOMMENDATION: N/A

STRATEGIC GOAL: **HIGH ROI THROUGH CONTINUOUS IMPROVEMENT**

STRATEGIC PROJECT: **Strengthen workforce system accountability**

BACKGROUND:

Ten years ago, the Workforce Innovation and Opportunity Act (WIOA) was enacted to enhance U.S. workforce development. Signed into law in 2014, WIOA stands as the cornerstone federal legislation funding and guiding the nation's workforce development system. Its primary aim has been to bridge the gap between workers and labor market opportunities, particularly for those facing employment barriers.

As WIOA marks its tenth anniversary, discussions among policymakers have gained momentum, focusing on the act's role and the overall workforce development system in the context of a tight labor market and the Biden administration's ambitious industrial policy. Over the past decade, and particularly following the COVID-19 pandemic, significant labor market shifts have highlighted the critical need for robust investment in and modernization of WIOA to align with federal workforce strategies and objectives.

In December 2023, the U.S. House of Representatives Committee on Education and the Workforce introduced the Stronger Workforce for America Act, a WIOA-related legislation, which passed the House in April 2024. Currently, the Senate Committee on Health, Education, Labor, and Pensions (HELP) is actively discussing workforce issues and the reauthorization of WIOA.

Policymakers must prioritize training and connecting workers to quality jobs that offer family-sustaining wages, promote economic mobility, and enhance U.S. global competitiveness. This report provides recommendations for the next reauthorization of WIOA to benefit workers, employers, communities, and the economy over the next decade and beyond. Key recommendations include:

- Adequate funding for WIOA
- Better alignment of higher education with the workforce system
- Establishment of sector training partnership grants
- Strategies to assist young people, older individuals, and people with disabilities in securing good jobs

These measures are essential for fostering a dynamic and inclusive workforce that can meet the challenges and opportunities of the future.

There are nine guiding principles for reauthorization:

1. **Centering workers.** A key goal of WIOA is to support good jobs that provide family-sustaining wages that grow the American middle class and lead to economic mobility. Good jobs provide security and standards that incentivize positive working conditions. Policymakers should prioritize outcomes around wages first, not just education and training program completion rates or the number of workers trained, as well as high road training programs and employers. Workers should be given a seat at the table, and worker representation should occur at the state and local levels and include participation from unions. The United States' workforce development system should support workers' rights, including collective bargaining rights.
2. **Encouraging fair pay.** WIOA should encourage pay transparency in the recruitment and hiring process. Workers should be able to expect wages that are stable and predictable and that will increase over time with training and skills development. Policymakers should encourage equity in hiring by promoting policies such as pay audits and eliminating problematic job interview questions on salary history, age, and/or graduation year, which can lead to discrimination and bias.
3. **Providing supportive services.** Wraparound supports for workers, such as child care, adult care, and transportation, are crucial to ensuring that no workers are left out or behind and promoting equity in the labor market. Supportive services are an evidence-based strategy to help underrepresented workers remain in the workforce. A reauthorization of WIOA should include funding to provide wage subsidies for workers in training and education programs to increase retention and completion rates.
4. **Ensuring diversity, equity, inclusion, and accessibility.** WIOA should ensure inclusive access to good jobs for historically marginalized and underrepresented workers. Discussions of policies should include and center the lived experiences of workers and communities who would be affected by these policies to improve program design and outcomes. WIOA should also aim to continue work to increase access for workers with barriers to employment, such as those with disabilities, long-term unemployment, and young people facing challenging circumstances, among others.
5. **Promoting skills and career advancement.** Training and education services and programs should lead to transferable skills and career advancement. Workers and job seekers should have access to lifelong learning and training opportunities to help them pivot at necessary junctures in their careers.
6. **Using evidence-based decision-making.** Decisions should be informed by evidence and studies about what works in workforce development and reflect the body of research that has been built since 2015, the year after WIOA's passage. Good outcomes should be prioritized for workers and job seekers, and proven models should be prioritized and scaled to reach more workers.
7. **Prioritizing accountability.** A reauthorization should prioritize safeguards for workers, including measuring job quality and outcomes, and maintaining existing protections.
8. **Factoring in current technology.** The changing role of technology in work should be factored into WIOA program design. Additionally, a reauthorization should include funding and resources for technology to assist job seekers and incumbent workers in taking advantage of aspects of services, such as educational opportunities and career navigation.

9. Aligning with adjacent programs. WIOA reauthorization should take into account the broader ecosystem of federal programs and laws around workforce development and workforce-adjacent programs and align with the broader landscape to maximize outcomes.

FUNDING: N/A

PERFORMANCE: N/A

NO ATTACHMENT



Workforce Innovation and Opportunity Act (WIOA) Reauthorization

Bipartisan HELP Committee Discussion Draft

Section-by-Section

TITLE I—Workforce Development Activities

Subtitle A—Introductory Provisions

Sec. 101. Purposes – Amends Section 2 of the *Workforce Innovation and Opportunity Act* (WIOA) to add a reference to youth and expand the purposes to provide upward economic mobility, reduce dependency on public assistance programs, and prepare youth for a globally competitive workforce.

Sec. 102. Definitions – Amends Section 3 of WIOA to update existing definitions and define the terms “adult high school,” “co-enrollment,” “digital literacy,” “employer-directed skills development program,” “evidence-based,” “foundational skill needs,” “labor organization,” “universal design for learning,” and “work-based learning.” Additional definition term changes include changing “secondary school diploma” to “regular high school diploma;” the term “English language learner” to “English learner;” “out-of-school youth” to “opportunity youth;” “homeless individual” to “individuals experiencing homelessness; and “ex-offenders” to “justice-involved individuals.”

Subtitle B—System Alignment

CHAPTER 1—STATE PROVISIONS

Sec. 111. State workforce development boards – Amends Section 101 of WIOA to include representatives of historically Black colleges and universities, minority-serving institutions and Tribal colleges and universities in the list of who may be appointed by the Governor to sit on state workforce development boards.

Sec. 112. Unified State plan – Amends Section 102 of WIOA to change the timeline for unified state plans from four years to five years. Requires state plans to include an analysis of the state’s opportunity youth population, a description of activities to expand economic opportunities, a

description of the availability of apprenticeship and pre-apprenticeship programs, and a description of how the state intends to prioritize evidence-based programs.

CHAPTER 2—LOCAL PROVISIONS

Sec. 115. Workforce development areas – Amends section 106 of WIOA to revise the process for designating local workforce development areas (local areas) by requiring the governor to conduct reviews every eight years of the alignment of local areas to labor market or economic areas and propose designations for the next eight years, which shall be subject to the approval of a majority of the local workforce development boards (local boards) in the state. If the local boards reject the proposed designations, the local boards must choose between aligning the local areas with the economic development areas or the planning regions of the state. The first review period by the governor will occur before the third program year after enactment, with the first designation of local areas occurring at the start of the fourth program year. Also clarifies the circumstances under which interim revisions to the local areas may be made, establishes a process for multiple local areas to form a regional consortium to improve operational efficiency, and allows the governor to provide incentives to local areas that choose to merge together or form a regional consortium.

Allows a governor, subject to approval by the state legislature, to designate the state as a single state local area if its population was less than five million at the time of the most recent Census or has 5 or fewer local workforce boards. If after five years from the time of becoming a single state local area, the state's performance falls below the average for the five years preceding when it became a single state local area, the state shall reestablish its local boards.

Sec. 116. Local workforce development boards – Amends Section 107 of WIOA to encourage representatives of historically Black colleges and universities, minority-serving institutions and Tribal colleges and universities in the list of institutions of higher education who may sit on local boards.

Prescribes specific standing committees the local boards shall convene, including to address operational issues related to the one-stop delivery system, focus on serving youth, focus on serving individuals with disabilities, engage representatives of the workforce, engage educational entities, and focus on serving justice-involved individuals. Outlines the required membership of the standing committees.

Clarifies the local boards' authority over the budget and administration of the adult, dislocated worker, and youth workforce development activities of the local area.

Sec. 117. Local plan – Amends section 108 of WIOA to change the timeline for local plans from four years to five years, modify the required elements of the local plan to ensure the analysis of economic conditions and workforce needs of the region are continually assessed using real-time labor market information, remove the requirement on local boards to submit an update to the four-year local plan after two years, and include analysis of the opportunity youth in the local area and the service needs of this population.

Sec. 118. Funding of State and local boards. – Amends section 111 of WIOA to update a cross-reference.

CHAPTER 3—PERFORMANCE ACCOUNTABILITY

Sec. 119. Performance accountability system – Amends section 116 of WIOA to revise the performance accountability system for States and local boards:

- Updates the primary indicators of performance to focus on employment relevant to training received where applicable, reduces the timing milestones to six months instead of a year for several metrics, converts the “employment fourth quarter after exit” indicator into a measure of retention in the labor force and relevance to the training received, adds an indicator comparing wages to that of a high school graduate, calculates the “measurable skill gains” indicator in the six-month period after program entry, and replaces the “effectiveness in serving employers” metric with a metric for completion of training methods provided through employers.
- Updates the primary indicators of performance for the youth program to focus on employment or education relevant to training or services received, and revises the cross reference to the “effectiveness in serving employers” indicator to measure the percentage of youth participants who completed paid or unpaid work experiences.
- Connects training provider indicators to the state’s overall indicators of performance.
- Revises the process under which states negotiate and agree upon state levels of performance with the Department of Labor and Department of Education (Departments) to require the Departments to first propose levels based on their statistical adjustment model (SAM) and gives states the opportunity to react and offer counterproposals, as they determine necessary. Requires the Departments to publish their statistical adjustment model and clarify it must involve factors found to be predictive of performance.
- Adds a provision requiring the three lowest performing states to describe in more detail what they will do to improve.
- Elongates the levels of performance periods to match new WIOA planning period length of five years.
- Directs the Departments to update the performance reporting templates to collect common data elements across the core programs in an identical manner and make the performance reports available in transparent and accessible formats.
- Updates elements of the performance reports to include the median earnings gain of program participants in the state performance report and the percentage spent on skills development and supportive services in the local performance report, while clarifying that states will submit one performance report that includes the performance of each eligible training provider in the state, as well as an overall analysis of the effectiveness of the training provided.
- Clarifies the circumstances under which a state or local area is subject to performance improvement actions or fiscal sanctions.
- Connects the performance data systems to verifiable wage records databases like the National Directory of New Hires and state agencies’ Unemployment Insurance wage data.

Subtitle C—Workforce Investment Activities and Providers

CHAPTER 1—ONE-STOP DELIVERY SYSTEMS AND PROVIDERS

Sec. 121. Establishment of one-stop delivery systems. – Amends section 121 of WIOA to allow workforce development programs funded by the CHIPS and Science Act and Infrastructure Investment and Jobs Act to collocate at one-stop centers. Modifies the requirements for the one-stop delivery system to allow area Career and Technical Education (CTE) schools, institutions of higher education, and public libraries to serve as the one-stop operator. Allows one-stop centers to be virtual, coordinates virtual services between adjacent local areas, and requires a network of at least three physical affiliated locations, such as libraries, mobile centers, or community colleges, in local areas with no physical locations. Removes the requirement on local boards to negotiate an “infrastructure funding agreement” with the one-stop partners.

Sec. 122. Identification of eligible providers of training services. – Amends section 122 of WIOA:

- Reforms the process for states to determine eligible providers and programs of training services by establishing a “standard eligibility” and “Workforce Innovation Leader (WIL) eligibility” framework for the Eligible Training Provider List (ETPL) that gives the Governor and Secretary of Labor, respectively, authority to approve and revoke eligibility for the standard and WIL provider lists.
- Makes labor organizations and community colleges providing a training program that leads to a recognized postsecondary credential automatically eligible for the ETPL.
- Requires providers applying to receive standard eligibility to have a valid State or local business license, be in business for at least 2 years, have a federal employer identification number, prepare participants for employment that is high-skill, high-wage, or in-demand, provide a recognized postsecondary credential, and demonstrate verified education and employment outcomes.
- Requires providers intending to maintain standard eligibility to demonstrate verified education, employment, earnings, and value-added earnings outcomes to the Governor:
- Requires providers intending to gain WIL eligibility to demonstrate to the Governor, who will transmit to the Secretary of Labor, verified education, employment, earnings, and value-added earnings outcomes that exceed the requirements for the standard provider list.
- Requires the annual submission of performance information to the Governor to determine continued eligibility for the standard and WIL provider lists, prohibit providers with repeated failures to meet the minimum performance outcomes from remaining on the standard provider list, and provides for notification to participants and opportunities to complete training programs in the event that the Governor revokes standard eligibility for a program.
- Formalizes an industry or sector partnership designation for training providers.
- Requires for-profit providers with particularly poor outcomes to repay a small portion of WIOA funds to the local board.
- Provides transparency on the credentials that are awarded by eligible providers to include credential-specific information.

- Allows States or local boards to establish performance incentives for providers that achieve high levels of performance, serve a significant number of individuals with barriers to employment, or place participants into high-paying, family sustaining employment.

Sec. 123. Eligible providers of youth workforce investment activities. – Amends section 123 of WIOA to clarify that providers of pre-apprenticeships and apprenticeships for youth can serve as eligible training providers for youth programs.

CHAPTER 2—YOUTH WORKFORCE INVESTMENT ACTIVITIES

Sec. 131. State allotments. – Amends section 127 of WIOA to clarify how the additional Governor’s reservation under section 128 of WIOA and section 132 of this bill affects outlying areas receiving WIOA funding, and to promote more stability in year-over-year funding levels for States by ensuring no State receives less than 95 percent or more than 115 percent of its previous year’s youth formula allotment.

Sec. 132. Within State allocations. – Amends section 128 of WIOA to authorize States to make an additional reservation of up to 10 percent from the State’s adult, dislocated worker, and youth allotments, and requires that the additional reservation be used to establish an Industry or Sector Partnership Development Fund or for employer-based training activities.

Sec. 133. Use of funds for youth workforce investment activities. – Amends section 129 of WIOA to modify the workforce activities for youth:

- Replaces “out-of-school youth” with “opportunity youth” and includes youth experiencing homelessness and those involved with the justice or foster care systems as opportunity youth, regardless of their school status.
- Revises the waiver authority for spending on opportunity youth by raising the required minimum spending on opportunity youth from 50 percent to 60 percent in the case that a State uses a waiver.
- Increases the percentage of funding dedicated to work experiences to 30 percent, establishes core elements of summer and year-round employment opportunities requiring that internships lasting for longer periods be paid. Requires 33.33 percent of the dedicated work experiences fund to go towards apprenticeships and pre-apprenticeships for youth.
- Expands the list of statewide allowable activities to include raising public awareness about career and technical education programs and developing partnerships between educational institutions to create or improve workforce development programs.
- Updates the elements of youth workforce programs to include activities to develop fundamental workforce readiness skills, authorizes the use of “individual training accounts” (ITAs) for in-school youth over the age of 18 and for opportunity youth, and increases the cap on the amount of funding that can be used on pay-for-performance contract strategies.
- Streamlines the enrollment process by allowing programs to begin serving youth while an eligibility determination is pending, shifts the burden of determining eligibility to

program or one-stop operator staff, and aligns the documentation requirements to determine foster or homeless youth status with the *Higher Education Act*.

CHAPTER 3—ADULT AND DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES

Sec. 141. State allotments. – Amends section 132 of WIOA to reflect that the dislocated worker funds reserved by the Secretary of Labor (Secretary) will also be used for the Workforce Data Quality Initiative established in section 174 of this Act.

Sec. 142. Reservations for State activities; within State allocations. – Amends section 133 of WIOA to reduce the reservation for statewide rapid response activities from 25 to 15 percent, except in the case of exceptional need. Conforms with a change in section 131 to allow the Governor to reserve an additional 10 percent for the Industry or Sector Partnership Development Fund and a fund for employer-based training activities. Provides States more flexibility in determining an allocation formula within the State for adult and dislocated worker funding.

Sec. 143. Use of funds for employment and training activities. – Amends section 134 of WIOA:

- Revises the statewide workforce activities for adults and dislocated workers by adding the Industry or Sector Partnership Development Fund and employer-based training activities to the list of required statewide activities for the Governor out of the additional portion reserved by the Governor.
- Clarifies that rapid response activities are provided through a rapid response unit, and allows for supplemental ITAs authorized under this section to be used toward rapid response activities.
- Establishes new required statewide activities to improve support and assistance for workforce boards, connect participants with supportive services, and support the development of skills-based hiring practices.
- Improves service delivery and training opportunities through apprenticeships, industry or sector partnerships, and innovative and accessible programs such as universal design for learning and model comprehensive transition and postsecondary programs for individuals with disabilities.
- Establishes the Industry or Sector Partnership Development Fund and employer-based training activities fund as statewide allowable activities with any additional funds reserved by the governor for these purposes under section 133. Through the Industry or Sector Partnership Development Fund, states will establish a competitive grant to award implementation and expansion grants to new or existing industry or sector partnerships to fund a range of education, training, and employment-related activities, with a non-federal cost sharing requirement based on the size of the participating employers. The employer-based training activities fund reserves funding for pre-apprenticeship and apprenticeship, on-the-job training, employer-directed skills development, and other employer-provided training activities.

- Improves local employment and training opportunities for adults and dislocated workers to provide differentiated “basic career services” provided primarily by Employment Service staff under the *Wagner-Peyser Act* and “individualized career services”.
- Requires labor exchange services under individualized career services to provide information on wage and benefit levels in industry sectors and occupations across the local area and State, and to support participants in develop a resume, cover letter, or similar document;
- Revises “customized training” under current law to “employer-directed skills development”, and requires participating employers to reach an agreement with a local board to provide skills development to participants and make a number of commitments, which include a commitment that a participating employer does not have proven violations of laws enforced by the Department of Labor, Equal Employment Opportunity Commission, and the National Labor Relations Board.
- Clarifies that a participating employer in employer-directed skills development or incumbent worker training cannot abrogate any collective bargaining agreements that cover its employees.
- Develops “business services” as its own service category, while allowing these services to include technical assistance and support to employers seeking to implement skills-based hiring practices.
- • Increases the cap on the amount of funds a local board may use on “incumbent worker training” to 30 percent and providing for further increases if the local area has been experiencing low rates of unemployment or a high rate of labor force participation.] LLA
- Increases the cap on the amount of funds a local board may use on transitional jobs to 15 percent.
- Repurposes a portion of the Department of Labor’s H1-B funding toward “Supplemental ITAs” for adults, dislocated workers, and youth to pursue training services. Specifies that supplemental ITAs are distributed to States based on a formula that allocates one-third of the funding based on the relative number of unemployed individuals, one-third of the funding based on the relative number of disadvantaged adults, and one-third based on the relative number of individuals in the civilian labor force. Also includes a minimum allotment to ensure that small states receive equitable funding under the new formula. Additionally, sets the minimum amount for supplemental ITAs at \$5,000 per ITA, and stipulates that funding for supplemental ITAs supplement, not supplant, ITA funding provided through the adult and dislocated worker formulas.

CHAPTER 4—GENERAL WORKFORCE INVESTMENT PROVISIONS

Sec. 149. Authorization of appropriations. – Amends section 136 of WIOA to authorize appropriations for each of the Fiscal Years 2025 through 2029 at the amount of such sums as may be necessary for the youth, adult, and dislocated worker programs.

Subtitle D—Job Corps

Sec. 151. Purposes. – Amends section 141 of WIOA to update the terminology in the program to refer to each site as a Job Corps “campus” This change is carried throughout the subtitle.

Sec. 152. Definitions. – Amends section 142 of WIOA to clarify that the term “graduate” includes the receipt of a regular high school diploma and may include a recognized postsecondary credential.

Sec. 153. Individuals eligible for the Job Corps. – Amends section 144 of WIOA to modify the eligibility criteria for the Job Corps program, including increasing the maximum age from not more than 21 to not more than 24, and allowing residents of Opportunity Zones to qualify without further documentation of income status. Clarifies that transitioning servicemembers also qualify for the military income exemption and streamlines the determination of homeless or foster youth status to match the process described in section 479D of the Higher Education Act.

Sec. 154. Recruitment, screening, selection, and assignment of enrollees. – Amends section 145 of WIOA to direct the Secretary to assist in the development of joint applications for Job Corps, YouthBuild, and the youth activities program.

Clarifies the existing drug test procedures for enrollees to require an initial drug test within 48 hours upon arrival on campus, and if the results of the initial test are positive, requires a subsequent drug test at the earliest appropriate time to determine if the enrollee has continued using drugs since arrival on campus.

Revises the number of days the results of the subsequent drug test must be received, from 45 days after arrival to within 50 days after arrival, and if the test is positive with similar levels of potency that were found in the initial test, the enrollee must be terminated from the program and referred to a substance use disorder treatment program or behavioral counseling.

Sec. 155. Job Corps campuses. – Amends section 147 of WIOA to modify the process through which the Secretary selects entities to operate Job Corps campuses to require the consideration of evidence of effectiveness the entities’ past effectiveness based on the primary indicators of performance, a description of the policies that will be implemented to maintain a secure campus, and agreements to provide off-campus work-based learning opportunities to enrollees. Revises the threshold for being considered a high-performing campus to include those that are ranked in the top 25 percent of all campuses yoand raises the percentage of enrollees that can be non-residential to 30 percent.

Sec. 156. Program activities. – Amends section 148 of WIOA to require campuses to provide residential enrollees productive activities outside of program hours and clarify that any eligible provider on the state “eligible training provider list” and aligned with the CTE the enrollee has completed may be used to provide advanced career education for selected enrollees. Campuses may also incorporate the principles of universal design for learning.

Sec. 157. Counseling and job placement. – Amends section 149 of WIOA to require the Secretary to coordinate counseling and job placement with Job Corps operators assigned to campuses.

Sec. 158. Support – Amends section 150 of WIOA to allow a Job Corps graduate to remain a resident on campus for up to one month after graduation with written approval from the director of the Job Corps campus and only if such individual receives written approval to remain a resident.

Sec. 159. Operations. – Amends section 151 of WIOA to grant Job Corps operators authority to determine how learning is delivered and what tools can be used for that purpose, determine the appropriate policy and protocols with respect to enrollees leaving campus and guests visiting campus, hire and develop staff, enter into agreements with educational entities and employers, and educate stakeholders about Job Corps activities without prior approval of the Secretary of Labor, while making clear that any such agreements that do not involve monetary compensation are not considered subcontracts. Requires the Secretary to solicit information on any operational costs that may arise prior to making changes to the operating agreement.

Sec. 160. Standards of conduct. – Amends section 152 of WIOA to require the Secretary to adopt guidelines establishing a disciplinary policy for dismissing an enrollee that committed an act of violence or an illegal activity and establishes an appeals process.

Sec. 161. Community participation. – Amends section 153 of WIOA to include industry or sector partnerships in Jobs Corps campus networks.

Sec. 162. Workforce councils. – Amends section 154 of WIOA to expand workforce councils to include representatives of community-based organizations and clarify that recognized postsecondary credentials may be necessary to obtain employment opportunities.

Sec. 163. Advisory committees. – Amends section 155 of WIOA to update the terminology in the program to refer to each site as a Job Corps “campus.”

Sec. 164. Experimental projects and technical assistance. – Amends section 156 of WIOA to authorize the Secretary to provide technical assistance in incorporating the principles of universal design for learning.

Sec. 165. Special provisions. – Amends section 158 of WIOA to permit Job Corps campus operators to accept charitable donations on behalf of an individual Job Corps campus and require any property acquired to be directly transferred to the Secretary. Directs the Secretary to ensure equal opportunity and that no individual is excluded from a Job Corps program on the basis of race, color, religion, sex (except otherwise permitted under title IX of the Education Amendments of 1972), national origin, age, disability, or political affiliation or belief.

Sec. 166. Management information. – Amends section 159 of WIOA to revise the performance assessment of Job Corps campuses by specifying that the Secretary shall make arrangements with a state or other entity to use state wage records for evaluation of the Job Corps programs.

Sec. 167. Job Corps oversight and reporting. – Amends section 161 to strike outdated financial reporting and require a report on campus closures by December 2025.

Sec. 168. Authorization of appropriations. – Amends section 162 of WIOA to authorize appropriations for the Job Corps program for each of the Fiscal Years 2025 to 2029 at an amount of such sums.

Subtitle E—National Programs

Sec. 171. Native American programs. – Amends section 166 of WIOA to make adjustments to the Native American Programs by limiting the administrative costs to 12 percent of a grant, allowing for the transfer of unobligated funds, requiring the Secretary to make arrangements with a state to use wage records in the performance reporting of grantees, and having the performance of grantees published annually on the website of the Department of Labor. Clarifies how vacancies to the Native American Employment and Training Council are to be filled and allow tribes to consolidate funding from various sources for workforce training. Extends the authorization of appropriations for assistance to unique populations in Alaska and Hawaii for each of the Fiscal Years 2025 to 2029 at such sums as may be necessary.

Sec. 172. Migrant and seasonal farmworker programs. – Amends section 167 of WIOA to make adjustments to the Migrant and Seasonal Farmworkers Programs by limiting the administrative costs to 10 percent of a grant, requiring the Secretary to make arrangements with a state to use wage records in the performance reporting of grantees, having the performance of grantees published annually on the website of the Department of Labor, allowing for digital literacy skills to be an authorized activity and clarifying the timelines under which grant funds must be obligated and spent.

Sec. 173. Evaluations and research. – Amends section 169 of WIOA to require evaluations carried out under WIOA to describe the extent to which states are using emerging technology (such as artificial intelligence) to improve data collection. Strikes the required or allowable studies that have already been completed. Includes new studies on the employment conditions and job quality for participants after program exit, improving workforce services for individuals with disabilities, the effectiveness of pay-for-performance contract strategies, the use of ITAs by adults, dislocated workers, and youth, the effectiveness of employer-based training activities, the effectiveness and use of emerging technology in the workforce system, the effectiveness and use of statewide rapid response activities, the provision and effects of supportive services, and the alignment between education and workforce systems. Codifies the Workforce Data Quality Initiative and provides funds from the dislocated worker national reserve and funds authorized for this section to award grants to state agencies or consortiums to create and improve state education and workforce longitudinal data systems.

Sec. 174. National dislocated worker grants. – Amends section 170 of WIOA to update the National Dislocated Worker Grants by codifying the ability to award grants to entities serving areas with employment and upskilling needs related to widespread opioid addiction while clarifying that grants awarded for this purpose can be used to upskill individuals in health professions involved in the prevention and treatment of opioid use and misuse disorders. Requires the Secretary of Labor to collect performance information of each entity receiving a

grant under this section and publish such information on a privacy-protected website hosted by the Department of Labor.

Sec. 175. YouthBuild program. – Amends section 171 of WIOA to modify the YouthBuild program by directing the Secretary to reserve 5 percent of any amount appropriated to tribes, tribal communities, or organizations serving tribes, and not less than 5 percent of any amount appropriated to rural areas. Requires the Secretary to make arrangements with a state to use wage records in the performance reporting of grantees, having the performance of grantees published annually on the Department of Labor’s website, and encouraging the Secretary to announce the funding opportunities at the same time each year. Clarifies that an eligible activity is informing and assisting participants in applying to SNAP and child care. Additionally, this section authorizes appropriations for the YouthBuild program for each of Fiscal Years 2025 to 2029 in an amount of such sums as may be necessary.

Sec. 176. Reentry employment opportunities. – Amends WIOA to create a new section 172 and codify the Reentry Employment Opportunities program to improve the reentry of justice-involved individuals into the workforce. Directs the Secretary to award competitive grants and contracts to eligible entities, including not less than 10 percent of appropriated funds for regional or national intermediaries, to conduct reentry projects. Requires 10 percent of funds to be used for pay-for-performance contracts, and 30 percent to be used to carry out youth Reentry Employment Opportunities Program with priority given to entities that will serve high-poverty areas, use evidence-based strategies, enroll individuals before release, establish partnerships with businesses and institutions of higher education, and provide on-the-job learning. Directs the Secretary to evaluate the reentry projects.

→ *Sec. 177. Youth apprenticeship readiness grant program.* – Amends WIOA to create a new section 173 to establish the Youth Apprenticeship Readiness Grant Program to increase youth participation in new or existing pre-apprenticeship and apprenticeship programs. Requires an eligible education and training provider, a workforce development system entity, a qualified intermediary, or a state agency of the state where a partnership is located to lead in the youth apprenticeship partnership. Eligible entities must provide a 25 percent match of funds through non-federal sources (such as cash or in-kind). Protects minors from on-the-job training in hazardous occupations and ensures compliance with child safety standards. Additionally, directs the Secretary to evaluate the youth apprenticeship grant and the sharing of best practices for youth apprenticeships.

Sec. 178. Authorization of appropriations. – Amends section 172 of WIOA (redesignated as section 174) to authorize appropriations for each of the Fiscal Years 2025 through 2029 for Native American Programs, Migrant and Seasonal Farmworker Programs, Technical Assistance, Evaluations and Research, Reentry Employment Opportunities, and Youth Apprenticeship Readiness Grants at such sums as may be necessary.

Subtitle F—Administration

Sec. 191. Requirements and restrictions. – Amends section 181 of WIOA to require compliance with all applicable Federal labor law. Clarifies that supportive services may be provided using WIOA funding only in combination with career or training services, and if such services cannot be obtained elsewhere.

Sec. 192. Fiscal controls. – Amends section 184 of WIOA to give Governors thirty months, rather than two years, to certify to the Secretary that the State has been compliant with requirements consistent with the Unified State Plan timelines in section 112.

Sec. 193. Secretarial administrative authorities and responsibilities. – Amends section 189 of WIOA to require Governors requesting a waiver of statutory or regulatory requirements to explain how the state will continue to promote access to services for individuals impacted by the waiver and permits, rather than requires, the Secretary to expedite the determination of a waiver for a State or local area if such a waiver has been approved for another state or local area.

Sec. 194. State flexibility pilot program. – Strikes and replaces section 190 of WIOA to establish a state flexibility pilot authority to allow a state, local area, or consortia of multiple local areas to receive its adult, dislocated worker, and youth funds as a consolidated grant for five years. These pilot projects must continue to follow the priority of service requirements of the law, adhere to existing workforce protections, set performance targets higher than their current level of performance, and have a rigorous evaluation completed. The Secretary may approve up to four statewide demonstration projects and four local area or consortium demonstration projects, with authority for an additional two eligible states after five years if the first four states show an improvement in performance. Statewide demonstration projects may only be approved for states that are designated as a single state local area at the time of applying or have a labor force participation rate of less than 60 percent and a population of less than five million.

TITLE II—ADULT EDUCATION AND LITERACY

Sec. 201. Purpose. – Amends section 202 of WIOA to update the purpose of the Adult Education and Literacy program to include assisting adults in obtaining digital literacy skills.

Sec. 202. Definitions. – Amends section 203 of WIOA to define “digital literacy skills,” include digital literacy skills under the definition of “adult education,” replace the term “English language learner” with “English learner,” update the definitions of “integrated English literacy and civics education,” “family literacy activities”, “literacy” and “define the term “college and career preparation activities.”

Sec. 203. Authorization of appropriations. – Amends section 206 of WIOA to authorize appropriations as such sums may be necessary for Title II for Fiscal Years 2025 to 2029.

Sec. 204. Special rule. – Amends section 211 of WIOA to make a conforming change to reflect the renumbering of the definitions in section 3 of WIOA.

Sec. 205. Performance accountability system. – Amends section 212 of WIOA to provide that the primary indicator of performance measuring participant completion of employer-connected

learning will be applied to Title II as the percentage of program participants who exited the program during the program year and completed an “integrated education and training” program. Additionally, the section is amended to allow for additional measurable skill gains such as those described in section 202.

Sec. 206. Matching requirement. – Amends section 222 of WIOA to direct each State agency to make publicly available the sources of the required matching funds and an explanation of how these funds are being distributed to eligible providers.

Sec. 207. State leadership activities. – Amends section 223 of WIOA to update the required state leadership activities to include the identification of opportunities to align with activities supported under the *Carl D. Perkins Career and Technical Education Act* to expand integrated education and training programs, assistance to providers in reporting participant outcomes, including facilitating partnerships with State entities to conduct matches on wages records or support integration with statewide longitudinal data system, and the development or identification of instructional materials designed to meet the needs of adult and English learners. Updates the allowable state leadership activities to include the development of policies to award recognized postsecondary credentials to adult educators with demonstrated effectiveness, partnerships with local educational agencies or public agencies to recruit individuals, and activities to strengthen the quality of standards and accreditation requirements.

Sec. 208. Education programs for justice-involved individuals and other institutionalized individuals. – Amends section 225 of WIOA to establish a priority of service to an agency also served by a program under section 172. Requires each eligible agency using funds to carry out corrections education and education for other institutionalized individuals to coordinate these activities with funds reserved under the *Carl D. Perkins Career and Technical Education Act*, to develop “integrated education and training” opportunities, to coordinate eligible prison education programs, and to coordinate with REO programs. Redefines the term criminal offender to “justice-involved individual” and defines the term “prison education program.”

Sec. 209. Grants and contracts for eligible providers. – Amends section 231 of WIOA to update the considerations state agencies must use when awarding grants and contracts to eligible providers to include consideration of the instructional materials used by the provider. Clarifies that states may consider the costs of providing learning in context, and the extent to which eligible providers intend to use these strategies when determining the amount of funds awarded.

Sec. 210. Local application. – Amends section 232 of WIOA to update the local application that must be submitted by each eligible provider to include a description of how the eligible provider will provide learning in context, in a manner integrated with college and career pathways to enable participating students to attain a recognized postsecondary credential or enroll in postsecondary education.

Sec. 211. Local administrative cost limits. – Amends section 233 of WIOA to revise the local administrative cost limits to move professional development for adult educators into its own category, subject to a 10 percent cost limit.

Sec. 212. Prompt allocation of funds. – Amends section 241 of WIOA to establish that funds shall be made available under section 211 for an eligible agency not later than 30 days after the date the eligible agency has a unified State plan approved under section 102 or a combined State plan approved under section 103.

Sec. 213. National leadership activities. – Amends section 242 of WIOA to update the national leadership required activities to include dissemination of effective practices used by states to use statewide longitudinal data systems. Adds new allowable activities of developing and evaluating programs for preparing adult educators, carrying out initiatives to disseminate effective staffing models, program quality standards, and accreditation requirements that may be voluntarily adopted, and providing professional development and technical assistance to educators.

Sec. 214. Integrated English literacy and civics education. – Amends section 243 of WIOA to update the terms to read “English learners” and to add goals that further align with the purpose of Title II.

TITLE III—GENERAL PROVISIONS

Subtitle A—Data Provisions

Sec. 301. Data Exchange Standardization for Improved Interoperability. – Amends section 503 of WIOA to include an Act-wide requirement for data interoperability across all data collections and reporting to ensure that workforce data functions seamlessly within the workforce development system and with other data systems, including those that provide supportive services, created now and in the future.

Sec. 302. Report on data capability of Federal and State databases and data exchange agreements. – Amends section 505 of WIOA to direct the Government Accountability Office to prepare a report, similar to the one required by the 2014 reauthorization, to identify current data system weaknesses and opportunities, with a focus on the State Wage Interchange System (SWIS) developed by the Department of Labor.

Subtitle B—Transition Provisions

Sec. 311. Transition. – Enables the transition to begin and prioritizes the implementation of the performance accountability SAM.

Sec. 312. Effective date. – Makes the effective date the first July 1 that is not less than 1 calendar year after the date of enactment of this Act.

Subtitle C—Amendments to Other Laws

Sec. 321. Amendments to the Wagner-Peyser Act. – Amends the Wagner-Peyser Act to include the Commonwealth of the Northern Mariana Islands and American Samoa in the Employment Service, providing each of these territories one half of the amount of funding that Guam is provided, beginning the first fiscal year the total amount available for allotment is greater than the amount for Fiscal Year 2024. Makes adjustments to support the integrated delivery of career

services provided by the Employment Service within the one-stop delivery system. Additionally, modifies the workforce and labor market information system to promote the use of real-time data to identify trends in emerging occupation roles and skills and disseminate information in a manner that is user-friendly.

Sec. 322. Amendment to the American Competitiveness and Workforce Improvement Act. – Amends section 414 of the American Competitiveness and Workforce Improvement Act to strike the current subsection (c), Job Training Grants, and authorize \$65 million from the Department of Labor’s H1-B allocation to be spent on the Youth Apprenticeship Readiness Grant program in section 177 of this bill and the remainder to be spent on supplemental ITAs authorized under section 143 of this bill.

Sec. 323. Access to National Directory of New Hires. – Amends section 453 of the Social Security Act to authorize state agencies responsible for conducting the reporting and evaluation activities under section 116 of WIOA to receive information from the National Directory of New Hires.



SFWIB EXECUTIVE COMMITTEE

DATE: 7/11/2014

AGENDA ITEM NUMBER: 6

AGENDA ITEM SUBJECT: NEW LOCAL WORKFORCE DEVELOPMENT AREA DESIGNATION

AGENDA ITEM TYPE: **INFORMATIONAL**

RECOMMENDATION: N/A.

STRATEGIC GOAL: **STRONG WORKFORCE SYSTEM LEADERSHIP**

STRATEGIC PROJECT: **Strengthen workforce system accountability**

BACKGROUND:

On March 26, 2024, Florida Commerce, Bureau of One-Stop and Program Support, issued a memorandum to all workforce boards. This memo requires each board to submit a new or subsequent Local Workforce Development Area (LWDA) designation request and LWDA composition rosters to Florida Commerce. Specifically, LWDA's that are consolidating or realigning counties as part of Florida's Transformation Plan must submit a request for designation as a new LWDA.

In alignment with the Workforce Innovation and Opportunity Act (WIOA), the Governor has the authority to approve requests for LWDA designation from any unit of local government, or a combination thereof, if the state workforce development board (state board) recommends designation. The state board must determine that the proposed area:

- Aligns with the local labor market area;
- Has a common economic development area; and
- Possesses the necessary federal and non-federal resources, including relevant education and training institutions, to manage activities under the WIOA youth, adult, and dislocated worker formula programs.

Furthermore, the state board is required to certify each Local Workforce Development Board (LWDB) as mandated by section 107 of WIOA. Attached to this agenda item is the request from the South Florida Workforce Investment Board (SFWIB) for a new designation due to the realignment of counties under the 2021 Reimagining Education and Career Help (REACH) Act. The SFWIB staff will complete the necessary form for Mayor Levin Cava's review and signature.

FUNDING: N/A

PERFORMANCE: N/A

ATTACHMENT

Request for New Local Workforce Development Area Designation

Select the appropriate box that describes this request:

- New Designation – New Local Workforce Development Area (LWDA), including LWDAs that are fully consolidating.
- Realignment of Counties – Existing LWDA that is removing or adding one or more counties.

1. Point of Contact

Name of Contact Person:

Rick Beasley

Phone Number:

(305) 929-1501

Title:

Executive Director

Email Address:

Rick.beasley@careersourcesfl.com

Date of Request:

June 7, 2024

2. LWDA Information

Name of Local Workforce Development Area:

LWDA 23

3. County/Counties Information

List the county/counties that will be included in the proposed LWDA:

Miami-Dade County

For new designations and realignment of counties, list the county/counties that is/are being added to the LWDA and the LWDA they are currently designated to:

For realignment of counties, list the county/counties that is/are being removed from the LWDA and the LWDA they will be realigned to:

Monroe County, CareerSource Southwest Florida, LWDA 24

4. Substantive Requirements for Designation of a New LWDA

a. Describe how the proposed LWDA is consistent with local labor market areas.

Local Workforce Development Area (LWDA) 23, which encompasses Miami-Dade County, stands out as one of the nation's most vibrant regions. It boasts a diverse array of industries and a varied population with a wide range of economic and educational needs.

Annually, the SFWIB/CSSF collaborates with the Miami-Dade County, Beacon Council (the local economic development agency) and the five primary local chambers of commerce to conduct a thorough examination of the area's workforce and employer requirements. The latest assessment highlights the continued strong growth of Miami's Leisure and Hospitality sector, fueled by its allure as a premier vacation destination.

Moreover, Miami-Dade County is witnessing rapid expansion across several sectors, including health care, trade and logistics, technology, data centers, back-office support technology, simulation technology, mobile applications, computational science technology, and tourism technology. These findings underscore the dynamic and evolving nature of the local economy.

b. Describe how the proposed LWDA has a common economic development area.

Based on the Department of Economic Opportunity (DEO) 2021 – 2029 Statewide, Regional, and County projections, the SFWIB/CSSF has pinpointed six major industry groups poised for significant growth over the next seven years. These industry segments are central to the Opportunity Miami strategy, formerly known as One Community, One Goal, either as primary industries or as key subindustries. The identified sectors and their projected growth rates along with estimated job openings are as follows:

1. Leisure and Hospitality: Expected to grow by 31.7 percent, with approximately 42,922 new job openings.
2. Information Technology: Anticipated growth of 13.2 percent, leading to around 2,577 new jobs.
3. Other Services: Projected growth of 13.0 percent, resulting in an estimated 5,266 new jobs.
4. Educational and Health Services: Predicted growth rate of 12.8 percent, with approximately 35,584 new jobs.
5. Professional and Business Services: Estimated growth of 12.7 percent, generating around 23,157 new jobs.
6. Financial Services: Expected to grow by 10.9 percent, creating an estimated 9,004 new jobs.

These projections serve as a valuable guide for strategic planning and workforce development initiatives in the region.

c. Describe the federal and non-federal resources that will be available to the proposed LWDA, including appropriate education and training institutions, to administer activities under the Workforce Innovation and Opportunity Act youth, adult and dislocated worker formula programs.

The South Florida Workforce Investment Board (SFWIB) secures funding from multiple sources, including the Workforce Innovation and Opportunity Act (WIOA), Wagner-Peyser, Temporary Assistance to Needy Families, Unemployment Compensation, and Supplemental Nutrition Assistance, to develop, implement, and oversee workforce programs in the region.

Under the purview of WIOA, the SFWIB/CSSF has effectively deployed various training options, such as classroom instruction, on-the-job training, work experience programs, customized training initiatives, and apprenticeships. Leveraging our strengths in workforce training and education, we foster collaborations with the Academic Council of Opportunity Miami (formerly One Community One Goal), cultivate robust relationships within the business community, and forge partnerships with a diverse range of private and public post-secondary institutions conveniently accessible to our constituents. This comprehensive approach ensures the effective delivery of workforce development services tailored to meet the needs of our region.

5. Additional Information

a. Describe how the proposed new LWDA designation will impact the other LWDA(s) from which it is withdrawing.

The realignment process led by Earnest & Young revealed that the demographics and needs of Miami-Dade and Monroe County, both within Local Workforce Development Area 23, differ significantly. As a result, it was determined that Monroe County's needs align more closely with CareerSource Southwest Florida (LWDA 24) and should be transitioned accordingly. This realignment is expected to have no impact on other workforce development areas. We support this decision, as it will enhance the capacity of each LWDA to address the unique needs of its residents more effectively.

6. Public Comments

a. Local areas requesting to create a new LWDA must post its intent for 10 days to allow the receipt of public comments. Was this request posted for public comments? **Yes** **No**

b. Were any public comments received? **Yes** **No**

If yes, a copy of public comments received regarding the proposed newly designated LWDA must be submitted with this request.

CERTIFICATION AND APPROVAL OF REQUEST

By signing below, the local workforce development board chairperson and the chief local elected official (CLEO) representing each county/unit of local government that comprises the proposed local workforce development area certify that the information contained in this request is true and accurate based on their knowledge. Additionally, the signatures below demonstrate the consensus of each county/unit of local government involved.

Local Workforce Development Board Chairperson	
Name:	
Signature:	
Date:	

Chief Local Elected Official	
Name:	County:
Signature:	
Date:	

Chief Local Elected Official	
Name:	County:
Signature:	
Date:	

Chief Local Elected Official	
Name:	County:
Signature:	
Date:	

Chief Local Elected Official	
Name:	County:
Signature:	
Date:	

Chief Local Elected Official	
Name:	County:
Signature:	
Date:	

Chief Local Elected Official	
Name:	County:
Signature:	
Date:	

A certification page is required for each of the impacted local workforce development areas. The completed request and certification page(s) must be submitted to: LWDBGovernance@commerce.fl.gov.



SOUTH FLORIDA WORKFORCE INVESTMENT BOARD

DATE: 7/11/2024

AGENDA ITEM NUMBER: 7

AGENDA ITEM SUBJECT: SOUTH FLORIDA WORKFORCE INVESTMENT BOARD BYLAWS

AGENDA ITEM TYPE: **APPROVAL**

RECOMMENDATION: SFWIB staff recommends to the Executive Committee to recommend to the board the approval of the amended and restated SFWIB Bylaws as set forth below.

STRATEGIC GOAL: **STRONG WORKFORCE SYSTEM LEADERSHIP**

STRATEGIC PROJECT: **Strengthen workforce system accountability**

BACKGROUND:

During the February 15, 2024 SFWIB meeting, the Executive Committee presented the amended and restated by-laws to the board for approval. Members were informed that the proposed by-laws must undergo final review by the Miami-Dade County Attorney's Office before being presented to Mayor Cava for signature.

SFWIB staff concluded the review process with the Miami-Dade County Attorney's Office. However, now that the SFWIB has been redesignated under ordinance LXVII of the Code of Miami-Dade County, the Bylaws must once again be amended to remove Monroe County and all reference to Monroe County. The following modifications were in accordance with the Workforce Innovation and Opportunity Act ("WIOA"), the Interlocal Agreement, and state law:

- Page 1 - Section 1.1: Name – Updated language to remove Monroe County.
- Page 1 – Section 1.2: Creation and Authority – References to the Interlocal agreement changed to reflect the new Ordinance Agreement.
- Page 1 – Section 1.5: Purpose and Responsibilities – Updated language to remove Monroe County and references to the Interlocal agreement changed to reflect the new Ordinance Agreement.
- Page 2 – Section 1:6: Powers – References to the Interlocal agreement changed to reflect the new Ordinance Agreement.
- Page 2 – Section 4.2: Categories of Membership – References to the Interlocal agreement changed to reflect the new Ordinance Agreement.

- Page 14 – Section 7.1 Indemnification – References to the Interlocal agreement changed to reflect the new Ordinance Agreement.
- Page 14 – Section 7.2 Compensation – References to the Interlocal agreement changed to reflect the new Ordinance Agreement.

With the aforementioned changes, SFWIB staff recommends to the Executive Committee to recommend to the board the approval of the revised SFWIB Amended and Restated Bylaws.

FUNDING: N/A

PERFORMANCE: N/A

ATTACHMENT



**AMENDED BYLAWS
OF
THE SOUTH FLORIDA WORKFORCE INVESTMENT BOARD
d/b/a CAREERSOURCE SOUTH FLORIDA**

ARTICLE I

NAME, CREATION AND AUTHORITY, TAX EXEMPT STATUS, PURPOSE AND POWERS

Section 1.1 *Name* - The provisions of this document constitute the By-Laws of the South Florida Workforce Investment Board (“SFWIB” or “Board”), a separate public body, corporate and politic, and a governmental agency and governmental instrumentality of Miami-Dade County.

Section 1.2 *Creation and Authority* – The SFWIB is created and authorized pursuant to Ordinance 241084 creating the South Florida Workforce Investment Board for Local Workforce Development Area 23 (“LWDA” or “Area 23”) of the State of Florida, chapter 445, Florida Statutes, and applicable state and federal law.

Section 1.3 *Tax Exempt Status* - The SFWIB is a governmental body in all respects and eligible to exclude income under Section 115 of the Internal Revenue Code of the United States and contributions which are deductible under Section 170(c)(1) of the Internal Revenue Code of the United States.

Section 1.4 *Mission* – The dual mission of CareerSource South Florida is to facilitate the connection between competent and capable individuals and local employers, while also offering career advancement opportunities to residents of South Florida that contribute to their overall economic well-being. The SFWIB values:

- Integrity and ethical behavior in all of our actions and dealings
- Fiscal and personal accountability
- Excellent service delivery
- Forward thinking and innovation
- Passion and commitment to both internal and external customers
- Diversity in experiences and thinking

Section 1.5 *Purpose and Responsibilities* - The purpose of the SFWIB is to perform any and all duties necessary for the accomplishment and purpose of the Workforce Innovation and Opportunity Act (“WIOA”) and Ordinance 241084, in accordance with federal and state law. In collaboration with required and additional stakeholders, the SFWIB shall provide strategic and operational oversight to develop a comprehensive and high-quality workforce development system in Miami-Dade County and public policy guidance of WIOA programs. The SFWIB shall work toward achieving the state’s strategic and operational visions and goals, and shall exercise all powers provided by or under the authority of the Board including, but not limited to, Chapter 445 Florida Statutes. An emphasis shall be placed on services to individuals with barriers as well as other individuals identified in the SFWIB Strategic Plan.



Section 1.6 Powers - The Board shall have and exercise all rights and powers granted to Local Workforce Development Boards under the WIOA, section 445.007(5), Florida Statutes, these Bylaws, the Interlocal Agreement, and as permitted by the laws of the State of Florida. The exercise of said rights and powers by the Board shall not be inconsistent with the provisions of the WIOA.

ARTICLE II OFFICES

Section 2.1 Principal Office - The principal office of the Board shall be located in Miami-Dade County, Florida.

ARTICLE III LIMITATIONS ON BOARD MEMBERS

Section 3.1 Limitation on Board Members - The Board shall be non-partisan, non-sectional, and non-sectarian and shall take no part or lend its influence or facilities to the nomination, election, or appointment of any candidate for public office. The Board shall be prohibited from lobbying entities or persons, except for legislative requests made by the Board to the Miami-Dade County Office of Intergovernmental Affairs as required by Miami-Dade County Ordinance 04-219 or as may be authorized by the Miami-Dade Board of County Commissioners.

ARTICLE IV MEMBERSHIP AND DUTIES

Section 4.1 Representation - The SFWIB members shall be representative of the population of the Local Workforce Development Board (LWDB) 23. The membership shall be based on the diversity of the economic and demographic composition of the LWDB 23 to assure equitable representation.

Section 4.2 Categories of Membership - Pursuant to Pub. L. No. 113-128, WIOA, Sections 107; 20 Code of Federal Regulations 679.320; and section 445.007, Florida Statutes, the Board shall be comprised of members that represent entities in the categories provided below. Members must be individuals with optimum policy-making authority within the entities they represent, as the term is defined by 20 CFR 679.340. The number of members and the composition of the Board shall be in accordance with Ordinance 241084 and the SFWIB bylaws.

A. Business

A majority of the Board members shall represent businesses in the LWDA as individuals who:

- a. are owners of a business, chief executive officers, chief operating officers, or other individuals with optimum policymaking or hiring authority;



- b. represent businesses, including small businesses, or organizations representing businesses that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the LWDA, as those terms are defined by the WIOA; and
- c. are appointed from among individuals nominated by local business organizations and business trade associations.

At least two members must represent small business as defined by the U.S. Small Business Administration.

B. Labor / Apprenticeships

Not less than 20 percent of the members must be representatives of the workforce within the LWDA and:

- a. Include at least two representatives of labor organizations nominated by local labor federations. If no employees are represented by such organizations, at least two other representatives of employees shall be on the Board.
- b. Include at least one representative, who shall be a member or a training director, of a joint-labor management, or union affiliated, registered apprenticeship program who must be a training director or member of a labor organization. If no union affiliated registered apprenticeship program exists in the LWDA, at least one representative of a registered apprenticeship program with no union affiliation in the LWDA must be appointed, if such a program exists.
- c. May include one or more representatives of 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/support competitive integrated employment for individuals with disabilities.
- d. May include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.

C. Education

Members must include representatives of entities administering education and training activities in the LWDA and:

- a. Include a representative of eligible training providers administering adult education and literacy activities under Title II of WIOA.
- b. Include a representative of institutions of higher education providing workforce investment activities (including state/community colleges).



- c. Include a private education provider, if a public education or training provider is represented on the Board. This requirement may be waived by the CareerSource Florida Board of Directors if it is demonstrated that such representative does not exist in the LWDA.
- d. May include representatives of local educational agencies or community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment.

If there is more than one institution in each of the types of educational entities listed above, nominations will be solicited from representatives of each of these entities. The Board shall describe, in a locally defined process, how private education providers will be identified and efforts to include those representatives on the Board. If through the local process, the Board finds that a private education provider representative does not exist in the LWDA, the Board shall submit a request to waive the requirement as outlined in CareerSource Florida Administrative Policy 91.

D. Governmental / Economic / Community Development

Members must include representatives of economic and community development, as well as governmental entities serving the local area with:

- a. At least one individual representing economic and community development entities serving the LWDA.
- b. At least one individual representing the State Employment Service office under the Wagner-Peyser Act serving the local area.
- c. At least one individual representing the programs carried out under Title I of the Rehabilitation Act of 1973, other than sec. 112 or part C of that title serving the local area.

E. Other Entity Representation

Members may include other individuals or representatives of entities including: (1) governmental and economic and community development entities who represent transportation, housing and public assistance programs; (2) philanthropic organizations serving the LWDA; and (3) other appropriate individuals as determined by the CLEO of Miami-Dade County.

Section 4.3 *Board Member Recruiting, Vetting and Nominating* - The Board, in consultation with the CLEO shall recruit, vet, and nominate prospective SFWIB members as detailed in Article V. The members shall represent diverse geographic areas within the LWDA. Pursuant to Section 445.007, Florida Statutes, the importance of minority and gender representation must be considered when making appointments to the Board.



Recruitment Process Instructions

When a SFWIB vacancy exists, the Executive Director will send, within three days of the vacancy, a written notice of the vacancy to the Board and the CLEO. The Executive Committee, subject to Board approval, will work with the Executive Director to solicit potential members to fill the vacancy.

The CLEO or Executive Committee will send the Executive Director a document identifying potential candidates to fill the vacancy within 15 days of receipt of the notice of the vacancy. Once the Executive Director has determined the nomination(s) are consistent with the membership requirements of federal and state laws, as well as, local board requirements, the Executive Director's Executive Assistant will provide the nominee a Membership Nomination and Reappointment Form.

If the vacancy is from the Business, Education, Labor or Economic Development Board membership categories, the applicable processes below shall be followed:

1. Business – Representatives must be nominated by local business organizations and/or business trade associations and then submitted for review.
2. Education – When there is more than one local area provider of adult education and literacy activities under title II, or multiple institutions of higher education providing workforce investment activities as described in WIOA sec. 107(b)(2)(C)(i) or (ii), nominations are solicited from those particular entities.
3. Labor – Representatives must be nominated by local labor federations.
4. Economic Development – the CLEO or Executive Committee shall solicit nominations from both public and private local economic development agencies.

Section 4.4 Appointment of Members - The CLEO of Miami-Dade County shall appoint members of the SFWIB. The CLEO may not delegate the responsibility of appointing members of the SFWIB to the Executive Director. SFWIB members are not permitted to assign or designate their Board position on the SFWIB or Council. Upon appointment, SFWIB members must be trained on federal, state and local conflict-of-interest laws and policies.

Members are prohibited from instructing or requesting that the CLEO, or their subordinates, appoint or remove any member from the Board. Any member who engages in the aforementioned conduct shall be subject to a recommendation for removal by the Board. A removal recommendation will be submitted to the CLEO for review and consideration if a consensus of the board is reached by a two-thirds vote. It is essential to note that written authorization from the CLEO is required for any action pertaining to the removal of a member.



Appointment Process Instructions:

Once the CLEO or Executive Committee refers a potential SFWIB member to the Executive Director and that nominee satisfies legal, regulatory, and local requirements, the following steps are initiated:

1. The nominee completes a Membership Nomination and Reappointment Form, including a career biography/resume.
2. The nominee submits the Membership Nomination and Reappointment Form and career biography/resume to the Executive Director.
3. The Executive Director forwards submitted documents to the Executive Assistant.
4. For private sector nominees, the Executive Assistant will verify the nominee's status in the business community (i.e., whether the nominee is in good standing with a Chamber of Commerce and/or economic development organizations).
5. The Executive Assistant will scan and file the submitted documents. The original hard copy is placed in folder labeled Pending Nomination.
 - a. The Executive Assistant will transmit documents to the Executive Director for submission to the Executive Committee for review and recommendation to the Board for approval. If the nominee is not approved, the Executive Director shall notify the nominee, in writing, of such decision.
 - b. If the Executive Committee approves the nomination, the nomination shall be included on the next SFWIB Agenda for the Board to consider. If the nominee is not approved the Executive Director shall notify the nominee, in writing, of such decision.
 - c. If the SFWIB approves the nominee, the Executive Assistant shall prepare a memo to the appropriate CLEO recommending the individual for appointment to the Board. The Membership Nomination and Reappointment Form, including the career biography/resume shall be included with the memo.
6. If the CLEO appoints the Board's approved nominee, the following procedures shall commence:
 - a. The new Board member is registered for new member training.
 - b. The new member receives a congratulatory letter from the CLEO with instructions for Board Member Orientation conducted by the Executive Director.
 - c. SFWIB Executive Assistant completes all necessary documents, adds the member to the Board Member Directory and Board Member Distribution List, and ensures that the new member's name is included in appropriate section of the website.
 - d. Once the new member receives a committee assignment, the Executive Assistant will add the member to the appropriate committee distribution list.

Section 4.5 Terms/Term Limits – SFWIB members shall be appointed for fixed and staggered terms and shall serve until their successors are appointed. All appointments shall be for a two-year term, with reappointment occurring after the second year. Members may serve two additional terms. A member's service shall not exceed a total of three (3) consecutive terms or six (6) consecutive years. Notwithstanding the above, members who represent governmental entities are exempt from term limits. Service, which commenced before July 1, 2021, does not count toward the 6-year limitation.

To establish staggered terms, members shall be divided into three (3) groups, the first of which will be new SFWIB members, which will serve an initial term of two (2) years. The second group will consist of those who begin their term the year following the term of the first group. The third group will consist of those who begin their term the following term of the second group.

Section 4.6 Vacancies – A SFWIB member who becomes ineligible to serve on the Board must resign or be removed by the CLEO that appointed him or her. Vacancies should be filled within twelve (12) months from the original vacancy occurrence. All appointments to fill vacancies should follow the same process provided in this Section 4. New SFWIB members must be appointed to fill the same category of membership as that in which the vacancy occurred; however, new members do not have to be from the same educational entity, organization or business as the departing members. If a member resigns or removed before their term has expired, the newly appointed member shall begin a new two-year term.

Section 4.7 New Member Orientation and Annual Training - SFWIB members must participate in orientation and annual training. The purpose of orientation and training is to provide SFWIB members with information that empowers them to effectively serve. All new members shall complete a new member orientation within six months of their appointment to the Board. The Executive Director is responsible for and shall develop Member Orientation.

- A. SFWIB members must complete annual refresher training regarding their duties and responsibilities as a member of the Board. Such training will be on topics provided by CareerSource Florida Administrative Policy 110.
- B. New member and refresher training may be offered in-person and/or virtually. Using the Board Engagement Matrix, the Board will monitor member participation in convening stakeholders, brokering relationships with employers, and leveraging support. Upon request, attendance records and course completion dates will be provided.

Section 4.8 Removal – A SFWIB member, the Executive Director, or the designated person responsible for operational and administrative functions, may be removed from the Board as follows:

- A. **For Cause** – The Governor may remove from office, for cause, SFWIB members, the Executive Director, or the designated individual accountable for operational and administrative functions, in accordance with Section 445.007 of the Florida Statutes. In addition, members may be removed by a vote of 2/3 of the Board or by the CLEO who appointed them.

B. The following grounds for removal for cause shall include, but not be limited to:

- a. Disclosure of confidential information;
- b. Misuse of position;
- c. Failure to disclose conflict of interest;
- d. Incapacity or unfitness to fulfill the duties of the Board;
- e. Engaging in fraud or other criminal acts while a member of the Board;
- f. Gross dereliction of Board responsibilities;
- g. Infractions of misfeasance (willful inappropriate action or intentional incorrect action or advice), malfeasance (willful and intentional action that injures a party), or nonfeasance (the failure to act where action is required—willfully or in neglect);
- h. Other causes as may be determined by the Board and/or defined by the Governor or CLEO.

C. Resignations

1. Voluntary resignations shall be those occurring when a member, for his or her own reasons, elects to leave the Board and gives due notice of such intent.
2. Involuntary resignations (de-facto resignations) shall occur when a member fails to attend one-half of either the regularly scheduled Board or Board Committee/Council meetings in a 12-month period. An involuntary resignation may be set aside at the request of the member and upon approval by a majority vote of the Board.
 - i) The Executive Director shall send a letter to any member who fails to attend two consecutive meetings, including committee or task force meetings, in any 12-month period without adequate explanation and/or communication.
 - ii) Following the notification, the Executive Director shall notify the CLEO who appointed the member and recommend that the member be removed from the SFWIB if said member misses a third meeting, including a committee or task force meeting, in any 12-month period without an acceptable excuse. The SFWIB defines “acceptable excuse” as medical, business travel, or other reason that the SFWIB, by majority vote, deems appropriate.

Section 4.9 *Financial Disclosure* – Financial disclosures pursuant to section 112.3145, Florida Statutes, are required of appointed members as follows, unless otherwise exempt under Florida law:

- a. Financial disclosure Form 1 is due July 1 of each year for the preceding calendar year.
- b. Notifications will be sent to all members at least 30 days in advance of the deadline.
- c. Forms should be submitted to the Supervisor of Elections in the member's county of permanent residence.
- d. A grace period is in effect until September 1. If the disclosure is not filed or postmarked by September 1, an automatic fine of \$25 per day will begin to accrue, and will continue to accrue until the disclosure is filed or the fine reaches \$1,500.
- e. Failure to submit Financial Disclosure Form 1 by the July 1st deadline could result in a finding of non-compliance with the Grantee-Subgrantee Agreement for the SFWIB.

ARTICLE V OFFICERS

Section 5.1 Appointed Officers - The officers shall consist of a Chairperson (“Chair”) and Vice-Chairperson (“Vice-Chair”) who are approved by majority vote of the Board.

Section 5.2 Duties - The officers of the Board shall have the following duties:

- A. Chair. The Chair shall be the chief appointed officer of the Board and shall preside at all Board and Executive Committee meetings. The Chair shall appoint council Chairs and council Vice-Chairs, subject to the approval of the SFWIB. The Chair may be removed from office 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.

All such council and task force chairs and members shall serve at the pleasure of the Chair. The Chair may remove the chair of any such council or task force and any and all such council members or task force members without cause at any time.

The Chair shall serve as an ex-officio member of all standing committees and shall perform such other duties as set forth in these Bylaws or as determined by the Board. The Chair shall be a “Business” representative and preside at all meetings of the SFWIB.

- B. Vice Chair. The Vice-Chair shall perform the duties of the Chair in the absence of the Chair or in the event of the Chair’s inability to perform his or her duties. The Vice-Chair shall serve as the chair of the Board’s membership committee and shall perform such other duties as are assigned by the Chair.

The Vice-Chair may be removed from office 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.

In the event that the office of the Chair is vacant, the Vice-Chair shall assume the duties and powers set forth in (A) (1), (3) and (4) hereinabove until such time as the office of the Chair is no longer vacant. The Vice-Chair shall be a “Business” representative.

- C. Qualifications. All officers appointed after the first annual meeting of the Board must have been a member of the Board for at least one year prior to being appointed to office.

- D. Appointment. The Chair and Vice-Chair shall be elected by the Board and shall serve one two-year term commencing the January 1st following their appointment. The Chair's and the Vice-Chair's terms shall be limited to two consecutive two-year terms. There are no limitations on the number of nonconsecutive terms members may serve or offices they may hold.

Section 5.3 Executive Director - The Board shall have the authority to recommend an Executive Director to serve as the Chief Executive and Operating Officer for the Board and as such shall implement the policies, decisions, actions and directives of the Board. The Executive Director may be removed at the discretion of the Board. The Executive Director shall serve as Secretary to the Board, charged with preparing notices, agendas, minutes of the meetings of the Board and Committees, and shall serve as the custodian for all minutes and voting records of official Board business. The Executive Director shall be a



non-voting member of the Board, Executive, Finance and Efficiency Council, Global Talent & Competitive Council, Performance Council and any ad-hoc committees and task forces. The Executive Director shall serve as advisor to the Chair and all council Chairs and task forces and shall assemble information and data and cause to be prepared special reports as directed by the Board. Board functions that are the responsibility of the Executive Director include, but are not limited to:

- A. Coordinating with the appropriate CLEO regarding the identification and nomination of members to the Board and ensuring membership is compliant with state and federal laws.
- B. Organizing Board meetings and ensuring meetings are held according to the Bylaws and applicable laws, including Florida's Sunshine Law.
- C. Developing and submitting the local and regional workforce development plan.
- D. Conducting oversight of the WIOA adult, dislocated worker, youth programs and the entire One-Stop delivery system including development of policies and monitoring the administration of the programs.
- E. Negotiating and executing agreements on local performance metrics.
- F. Negotiating with the appropriate CLEO and required partners for the Memorandum of Understanding (as prescribed in CareerSource Florida Administrative Policy 106).
- G. In compliance with the Board's procurement policy, providing oversight of the competitive procurement process for procuring or awarding contracts to providers of youth programs services, providers of workforce services (if applicable), and the One-Stop Operator as required in 20 CFR 679.370.
- H. Developing an annual budget of SFWIB each program year to be submitted to the Florida Department of Commerce and published in accordance with state law.
- I. Certifying the One-Stop career centers per the CareerSource Florida Administrative Policy 93.

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 SFWIB staff 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 VI BOARD MEMBER/COMMITTEES (COUNCILS)

Section 6.1 Regular Meetings - The Board shall hold regular meetings at least six times during a calendar year. Notwithstanding the prior sentence, the number of meetings may be amended at the discretion of the Chair. The schedule shall be provided to Board Members and posted on SFWIB's website at the start of the calendar year.

Section 6.2 Special and Emergency Meetings - Special and emergency meetings may be called by the Chair or by a majority of the members of the Board.

Section 6.3 Place of Meeting - The Chair, in coordination with the Executive Director, shall designate the location of meetings to ensure compliance with accessibility and other legal requirements, including the Sunshine Law.

Section 6.4 Notice of Meeting - All meetings will be advertised and open to the general public in compliance with the Sunshine Law, the requirements of chapter 445, Florida Statutes, and the Grantee/Sub-grantee Agreement. Notice of the date, time, and place of all SFWIB meetings shall be emailed to all members at least seven days in advance of such meetings, together with an agenda of the business to be conducted. If a special or emergency meeting is called pursuant to the provisions of section 6.2 above, a minimum of 24-hour notification will be provided.

Section 6.5 Communication Media Technology - Members may attend a maximum of three Board meetings per calendar year via 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. Notwithstanding the above, physical attendance at all Board and committee meetings is preferred. If a member is unavailable to be physically present due to an emergency or circumstances beyond their control, 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.



Section 6.6 Attendance - The SFWIB must hold at least six in-person meetings throughout the course of the calendar year. Members may attend via communications media technology a maximum of two times in a succession, after which, in-person attendance is required before remote participation is further permitted. As specified in Section 4.9B (2), any member who is absent from three of the six SFWIB meetings within a fiscal year, shall be deemed to have voluntarily resigned from the SFWIB unless the member's absences were excused, in advance, for cause by the Chair.

Section 6.7 Quorum - A majority of the Board membership qualified and sitting shall constitute a quorum for the transaction of business at meetings of the Board, including those members attending via communications media technology as outlined in Section 6.5. In the absence of a quorum, the Executive Committee may take official action on items of a Board agenda, which actions may be ratified by the Board at the next Board meeting.

Section 6.8 Voting - All matters before the Board (except amendments to Bylaws-See **Section 8.2**) shall be determined by a majority vote of members at the meeting after a quorum has been established. Each member (including those attending via communications media technology as outlined in Section 6.5), shall be able to cast one vote, and must vote on any business of the Board or any Council(s) to which he/she is assigned. The SFWIB prohibits the use of proxies to attend or vote on behalf of a member who is unable to do so in person or through communications media technology.

If a conflict of interest exists or is thought to exist, the corresponding member must abstain from voting or otherwise participating in the proceedings related to the matter and shall leave the public meeting room or other location of the public meeting until the consideration of that matter has been concluded. Any such person who leaves 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.

Section 6.9 Conflict of Interest – Board Members and staff must maintain integrity, accountability and transparency in decisions and actions that earn and protect the public trust. This includes taking all necessary steps to avoid appearances of conflicts of interests. A member shall not cast a vote on or participate in any decision regarding the provision of services by said member, their relatives, any organization that the member directly represents, or any matter that would provide any direct financial benefit to the member or, where the member has a relationship with the contracting vendor. All members shall follow the guidelines and restrictions set forth in chapter 445 of the Florida Statutes, CareerSource Florida Strategic Policy 2012.05.24.A.2-State and Local Workforce Development Board Contracting Conflict of Interest Policy, as well as the requirements in the Department of Commerce's Grantee/Sub-grantee Agreement.

Such contracts may only be approved with a two-thirds vote of the Board members present and where all conflicts of interest have been disclosed, and with the member who may benefit from such a contract (or whose organization or relative may benefit) abstaining from the vote. Any contract awarded to a SFWIB member, or a contracting vendor related to a SFWIB member, that is equal to or greater than \$10,000, is subject to DEO approval and requires the completion of a Contract Information/Related Party Form that has been certified by the Chair or Vice-Chair as correct and true. Such contracts will be published on the SFWIB website in accordance with chapter 445.



Section 6.10 Procedure at Meetings

- A. Robert's Rules of Order shall govern the procedure of Board meetings except when inconsistent with the provisions of these Bylaws.
- B. All business shall be conducted in accordance with a written agenda published in accordance with the provisions of these Bylaws.
- C. Participation in meetings shall be limited to SFWIB members, Board staff and other invited guests and speakers.
- D. The Board shall comply with Section 286.0114, Florida Statutes and provide members of the public with a reasonable opportunity to be heard.
- E. All business of the Board shall be conducted in accordance with the Florida Government in the Sunshine Law.
- F. SFWIB members may attend meetings in-person or virtually except for the annual meeting where in-person attendance is required.
- G. The Secretary of the Board shall record and transcribe all proceedings. At the next routinely scheduled meeting where a quorum has been established, meeting minutes will be reviewed, amended, and approved as necessary. The minutes shall indicate which Board members were present or absent and shall record the official acts of the Board; the Vote Tally Sheet shall record member voting (ayes, noes, and abstentions). Abstentions due to a conflict of interest shall be recorded along with the member's name and the rationale for the abstention. After ratification by the Board, the meeting minutes serve as the official record of the business conducted at that meeting. Copies of approved minutes shall be posted on the CareerSource South Florida website within 15 days of Board approval.

Section 6.11 Committees (Councils)

SFWIB shall establish and maintain the following Committees/Councils comprised of Board members to assist the Board in carrying out its duties and responsibilities. Council membership and leadership appointments, as described in Section 5.2A, are appointed by the Board Chair and subject to Board ratification. SFWIB staff may not serve on committees. As specified in Section 6.1, the Committees/Councils shall meet on the same days as the SFWIB regular Board meetings, as provided in Section 6.1. The Committee/Council Chairs may call special and emergency meetings as deemed necessary.

Section 6.12 Executive Committee – The Executive Committee shall be comprised of the Chair, Vice-Chair, Council Chairs and Vice-Chairs. The Executive Committee shall serve as a committee with administrative oversight responsibilities and is empowered to act and take necessary interim action to implement the plans and programs of CareerSource South Florida between meetings of the Board. All restricted assets shall be managed by the Executive Committee of the Board. An Executive Committee report will be made at each Board meeting at which time the actions of the Executive Committee may be reviewed and ratified by the Board.



Section 6.13 The Finance and Efficiency Council (FEC) –The FEC oversees the development of the annual budget and ensures accurate tracking, monitoring and accountability for funds. The FEC shall review the Executive Director’s recommended budget and make recommendations regarding the budget to the Board. The FEC is responsible for the review and approval of the annual audit and audit firm.

Section 6.14 Global Talent and Competiveness Council (GTCC) - The GTCC is responsible for developing and delivering talent (youth and adult) to meet marketplace needs to grow South Florida’s legacy and infrastructure industries, as well as those industries that hold promise and have been identified as economic development priorities for diversifying the regional economy with high-wage jobs. GTCC also focuses on the area’s economic development agenda and common strategic target. The council advises the Board on the development and implementation of policies, strategies, programs, and activities affecting workforce development by focusing on Opportunity Miami’s One Community One Goal, identified seven targeted sectors.

Section 6.15 Performance Council- The Performance Council is responsible for ensuring compliance with the U.S. Department of Labor’s federal common measures, the REACH Act Letter Grades and SFWIB performance goals, including both programmatic and financial outcomes on measures such as job placements, cost per placement and return-on-investment. The council provides oversight and accountability for positive outcomes of Florida’s federal common measures.

Section 6.16 Ad Hoc Committees - Ad Hoc Committee(s) shall be established as temporary committees to address specific issues. Ad Hoc Committees shall be chaired by a SFWIB member. Membership of Ad Hoc Committee(s) may include other SFWIB members, but must include individuals, appointed by SFWIB, who are not on the Board and have demonstrated experience and expertise in accordance with state and federal laws.

ARTICLE VII INDEMNIFICATION AND COMPENSATION

Section 7.1 Indemnification - The Board shall indemnify, defend, save, and hold harmless each member from personal liability to the maximum extent authorized by law. It is the intent of this Article that no member shall have personal liability for his or her acts or omissions except in those instances where the Board is prohibited, by law, from indemnifying, defending, saving, and holding harmless such member. Additionally, in the event of dissolution, liquidation, termination, or expiration of the existence of the SFWIB, the Board shall follow the provisions of the Interlocal Agreement regarding payments, debts, obligations, assets and income.

Section 7.2 Compensation – Board members shall serve without compensation; however, members may be reimbursed for necessary expenses incurred in the performance of official duties upon approval in writing by CLEO of Miami-Dade County or his or her designee, in accordance with Ordinance 241084. Expenses shall be reimbursed in accordance with federal and state laws and regulations, and Miami-Dade County ordinances and policies.



ARTICLE VIII ENACTMENT/AMENDMENT

Section 8.1 Enactment - These Bylaws shall become effective upon approval of the Board. Approval for enactment shall require a two-thirds vote of the full membership of the Board, after notice to the membership. Said notice shall be made no later than 10 days prior to the meeting at which the Bylaws are placed on the agenda. These Bylaws shall not be construed to take precedence over federal, state, or local laws or regulations or to limit or constrain the rights and obligations of the Board.

Section 8.2 Amendments - The Bylaws may be altered, amended, or repealed and new Bylaws adopted by the affirmative vote of a two-thirds of the membership of the Board in attendance at any meeting.

ARTICLE XI STAFF SUPPORT AND PROFESSIONAL ASSISTANCE

Section 9 Staff Support and Professional Assistance - The Board and its committees shall be provided administrative, clerical, and technical support by the Board's staff. The staff shall implement the policies, decisions, actions and directives of the Board under the supervision and control of the Executive Director. It shall be the Executive Director's responsibility to assure such support is available as necessary or as requested by any Board/Committee. However, any such requests or directives by members of the Board shall be made solely to the Executive Director and shall not be made to any other employees of the SFWIB either publicly or privately. If determined necessary, the Board may hire professional consultants, including legal counsel, to assist in carrying out its responsibilities.



ARTICLE XII. REVISION HISTORY

Date	Version	Description
July 13, 2023	V3	Issued to the SFWIB Executive Committee.
August 3, 2023	V4	Revised, reissued, and approved by the SFWIB Executive Committee.
August 3, 2023	V5	Issued to the SFWIB.
August 17, 2023	V5	Approved by the South Florida Workforce Investment Board.
February 27, 2024	V5	Submitted to the Chief Local Elected Officer (CLEO) of Miami-Dade County.
March 25, 2024	V5	Approved by the CLEO.
July 11, 2024	V6	Revised and issued to the Executive Committee.



SFWIB EXECUTIVE COMMITTEE

DATE: 7/11/2024

AGENDA ITEM NUMBER: 8

AGENDA ITEM SUBJECT: RELATED PARTY TRAINING VENDOR AGREEMENTS

AGENDA ITEM TYPE: **APPROVAL**

RECOMMENDATION: SFWIB staff recommends to the Executive Committee to recommend to the Board the approval of Training Vendor Agreements with the Training Vendors that are represented on the Board, as set forth below.

STRATEGIC GOAL: **HIGH ROI THROUGH CONTINUOUS IMPROVEMENT**

STRATEGIC PROJECT: **Improve credential outcomes for job seekers**

BACKGROUND:

CareerSource Florida Contracting Policy prohibits the use of state or federal funds by a regional workforce board for any contract exceeding \$25,000 between a regional workforce board and a member of that board that has any relationship with the contracting vendor, unless the Department of Economic Opportunity (DEO) and CareerSource Florida has reviewed the contract.

SFWIB staff recommends to the Executive Committee to recommend to the Board the approval of Training Vendor Agreements with the following Training Vendors that are represented on the Board:

- The District Board of Trustees of Miami Dade College (MDC)
- Miami-Dade County Public Schools (M-DCPS)
- Technology Trade Group, Inc. d/b/a Atlantis University
- The Academy of South Florida, Inc.

The policy does not exclude agreements with training/educational institutions that regional workforce boards enter into with a training/educational institution included on the local eligible training provider list and for which eligible applicants choose from when selecting a training/educational provider. Accordingly, the Training Vendor Agreements between the SFWIB and MDC, M-DCPS, Technology Trade Group, Inc. d/b/a Atlantis University and the Academy of South Florida, Inc. are subject to the two-thirds vote requirement and will be submitted to Florida Commerce and CareerSource Florida for review.

FUNDING: N/A

PERFORMANCE: N/A

NO ATTACHMENT