



workforce
SOUTHWEST WASHINGTON

**WSW Executive Board Meeting
Zoom Conference Call
March 23, 2022 3:30 – 5:00 pm**

AGENDA

3:30	<u>Welcome</u>	Paige Spratt
3:35	<u>Consent Agenda</u> <ul style="list-style-type: none">• Approval of Executive Meeting Minutes• Approval of Policy Memo	Paige Spratt
3:40	<u>Quality Jobs Update</u>	Darcy Hoffman
3:55	<u>Governance Report Out</u>	A.D. Simmons Ralph Clark
4:05	<u>Bylaw Subcommittee Update</u>	Paige Spratt
4:15	<u>CEO Report</u> <ul style="list-style-type: none">• Board of Director March Meeting Reflection• Board Culture Development	Miriam Halliday
4:55	<u>Open Discussion / Other Items</u>	Paige Spratt
5:00	<u>Adjourn</u>	

NOTES



WSW Joint Executive Board/Finance Committee Meeting Minutes
February 23, 2022
3:30 p.m.
Zoom Conference Call, WSW

Executive Board Members Present: Chair Paige Spratt, Vice Chair A.D. Simmons, Renny Christopher, Ralph Clark, Monte Constable, Darcy Altizer, and John Vanderkin.

Executive Board/Finance Committee Members with Excused Absences: Councilor Karen Bowerman and Ted Sprague.

Staff Members Present: CEO Miriam Halliday, Amy Gimlin, Barri Horner, Sean Moore, and Traci Williams.

WELCOME:

Vice Chair A.D. Simmons opened the meeting at 3:35 p.m. and welcomed everyone in attendance.

APPROVALS:

Having reached quorum, Vice Chair Simmons entertained a motion to approve the Consent Agenda, consisting of the Executive Board minutes held on January 19, 2021, and the Policy Memo; which included the Coordinated Business Services Policy #4002 Rev 2 and the Eligibility Handbook.

Renny Christopher moved to approve the Consent Agenda as presented, second by John Vanderkin. Motion carried.

FUTURE LEADERS PROJECT:

WSW's Senior Project Manager, Sean Moore gave an overview of the Future Leaders Project to the Executive board. FLP is an initiative of WSW, CREDC, and WSUV that is designed to provide talented, historically excluded juniors and seniors from WSUV with a paid professional and leadership development opportunity that provides access to build their social capital and experience. Sean Moore asked the Executive board to think about if their company could benefit from this initiative and to pass this information along to their own social network. Questions were answered by Sean Moore and Miriam Halliday.

FINANCE:

Treasurer Renny Christopher presented the FY21 Q2 financial reports, stating that spending for operations is on track for mid-point in the fiscal year. There are some significant variances over or under the 50% benchmark are the result of spending in some cost categories that does not occur evenly over the 12-month period. Still waiting to see if the requirement to have 80% of Adult, DW, and Youth formula funds be obligated by 6/30/2022 will be waived. Grants with fixed grant period terms and line-item budgets are on track to be spent in the defined period. There is a good possibility that

the National Dislocated Worker grants which are experiencing slow spending will be extended up to one year. Most subcontract spending is within an acceptable range of forecast budgeted spending with no major concerns and those reports will be reported out at the March board meeting.

Treasurer Christopher also mentioned that WSW budget for the upcoming fiscal year will be developed over the next three months. A draft will be reviewed by the Executive board and Finance Committee during the May meeting with the final draft presented to the full board at the June meeting for final approval. WSW is still in search of a new Staff Accountant to replace Kathy Ashley who retired in December. WSW has new and applied for funding amounts that include both Federal and Non-federal funds. A draft copy of the WSW 2020 IRS form 990 was reviewed and approved to be moved forward to the Executive board for approval. A copy of the final audit report will be included in the full board packet for the upcoming March board meeting.

John Vanderkin moved to accept and approve the 990 form as presented, second by Ralph Clark. Motion carried.

GOVERNANCE REPORT OUT:

Governance Co-Chairs A.D. Simmons and Ralph Clark welcomed Darcy Altizer and Monte Constable to their first Executive board meeting. A.D. Simmons shared a brief update on existing board housekeeping. Eddie Martin and Denise McWithey will not be continuing their membership on the board after June 30, 2022. The Governance committee is now searching for a private sector Manufacturing leader in Cowlitz County and a non-profit leader in Clark County. The Governance committee extended an invite to Tracy Doriot, which is accepted, to join and support Sponsorship activities. The Governance Committee along with Miriam will be ordering SWAG for the June Board meeting, as well as into the year for current members as a sign of appreciation. New board member applications and invites have gone out to seven potential new board members with a mid-March due date. Potential members will then be brought forth to the April or May Executive meeting for approval, and then brought to the full board for the June 2022 meeting.

BYLAW SUBCOMMITTEE UPDATE:

Chair Spratt gave a brief update regarding the Bylaw Subcommittee. The Bylaw Subcommittee had their first meeting in January and the second meeting is being rescheduled. The goal would be to have a draft revamp of the bylaws in front of Exec at the April/May meeting with an approved revised bylaws to be put in front of the full board in June for final approval. Questions were answered by Miriam Halliday and Chair Spratt.

CEO REPORT:

CEO Miriam Halliday shared some updates with the board that included the draft March board meeting agenda, upcoming April NAWB forum, and WSW's advocacy and funding update. Miriam Halliday also shared a couple of WSW team updates, WSW is hiring for two positions, one being a Staff Accountant II and a Senior Program Manager. Also shared was that Benton Waterous was promoted to the Director of Programs position early this month. Miriam also updated the Executive board on the BaCE projects that the WSW team will be working on this year that includes a Climate Equity Study and the retention/recruitment of our board along with the bylaw revisions.

NEW BUSINESS / OTHER ITEMS

None were forthcoming.

ADJOURNMENT:

With nothing further for the good of the order, Vice Chair Simmons entertained a motion to adjourn the meeting at 4:35 p.m.

Darcy Altizer moved to adjourn the meeting at 4:35 p.m.

DRAFT



POLICY MEMO

DATE: MARCH 16, 2022
TO: MIRIAM HALLIDAY
WSW EXECUTIVE BOARD MEMBERS
FROM: TRACI WILLIAMS, WSW OFFICE MANAGER/EXECUTIVE ADMINISTRATOR
RE: POLICY UPDATES

WIOA Title I-B Performance Sanctions State Policy 5415-1

This revision to the original state policy reflects the removal of the prior appeal process to the U.S. Department of Labor (DOL) per DOL's request. All local boards are subject to follow State [WIOA Title I-B Performance Sanctions Policy 5415-1](#). This is notification to the board of this revision to the state policy.

Based on the approval process, this policy approval falls under **Tier 1** Executive Board and Full Board **notification**.

Tier 1 – Minimum

Definition: Minimum revisions consist of grammar, spelling, branding changes, State or Federal mandated adjustments, or a new State or Federal mandated policy with no local revisions. These revisions would not require Executive or Full Board approval but would be included in a notification memo.



Employment Security Department

WASHINGTON STATE

Workforce Innovation and Opportunity Act Title I Policy Employment System Administration and Policy

Washington envisions a nationally recognized fully integrated One-Stop system with enhanced customer access to program services, improved long-term employment outcomes for job seekers and consistent, high quality services to business customers. In order to achieve this vision, Employment System Administration and Policy sets a common direction and standards for Washington's WorkSource system through the development of WorkSource system policies, information memoranda, and technical assistance.

Policy Number: 5415, Revision 1

To: Washington WorkSource System

Effective Date: February 2, 2022

Subject: WIOA Title I-B Performance Sanctions

1. Purpose:

To establish and implement a state performance sanctions policy for all entities that receive Workforce Innovation and Opportunity Act (WIOA) Title I-B funding.

The purpose of the performance sanctions policy is to ensure accountability of entities that receive WIOA Title I-B funds from state administrative agencies in meeting the needs of the local workforce development system and ensure compliance with applicable federal and state laws, regulations, policies, guidance, and terms and conditions of applicable awards and contracts.

To accomplish these responsibilities, as well as to satisfy its oversight role, the Workforce Training and Education Coordinating Board (WTECB), as the State Workforce Development Board (SWDB) will impose penalties or conditions in the form of sanctions for any issues of noncompliance that have not been promptly resolved based on state-imposed corrective actions identified in monitoring or other oversight reports.

2. Background:

Section 116(b)(3)(A)(iv) of the Workforce Innovation and Opportunity Act (WIOA) requires the state workforce development board (SWDB) to negotiate performance targets for each WIOA metric at the local level. States may leverage sanctions on local grant recipients sanctioned for performance failure or for failure to report (section 116(f) of WIOA).

The WorkSource System is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Language assistance services for limited English proficient individuals are available free of charge.

3. Policy:

There are currently five metrics (employment 2 quarters after exit, employment 4 quarters after exit, median earnings, credential attainment rate, and measurable skill gain rate) for the three Title I programs (Adult, Dislocated Workers, Youth).

Targets for these are negotiated between the state and the WDC. Local areas are then held accountable to possible sanctions after adjusting targets (using the state-developed regression model) to account for most recent local conditions.

The state performance sanctions policy mirrors the federal sanctions policy (TEGL 11-19) to the extent possible. "Failure" to perform on any WIOA metric would be defined as any of the following:

- Failure to meet 50% of targets for any metric, or
- Failure to average 90% of targets for all measures across programs (i.e. Adult) (via regression modelling), or
- Failure to average 90% of targets for all programs across a given measure (i.e. earnings).

Failure in the first year would trigger technical assistance by state partners coordinated by the WTECB, and a technical assistance and corrective action plan to achieve negotiated performance levels. Technical assistance and corrective action plans may include but are not limited to: identification of one or more specific performance issues; assessment of specific technical assistance or training needs; selection of one or more specific technical assistance or training activities to be implemented; identification of the appropriate entities to provide the technical assistance or training; identification of a timeline for completing of the technical assistance and training; and specific dates for reassessment of technical assistance or training needs and completion of the specific technical assistance or training. If an area does not improve performance in their corrective action period for two consecutive program years, they may be subject to sanctions.

Sanctions assessed after two years of performance failure under correction action may include a recommendation to the state workforce board that a non-performing local workforce development area not be recertified by the Governor in future program years. Sanctions may be recommended regardless of corrective action taken in cases involving failure to submit or correct quarterly performance reports. The WTECB, as the state grantee, makes the final determination on timelines, sanctions, and whether compliance has been met.

4. Definitions:

Sanction is a penalty imposed/assessed or a remedial action required for noncompliance with applicable federal, state and local laws, regulations, contract provisions/grant agreements or conditions, or policies.

Targets are the negotiated level of performance agreed upon for any of the five metrics across the Title I programs

Technical Assistance is the efforts by either the Department of Labor or the state to identify and correct causes of performance failure.

5. References:

- WIOA Section 116(g) – Performance Accountability
- WIOA Final Rule, 20 CFR 677.220 – Under what circumstances may a corrective action or sanction be applied to local areas for poor performance?
- WIOA Final Rule, 20 CFR 677.225 – Under what circumstances may local areas appeal a reorganization plan?
- Training and Employment Guidance Letter (TEGL) 11-19 – Negotiations and Sanctions Guidelines for the WIOA Core Programs

6. Supersedes:

None.

7. Website:

<https://wpc.wa.gov/policy/state/WIOA>

8. Action:

Local Workforce Development Boards and their contractors must distribute this policy broadly throughout the system to ensure that WorkSource System staff are familiar with its content and requirements.

9. Attachments:

None.

Direct Inquiries To:

*Workforce Training and Education Coordinating Board
P.O. Box 43105
Olympia, WA 98504-3105
(360) 709-4600
workforce@wtb.wa.gov*

Direct Other Inquiries To:

*Employment System Administration and Policy
Employment System Policy and Integrity Division
Employment Security Department
P.O. Box 9046
Olympia, WA 98507-9046
SystemPolicy@esd.wa.gov*