

STATE OF NEVADA
GOVERNOR'S WORKFORCE DEVELOPMENT BOARD
EXECUTIVE COMMITTEE

Governor's Workforce Development Board (GWDB)
Wednesday, July 13, 2016 – 2:00 p.m.

Department of Employment, Training and Rehabilitation
500 E. Third Street – Director's Conference Room
Carson City, NV 89713

Alternate Location: Some members of the board may be attending the meeting and other persons may observe the meeting and provide testimony through a simultaneous videoconference conducted at the following location:

Department of Employment, Training and Rehabilitation
2800 E. St. Louis Avenue – Director's Conference Room
Las Vegas, NV 89104

MINUTES OF MEETING

Present: Dr. Luther Mack (Chair), Marilyn Kirkpatrick, Horatio Lopez, Mike Raponi, Patrick Sheets, Bill Stanley, and Don Soderberg

Absent: Debbie Banko, Jim New

Also present: Kristine Nelson (DETR), Jaime Cruz (Workforce Connections), Dale Erquiaga (Chief Strategy Officer, Office of Governor Brian Sandoval), Manny Lamarre (Governor's Office), Grant Nielson (ESD Program Chief, DETR's Workforce Investment Support Services), Dennis Perea (DETR Deputy Director), Steve Fisher (Administrator, DHHS-DWSS), and John Thurman (Nevadaworks)

1. OPENING REMARKS

Chair Luther W. Mack called the meeting to order, welcomed participants and made announcements.

2. ROLL CALL - CONFIRMATION OF A QUORUM

Per direction from Chair Mack, **Kristine Nelson** took roll call and confirmed the presence of a quorum.

3. VERIFICATION OF PUBLIC NOTICE POSTING

Kristine Nelson affirmed that the agenda and notice of the Governor's Workforce Development Board meeting on July 13, 2016 was posted pursuant to Nevada's Open Meeting Law, NRS 241.020.

4. FIRST PUBLIC COMMENT(S) NOTICE

Chair Mack read the notice into the record as follows: "Members of the public are invited to comment at this time; however, no action may be taken on any matters during public comment until the matter itself has been included on an agenda as an item for possible action. At my discretion, in the interest of time, public comments will be limited to three minutes per person."

Chair Mack invited comments from Carson City, Las Vegas or via telephone. There were none.

5. *APPROVAL OF MINUTES

Chair Mack called for a motion to approve the May 24, 2016 draft minutes of the Committee as submitted. There was a minor grammatical correction.

It was moved by Horatio Lopez and seconded by Don Soderberg to approve the May 24, 2016 draft minutes as amended. Motion carried.

6. * FOR DISCUSSION/POSSIBLE ACTION – **WIOA UNIFIED STATE PLAN**

Steve Fisher, Administrator, DHHS-DWSS stated that the WIOA Unified State Plan was submitted to the Federal Government (Department of Labor, Department of Health and Human Services, Department of Education) on March 2nd, 2016. The submission was followed by a 90 day review period with feedback provided to the State of Nevada stating that the Plan has been approved under certain conditions. These conditions were reflected in questions that the Federal Government had in areas of the Plan. The Work Group addressed the changes and made modifications to the Plan. The Plan was then brought back to the Governance Work Group last week. The Work Group reviewed and approved the revisions and voted that these revisions be moved to the Executive Committee for approval before presentation to the full Board.

It was moved by Mike Raponi and seconded by Don Soderberg to approve the WIOA Unified State Plan as submitted. Motion carried.

7. *FOR DISCUSSION/POSSIBLE ACTION – **Industry Sector Councils**

Dale Erquiaga, Chief Strategy Officer, Office of Governor Brian Sandoval cited previous discussions on the sector councils and members' desire to increase the number of sector councils by potentially adding construction and retail as sector councils. The Executive Committee has the authority to make this recommendation to the full Board. He addressed the Executive Committee's request for information and clarification on the purpose of the sector councils by directing members to their packets for a detailed description of sector council goals, duties and responsibilities. A main goal of the sector councils is to identify leading jobs and the skills and credentialing that align with these jobs. He noted that staff from DETR and the Governor's Office of Economic Development (GOED) have recommended that construction is most likely a viable industry sector that should have a council, but they do not believe retail is viable for a number of reasons.

Patrick Sheets expressed his agreement with staff's recommendation. In reviewing the seven proposed sector councils, construction does not fit within any. However, retail firmly falls under the same skills sets as tourism, gaming and entertainment. There are certifications and requirements that support construction that have a direct labor, training and skill set. **Mike Raponi** and **Bill Stanley** concurred with this recommendation. **Mr. Erquiaga** provided clarification to **Commissioner Kirkpatrick** that moving forward regional sector council could be established by this board or the local workforce development boards.

It was moved by Bill Stanley and seconded by Horacio Lopez to create a sector council for construction. Motion carried.

8. *FOR POSSIBLE ACTION – **State Compliance Policy Revisions**

Chair Mack asked that Mr. Nielson review each of the six state compliance policies and that a call for a motion would be made for each.

Grant Nielson (ESD Program Chief, DETR's Workforce Investment Support Services) reviewed the policies:

8(A) Policy 1.4: Provides definition and operational guidance for the WIOA one-stop delivery system. The policy describes what a comprehensive delivery system is and does. It discusses the one-stop certification process. It includes a brief description of what the one-stop MOU is and how it is to be set up. The policy describes one-stop operators and their role within the system. It also discusses branding options for each one-stop within the State.

Marilyn Kirkpatrick asked about the process of setting up the one-stops, specifically whether they go out to bid and how accountability is maintained. **Mr. Nielson** replied that the local workforce development board is responsible for setting up and beginning the certification process of a comprehensive one-stop within a local area. By federal law, local workforce development boards are the required partner to establish and oversee the comprehensive and affiliate sites within their local area.

They are also responsible for assuring that the partners within those one-stops achieve a certain level of membership participation and that they meet ADA requirements. Those receiving funds from WIOA must also meet performance guidelines. The State has a team that monitors these activities. **Marilyn Kirkpatrick** discussed her concern that previously there was not ability for members of the Governor's Workforce Board to address accountability, other than accepting the audit reports. **Mr. Nielson** referred to Page 7 Section V of Exhibit 4. Under the heading of one-stop certification, there are requirements for responsibility of partners at the local and state level and the criteria required to achieve one-stop certification, including performance. The criteria is reviewed at least every other year.

It was moved by Don Soderberg and seconded by Mike Raponi to approve State Compliance Policy 1.4. Motion carried.

Ms. Kirkpatrick clarified that she would support approval today, however when it goes before the full Board, she would like to reserve the option to rescind approval if she was not comfortable with supporting it at the time.

Mr. Nielson continued. **8(B) Policy 1.8:** Discusses the policy procedure and the content definitions for the adult and dislocated worker programs under Title I of WIOA. It addresses eligibility for career services under the adult and dislocated worker program and required service offerings. It discussed the definitions used in the Act and how they are defined by the State. Importantly, it outlines the required record keeping in order to collect the data needed for state and federal level performance monitoring. **Mike Raponi** pointed out a typographical error page numbering

It was moved by Don Soderberg and seconded by Mike Raponi to approve State Compliance Policy 1.8. Motion carried.

Mr. Nielson continued. **8(C) Policy 1.12:** Communicates the policies and procedures to local areas to select eligible training providers. This is a combined effort between the local boards and the State to provide a list of eligible providers of training to be used within this program. The policy discusses the application process as well as the renewal process. Specifically, it talks about data collection and the performance necessary to remain on the list.

It was moved by Don Soderberg and seconded by Mike Raponi to approve State Compliance Policy 1.12. Motion carried.

Mr. Nielson continued. **8(D) Policy 1.20:** This new policy addresses the affiliate one-stop site policy, including standard of service requirement necessary to establish an affiliate site and how to brand it.

Don Soderberg stated that this policy has been wrestled with within DETR. The policy codifies the status quo with regard to service delivery. Federal law requires that affiliate sites (something less than a comprehensive one-stop) must be created. There are a number of these locations throughout the State with DETR running ten and DHHS and Education running others. Other providers are affiliated with the two local boards and these run service locations. The thought was that affiliate sites must be created to comply with the law. The current draft communicates that this Board approves affiliate sites for what is being done at the moment. This is an important distinction, as the push from the federal government is to go further. The vision of WIOA is for a robust comprehensive one-stop system throughout the State, which is not in place at the moment. He urged approval of this policy today with the caveat that it be revisited by the Committee 36 months from the effective date.

It was moved by Don Soderberg and seconded by Marilyn Kirkpatrick to approve State Compliance Policy 1.20.

Mr. Raponi questioned whether it would take 36 months to move on implementation. **Mr. Soderberg** replied that he chose the 36-month time frame as it would give the Committee sufficient time to finalize its work, and make the decision on whether to move certain locations to comprehensive work stops, or whether they continue to run a parallel system. This will allow local boards to create viable, comprehensive one-stops. They could also address the question as to whether the Committee wants affiliates to be a little more than they are today in order to be sanctioned by the body and suggested that an annual review be done.

Ms. Kirkpatrick commented that reviews would require extensive time and that reviews should occur no less often than every 36 months.

John Thurman, Nevadaworks, stated that agency has looked into this issue extensively. There is a continual process of improvement in the Act as well as a mandatory relook and certification process every two to three years. The motion on the floor does not say it must only be performed every 36 months. It can be done at any time prior. The Act itself requires a constant review and update to practices as necessary.

Marilyn Kirkpatrick moved to amend the motion to approve Policy 1.20 submitted today with the caveat that it be revisited no less than 36 months from today, seconded by Horatio Lopez Motion carried.

Mr. Nielson continued. **8(E) Policy 2.2:** Some of the biggest changes in WIOA occurred under the youth program portion of the Act. The youth program design changed substantially. This policy incorporates all of the changes that occurred along with their accompanying requirements. The policy discusses the eligibility requirements under the new program. It addresses out of school youth minimum percentages, which is a larger portion than under the previous Act. It also talks about the minimum spending requirements on work experience activities. It defines the required youth program elements. It lists data collection and record keeping requirements and provides definitions of terms contained within the policy.

Ms. Kirkpatrick noted that currently many governmental agencies have summer youth programs and asked about the process whereby government obtains the certification. **Mr. Nielson** clarified that this policy does not preclude government from participating in summer youth work experiences. **Ms. Kirkpatrick** asked why it was not listed, especially given the intention to be very specific. **Mr. Nielson** replied that they mirrored the federal language on this section, so if it not contained in the policy, this means that it is not included in the federal legislation. His understanding is that examples of locations were provided and prohibitions were not necessarily given. **Ms. Kirkpatrick** asked where the government needs to go to obtain accreditation. **Mr. Nielson** noted that he was unaware of accreditation requirements for any placement site.

Mr. Soderberg asked for clarification, stating his understanding that if an entity is an eligible WIOA service provider today, nothing changes with the status of this policy. **Mr. Nielson** agreed and clarified that the policy does not necessarily refer to who the providers are, but discusses the services that must be performed by providers.

Dennis Perea, DETR Deputy Director, stated that the Summer Business Institute and other programs run in the past were operated from Governor's reserve dollars and originated from proposals passed by the Governor's Board itself. This policy addresses youth programs at the local level and how the formula funds are being used. However, it is not directed toward the programs operated in the past under Governor's reserve dollars.

Ms. Kirkpatrick stated that this year in Clark County, there was a waiting a list of over 300 and the Workforce Board was approached for funding assistance. She added that these dollars should be allowed to be used by government. **Mr. Perea** replied that according to his reading of the law and the policy, a government location is an appropriate worksite for youth placed in work experience through the WIOA. **Mr. Nielson** clarified that a program, whether run by a government entity, nonprofit organization or a private organization still would need to comply with WIOA, which changed everything 12 months ago. **Mr. Perea** agreed, noting that they would still have to contract with the local WIOA provider. Funding is a separate conversation and comes from local workforce development boards.

Bill Stanley referred to a portion of the policy under Required Youth Services Section 3(II), noting that it lists pre-apprenticeship programs. He pointed out that within the construction industry, pre-apprentice has a connotation, in that the person is actually on the job doing work. An apprentice readiness program is a program whereby a person is prepared to take a job in the construction industry, including acquiring OSHA credentials and first aid certification. The nomenclature becomes confusing. Furthermore, a person under 18 cannot be on a construction site performing on the job work.

Don Soderberg moved to approve State Compliance Policy 2.2, seconded by Mike Raponi Motion carried.

Mr. Nielson continued. **8(F) Policy 2.3:** This policy communicates the definition for a youth standing committee. The previous WIA Act included entities called youth councils under the local workforce development boards. These have been replaced with an entity called the Youth Standing Committee. This policy talks about the Youth Standing Committee, its membership and the differences as compared to previous youth councils.

Mike Raponi moved to approve State Compliance Policy 2.3, seconded by Don Soderberg Motion carried.

10. PUBLIC COMMENTS NOTICE (SECOND)

Chair Mack read the statement into the record: “Members of the public are invited to comment at this time; however no action may be taken on any matters during public comment until the matter itself has been included on an agenda as an item for possible action. In my discretion, in the interest of time, public comment will be limited to three minutes per person.” He invited comments from Carson City, Las Vegas or on the telephone.

Patrick Sheets asked to speak about information he recently received regarding veteran hiring. He referred to the Office of Transition and Economic Impact within the Veterans Administration. In concert with the Executive Branch, led by Vice President Biden, the Veterans Economic Communities Initiative has resulted in a byproduct, the Veterans Employment Center. The program is being kicked off in 25 selected cities to build capability with the goal of populating all cities in the country. They have placed representatives in these cities to help promote the concept. The goals of the initiative are to raise awareness, equip employers with information, work with communities, partners and experts and leverage best practices for communication and support for the connection between employers and potential veteran labor. The employment center is a portal whereby employers can register to post jobs. Veterans register for a variety of training opportunities, including resume building and skill conversion from military to civilian workplaces. The employer registers with its EIN. The first level of accountability is to the IRS. If an employer is not in good standing with the IRS, they do not have access to the program. Veterans must use their Social Security Number for identification purposes and verification of veteran status.

12. ADJOURNMENT

The July 13, 2016 meeting was adjourned.