

MINUTES
MEETING OF WORKFORCE INVESTMENT BOARD
April 11, 2000

A regular quarterly meeting of the Arkansas Workforce Investment Board (AWIB) was held on April 11, 2000, at the Little Rock Career Development Center, Inc., 124 West Fourth Street, Little Rock. Chairman Bill Fisher presided.

Members present were: Al Ashcraft, Florine Bingham, Chuck Cramer, Charles Cunningham, Robert Drechsler, Larry Featherstone, Lisa Ferrell, Don Finley, Bill Fisher, Steve Franks, Lu Hardin, James Hendren, Diana Hueter, Phillip Jackson, Calvin Johnson, Russell Kennedy, Kurt Knickrehm, Chris Long, Jodie Mahony, Karen McFarren, Helen Moore, Trevor Myers, Barbara Pardue, Ed Rolle, Jim Smith, Bill Sutton, Joe Warren, Campbell Wilkerson, and Sharon Williams.

Members who were unable to attend were: Marguerite Abowitz, Candis Collins, Joe Dillard, Randy Hopper, Mike Huckabee, Alan Hughes, Gloria Lynn, Kathy Matlock, Butch Pike, James Putlak, Jack Smurl, Barbara Wood, and John Wyvill.

Chairman Fisher called the meeting to order at approximately 9:30 a.m. and welcomed a new Board member, Chuck Cramer, Vice-President for Human Resources, Baldor Electric Company, Fort Smith. Chairman Fisher said that Mr. Cramer replaces Patricia Sinnott who resigned last January 17. He expressed appreciation for the availability of the Little Rock Career Development facility for this meeting, recognizing Ms. Johnnie Taylor, Executive Director, Goodwill Industries, and President, Little Rock Career Development Center, Inc., and Mr. Derek Moore, Coordinator of the Career Development Center.

Minutes: Minutes of the Executive Committee meeting of March 21 were approved unanimously on motion made by Mrs. Bingham and seconded by Mrs. McFarren

Director's Report: Dr. Linda Beene, Executive Director, made a Power Point presentation on cumulative staff activities. She covered housing, staffing, state plans, relationship with Transitional Employment Board and with local workforce boards, a recent visit Dr. Beene and Chairman Fisher had with the Governor, meetings with judges, mayors, and others. She expressed appreciation that nine Board members assisted in a videoconferenced public hearing that was broadcast to twelve sites across the State on February 25. Dr. Beene said that nine local youth plans have been approved and that one will be received along with the plan for adults and dislocated workers by May 1. Representative Lisa Ferrell asked if Board members could have copies of local plans. In response Chairman Fisher indicated that Board members who would like to see plans should indicate to the staff which plans they wish to see. He appointed a

committee (Representative Ferrell, Chair; Mr. Warren, Ms. Hueter, Dr. Hendren, Mr. Smith, and Mr. Finley) to work with the staff in reviewing local plans. He asked that, if any member of the appointed committee cannot serve, the member would notify Dr. Beene.

Mr. Fisher referred Board members to agenda manuals that had been mailed to members in advance and which included copies of the Executive Committee minutes of the March 21 meeting. Page numbers mentioned in these minutes refer to this agenda manual for April 11 unless otherwise indicated. (A copy of manuals for April 11 and March 21 are on file in the office of the Executive Director.)

Action Item 1 - Registration of One-Stop Center Patrons. Dr. Beene asked members to refer to pages 13 and 14 for information provided on recommendation of procedures to be used for registration of one-stop center patrons who receive non-WIA Title I services before the Title I threshold is triggered. **The procedures were approved unanimously as presented on motion made by Dr. Hendren and seconded by Ms. Hueter.** (A list of the adopted procedures is carried as page 14.)

In connection with this item, Senator Mahony asked what progress has been made by the Department of Information Systems (DIS) in designing data systems for use by local workforce investment boards. Director Rolle said that DIS has been in a state of transition but is making progress. **Motion was made by Ms. Moore, seconded by Mr. Campbell, and amended by Ms. Williams to urge DIS to expedite development of the system, including provision of data on estimated costs for local boards, and report to the Executive Committee at its May meeting. The motion carried unanimously.**

Ratification Item 2 – A State Unified Plan Provision to Allow Groups of Chief Elected Officials to Share Fiscal Responsibility: Dr. Beene called attention to a provision approved by the Executive Committee on February 8, 2000, and carried on page 15 to read as follows:

In a case in which a local workforce investment area included more than one unit of general local government, the chief elected officials of such units will execute an agreement that specifies the respective roles of the individual chief elected officials, including responsibility for maintaining the integrity of the allocated funds. If, after a reasonable effort, the chief elected officials are unable to reach agreement about this responsibility, the Governor makes the determination. The local plan must include the agreement concerning this responsibility.

The State Unified Plan Provision to Allow Groups of Chief Elected Officials to Share Fiscal Responsibility was ratified unanimously as presented on motion made by Judge Jackson and seconded by Mr. Smith.

Ratification Item 3 – Direction to the Board Staff to Attempt to Provide Specific Financial Information: **The following action of the Executive Committee on March 21 was ratified without opposing vote on motion made by Ms. Moore and seconded by Mr. Finley:**

The Board staff is asked to request the Bureau of Legislative Research staff and appropriate state agencies to cooperate to determine how many state and federal dollars are going to one-stop centers statewide with breakdowns, if possible, for each of the ten geographic areas.

Ratification Item 4 – An Understanding of the Meaning of the Term “Governor” in Board Matters: **On motion made by Mr. Sutton and seconded by Mr. Wilkerson the Board unanimously ratified the following provision:**

Wherever the term “Governor” is used in federal and state law, regulations, applicable plans, or Board policy, it is the position of this Board that the term “Governor” means Arkansas Workforce Investment Board as the Governor’s operative agency with the Governor being directly involved only when his signature is required by policy or statute.

Ratification Item 5 – Plan Provisions for Memoranda of Understanding, Criteria for Selecting One-Stop Operators, Certification Instrument for Centers: Dr. Beene summarized the provisions of a 35-page State Unified Plan element that was considered, amended, and adopted by the Executive Committee on March 21. **The provisions were ratified on motion presented by Dr. Johnson, seconded by Mr. Drechsler, and carried unanimously.** (A copy of the provisions is on file in the office of the Executive Director.)

Ratification Item 6 – Approval of Allocation Amounts for Local Boards: Members reviewed the allocations listed on pages 16-18, and Dr. Beene answered questions. **The allocations were ratified as presented on motion made by Ms. McFarren, seconded by Mr. Drechsler, and carried without opposing vote.** (A copy of the approved allocation sheets is on file in the office of the Executive Director.)

Ratification Item 7 – Funding Procedures Process: **The following procedures were presented for ratification as approved by the Executive Committee on March 21:**

It is recommended that the Executive Committee, Arkansas Workforce Investment Board, will send an approved copy of a local workforce investment board’s plan to the Director of the Arkansas Employment Security Department (AESD) with a transmittal memorandum. The transmittal memorandum will state that the local plan is approved and authorizes the Director of AESD to release funding of a specific amount.

The funding procedures process was ratified as presented on motion made by Mr. Sutton, seconded by Dr. Hendren, and carried unanimously.

Ratification Item 8 – Program vs Administrative Issue: The policy under consideration for ratification of Executive Committee action on March 21 was:

Where the contracted administrative agent is governed by a separate board from the local workforce investment board, such administrative agent staff is not required to obtain a waiver to provide non-training services. A waiver is required for training services.

Mr. Jim Smith, Chairman of the Board's Strategic Planning Committee (SPC), explained that the action of the Executive Committee on the issue under consideration was contrary to the recommendation made by the Strategic Planning Committee to the Executive Committee on March 21. Members were directed to the SPC recommendation on page 8.

Dr. Beene commented on the wording of the two-committee recommendations, and Ms. Michelle Driscoll of the Dallas office, United States Department of Labor, served as a consultant. Senator Mahony, who made the motion for the Executive Committee's action set forth above, said that he did not realize that a one-stop operator would not be required to obtain a waiver under his motion.

After a significant amount of discussion, with comments by Ms. Driscoll and representatives of local boards, **motion was made by Director Hardin, seconded by Mr. Smith, and carried as follows:**

The local workforce investment board must get prior approval from the State Workforce Investment Board for the staff(s) of the local board, the administrative entity, or fiscal agent to offer core, intensive, or training services or for one-stop operator service by any of the staff or employees of the above-named groups; the staff shall be liberally construed to include not only employees of the local board but all individuals whether employed or volunteers who are involved in intake, counseling, or clerical activities or delivering any service to clients as defined under the Workforce Investment Act; the Executive Committee shall have the power to approve the above waivers.

The Chairman announced the vote to include 22 affirmatives, 1 negative, and 2 abstentions. (Twenty-nine members were present.)

Ratification Item 9 – Waiver Procedure Guidelines: Chairman Fisher directed members to consider information provided on page 19 as follows:

By statute, local workforce investment boards are prohibited from directly providing core services, intensive services, and training services; local boards are also prohibited from being the One-Stop operator. However, WIA also allows a waiver to these prohibitions. Therefore, Arkansas must have a process for considering requests for waivers. At the March 21 meeting, the Executive Committee approved a Local Request for Waiver Procedure for considering requests for waivers from local boards. The procedure includes the following:

- **An explanation of the general requirements for requesting a waiver**
- **A process for requesting a waiver from the prohibition against providing training service**
- **A process for requesting a waiver from the prohibition against providing core and/or intensive services and from being designated a One-Stop operator**

Requests for waivers must be submitted to the Workforce Investment Board.

The waiver procedure guidelines (pages 74-77 of the March 21 agenda manual) were ratified on motion made by Dr. Hendren, seconded by Mr. Finley, and carried unanimously.

Ratification Item 10 – Establishment of Performance Levels as Plan Provision: Chairman Fisher directed members to page 20 which carried performance levels that were recommended by the Program and Performance Evaluation Committee and adopted by the Executive Committee on March 21. Dr. Beene explained that figures in the chart that did not carry dollar marks are percentages. **The performance level provisions were ratified on motion made by Dr. Franks, seconded by Mr. Myers and carried unanimously.** (A copy of the chart is carried as page 79 of the agenda manual for March 21, 2000.)

Ratification Item 11 – Plan Guidelines for Counting Customers in One-Stop Centers: Dr. Beene described a one-page set of guidelines approved by the Executive Committee at its meeting of March 21. **The guidelines were ratified unanimously (as carried on page 81 of the March 21 agenda manual) on motion made by Ms. McFarren and seconded by Dr. Johnson.**

Action Item 12 – Plan Provision for Appeal and Grievance Procedure: Following Dr. Beene's description of the procedures as carried on pages 84-89 of the March 21 agenda manual and approved by the Executive Committee, **the procedures were ratified unanimously on motion made by Mr. Campbell and seconded by Dr. Hendren.**

Ratification Item 13 – Plan Provision for Corrective Action: Dr. Beene described the corrective action provisions which were presented to the Executive Committee on March 21, amended by the Committee, and adopted. **The corrective action provisions were ratified unanimously as carried on pages 91-97 of the March 21 agenda manual on motion made by Mr. Cunningham and seconded by Mr. Cramer.**

Ratification Item 14 – Plan Provisions for Maintaining Local Boards: Dr. Beene stated that the Executive Committee approved on March 21 a policy for maintaining local boards along with a report form for use in implementing the policy. Mr. Wilkerson confirmed that provisions of the earlier policy which required the chair and vice-chair to be from business remained in effect. **The policy and report form were ratified unanimously on motion made by Mr. Myers and seconded by Mr. Sutton. The policy is stated below:**

Changes to local workforce investment board membership must be submitted to the Arkansas Workforce Investment Board using the approved maintenance form with supporting documentation. In making changes to the local board, all statutory categories must be maintained in accordance with Arkansas Act 1125 of 1999 and approved criteria. The Arkansas Workforce Investment Board will review the request and make a recommendation to the Governor or his or her designee and notification is made to the local board.

Ratification Item 15 – Plan Guidelines for Individual Training Accounts: Dr. Beene described guidelines and procedures approved by the Executive Committee on March 21—measures to be used in coordination and payment of training expenses through Individual Training Accounts (ITAs) to eligible providers for the training of individuals using Title I funds from WIA of 1998. **The guidelines were ratified unanimously on motion made by Mr. Sutton and seconded by**

Mr. Cunningham. (A copy of the approved guidelines is available on pages 102-107 of the March 21 agenda manual.)

Ratification Item 16 - Plan Procedures for Awarding Grants for Youth Activities: Dr. Beene described procedures that were adopted on March 21 by the Executive Committee and answered questions. **The procedures were ratified unanimously on motion made by Ms. Bingham and seconded by Mr. Warren.** (A copy of the procedures is carried on pages 117-118 of the **March 21 agenda manual.**)

Ratification Item 17 – Plan Provisions for Youth Councils: Dr. Beene explained briefly procedures which were approved on March 21 by the Executive Committee—procedures to assure that all entities involved in the competitive process for awarding grants and contracts will assure fair and equitable treatment and that local boards will follow standard State competitive procurement procedures in awarding grants/contracts. Dr. Beene said that the procedures also assure that local boards will approve grants for youth activities and providers based on performance and program cost data as well as criteria on how well programs and activities of the provider can meet minimum standards. **The provisions were ratified unanimously as carried on pages 120-126 in the March 21 agenda manual on motion presented by Mr. Sutton and seconded by Dr. Hendren.**

Ratification Item 18 – Response to Question from United States Department of Labor (DOL) on Youth Plan: The Board reviewed a provision of the State Youth Plan which the Executive Committee recommended as a substitution for a less detailed statement in response to a request for more information from DOL. The substitute provision is carried below:

The Strategic Planning Committee of the Arkansas Workforce Investment Board revisited the issue of applying the hold harmless provision during the second program year and determined that the policy stated accurately reflects the desire of the board to take advantage of the flexibility offered by the Workforce Investment Act when making decisions related to funding and in-state allocations. The Arkansas Workforce Investment Board will review up-to-date performance and labor market information during year one and make a determination about applying the hold harmless provision in time for service providers to prepare for the consequences of that decision. The Arkansas Workforce Investment Board will also assess the advisability of applying the alternative funding formula for the second year of funding. Again, a decision will be made in time for funds recipients to make any necessary adjustments to changes that using the alternative formula would create. If necessary, the Arkansas Workforce Investment Board will submit a modification of the State Unified Plan that reflects changes in the application of the hold harmless provision or the funding formula.

The provision was ratified unanimously on motion made by Ms. Moore and seconded by Mr. Smith.

Ratification Item 19 – Plan Provisions for Establishing Priorities for Funding Adult Activities: After Dr. Beene described the provisions that were approved by the Executive Committee on March 21, **they were ratified unanimously on motion made by Mr. Cunningham and seconded by Dr. Johnson.** (A copy of the provisions is carried as page 134 of the March 21 agenda manual.)

Ratification Item 20 – Plan Provisions for Compliance with Civil Rights Requirements: **The provisions were ratified unanimously on motion made by Dr. Hendren and seconded by Mr. Sutton. The wording of the provisions is carried below:**

1. The “WIA Equal Opportunity Officer” designation will be assigned to Albessie Thompson, staff of Arkansas Employment Security Department (AESD). She will be the liaison for the United States Department of Labor (USDOL) Civil Rights Center. She will prepare a Methods of Administration (MOA) document for approval by the Arkansas Workforce Investment Board that describes the policies, procedures, and systems that demonstrate how the State will ensure its Title I financially-funded programs and activities operate in a nondiscriminatory manner.
2. Ms. Thompson will process any complaints brought against any One-Stop center or any other WIA Title I program sites, involving when appropriate, the Equal Opportunity Office (EOO) for any of the one-stop centers.
3. Ms. Thompson will coordinate EOO efforts with/among all partners in any One-Stop center.
4. Ms. Thompson will assure monitoring of civil rights responsibilities by developing evaluation instruments, training evaluation team members, actual monitoring, and filing reports for Workforce Investment Board action.

Ratification Item 21 – Ratification of \$1,000,000 Investment in Development of Fiscal and Management Accountability System: The group had discussed previously the need for quick action on development of a data system needed by the Board, local boards, and the Employment Security Department. Dr. Beene explained that the Executive Committee approved at its last meeting the release of \$1,000,000 of \$1,900,000 carried in a recommended budget matrix for the data system. **The Board ratified unanimously the \$1,000,000 release on motion made by Mr. Campbell and seconded by Senator Mahony.**

Executive Summary, State Unified Plan: Dr. Beene gave a Power Point presentation of an Executive Summary, State’s Unified Plan. She credited preparation of the Summary to Ms. Kay McVey of the Board staff, adding that it represents a Plan covering 731 pages and weighing seven pounds, nine ounces. She said that the Summary was not required by DOL but was prepared for Board members and others who have need for such Summary. She asked members to suggest changes they may have, adding that the document will be added to the Board Web address within two weeks (www.state.ar.us/workforce).

Workforce Alliance for Growth in the Economy (WAGE): Ms. Jackie DeBusk, Arkansas W.A.G.E. Coordinator of the Adult Education Section, Department of Workforce Education, made a Power Point presentation that highlighted the WAGE program. She described the WAGE program as:

- An alliance between education and employers—a program that impacts significantly on the employability of Arkansas citizens
- A work-based program that is unique to Arkansas adult education
- A program that grew out of industry’s request in the late 1980’s
- A program that has as its motto “Linking Today’s Workforce with Tomorrow’s Jobs”
- A program that is free and has flexible class schedules with enrollment that is open-entry, open-exit

Little Rock Career Development Center Background and Current Operation: Mr. Derek Moore, Coordinator and host for today's Board meeting, described the history, scope, and work of the Center and invited Board members to tour the facility immediately after adjournment. He said that the Center serves as a one-stop operator for the Little Rock Workforce Area. He urged Board members and representatives of the public to let him know if they become aware of citizens who fail to receive good service from the Center.

Announcements: Chairman Fisher expressed to the group that Governor Huckabee asked him recently to convey the Governor's appreciation for the dedicated work of the Board and to assure members of the Governor's full support. Mr. Fisher expressed appreciation for good attendance by Board members and the general public. He announced that a member of Mr. Moore's staff would validate parking tickets for members of the group immediately following adjournment.

Adjournment: Chairman Fisher adjourned the meeting at 12:50 p.m.

Bill Fisher, Chair

Linda Beene, Executive Director