

**Department of Economic Opportunity  
Local Workforce Development Board Composition and Certification – Consultation Review**

<u>Policy Section</u>	<u>Concerns</u>	<u>Submitted by</u>	<u>Policy Language Change</u>	<u>DEO Comments</u>	<u>Authority</u>
II. Background	Will CareerSource Florida be responsible for granting charters? Proposed language states “will ensure” local workforce development boards have a membership consistent with the requirements... The current policy states that CareerSource Florida Board of Directors shall be responsible for granting charters.....	LWDB 11	No	The language related to chartering was removed from Chapter 445, Florida Statutes (F.S.). The language in the policy now aligns with the updated language in the statute.	445.004(11), F.S.
IV. A.1. Business – optimum policy making authority	Who is an individual with optimum policy making authority? Definition of optimum policy making authority.	CareerSource Florida	Yes	The policy language has been updated.	20 CFR 679.340
	Paragraph in this section on optimum policy making authority should be moved to the definitions section.	LWDB 11	No	Concur. The definition was moved to Section V. Definitions of the policy.	N/A
	Paragraph in this section states that same thing as in section D.	LWDB 8	No	The language in A.1 is regarding business. The language in section VI.D. Authority of Board Members is regarding all board members.	20 CFR 679.320 (b)(1) and (f)
IV. A.2. Labor/Apprenticeship – 20% representation	Does the 20% count toward the 50%?	LWDB 6	No	Only if they satisfy criteria for both business and labor/apprenticeship representation.	N/A
	Not less than 20 percent – Current language is “no fewer” than 20 percent. Change isn’t needed.	LWDB 11	No	The slight change was for wording consistency with the federal regulations.	29 USC 3122 (b)(2)(B)
IV. A.3. Education – private education provider	Where can we find the process to request to waive the private education provider on the board?	LWDB 6 and 19	Yes	The policy language has been updated.	N/A
IV. A.5. Other entity representation – one member representing more than one entity	Does that member count twice or does that member count as one member checking off two different requirements?	LWDB 6	No	The member counts as one member satisfying two requirements.	N/A
	Would I list them once or twice?	LWDB 6	No	It is preferred that the member’s name be listed once with the different roles they are representing identified.	N/A

IV. B. LWDB Chairperson	Since the Board Governance Policy is a separate policy – this line is unnecessary.	LWDB 11	No	The language being referenced has not changed from the previously approved and adopted version of the policy and will remain.	N/A
	Consider changing “two terms” to two consecutive terms.	LWDB 8	No	The language in this policy aligns with Florida Statutes.	445.007(2)(a), F.S.
IV. E. Board Member Recruiting, Vetting, and Nominating	This should be contained in the By-laws which must be approved by the CLEO. It is recommended that DEO acknowledge that written processes/procedures can be a part of the By-laws.	LWDB 13	Yes	The policy language has been updated.	N/A
	Since this is included here I see no need to make the same item part of the interlocal agreement as called for in that policy. This is exactly where how we should get this accomplished...via a required local policy...not in the interlocal agreement.	LWDB 8	Yes	See above response.	N/A
IV. F. Appointment of Board Members	Upon appointment to local board, members must be educated. This language is in the Governance Policy. Additionally, Conflict of Interest is also addressed in the Governance Policy and the Conflict of Interest Policy. This policy is for Board Composition and Certification and the added language is duplicative.	LWDB 11	Yes	The language was removed from the policy.	N/A
IV. G. Board Member Vacancies and Removal of a Board Member	The draft policy states specific timeframes. LWDBs have no control over mandated seats. Obtaining business leaders can be difficult. Business owners, or those with optimum policy making and/or hiring authority, are generally extremely busy and reluctant to commit to board member service. Once a candidate is identified, the process of seeking a nomination, and requesting CLEO appointment, can take months. LWDBs do not desire empty seats on their boards. “Within a reasonable amount of time” is sufficient.	LWDB 11	Yes	The policy language has been updated.	N/A
	“LWDB members who no longer hold the position or status that made them eligible appointees must resign or be removed by the CLEOs.” Boards may have the ability	LWDB 3	No	The language being referenced has not changed from the previously approved and adopted version of the policy.	N/A

	<p>within their approved by-laws to remove members for reasons such as eligibility status, non-attendance, or other activities the locals have agreed upon. The way the policy is written to say the CLEO may remove could be read to indicate a local board no longer has this authority. Local boards must have the ability to remove members no longer meeting federal requirements for membership and other reasons as deemed acceptable through local agreements and approved by-laws.</p>			<p>Boards still have the ability to include reasons for board member removal in their bylaws.</p>	
	<p>The policy was changed to establish a firm date for filling a LWDB vacancy as being 120 days from the date of the vacancy occurrence and allows for the local board to request an extension. The filing of a local board vacancy is beyond the control of the local board and falls firmly on the CLEO as long as the local board has completed any requirements placed under the local board's control per the agreement with the CLEO.</p> <p>As an example, in our region for a vacancy of a private sector membership the LWDB is required to notify the chamber of commerce for the county in which the vacancy has occurred. The local chamber of commerce is then responsible for nominating an individual or individual(s) to the Board of County Commissioners in which the vacancy has occurred. The local BOCC is then tasked with approving a member for the LWDB board of directors.</p> <p>Other than the date of notification to the local chamber of commerce the LWDB has no power or ability to impact the timeline outside of sending reminders to the local chamber of commerce or the local Board of County Commissioners. The change proposed by DEO is meaningless and should instead require the local board to take steps to start the process within a certain number of days of the vacancy occurring.</p>	<p>LWDB 3</p>	<p>Yes</p>	<p>The policy language has been updated.</p>	<p>N/A</p>

	<p>If DEO intends to keep the proposed wording it should be changed to grant an automatic extension to boards that are waiting on the actions of third parties beyond the control of the local board.</p>				
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