

**[Local area name] LOCAL ELECTED OFFICIALS CONSORTIUM AND REGIONAL
WORKFORCE BOARD PARTNERSHIP AGREEMENT**

Local Workforce Development Area for [list of counties] Counties

Whereas, in accordance with Workforce Innovation and Opportunity Act (WIOA) § 107(b)(1), the Governor, in partnership with the Alabama Workforce Board (AWB), shall establish criteria for the appointment of Regional Workforce Board (RWB) members by the Chief Local Elected Official (CLEO); and,

Whereas, within the meaning of WIOA, for the [name of the local area] Local Workforce Development Area (LDWA), the Local Elected Officials (LEOs) include the county commission chairpersons from the following counties in Alabama: [list of counties] Counties.

Whereas, WIOA and the Alabama Workforce Transformation Act require the establishment of a Regional Workforce Board (RWB) to provide policy guidance for, and exercise oversight with respect to, activities under the job training program for its LWDA in partnership with the general local governments within its LWDA; and,

Whereas, per WIOA § 107(c)(1)(A), it is the responsibility of the CLEO, chosen from among the LEOs in the LWDA, to appoint members of the RWB in accordance with WIOA, the Alabama Workforce Transformation Act, and an Interlocal Agreement entered by the county commission chairperson of each county.

The following provisions, as included in the Interlocal Agreement, the [local area name] RWB bylaws, and policies approved by the AWB, are agreed upon by all parties to this agreement:

1. **RWB Membership Composition.** WIOA § (107)(c)(1)(A) authorizes the CLEO to appoint the members of the RWB in accordance with the criteria established under § 107(b) of WIOA. Authority to appoint members to the RWB lies solely with the CLEO. WIOA requires a minimum number of nineteen (19) required members for a RWB. It is recommended that CLEOs appoint 19 members to the RWB so that 10 business representatives achieve a majority, thereby permitting four (4) workforce representatives; two (2) education and training representatives; and three government and economic representatives to fill out the complement of members.
 - (a) The composition of the RWB shall not include more than twenty (20) members and must meet the following criteria:
 - A majority (at least 51 percent) of the RWB members shall represent businesses in the local area who:
 - Are owners of a business, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority.
 - Represent businesses, including small businesses, or organizations representing businesses that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations.
 - Are appointed from individuals nominated by local business organizations and business trade associations.

- Not less than 20 percent of the RWB members shall be representatives of the workforce within the local area who:
 - Shall include at least two representatives of labor organizations nominated by local labor federations. For a local area in which no employees are represented by such organizations, at least two other representatives of organizations representing employees will be included.
 - Shall include at least one representative of a labor organization or a training director from a joint labor-management apprenticeship program. If no union affiliated registered apprenticeship programs exist in the area, a representative of a non-union affiliated registered apprenticeship program must be appointed, if one exists.
 - May include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that serve veterans or provide and support competitive integrated employment for individuals with disabilities.
 - May include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives or organizations that serve out-of-school youth.
 - Each RWB shall include representatives of entities administering education and training activities in the local area who:
 - Shall include a representative of eligible providers administering adult education and literacy activities under Title II of WIOA.
 - Shall include a representative of institutions of higher education providing workforce investment activities, including community colleges.
 - May include representatives of local educational agencies and community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment.
 - Each RWB shall include representatives of economic and community development as well as governmental entities serving the local area who:
 - Shall represent economic and community development entities serving the local area.
 - Shall represent programs carried out under Title I of the Vocational Rehabilitation Act of 1973 serving the local area.
 - Shall represent the state employment service office under the Wagner-Peyser Act.
 - May include representatives of agencies or entities administering programs serving the local area relating to transportation, housing, and public assistance.
 - May include representatives of philanthropic organization serving the local area.
- (b) Each RWB may include other individuals as the CLEO deems to be appropriate, so long as the membership of the RWB does not exceed twenty (20) members.
- (c) The members of the RWB must elect a chairperson for the RWB from among the representatives of business. Upon leave of a Chairperson, a RWB shall elect a new

Chairperson within one meeting of the RWB. Failure to elect a Chairperson within one meeting shall result in the selection of a Chairperson by the CLEO.

- (d) An individual may be appointed as a representative of more than one entity if the individual meets the criteria for representation of each entity respectively.
- (e) Notice must be given to the AWB and the Secretary of Workforce upon the appointment or leave of any RWB member within 14 days of the action.

2. **RWB Membership Terms.** The terms of the RWB membership shall be four (4) years. Member terms will be staggered so all terms do not expire at the same time. After June 30, 2025, the CLEO shall appoint, or reappoint, RWB members, by lot, to a sequence of staggered one-, two-, three-, and four- year terms of office to ensure that only a portion of the RWB membership expires each year.

3. **RWB Member Nominations.** Nominations shall be solicited by the CLEO from entities of business, government, or community development. Nominations must come from the heads of organizations representing businesses, labor, education, and economic and community development. The CLEO acts as the signatory on behalf of the other LEOs and has final authority to select members to serve on the RWB. To approve the nomination of each individual selected to serve on the RWB, the following documentation is required:

- (a) A Nomination Form signed by the CLEO; and
- (b) A Conflict-of-Interest Form signed by the nominee to the RWB; and
- (c) A recommendation letter from the head of the organization the nominee represents. This letter must identify the individual being nominated and must also acknowledge the nominee's optimum policymaking authority. Additionally, the CLEOs shall ensure that the composition of the RWB is fair and equitable across the RWB. Staff to the RWB, fiscal agent staff, staff employed by one-stop operators, and contracted service providers shall be prohibited from both nominating members to the RWB or serving on the RWB to avoid conflicts of interest.

4. **RWB Member Appointment and Certification.** The AWTA requires CLEOs to consult with the Secretary of Workforce before making appointments to RWBs. RWB member appointments must be signed by the CLEO and submitted to the chair of the RWB, the chair of the AWB, and the Secretary of Workforce using the RWB Member Nomination Form. Completed nomination forms and required documents as listed above must be submitted to the Department of Workforce at RWB@workforce.alabama.gov for review. Once the nomination form has been reviewed, the RWB will receive a follow-up letter of certification or denial within seven (7) business days; the letter will also make a request for additional information when submitted documentation is insufficient to decide. The member may not be seated on to the RWB until a certification letter from the Department of Workforce has been received to affirm the appointment. A member who has a change of employment that results in a change of membership classification must resign or be removed by the CLEO immediately as a representative of that entity.

5. **RWB Member Resignations and Vacancies.** Resignations shall be submitted to the CLEO and RWB chairperson. A vacant position resulting from a resignation shall be filled by the CLEO. When appointing individuals to fill vacancies on the RWB, the CLEO shall endeavor to maintain the twenty-member maximum RWB membership

and the required balance of business, workforce, and government representatives on the RWB. The CLEO, with the consent of the RWB Chair, may declare a vacancy when any non-ex officio member misses three consecutive RWB meetings without good cause. Members who provide notification verbally or in writing, including email, shall be deemed to have good cause. Any vacancy occurring on the RWB will be filled in a reasonable time, as defined as the period between the date of resignation and the date of the second subsequent regularly scheduled RWB meeting, and not to exceed twelve (12) months.

6. **RWB Member Removal.** A member of the RWB will be removed for cause by the CLEO, if any of the following occurs:
 - (a) documented violation of conflict of interest;
 - (b) failure or refusal to work cooperatively with the RWB and to abide by the bylaws;
 - (c) documented proof of fraud or abuse; and
 - (d) failure to meet RWB member representation requirements as defined in WIOA.

Removal of a member shall also constitute removal as an officer of the RWB and as a member of all committees of the RWB. Intent to remove a member must be stated in the call of the meeting and be provided to all voting members at least five (5) days prior to the meeting. A member who has a change of employment that results in a change of membership classification must resign or be removed by the CLEO immediately as a representative of that entity. Documentation of RWB member violation and subsequent removal will be maintained by the RWB in the form of attendance logs, conflict of interest forms and other documentation deemed necessary. A Board member subject to removal may appeal by submitting a letter in writing within thirty (30) days of removal to the CLEO stating reasons to remain as an active member of the Board. A committee of LEOs will review the appeal and decide prior to the next scheduled date of the RWB.

7. **RWB Member Alternates.** Alternates may be designated by an RWB member to attend a meeting. Alternates must be designated prior to the meeting. Alternates should be individuals representing the same category as the appointed member and who have experience, expertise, and optimum policy-making authority. Alternates may be designated on an annual basis, for the RWB member's term, or on a per-meeting basis. The designation, to be effective, shall be submitted to the RWB Chair prior to a meeting. An alternate designated following the above instructions shall have full participation and voting rights.
8. **Relationship Between Chief Elected Officials and the Local Workforce Development Board. Local Plan Requirements.** The CLEO, in partnership with the RWB, shall develop and submit to the Secretary of Workforce, the AWB, and the Governor a four (4) year local plan. The local plan shall support the strategy described in the state plan, in accordance with WIOA § 102(b)(1)(E), and shall otherwise be consistent with the state combined WIOA plan and the Strategic Workforce Plan. At the end of the first two (2) year period of the four (4) year local plan, each CLEO and RWB shall review the local plan. The CLEO, in partnership with the RWB, shall prepare and submit modifications to the local plan to reflect changes in labor market and economic conditions or in other factors affecting the implementation of the local plan. The local plan, and any modifications to the local plan,

shall be published to the RWB's website for public comment for no less than thirty days prior to its approval by the RWB and its transmission to the Secretary of Workforce, the AWB, and the Governor.

9. **Local Budget Development and Approval.** The RWB shall develop a budget, for the activities of the RWB, consistent with the local plan, State WIOA Plan, and the Strategic Workforce Plan, and subject to the approval of the Secretary of Workforce and the Executive Committee. The RWB will approve the budget by majority vote. The CLEO, on behalf of the RWB, shall submit an annual budget request to the Secretary of Workforce and the Executive Committee that is consistent with the Strategic Workforce Plan and WIOA State plan required by § 25-15-6, Code of Alabama 1975. A RWB's annual budget submission shall demonstrate that the membership of the RWB satisfies the relevant WIOA state workforce development board membership requirements, including the requirements set forth in WIOA and the Alabama Workforce Transformation Act, including the requirement that a regional workforce board may not exceed twenty (20) members. A RWB may not expend state or federal workforce development funds except pursuant to a categorical annual budget approved by the Secretary of Workforce.
10. **Workforce System Operator and Service Provider(s).** Consistent with WIOA § 107(d)(10) and the AWB policy, RWBs, in consultation with the CLEO, are responsible for the oversight and selection of the One-Stop Operator and Career Service Provider(s) of the local Workforce System. RWBs must designate an One-Stop Operator for their LWDA that will ensure seamless service delivery within each one-stop career center. Consistent with WIOA § 121(d), the RWB, with the agreement of the CLEO:
 - (a) Shall designate or certify one-stop operators and service providers through a competitive procurement process as described in § 121(d)(2)(A); and
 - (b) May terminate for cause the eligibility of such operators and services providers as documented through regular monitoring and oversight, and reporting to the RWB.
 - (c) To conduct a competitive process for the selection of a one-stop operator and service providers in accordance with § 121(d)(2)(A), the RWB, with the agreement of the CLEO, shall issue a Request for Proposal for a designated period, with public notice being provided through print and/or electronic means. Proposals received shall be reviewed by a committee approved by the RWB.
 - (d) The review committee shall make a recommendation to the RWB for selection of the One-Stop Operator and service provider(s). The selected Operator and service provider(s) shall enter a contract with the RWB as developed by the Department of Workforce.
 - (e) In the event the RWB is selected as a one-stop operator, through a competitive process conducted by the Department of Workforce, shall establish sufficient "firewalls" and conflict of interest policies and procedures consistent with AWB's Conflict of Interest Policy.
11. **Standing Committees.** In accordance with WIOA § 107(b)(4)(A), the RWB may designate and direct the activities of standing committees to provide information and to assist the RWB in carrying out its duties. The primary purpose of standing committees shall be to consider and recommend actions and propose policies in the functional areas under their jurisdictions, subject to final approval by the RWB, including enhancing the operations of

one stop centers, providing services to youth, and providing services to persons with disabilities, among other priorities determined by the RWB. Such standing committees shall have a chair and vice-chair representing private business appointed by the RWB chairperson, may include other members of the RWB, and may include other individuals appointed by the RWB chair who are not members and who are determined to have appropriate experience and expertise. When deemed necessary or appropriate, the chairperson of the RWB may appoint temporary or ad hoc committees, including the chairperson and vice chairperson of said committee, for the purpose of special projects.

12. **Local Board Policy.** As the RWB finds the need to adopt, amend, or rescind local policy concerning services and functions for consumers of training and educational services authorized by WIOA, the RWB will consult with the Secretary of Workforce the need for the policy or amendment. With the approval of the Secretary of Workforce, the RWB will adopt or disallow the policy by a vote of a majority of its voting members. All policies will reflect the signature of the RWB chairperson to demonstrate that they have been formally reviewed and approved by the RWB.

13. **RWB Roles and Responsibilities.** The RWB's role is to develop a comprehensive high quality workforce system, through collaboration with its workforce and education partners, that supports continuous improvement in employment, training, and education programs, and promotes economic growth that is aligned with achieving the goals of the State Strategic Workforce Plan and the WIOA State Plan. In partnership with the CLEO, and consistent with WIOA § 107(d)8 and § 25-15-7, Code of Alabama, the [name of the local area] RWB shall:

- (a) **Develop a local plan consistent with the WIOA State Plan and the Strategic Workforce Plan.** the RWB, in partnership with the CLEO for the Local Area involved, shall develop and submit an annual and four-year comprehensive local plan to the Governor and Secretary of Workforce that is consistent with the State Plan and meets the requirements in WIOA § 108. Prior to submission, the RWB must provide an opportunity for public comment on the development of the local plan before submitting the plan to the AWB.
- (b) **Labor Market Information.** Publish, for core and partner agency and public use, workforce research and regional labor market analysis using primary state labor market information provided by the department.
- (c) **Convene Stakeholders.** Convene local workforce development system stakeholders to assist in the development of the local plan.
- (d) **Engage Diverse Stakeholders.** Develop and implement proven or promising strategies for meeting the needs of employers, that provide the skilled workforce needed in the region, and that expand employment and career advancement opportunities for workforce development participants in in-demand industry sectors or occupations. Ensure business services and strategies are reflected in the local plan that meet business needs and demands pursuant to WIOA § 106.
- (e) **Develop and Implement Career Pathways.** Develop effective linkages with employers and business intermediaries to support employer utilization of the local workforce development system and to support businesses. Ensure the workforce investment activities meet employer needs and support economic growth by enhancing communication, coordination, and collaboration among employers,

economic development entities, and service providers.

- (f) **Identify and Promote Promising Practices.** The RWB shall lead efforts in the Local Area to identify and promote proven and promising strategies and initiatives for meeting the needs of employers, workers, and jobseekers. As part of these efforts, the RWB shall identify and disseminate information on proven and promising practices carried out in other LWDA's, other states, and other countries.
- (g) **Integrate Data and Technology Systems.** Facilitate connections among the intake and case management information systems of partner programs to support a comprehensive workforce development system in the LWDA. Identify strategies for better meeting the needs of individuals with barriers to employment, including strategies that augment traditional service delivery and increase access to services and programs of the one-stop delivery system, such as improving digital literacy skills.
- (h) **Conduct Workforce Program Oversight.** The RWB, in partnership with the CLEO for the LWDA, shall conduct oversight for youth workforce investment activities, employment and training activities, and the one-stop delivery system to ensure the appropriate use and management of funds provided for WIOA activities.
- (i) **Negotiate Local Performance Accountability Measures.** The RWB, CLEOs, and the Governor shall negotiate and reach agreement on local levels of performance based on the State adjusted levels of performance as described in WIOA § 116(c). The provision identifies establishing targets based on an objective statistical model considering numerous factors, including regional economic conditions, in-demand industry sectors and occupations, employment needs of employers and the regional economy. The State Plan will include a description of the requirements.
- (j) **Select One-Stop Operators and Providers.** The RWBs shall designate, certify, or terminate for cause:
 - One-Stop operators as described in WIOA § 121(d)(2)(A);
 - Youth providers, based on the results of the youth standing committee; and,
 - Eligible providers of career services, if the one-stop operator does not provide career services described in WIOA § 134(c)(2) in a LWDA.
 - The RWB shall work with the AWB and the Alabama Department of Workforce, and other relevant state agencies, to ensure there are sufficient numbers and types of providers of career services and training services for the LWDA. For example, the RWB shall ensure that there are sufficient eligible providers with expertise in assisting individuals with disabilities and eligible providers with expertise in assisting adults in need of adult education and literacy activities.
- (k) **Foster Accessibility for Individuals with Disabilities.** The RWB shall annually assess the physical and programmatic accessibility, in accordance with WIOA § 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et. seq.), of all one-stop centers in the local area.
- (l) **Develop Budgets and Leverage Resources.** The RWBs shall develop a budget for activities of the RWB in the local area, consistent with the local plan and the duties of the RWB, subject to the approval of the CLEO. The CLEO shall serve as the local grant recipient for, and shall be liable for any misuse of, the grant funds allocated to the local area under WIOA § 128 and § 133, unless the CLEO reaches an agreement with the Governor for the Governor to act as the local grant recipient and bear such liability. The CLEO or the Governor, where the Governor serves as the local grant recipient for

- a local area, may designate an entity to serve as a local grant subrecipient for such funds or as a local fiscal agent. Such designation shall not relieve the CLEO or the Governor of the liability for any misuse of grant funds as described above. The RWB may accept grants and donations from sources other than federal funds made available under this Act with the permission of the Secretary of Workforce and the CLEO. For purposes of carrying out duties under this Act, RWBs may incorporate, and may operate as entities described in § 501(c)(3) of the Internal Revenue Code of 1986 that are exempt from taxation under § 501(a) of such Code.
- (m) **Transparent Practices.** Conduct business in an open manner by complying with the Alabama Open Meetings Act, making available to the public information about the activities of the RWB, including the local Strategic Plan during the public comment period before submission and after its approval, RWB membership, designation of the local One-Stop Career System Operator, awards of grants or contracts, and minutes of RWB meetings.
- 14. RWB Staff.** Each RWB will be assigned a director and other staff by the Secretary of Workforce to assist in carrying out RWB responsibilities. RWB staff shall be subject to the limitations on the payment of salaries and bonuses described in WIOA § 194(15).
- 15. Dispute Resolution.** If an impasse should arise between the CLEO and the RWB regarding the terms and conditions, the performance, or administration of this Agreement, the parties agree to attempt to resolve disputes by mutually satisfactory negotiations in lieu of litigation. To this effect, they shall consult and negotiate with each other in good faith, and recognizing their mutual interests, attempt to reach a just and equitable solution satisfactory to all parties. If a committee is formed from members of the body to resolve the dispute, the committee shall be the final adjudicator and report the resolution to the full RWB. Continued performance during disputes is assured.
- 16. Amendment(s).** It is agreed that no modification, amendment, or alteration of the terms or conditions contained herein shall be effective unless contained in a written document executed with the same formality herewith. All amendments or changes must be submitted to the RWB and the Department of Workforce. No unilateral alteration of this Agreement shall be made. Modification to the Agreement by any LEO must be mutually negotiated and all requests to modify the Agreement must be presented in writing to the CLEO, RWB chair, AWB Chair, and the Secretary of Workforce.
- 17. Effective Date.** This Agreement and any amendments hereto shall be effective between and among each county adopting this Agreement as of the date of the signing by the CLEO, pursuant to the Governor's designation of the aforementioned [number of counties] counties, for execution of activities authorized by WIOA.
- 18. Termination and Duration of Agreement.** This Agreement becomes effective upon acceptance by all parties for execution of activities authorized by WIOA and shall remain in force until such time a LEO calls for a modification, amendment, alteration of the terms or conditions contained herein or a maximum of two (2) years from the latest fully

executed agreement. A newly elected RWB Chair or CLEO, either participating as a signatory on the Agreement or as a participating LEO, shall submit an addendum acknowledging that he or she has read, understands, and will comply with this LEO Agreement, and reserves the option to request negotiations to amend the Partnership Agreement at any time during the official's tenure as a LEO.

Name _____

Title _____

County Commission _____

Signature _____

Date _____

Name _____

Title _____

County Commission _____

Signature _____

Date _____