



# New Jersey State Employment and Training Commission

Dennis M. Bone, *Chairman*

Phil Murphy, *Governor*

**POLICY RESOLUTION: SETC #2018-02**

**SUBJECT:** New Jersey Local Workforce Development Board Certification Process for 2018

**Purpose**

The Local Workforce Development Boards (LWDBs) are critical to the strategic direction, operation and oversight of programs and services in the local area. The Workforce Innovation and Opportunity Act (WIOA) of 2014 reinforces the importance of each Local Workforce Development Board by requiring the Governor in partnership with the State Workforce Development Board, to establish criteria based on specific items outlined in WIOA Section 107 to certify local boards.

**Background**

WIOA Section 107, and New Jersey’s administrative code N.J.A.C 12:42-4, requires that the Governor shall, once every 2 years, certify one local board for each local area in the State. Such certification shall be based on meeting membership criteria and the extent to which the local board has ensured that workforce investment activities carried out in the local area have enabled the local area to meet the corresponding performance accountability measures and achieve sustained fiscal integrity, as defined in section 106(e)(2) of WIOA. All New Jersey Local Workforce Development Boards were certified under WIOA as of July 2016.

Additional information concerning Local Board Certification, Recertification and Decertification is provided in the New Jersey Administrative Code, N.J.A.C. 12:42-4: Local Workforce Investment Boards: Certification, Recertification and Decertification, including consequences and appeals for local boards that do not successfully achieve certification.

**Timeframe**

All items identified in the 2018 LWDB Certification process are due to the SETC by **December 1, 2018**.

<b>Date</b>	<b>Activity/Outcome</b>
<b>September 2018</b>	WDB Certification 2018 Process Rollout
<b>Sept – Nov 2018</b>	Technical Assistance and Capacity Inventory
<b>December 1, 2018</b>	Required Local Area Documents due to the SETC
<b>December 1, 2018</b>	Final Application Form, Signed by Chief LEO, WDB Chair and WDB Director
<b>January-March 2019</b>	SETC vote to approve/deny LWDB Certification Requests
<b>April 2019</b>	LWDB Certification Completed

**Commission Approved: September 18, 2018**

**Attachment:** *LWDB Certification Application/Checklist*



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## Application for Workforce Development Board 2018 Certification

**Date:** (Date Submitted) **Due by December 1, 2018**

**To:** **New Jersey State Employment and Training Commission**

This application for recertification is submitted on behalf of the (Local Area) Workforce Development Board (WDB).

By signature below, we certify that the required materials and information have been provided to the New Jersey State Employment and Training Commission (SETC) as outlined in the chart below, pursuant to N.J.A.C. 12:42-4.

**Submitted by:**      *Signature*      *Date*

\_\_\_\_\_  
(Name), (Title of Chief Elected Official), (City/County)

\_\_\_\_\_  
(Name), Chairperson, (Local Area) Workforce Development Board

\_\_\_\_\_  
(Name), Director, (Local Area) Workforce Development Board

Item	Required Materials and Information
1	<p><b>Current List of Local WDB Members appointed by the chief elected official in a local area in accordance with SETC Policy Resolution #2015-01</b> – Local Workforce Development Board Member Appointment and Process. The list will show:</p> <ul style="list-style-type: none"> <li>• That the WDB membership follows the guidelines set forth in the WDB Member Handbook, SETC Policy Resolution #2015-01, and WIOA Section 107</li> <li>• That the WDB has a 51% business membership</li> <li>• That the WDB Chair is a business member</li> <li>• The list must note if board development is needed, and provide a plan to achieve board membership compliance, including the recruitment and orientation process for new board members.</li> </ul>
2	<p><b>The Local Workforce Development Area (LWDA) Programs Budget, required under N.J.S.A. 34:15C-15e(4), and the Local WDB Staff Budget, as outlined in SETC Policy Resolution #2016-03</b>, for the extant and two preceding program years (<b>Program Years 16, 17, and 18</b>).</p> <ul style="list-style-type: none"> <li>• LWDA Program Budget must include all workforce program funding allocations to the local area, including WorkFirst New Jersey (WFNJ) and indicate the levels of service (participants) for each program.</li> <li>• Local WDB Staff Budget, with a list of current WDB staff, titles/reporting structure, and percent of time allocated to the WDB.</li> <li>• <i>Summary of Leveraged Resources, including Grants and Special Initiatives, if applicable</i></li> <li>• <i>IRS Tax Status Letter / 501(c)3 Status documentation must be provided, if applicable.</i></li> </ul>
3	<p>The local board's <b>Annual Reports</b>, required under N.J.S.A. 34:15C-15e(5), for the extant and two preceding program years (<b>Program Years 15, 16 and 17</b>).</p>
4	<p>The local board <b>Meeting Minutes</b> for extant and two preceding program years (<b>Program Years 16, 17 and 18</b>)</p> <ul style="list-style-type: none"> <li>• Minutes should reflect regular meetings, held at least quarterly</li> <li>• Minutes should reflect the LWDB budget approval process</li> </ul>
5	<p>Current <b>WDB-CLEO Memorandum of Understanding (MOU)</b>, signed by the local board and local elected officials:</p> <ul style="list-style-type: none"> <li>• The MOU must outline the process for board member appointment and removal</li> <li>• Multi-county areas must provide the MOU which establishes the lead county, if a separate agreement</li> </ul>
6	<p><b>Current One-Stop Partner MOU*</b>, signed by the local board, One-Stop Operator and One-Stop Partners. The <b>local Infrastructure Funding Agreement (IFA)</b> must be included with the MOU, as outlined in SETC Policy Resolution #2017-03.</p> <p><i>*To be coordinated with LWD MOU process.</i></p>

7	<p>The local <b>WDB Website</b>: (URL location)</p> <ul style="list-style-type: none"> <li>• Published List of local <b>WDB members</b>: (URL location)</li> <li>• Published local <b>WDB meeting minutes</b>: (URL location)</li> </ul>
8	<p><b>WDB Committees, Councils and Task Forces</b> Information:</p> <ul style="list-style-type: none"> <li>• <b>List of active WDB committees, councils and task forces</b>, including those required under N.J.S.A. 34:15C-15, and as outlined in the WDB Member Handbook: <ul style="list-style-type: none"> <li>○ Executive Committee (recommended)</li> <li>○ Youth Investment Council (required)</li> <li>○ Literacy Committee (required)</li> <li>○ One-Stop/Operations/OS Partners Committee (required)</li> <li>○ Disabilities Committee (required)</li> <li>○ Other committees or task forces, as established by the local board</li> <li>○ <i>The list should indicate which council or committee is responsible for Business Engagement.</i></li> </ul> </li> <li>• <b>Current Membership List</b> for each WDB committee/council/task force, including the name, title, and agency of each member.</li> <li>• <b>Committee, council and task force meeting minutes for Program Year 2016 and Program Year 2017</b>, reflecting regular meetings.</li> </ul>
9	<p>Current local <b>WDB By-Laws</b>, addressing at a minimum:</p> <ul style="list-style-type: none"> <li>• Election of WDB Officers</li> <li>• WDB attendance policy</li> <li>• Conflict of Interest policy</li> </ul>
10	<p><b>Current Contract, MOU, or Letter of Agreement</b> demonstrating the WDB competitive selection of a qualified <b>One-Stop Operator</b>.</p>
11	<p><b>Approved Local and Regional Workforce Plans for WIOA on WDB website</b>:</p> <ul style="list-style-type: none"> <li>• Local Plan: (URL)</li> <li>• Regional Plan: (URL)</li> </ul>
12	<p>The local board's <b>Annual Evaluation</b> of the local workforce and/or One-Stop delivery system for <b>Program Years 2016 and 2017</b></p> <ul style="list-style-type: none"> <li>• The evaluation may be system-wide or may focus on one or more programs and/or services conducted in the One-Stop Centers.</li> </ul>
13	<p><b>Local Performance Measures</b>:</p> <p>As outlined in the Local Workforce Investment Boards: Certification, Recertification and Decertification Rule, N.J.A.C. 12:42-4.4(e):</p> <ul style="list-style-type: none"> <li>• Where the Commission determines that the local board has during the preceding two years failed to ensure that the workforce investment activities carried out in the local area have enabled the local area to meet the local</li> </ul>

	<p>performance measures, that the local board has failed to satisfactorily carry out its functions under N.J.S.A. 34:15C-15e and 20 CFR 661.305, that either the local board, or any of its members, has engaged in fraud or abuse, as those terms are used within 29 U.S.C. §2832(c)(3)(A), or that either the local board, or any of its members, has engaged in any of the prohibited conduct listed as cause for corrective actions and penalties under N.J.A.C. 12:42-3.6, the Commission shall deny the chief elected official's application for recertification of the local board.</p> <ul style="list-style-type: none"> <li>• The SETC will evaluate the local WDB's application for recertification based on the local area achievement of the negotiated performance outcomes for the area's Workforce Innovation and Opportunity Act (WIOA) funding for <b>Program Year 2016 and Program Year 2017</b>. The recommendation for WDB recertification will be made with consideration for any corrective actions and penalties instituted for the local area under the Local Workforce Investment Areas and Local Workforce Investment Boards: Performance, Technical Assistance, Corrective Actions and Penalties Rule, N.J.A.C. 12:42-3.</li> </ul>
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Resource Materials provided:

- SETC Policy Resolutions are available at [njsetc.net/njsetc/policy/resolutions/](http://njsetc.net/njsetc/policy/resolutions/)
- SETC WDB Certification materials are available at [njsetc.net/njsetc/policy/certification/](http://njsetc.net/njsetc/policy/certification/)
  - WDB Membership List Template in Excel (Updated version 9-19-2018)
  - WDB Membership List for Website (Updated version 9-18-2018)
  - WDB Annual Report Guidance (Updated version 9-19-2018)
  - Guidance on WDB Evaluation Reports (Updated version 9-19-2018)
- WDB Member Handbook, published by SETC, May 2007 – available at [njsetc.net/njsetc/policy/wibhandbook/](http://njsetc.net/njsetc/policy/wibhandbook/)