

MINUTES
MEETING OF EXECUTIVE COMMITTEE
ARKANSAS WORKFORCE INVESTMENT BOARD
September 28, 1999

A regular meeting of the Executive Committee, Arkansas Workforce Investment Board, was held September 28, 1999, beginning at 9:30 a.m., at the Cooperative Extension Service Building, 2301 South University, Little Rock, Arkansas. Chairman Bill Fisher presided with the following members present: Joe Dillard, Robert Drechsler, Lisa Ferrell, Bill Fisher, Alan Hughes, Gloria Lynn, Jodie Mahony, Kathy Matlock, Karen McFarren, Helen Moore, Campbell Wilkerson. Florine Tousant Bingham and Larry Featherstone were unable to attend.

Chairman Fisher expressed appreciation to the Cooperative Extension Service for use of their facility for this meeting and to the Arkansas Department of Education for arranging a compressed video broadcast to eight education service cooperatives.

Minutes: Dr. Linda Beene disseminated copies of unofficial minutes of the Committee's meeting of August 10, 1999, on which corrections had been made since they were mailed to Committee members on August 13: changing the word "Division" to the word "Department" in four instances: line 14, page 1; paragraph 3, line 2, page 3; lines 1 and 4, page 4. The corrected minutes were approved on motion offered by Helen Moore, seconded, and carried unanimously.

Agency Budget: Dr. Beene disseminated copies of a budget by major categories for 1999-2000. It was approved on motion made by Mr. Hughes, seconded by Representative Ferrell, and carried unanimously. (A copy of the approved budget is carried as Appendix A to the permanent copy of these minutes.) Chairman Fisher asked Dr. Beene to provide an expenditure summary for the Board at each monthly meeting.

Teacher Retirement System Resolution: The Board approved a payroll deduction resolution for agency employees on motion made by Senator Jodie Mahony, seconded by Mayor Joe Dillard, and carried unanimously. (The Resolution is carried as Appendix B to the permanent copy of these minutes.)

Report of Director: Dr. Linda Beene, Executive Director, reported on staff activities during the period since the Committee's last meeting (August 10). She covered the Summit Conference of September 27, 1999; progress toward hiring staff members; efforts toward budget preparation and renting office space. She expressed deep appreciation to state agency directors who are also Board members for many types of assistance on many occasions.

Report of Program and Performance Evaluation Committee: Chairman Jim Hendren reported that the Committee met on the afternoon of September 27 and worked very hard at coming to terms with performance measures and standards. He said that Attorney Michael Brustein provided help and that the staff of Employment Security Department will do some work for the committee on historical trends. Senator Mahony expressed interest to Dr. Hendren in the performance standards established, indicating that the performance standards often drive what is done in the State.

Report of Strategic Planning Committee: Dr. Beene reported for the Committee since Chairman Randy Hopper, who met with the Committee on September 27, could not be present. She said

that only one member of the Committee was absent and that Jim Smith of Hot Springs was selected as Vice Chair. Other items reported included: that work was done on vision statements of the Board as well as the short-term mission (indicating that copies of their work will be mailed to Board members for discussion at a future meeting); that Director Barbara Pardue of the Economic Development Department presented to the Committee the State's economic development targets and strategies; that Chairman Bill Fisher and Attorney Michael Brustein talked with the Committee about timelines, asking them to meet with the Board and review a state plan draft as soon as possible. Mr. Fisher expressed the hope that a draft will be available by January 31. Attorney Brustein reminded that the state plans must be in the Department of Labor in Washington by April 1, 2000. He said that the Federal Workforce investment Act requires eighteen separate substantive sections of the plan and that Act 1125 of 1999 adds two others. In response to questions, Mr. Brustein said also that JTPA legislation expires on June 30, 2000, that the Employment Security Department is responsible for receiving close-out reports under JTPA; that only JTPA funds, not Workforce Investment funds, can be used for close-outs; that JTPA funds left at the local level will become available under WIA as of July 1, 2000. In response to a question as to whether clients will continue to receive services and training on an uninterrupted basis, Mr. Brustein answered affirmatively.

Apprenticeship Training: Senator Mahony expressed an interest in involving apprenticeship training in Board study of workforce training programs. He asked that an overview be provided the Board on existing programs. Chairman Fisher said that he will arrange to have a presentation on apprenticeship at the October Board meeting. Dr. Beene indicated that she and Lee Danner of the Bureau of Apprenticeship staff have been in touch but that she will increase staff efforts in this area as research on programs continues.

Public Hearing on Designation of Geographic Areas of the State to be Recommended to the Governor as Workforce Investment Areas under the Workforce Investment Act of 1998 and Act 1125 of 1999: Chairman Fisher stated that the proposed geographic area designations have been on public review since August 29 and that this meeting is being opened as a public hearing on the subject. Mr. Brustein answered several legal questions asked by Committee members.

Dr. Beene reported that eight of the service delivery areas presented for public review and public comment automatically qualify for designation by the Governor as having 200,000 population and no disqualifying factors and that elected public officials have submitted requests in writing for designation of the areas under WIA. She said that the City of Little Rock and elected public officials of five counties included in the Eastern Arkansas service delivery area have submitted requests for designation of their respective geographic areas under WIA. Senator Mahony stated that it is his impression that the five counties comprising the JTPA service delivery area of Eastern Arkansas do not qualify for automatic recommendation to the Governor because their combined populations are less than 200,000 and that the City of Little Rock falls short of 200,000 population and may have questions from Employment Security Department about fiscal integrity under JTPA.

Chairman Fisher asked Director Ed Rolle of Employment Security Department to comment on the status of the City of Little Rock as a service delivery area under JTPA. Director Rolle provided Committee members with copies of three correspondence items from ESD: a memorandum of September 28, 1999, from Director Ed Rolle to Dr. Linda Beene in which Director Rolle recommended AGAINST the designation of the City of Little Rock as a workforce investment area under WIA; an inner-department memo of September 23, 1999, from

Bryan Hicks, ESD Accounting Supervisor, to Pat Hamilton, ESD Acting Administrator, OFMS, in which “Recent Little Rock JTPA Financial Problems” were described; and a certified letter of August 20, 1999, from Sharon Robinette, Administrator of ESD Office of Employment and Training Services, to Dorothy Nayles, Director, City of Little Rock, regarding final determination of Audit Report #10127 covering calendar year 1997. A long discussion followed which included questions of Director Rolle as he explained his reasons for recommending AGAINST the approval of the City of Little Rock as a geographic area to be served under WIA, making the point, however, that services provided by the City of Little Rock are not under question--that fiscal accountability is the issue.

Individuals who were recognized by Chairman Fisher to speak FOR recommending designation of the City of Little Rock as a workforce investment area were: Mayor Jim Dailey, Reverend Hezekiah Stewart, Ernest D. Edwards, Paul Berry, Joan Adcock, Senator Bill Walker. The speakers focused on reasons they believe Little Rock should be approved--primarily uniqueness of the area, a high level of services/training provided in the past, and a pledge that the audit questions will be satisfied or amounts of questionable expenditures repaid.

Motion was made by Campbell Wilkerson, seconded by Alan Hughes that the Executive Committee recommends to the Governor that the City of Little Rock be designated with its current status for a period not to exceed one year and during that time some of the issues that have been brought up be resolved. Motion was made by Senator Mahony, seconded, and carried unanimously to amend Mr. Wilkerson’s motion by deleting the words “not to exceed one year and during that time some of the issues that have been brought up be resolved” with the words “of less than two years and consistent with audit findings and assurance of fiscal integrity”. The amended motion also passed unanimously to read: “That the Executive Committee recommend to the Governor that the City of Little Rock be designated with its current status for a period of less than two years and consistent with audit findings and assurance of fiscal integrity.”

Brian Williams of Crittenden County spoke on behalf of the designation of the existing designated service area of Eastern Arkansas as a workforce investment area. Motion was made by Mayor Joe Dillard, seconded by Representative Lisa Ferrell, and carried unanimously that the Executive Committee recommends to the Governor the designation of the nine existing designated service areas other than Little Rock for two-year period. (A list of the ten approved areas with comprising counties and a state map depicting the areas are carried as Appendix C to the permanent copy of these minutes.)

Public Hearing on Criteria for use by Chief Elected Officials in Local Workforce Investment Board Appointments: Chairman Fisher stated that Executive Committee members have copies of the criteria that have been on public review since August 29. Motion was made by Representative Ferrell, seconded by Ms. Moore, and carried unanimously that the criteria be approved as presented. (A copy of the approved criteria is carried as Appendix D to the permanent copy of these minutes.)

Deadline for Submittal of Lists of Members of Local Workforce Investment Boards: Motion was made by Representative Ferrell, seconded, and carried unanimously that November 12 be established as the deadline for Chief Elected officials to submit lists of appointed local workforce investment boards.

Amendments to Board Bylaws: Dr. Beene reported that, in addition to items previously reported for the Strategic Planning Committee and the Program Performance and Evaluation Committee, the committees requested an expansion of their committee functions. She said they realized that the expansions would require amendments to the Board's bylaws. Motion was made by Senator Mahony, seconded by Dr. Matlock, and carried unanimously to recommend to the full Board at its October meeting the following additions: Under Article V, Section 3, insert at the appropriate places the following:

- (4) Designation of local workforce investment areas;
- (17) Use of federal, state or private funds, donations, and grants made available for the development of the Arkansas Workforce Development Plan.

And under Article V, Section 4, insert the following:

- (8) Development of a statewide employment statistics system as described in Section 15(e) of the Wagner-Peyser Act;
- (9) Recommendation of the program identified in Section 7(b)(8)(A) which may be consolidated or realigned.
- (13) Evaluation of the entire Arkansas workforce investment system, including but not limited to the education system, the Career Development system and the youth programs, to determine if it is meeting the goals of the Arkansas Workforce Investment Act.

Adjournment: The Chair adjourned the meeting at 12:00 noon on motion made by Mr. Wilkerson, seconded by Mayor Dillard, and carried unanimously.

Bill Fisher, Chair

Linda L. Beene, Director

Appendixes A, B, C, and D added to permanent copy of minutes

Minutes recorded by Geneva Guthrie
Staff of Workforce Investment Board

APPENDIX A

PROPOSED BUDGET

ARKANSAS WORKFORCE INVESTMENT BOARD

1999-2000

Budgeted Categories:

Regular Salaries	\$215,335
Personal Services Matching	60,484
Operating Expense	207,881
Conference Fees & Travel	15,000
Professional Fees	52,100
Capital Outlay	49,200
Total Budgeted	\$600,000

**RECOMMENDATION OF WORKFORCE INVESTMENT BOARD
FOR WORKFORCE INVESTMENT AREAS
STATE OF ARKANSAS 9/28/99**

<u>AREA</u>	<u>COMPRISING COUNTIES</u>
Northwest	Benton, Carroll, Boone, Marion, Baxter, Washington, Madison, Newton, Searcy
North Central	Fulton, Izard, Sharp, Stone, Independence, Jackson, Van Buren, Cleburne, White, Woodruff
Northeast	Randolph, Clay, Lawrence, Greene, Craighead, Poinsett, Mississippi
Southeast	Grant, Jefferson, Arkansas, Cleveland, Lincoln, Desha, Drew, Bradley, Ashley, Chicot
Southwest	Sevier, Howard, Hempstead, Nevada, Dallas, Little River, Miller, Ouachita, Calhoun, Lafayette, Columbia, Union
West Central	Johnson, Pope, Conway, Yell, Perry, Montgomery, Garland, Hot Spring, Pike, Clark
Western	Crawford, Franklin, Logan, Sebastian, Scott, Polk
Central	Faulkner, Saline, Pulaski*, Lonoke, Prairie, Monroe
Eastern	Cross, Crittenden, St. Francis, Lee, Phillips
Little Rock	

***Except City of Little Rock**

APPENDIX D

Criteria for Use by CEOs in Local Workforce Investment Board (LWIB) Appointments

Approved 9/28/99 by Arkansas Workforce Investment Board

Described below are nomination criteria for local WIB appointments for those representing business, labor, and education. Attached for use if helpful are nomination forms for potential members representing these groups. You may choose other members without nominations by specific groups. Please follow the process below:

1. **Consistent with Section 117 of the Act, the CEOs shall identify those CBOs, entities, agencies, business, etc. eligible to provide nominations to the local CEOs for appointment to board membership to represent the various areas required in the Act. The chief elected official in a local area will then send letters or otherwise contact entities that can make nominations. The letter or other contact will provide information explaining WIA, perhaps enclosing a brochure if one is available, transmit nomination forms where appropriate, and request nominations by a specific date.**
2. Nominations are to be sent to the chief elected official (CEO) in a local area for representation on the local Workforce Investment Board.
 - a. Nominations for those representatives of business in the local area shall be made from those who are owners of business, chief executives or operating officers of business, and other business executives or employers with policymaking or hiring authority; represent business with employment opportunities that reflect the employment opportunities of the local area;
 - b. Nominations for labor shall be made from labor organizations (for a local area in which employees are represented by labor organizations), nominated by local labor federations, or (for a local area in which no employees are represented by such organizations) other representatives of employees;
 - c. Nominations for those representing educational entities shall be made from local educational entities, including representatives of local educational agencies, local school boards, entities providing adult education and literacy activities, and postsecondary educational institutions (including representatives of community colleges, where such entities exist), selected from among individuals nominated by regional or local educational agencies, institutions, or organizations representing such local educational entities.
 - d. Nominations or appointments for other members who represent organizations, agencies, or other entities must be individuals with optimum policy making authority within the entities they represent.
 - e. Nomination for a member representing veterans shall be made from a local post or chapter of the American Legion, Disabled American Veterans, Veterans of Foreign Wars and/or Vietnam Veterans of America through a central point in each workforce investment area. These veterans' organizations will name that central point of contact and will contact the chief elected officials to let them know who the contact person is. The Veterans' Coalition and Veterans organizations recommend that the selection of a nominee be based upon criteria which they have developed and will follow.
3. After the nomination date has expired and receipt of such nominations the chief elected official will appoint members to the local WIB taking into consideration Section 9(c) of the Arkansas Workforce Investment Act, 20 CFR Part 652, Section 661.315, and PL 105-220, (Workforce Investment Act) Section 117.
4. The chief elected official appoints the members of the local board for the area in accordance with the criteria stated above, keeping in mind that the local board shall ensure that minority groups are represented, that the majority of the members of the board shall be representatives from business in the local area; that there be a minimum of two (2) representatives each from local education entities, labor organizations, community-based organizations, and economic development agencies, and that there be at least one (1) member representing each One-Stop partner and one (1) member with a disability who is familiar with vocational rehabilitation and represents an organization of Arkansans with disabilities or is a business representative who is familiar with vocational rehabilitation and needs/interests of persons with disabilities.
5. The CEO spokesperson sends a list of the appointments to the Executive Director, Arkansas Workforce Investment Board, to be received or postmarked by November 12, 1999, using the attached form.
6. The WIB reviews the list, requests clarification or documentation if there are questions, prepares a certification document, and recommends approval to the Governor or his designee.
7. The Governor/Governor's designee signs the certification, and the WIB returns a copy to the CEO spokesperson. The Governor shall, once every two (2) years certify one (1) local board for each local area in the state.

Nominees for the local board should be residents of the local area. If the member moves from the area he/she will no longer be eligible to represent his/her area of representation on the WIB. The vacated slot must be filled using the nomination/selection process.

APPENDIX C