



New Jersey State Employment and Training Commission

Dennis M. Bone, *Chairman*

Chris Christie, *Governor*

POLICY RESOLUTION: SETC #2016-01

SUBJECT: New Jersey Local Workforce Development Board Certification Process for 2016

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 WIA as of June 2014.

The LWDB certification process for 2016 will use an updated process and items required for submission, as outlined below, which is slightly abbreviated from the 2014 certification process. In 2018, the LWDB certification process will return to the full process, and may contain additional items required by the State Employment and Training Commission.

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 2016 LWDB Certification process are due to the SETC by **April 1, 2016**.

Date	Activity/Outcome
January 2016	WDB Recertification Process Rollout
Feb 2016 – June 2016	Technical Assistance and Capacity Inventory
April 1, 2016	Required Local Area Documents due to the SETC
May 16, 2016	Final Application Form, Signed by Chief LEO, WDB Chair and WDB Director
June 19, 2016	SETC vote to approve/deny LWDB Certification Requests
July 1, 2016	LWDB Certification Completed

Commission Approved: January 19, 2016

Attachment: *LWDB Certification Application/Checklist*



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Application for Workforce Development Board 2016 Certification

Date: (Date Submitted) **Due by May 16, 2016**

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

This application for recertification is submitted on behalf of the (Area name) 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) City/County

(Name), Chairperson, (Area name) Workforce Development Board

(Name), Director, (Area name) Workforce Development Board



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Item Number	Required Materials and Information
1	<p>A current list of local board members appointed by the chief elected official in a local area in accordance with SETC Policy Resolution 2015- 01 – Local Workforce Development Board Member Appointment and Process. The list will show:</p> <ul style="list-style-type: none"> • That the WDB membership follows the guidelines set forth in the WDB Member Handbook • That the WDB has a 51% business membership • That the WDB Chair is a business member • The list must note if board development is needed, and the plan to achieve board membership compliance, including the recruitment and orientation process for new board members.
2	<p>The Local Workforce Development Area (LWDA) Programs Budget, required under N.J.S.A. 34:15C-15e(4), and the Local WDB Staff Budget, for the extant and two preceding program years (Program Years 14 and 15).</p> <ul style="list-style-type: none"> • 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. • Summary of Leveraged Resources, including Grants and Special Initiatives • IRS Tax Status Letter / 501(c)3 Status documentation must be provided, if applicable.
3	<p>The local board's annual reports, required under N.J.S.A. 34:15C-15e(5), for the extant and two preceding program years (Program Years 13 and 14).</p>
4	<p>The local board's meeting minutes for extant and two preceding program years (Program Years 14 and 15)</p> <ul style="list-style-type: none"> • Minutes should reflect regular meetings, held at least quarterly • Minutes should reflect the LWDB budget approval process
5	<p>List of local board staff, including:</p> <ul style="list-style-type: none"> • Name • Title • Office address • Name/title of who they report to • Percent of time dedicated to WDB activity



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6	<p>Memorandum of Understanding (MOU) between local board and local elected officials:</p> <ul style="list-style-type: none"> • The MOU must outline the process for board member appointment and removal • Multi-county areas must provide the MOU which establishes the lead county, if a separate agreement
7	<p>MOUs between the local board, One-Stop Operator and One-Stop Partners.</p> <ul style="list-style-type: none"> • A Resource Sharing Allocation Agreement must be included in the MOU.
8	<p>Youth Transition Plan from WIA to WIOA: 75% out of School and 20% work experience</p> <ul style="list-style-type: none"> • The local area Youth Plan must be in place and implementation must be in progress. <p><u>Strategic initiatives</u></p> <ul style="list-style-type: none"> • Youth Investment Councils • Leveraging of partnerships <p><u>Operational Initiatives</u></p> <ul style="list-style-type: none"> • RFP process (securing all 14 program elements) • 75% out of school youth (recruitment and retention) • 20% Work experience. • Innovation/Promising Practices • Local Area Challenges
9	<p>Regional Planning Activities:</p> <ul style="list-style-type: none"> • Provide a two-page narrative summary of the regional and local planning activities held to date. <p><i>For subsequent certifications, starting in 2018: Local areas will be required to participate in the development and submission of a regional workforce development plan, as required under WIOA Section 106, in addition to the local strategic plan, required under WIOA Section 108.</i></p>



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10	<p>Local Performance Measures:</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">• 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 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.• The SETC will evaluate the local WDB's application for recertification based on the local area achievement of the 9 negotiated performance outcomes for the area's Workforce Investment Act (WIA) funding for Program Year 2013 and Program Year 2014. 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. <p><i>For subsequent certifications, starting in 2018: The local area performance success will be determined using the WIOA Primary Indicators (effective PY 2016) and any additional performance measures identified as part of the State Plan.</i></p>
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