



Quarterly Board Meeting Draft Minutes May 19, 2022; 1:30- pm – 3:30pm

In person option 500 Mero Street OR Join from PC, Mac, Linux, iOS or Android:
<https://us06web.zoom.us/j/81323745976?pwd=SXpWNm1rbVppeklITmVxYXI3b3J4UT09>
 Password: s139eW

1:31 PM CALL TO ORDER

Kim Menke, New KWIB Chair, called the meeting to order and welcomed the board, staff and guests. He went over “housekeeping” items for conducting the board business.

Debbie Dennison, KWIB staff shared in the passing of member, Dr. Julie Whitis, and called for a moment of silence. Roll was called and below were in attendance:

KWIB (Kentucky Workforce Innovation Board) MEMBERS PRESENT:

Kevin Smith	B&I	X	Kim Humphrey	B&I	X
Amy Luttrell	WF	X	Lt. Governor Jacqueline Coleman		
Heidi Margulis	B&I	X	Lynn Parrish	B&I	X
Kim Menke	B&I	X	Mary Pat Regan		
Lori Ulrich	B&I		Mayor Robert Blythe	Local	X
Scott Pierce	WF	X	Michael Buckentin (PROXY Megan Watkins)	B&I	X
Beth Davisson	B&I	X	Representative Bobby McCool	Legislative	
Jimmy Staton	B&I		Keith Sparks	B&I	X
Cora McNabb	CORE	X	Ryan Holmes	B&I	X
Dianne Owen	WF	X	Sadiqa Reynolds (PROXY) – Lisa Thompson	WF	X
Dr. Aaron Thompson (PROXY) – Rick Smith		X	Secretary Jamie Link (Dep Secr Wise)		X
Dr. Jason Glass (PROXY) – David Horseman		X	Secretary Larry Hayes (PROXY Sarah Butler)		X
Governor Andy Beshear			Secretary J. Michael Brown		
Pres Dr. Paul Czarapata		X	Senator Jimmy Higdon	Legislative	X
Dr. John Gregory	CORE	X	Sharon Price (PROXY James Cole)	WF	X
Jonathan Webb (PROXY Amy Samples)	B&I	X	Suhas Kulkarni	B&I	
Judge Exec. Micheal Hale	Local		Bo Matthews (PROXY Justin Browning)		X
Todd Dunn	WF		Tony Georges	B&I	X
Terry Sexton	WF	X	Karen Trial	B&I	X
Kevin Butt	B&I				

QUORUM REACHED – 18 members of 31 voting members attending were B&I / WF representatives (satisfying ROP)

Cabinet and administration Updates:

Deputy Secretary Vickie Wise, and Stefanie Ebbens Kingsley, Executive Director of the KWIB, shared updates provided Secretary Link of the newly merged Education and Labor Cabinet. In the 2022 Regular Session, the Kentucky General Assembly passed SB180, which was subsequently signed by Governor Beshear, merging the Kentucky Labor Cabinet and the Kentucky Education and Workforce Development Cabinet, forming the Kentucky Education and Labor Cabinet effective July 1, 2022. This merged cabinet will provide comprehensive services to Kentucky citizens and employers to address workforce development, participation, and protection. These services will include education, training, and apprenticeship opportunities; skills assessment; job placement; career services; workplace safety and health; workers compensation; and unemployment insurance. She welcomed Kim Menke as new Chair.

Statement from the Chair

Kim Menke, new Chair of the KWIB, thanked Kevin Smith, past-Chair of the KWIB for his help in transition and looks forward to getting more people involved in the workforce in Kentucky.

KWIB Business:

Stefanie Ebbens Kingsley updated the board on the work of the collaborative in state plan modification working groups, as well as preparing to gather and review the funding sources (federal and state) in the coming weeks. Information on the updated comments from the state plan can be viewed on the [website](#) and the edits will be sent to the Local Workforce Development Directors. The next full board meeting is May 23rd and the Metrics working group committee meeting is May 25th. Information on these and other meetings can be found on the KWIB site under [Schedule of Meetings](#).

She walked through the consent agenda and referred to the pre-read packet provided to the board members and touched on each topic briefly before asking for the Chair to adopt.

Consent Agenda items included:

- Minutes of March 17, 2022, Meeting –previous minutes were included in the pre-read materials for the meeting.
- One-Stop Certification Recommendations
- Work Ready Community Recommendations
- CTE Recommendations
- **Adopt By Law Changes** (originally on the agenda, was moved to August 18th meeting to allow for further discussion and review). Request to remove made by Kim Menke.

Heidi Margulis *motioned to approve the consent agenda as modified*; **Scott Pierce** seconded the motion. **Motion carried** unanimously.

Data/Metrics Update

Scott Secamiglio, Director of Visual and Analytics for KY STATS, updated the group on new reports that have been added to KYSTATS website. State that we are recovering faster than in 2008 after the recession.

Website updates include:

https://kystats.ky.gov/Reports/Tableau/2022_EnergyDash and further explore the KYSTATS reports on education and the workforce here > <https://kystats.ky.gov/Reports/Reports>

Committee work

Work Ready Communities Committee - Stefanie provided updates to include calls to be set up with stakeholders making sure we are measuring successes and identifying eligible workers in area, and will be reaching out to partners to help brainstorm other ways to center, highlight and lift up the Work Ready Community initiatives and tie it to other Cabinet Initiatives. Stefanie welcomed new members and for those interested, please reach out to her (sebbenskingsley@ky.gov) or Lori Ulrich, Chair (lulrich@fme.coop).

Workforce Participation and Sustainability Committee – Amy Luttrell, Committee Chair, shared with the committee that the **Family Resource Simulator (FRS)** video was completed and a plan to roll out to various audiences is being prepared. Additionally, we now have funding for analysis of the benefit cliff, building on information the FRS provides, to generate policy recommendations. This project is for a maximum of \$100,000.00 and expires December 2022. KWIB and Stefanie Ebbens-Kingsley are the leads on this project.

Amy shared that the *Veterans and Transitioning Servicemembers (VATS)* sub-committee had reconvened and are tying together current resources and identifying how the KWIB can assist those in that space. Dr. Gregory, Executive Director of the Office of Adult Education asked to be added to the sub-committee.

She also updated the board of the work the *Opportunity Youth and Young adults* sub-committee to include lifting up best practices for youth in each of the local workforce development areas. Additionally, the sub-committee is collaborating with the *Sector Strategies* sub-committee of the KWIB to review existing work-based learning (WBL) resources and to lift up communication pieces to encourage and educate employers on the pathways and resources available. For more information, please refer to past meeting minutes located on the KWIB site under [Schedule of Meetings](#).

Education attainment and Employer Engagement Committee – Beth Davisson, Committee Chair, shared updates to include the sector / career review that is currently underway through the Sector Strategies sub-committee. Work alongside KYSTATS and other shareholders is being conducted in hopes of sharing a formal process and recommendations at the next KWIB meeting.

Additionally, the Career and Technical Education (CTE) sub-committee continues to review submitted certification request in a more dynamic way. Information on the process and [current technical certifications](#) can be found by visiting the KWIB site.

Resource Alignment and Funding Committee – Kim Menke, KWIB Chair / Committee Chair, referred back to the comments made earlier by Stefanie Ebbens Kingsley about the metrics committee, and reminded the board that the active work being done through the Collaborative has included *State Plan* review required by the Department of Labor; *Metrics* review to identify funding allocations through WIOA, Wagner Peyser and other streams for review and discussion. *Memorandum of Understanding (MOU)* and *Infrastructure Funding Agreement (IFA)* review and statutory recommendations are ongoing.

New Business

Kim Menke, KWIB Chair, announced that Lori Ulrich of Fleming-Mason Energy, and Work Ready Communities Committee Chair has been named as Vice-Chair of the KWIB. Her service as a past local board chair provides

her with a unique understanding of the requirements and challenges in the local space. Kim also confirmed that Kevin Smith will continue to assist through the transition. Finally, the Bylaw discussion will be on-going and include restructuring the Executive Committee (discussion to continue on the number of years one can serve and number of members).

Closing comments

Kim reminded the board that the next board meeting will be on August 18, 2022, at 1:30pm and we will have an in-person option for board members and a virtual option as well for guests. Kim asked for any final comments and otherwise *motioned to adjourn*; **Scott Pierce** *seconded* the motion. **Motion carried.**

2:43PM **ADJOURNMENT**

DRAFT

THE KENTUCKY WORKFORCE INNOVATION BOARD

BY-LAWS

ARTICLE I

NAME AND AUTHORITY

The Kentucky Workforce Innovation Board (“Board”) has been established in accordance with the Workforce Innovation and Opportunity Act and is the State Workforce Development Board for Kentucky. The principal office of the Board shall be located at 500 Mero Street, 4th Floor, Frankfort, Kentucky 40601. The Board serves as the Governor’s advisory board for the Kentucky workforce development system. The Board was reestablished through Executive Order 2020-857, dated October 7, 2020, which is attached and hereby incorporated by reference. The following By-Laws contain the requirements specified in 20 C.F.R. § 679.110(d).

ARTICLE II

GOALS AND PURPOSE

SECTION 1. The primary goals of Kentucky’s workforce development system are to create and retain jobs in the Commonwealth by enabling Kentucky residents to acquire the competencies, skills, supportive services, and education necessary to support themselves and their families, and to provide Kentucky employers with a skilled and educated workforce to remain competitive in a dynamic global economy.

SECTION 2. The Board’s purpose is to assist the Governor in creating an integrated statewide strategic plan for the workforce development system of Kentucky which will link workforce policies, education and training programs, and funding with the economic development needs of the Commonwealth and its areas and regions. Specifically, in accordance with 20 C.F.R. § 679.130, the Board will assist the Governor with:

- (1) Development, implementation, and modification of the 4-year State Plan;
- (2) Review of statewide policies, programs, and recommendations on actions that must be taken by the State to align workforce;
- (3) Development and continuous improvement of the workforce development system;
- (4) In conjunction with the Department of Workforce Investment, develop and update comprehensive State performance and

accountability measures to assess core program effectiveness under WIOA sec. 116(b);

- (5) Identification and dissemination of information on best practices, including best practices for operation of the One-Stop centers, development of effective Local Workforce Development Boards, and effective training programs;
- (6) Development and review of statewide policies affecting the coordinated provision of services through the State's One-Stop delivery system described in WIOA sec. 121(e);
- (7) Development of strategies for technological improvements to facilitate access to, and improve the quality of services and activities provided through the One-Stop delivery system;
- (8) Development of strategies for aligning technology and data systems across One-Stop partner programs to enhance service delivery and improve efficiencies in reporting on performance accountability measures;
- (9) Development of allocation formulas for the distribution of funds for employment and training activities for adults and youth workforce investment activities, to local areas as permitted under WIOA secs. 128(b)(3) and 133(b)(3);
- (10) In conjunction with the Department of Workforce Investment, Preparation of the annual reports described in paragraphs (1) and (2) of WIOA sec. 116(d);
- (11) Development of the statewide workforce and labor market information system described in sec. 15(e) of the Wagner–Peyser Act; and
- (12) Development of other policies as may promote statewide objectives for and enhance the performance of the workforce development system in the State.

SECTION 3. The Board shall develop and issue policies, guidance, and manuals in coordination with the Governor and the Department of Workforce Investment.

ARTICLE III GENERAL MEMBERSHIP

SECTION 1. The composition of the Board and length of members' staggered terms is specified in Executive Order 2020-857 and aligns with the requirements of the Workforce

Innovation and Opportunity Act. Members of the Board were initially appointed by the Governor to serve staggered terms and thereafter shall serve terms of three (3) years. Board members representing the business and workforce categories shall not serve more than two (2) full, consecutive three-year terms. Any vacancy shall be filled for the balance of the unexpired term in the same manner as the original appointment. Members of the Board may continue to serve beyond the expiration of their terms until their successors are appointed. Should a member retire, or leave the industry in which they represent, the Governor's Office of Boards and Commissions will assess whether the member still meets the business and industry requirements for membership.

SECTION 2. The membership of the Board shall include 31 voting members and nine (9) non-voting members appointed by the Governor. The Board membership shall reflect statewide geographic and diverse population representation. Members of the Board, and non-members serving on committees or workgroups, shall serve without compensation, but may be reimbursed for all actual and necessary expenses incurred in connection with their duties in accordance with state travel expense and reimbursement administrative regulation.

SECTION 3. Board Member nominations shall be directed to the Governor's Office of Boards and Commissions, who shall bring forth eligible candidates for consideration by the Governor. The Governor shall appoint the Chairperson of the Board ("Board Chair") from the business representative membership to serve at the pleasure of the Governor. The Board Chair shall appoint a Vice-Chair and an Executive Committee. Executive Committee members shall serve a term of two (2) years, and no member shall remain on the Executive Committee for more than two (2) consecutive terms. The Executive Committee shall have at least seven (7) members and may have up to nine (9) members at the discretion of the Board Chair.

SECTION 4. As a general condition of Board membership, each member appointed or any authorized designee must have optimum policy-making authority as defined in 20 C.F.R. § 679.120. A member cannot represent an entity in more than one (1) of the following three (3) categories: business representatives, workforce representatives, or government representatives. Except where a single government agency is responsible for multiple required programs, a member shall not represent more than one (1) entity within a category.

SECTION 5. A Board member may resign at any time by filing a written resignation with the Board Chair, the Executive Director of the Office of the Kentucky Workforce Innovation Board ("Executive Director"), and the Governor's Office of Boards and Commissions. All vacancies shall be immediately reported, in writing, to the Executive Director, who shall notify the Secretary, Kentucky Education and Labor Cabinet, and the Governor's Office of Boards and Commissions within five (5) business days of receiving notice of the vacancy.

ARTICLE IV
ETHICS AND CONFLICTS OF INTEREST

- SECTION 1.** Board members and the non-members serving on committees and workgroups of the Board are subject to the provisions of Executive Orders 2008-454 and 2009-882 as well as the gift and conflict of interest rules for Executive Branch public servants set forth in KRS Chapter 11A. Any unresolved conflict of interest issue shall be submitted to the Ethics Officer for the Kentucky Education and Labor Cabinet for review and recommendation.
- SECTION 2.** A member of the Board may not vote on a matter under consideration regarding the provision of services by such member (or by an entity that such member represents) or that would provide direct financial benefit to such member or the immediate family of such member.
- SECTION 3.** If a matter before the Board presents a conflict of interest for a Board member, she or he shall bring the conflict of interest to the attention of the Board Chair and shall recuse himself or herself from participating in discussion and/or voting on the matter by leaving the meeting. The member's recusal shall be reflected in the meeting minutes. The member may return to the meeting once the discussion and voting on the matter has concluded.
- SECTION 4.** It shall not be a conflict of interest for a Board member to serve on a Local Workforce Development Board, as defined by section 107 of Workforce Innovation and Opportunity Act. Members are required to adhere to Article IV, Section 3 of these By-Laws if a matter before the Board presents a conflict of interest with members' membership on a Local Workforce Development Board.

ARTICLE V
BOARD MEETINGS

- SECTION 1.** The Board shall meet at least four times each calendar year at such time and place as designated by the Board Chair in coordination with the Executive Director. In order to promote Board member participation at the meetings, members may attend in-person or through web-based video conferencing software (e.g., Zoom).
- SECTION 2.** The Executive Director shall provide members with a written schedule of all regular meetings for the upcoming year. Special meetings of the Board may be called by the Board Chair as circumstances require.

- SECTION 3.** Meeting information, including the dates, times, locations, video conference links, and agendas, for all Board meetings, Board committees and task forces, shall be posted on the Kentucky Workforce Innovation Board website.
- SECTION 4.** The Board Chair shall approve an agenda for each meeting. Members shall submit a written request for consideration of an agenda item to the Board Chair and Executive Director no less than five business days in advance of the meeting. The agenda item may be placed on the meeting’s agenda at the discretion of the Board Chair in consultation with the Executive Director.
- SECTION 5.** If a Board member is unable to attend a meeting, he/she may assign a proxy or designee to attend the meeting on his/her behalf if the designee meets the requirements of 20 C.F.R. § 679.110(d)(4) and 20 C.F.R. § 679.120. If a member assigns a designee to attend a meeting, that member must notify the Board’s Chair and Executive Director in writing at least 24 hours prior to the meeting date of the name of the designee and attest that the designee meets the applicable requirements of 20 C.F.R. § 679.110(d)(4) and 20 C.F.R. § 679.120.
- SECTION 6.** The Executive Director shall keep proper records of all meetings in typewritten form and maintain all records in accordance with the General Records Retention Schedule for State Agencies. The written minutes approved by the Board, Committee or Task Force shall be the official record. A copy of the official minutes shall be posted on the Kentucky Workforce Innovation Board website.
- SECTION 7.** In addition to attending Board meetings, Board members are invited and encouraged to participate in all workforce activities across the Commonwealth and in their respective areas, such as employer-focused meetings, hiring functions, and employer round table meetings. These activities aim to engage members in convening the workforce development system’s stakeholders, brokering relationships with a diverse range of employers, and leveraging support for workforce development activities.

**ARTICLE VI
QUORUM AND ATTENDANCE**

At all Board meetings, a quorum shall be a majority of the members appointed to the Board. Attendance is required at all meetings. Board members who miss more than two regularly scheduled Quarterly Business Meetings of the Board in a 12-month period may be subject to replacement at the discretion of the Governor upon the advice of the Board Chair and Executive Director as appropriate.

**ARTICLE VII
VOTING & NEW BUSINESS/MOTIONS**

- SECTION 1.** New business orders or motions must be filed in writing with the Executive Director and Board Chair at least five business days before a regularly scheduled meeting of

the Board in order to be included on the agenda for that meeting. Orders or motions so filed with the Executive Director and Board Chair will be placed on the agenda and copies will be supplied to Board members in advance of the meeting. Requests for new business orders or motions filed later than five business days before the regularly scheduled meeting shall be placed on the agenda at the discretion of the Board Chair in consultation with the Executive Director.

SECTION 2. Votes of the Board shall be taken by voice vote. A vote shall be taken by yeas and nays when at least one member of the Board so requests.

SECTION 3. Any member may request immediate consideration of any matter on the agenda. If any member objects, the matter must be referred to the Chair for action at its next meeting. This rule may not be suspended unless two-thirds of the membership present agrees.

ARTICLE VIII OPEN MEETINGS

SECTION 1. The Board shall adhere to Open Meeting requirements as specified in the Kentucky Open Meetings Act, KRS 61.800 *et seq.*

SECTION 2. All meetings of the Board shall be open to the general public. Those members of the public in attendance at any meeting of the Board may address the Board only with the prior approval or at the request of the Board Chair.

ARTICLE IX COMMITTEES AND TASK FORCES

SECTION 1. The Board shall establish an Executive Committee. The Executive Committee shall be made up of the Board Chair (who shall also be chair of the Executive Committee), the Vice Chair and include private industry and workforce representatives appointed by the Board Chair to ensure representation of the major groups identified in the Workforce Innovation and Opportunity Act. The Executive Committee is empowered to meet on an interim basis between regular full Board meetings and make emergency or time-sensitive decisions when necessary. The Executive Committee shall monitor the work of other Board committees, task forces, and the Board staff and make policy recommendations to the Board. Specifically, the Executive Committee may provide guidance and recommendations to the Board in the areas of strategic planning, legislation, operations, and other areas. The Executive Committee may also assist in the development of board meeting agendas.

SECTION 2. Issues that are of importance to the Board may be referred to a committee or task force. The Board Chair may appoint, authorize, or abolish committees, task forces

or other bodies to serve the Board. The Board may invite non-members, to be approved by the Board Chair, to serve on committees and task forces created by the Board.

SECTION 3. The Board Chair will appoint chairs to Board committees and task forces. Each committee or task force will have a specific mandate with clear timelines for addressing the questions put to them by the membership or the appointing authority. Board staff shall provide a resource person for each committee upon consultation with the committee chairperson. The committees may be staffed and attended by other workforce partners, education partners, or interested non-profit partners who express an interest in the subject matter but are not full members of the KWIB.

SECTION 4. Meetings of committees may be called by the committee chairperson. Committees may hold meetings concurrently with other committees. All committee members shall be notified in writing as to the date and time of the committee meeting

SECTION 5. All recommendations of these committees and task forces will be referred to the full Board membership.

ARTICLE X CONDUCT OF MEMBERS

SECTION 1. When a member speaks, he or she shall address the Board Chair and confine his or her remarks to the question under debate.

SECTION 2. No member shall be interrupted while speaking except by their consent or by a point of order; nor shall there be any conversation among the members while a question is being stated, while a member is speaking, or while there is a presentation before the Board.

SECTION 3. Board members shall strive to make their remarks succinct and productive to the discussion while speaking on any question where debate is unlimited. The Board Chair shall control Board discussions and may limit the amount of time a member may speak on a topic.

ARTICLE XI PARLIAMENTARY PROCEDURE

The Board shall be governed by Robert's Rules of Order, Newly Revised Edition, in all questions of parliamentary procedure not provided for by these By-Laws. Board members may ask questions during meetings as a point of order or point of clarification.

ARTICLE XII ADOPTION AND AMENDMENT OF BY-LAWS

SECTION 1. These By-Laws were discussed and voted on at the _____ meeting of the Board and became effective on _____. The By-Laws became effective with the approval of a majority of members present and voting.

SECTION 2. The membership shall have the power and authority to alter, amend, or repeal these By-Laws at a subsequent regularly scheduled Board meeting by the majority vote of the Board members present. Advance notice of intent to alter, amend or repeal the By-Laws must be given in writing to the members at the Board meeting preceding the meeting at which the vote will be taken.

SECTION 3. Advance notice of intent to alter, amend, or repeal any policies, procedures, or guidance shall be provided by the Executive Director to the Secretary of the Kentucky Education and Labor Cabinet.

Stefanie Ebbens-Kingsley
Exec. Director of the Office of the Board

Kim Menke, Board Chair

**Zoom Meeting Session
1:30 – 3:30 pm**

Hybrid meeting – 500 Mero Street or Zoom LOG IN INFO:

<https://us06web.zoom.us/j/81323745976?pwd=SXpWNm1rbVppeklITmVxYXI3b3J4UT09>

Password: s139eW

Telephone: 8888227517 (US Toll Free) / Conference code: 671120

-
- 1:30 CALL MEETING TO ORDER**
Welcome / Housekeeping.....*Kim Menke, CHAIR, KWIB*
Toyota Manufacturing
Roll Call.....*Debbie Dennison, KWIB Executive Secretary*
- 1:45 Cabinet Initiatives**
Cabinet for Health and Family Services..... *Eric Friedlander, Cabinet Secretary*
Education and Labor Cabinet *Jamie Link, Cabinet Secretary*
Cabinet for Economic Development.....*Sarah Butler, Deputy Commissioner, Cabinet for Economic Development*
-
- 2:00 STATEMENT FROM THE CHAIR**.....*KIM MENKE, CHAIR,*
TOYOTA MANUFACTURING
- 2:30 KWIB Business and Committee Reports**
 Director’s Report*Stefanie Ebbens Kingsley, Executive Director, KWIB*
- KAR 787 2:040 revision
 - Updates to By-Laws
 - Collaborative Updates
- 2:40 Consent Agenda**
- Minutes of March 17, 2022, meeting
 - One-Stop Certifications
 - Work Ready Community Recommendations
 - CTE Recommendations
 - Adopt By-Law Changes
- 2:50 Data / Metrics update***Scott Secamiglio*
Visual Analytics and Strategy Director, KY STATS
- 3:00 Work Ready Communities**.....*Lori Ulrich, Committee Chair*
Fleming-Mason Energy
- Workforce Participation and Sustainability**.....*Amy Luttrell, Committee Chair*
Goodwill Industries of Kentucky, Inc.
- Education Attainment and Employer Engagement** *Beth Davisson, Committee Chair*
Kentucky Chamber
- Resource Alignment and Funding**.....*Kim Menke, Chair KWIB, Committee Chair*
Toyota Manufacturing
- 3:15 New Business**..... *Kim Menke, Chair, KWIB*
- Closing Comments**..... *Kim Menke, Chair, KWIB*
-
- 3:30 ADJOURNMENT**



Quarterly Board Meeting
DRAFT MINUTES
March 17, 2022;
1:30-pm – 3:30pm

Join from PC, Mac, Linux, iOS or Android:

<https://us06web.zoom.us/j/86180444849?pwd=cDkyRnhmQnYvblBncjNudFM0NFZQU09>

Password: GBb7b5

1:31 PM CALL TO ORDER

Kevin Smith, KWIB Chair, called the meeting to order and welcomed the board, staff and guests. He went over “housekeeping” items for conducting the board business.

Kevin asked KWIB Board members to identify their presence by putting their name in the chat:

KWIB (Kentucky Workforce Innovation Board) MEMBERS PRESENT:

Kevin Smith (PROXY Lisa Banner)	x	Kim Humphrey	x
Amy Luttrell	x	Lt. Governor Jacqueline Coleman	
Heidi Margulis	x	Lynn Parrish	x
Kim Menke	x	Mary Pat Regan (PROXY Comm Marty Hammons)	
Lori Ulrich	x	Mayor Robert Blythe	x
Scott Pierce	x	Michael Buckentin (PROXY Chad Hardison)	x
Beth Davisson	x	Representative Bobby McCool	
Jimmy Staton		Keith Sparks	
Cora McNabb	x	Ryan Holmes (PROXY Thomas Benford)	x
Dianne Owen		Sadiqa Reynolds (PROXY) – Lisa Thompson	x
Dr. Aaron Thompson (PROXY) – Rick Smith	x	Secretary Jamie Link	x
Dr. Jason Glass (PROXY) – David Horseman	x	Secretary Larry Hayes (PROXY Kristina Slattery)	
Governor Andy Beshear (PROXY J. Michael Brown)	x	Secretary J. Michael Brown	x
Pres Dr. Paul Czarapata	x	Senator Jimmy Higdon	
Dr. John Gregory	x	Sharon Price (PROXY James Cole)	x
Jonathan Webb (PROXY Amy Samples)	x	Suhas Kulkarni	x
Judge Exec. Micheal Hale		Bo Matthews (PROXY Justin Browning)	x
Todd Dunn		Tony Georges	
Terry Sexton	X	Dr. Julie Whitis	
Karen Trial			

QUORUM REACHED – 14 members of 26 voting members attending were B&I / WF representatives (satisfying ROP)

Cabinet and administration Updates:

Secretary Link addressed the board with cabinet initiatives and successes. 2022 legislation is currently in session. Secretary Link and several other state staff have been visiting local workforce development area locations and Kentucky Career Center and will continue to through the year. Other plans are to visit technical schools and apprenticeship programs. It is the Governor's priority that the unification of the Education and Workforce Development and Labor Cabinets streamline the workforce process through the reorganization process. The Unemployment Insurance backlog is ongoing, but hopes are they will be caught up by year end. The cabinet is in late stages of the RFP process for a new system.

Stefanie Ebbens Kingsley, Executive Director of the KWIB, shared updates provided by Kristina Slattery of the Cabinet for Economic Development as follows: YTD, Team Kentucky has announced over \$800 mil in new investment and over 2,000 new jobs; Next Kentucky Economic Development Finance Authority meeting on 3/31 for expansions and new locations; Next Bluegrass State Skills Corporation meeting on 5/4 to award new training grant and tax credit projects

Presentation – Affordable Housing Strategies and Investments in the Commonwealth

Kevin Smith introduced the next topic being an extremely important barrier, which is affordable housing and representatives from Goodwill Industries is going to share their initiatives for housing.

Amy Luttrell, CEO of Goodwill Industries, briefly explained the reason that Goodwill is shifting towards affordable housing. The title of their plan is **Pathways Out of Poverty**. This is a shift in thinking not just about how to get individuals into stable jobs, but to change services and to form strong relationships. For example, those who have experienced the justice system or recovery, they need help overcoming barriers and to have people that believe in them. Goodwill assists 103 out of the 120 counties in Kentucky.

Rena Sharpe, Chief Operating Officer for Goodwill Industries of Kentucky, Inc. presented that they have served 7,595 individuals at intake, but that number would be a little over 10,000 if soft touches were included in the figure. They have opened Career Opportunities Center in Louisville and plan on other locations across the state, which see about 75-100 daily. Self-sufficiency pathways takes an individual from phase 1 to phase 4, which includes a career coach for life. She then explained their Self Sufficiency Matrix, which helps measure their overall work and to direct funding to the right areas. The number 1 barrier based on this matrix is housing, if people aren't stable then they can't maintain a good job. Rena went on to explain Goodwill's vision, phases, and challenges of their housing program. For more information, please review the meeting materials available on KWIB's website. Goodwill will invest \$16,000,000 in Kentucky communities in 2022.

KWIB Business:

Stefanie Ebbens Kingsley updated the board on the work of the collaborative in state plan modification working groups, as well as preparing to gather and review the funding sources (federal and state) in the coming weeks. The state plan modification included Youth waiver language and the incorporation of several recommendations received by local workforce development area partners, and others around the effects of COVID to our workforce in Kentucky.

Kevin Smith, Chair, shared that there will now be a consent agenda to approve any items that can be grouped together in order to save time during the committee meetings. If there are any items that a Board member doesn't think shouldn't be included in the consent agenda, they have the ability to speak up and that item will be pulled out to be discussed immediately following the consent vote. No objections were mentioned during this quorum.

- Minutes of November 10, 2021, Meeting – the previous minutes were included in the pre-read materials for the meeting.
- One-Stop Certifications – Jacob McAndrews, of the KWIB, explained there were three counties (Somerset, Morehead, and Maysville) that were ready for approval and about a dozen that are in the pipeline for the next Board meeting to be reviewed. Information was provided in the pre-read materials.
- Perkins Leadership Funds – Beth Davison, Chair of the sub-committee, explained what the Perkins Review Committee recommends to the KWIB, which included funding of 5 Professional Development Grant requests and an additional 14 Perkins Leadership Grant requests. All requests have been deemed allowable expenses under the law and were listed within the pre-read materials.
- WIOA State Plan Modification – Stefanie Ebbens Kingsley, KWIB’s Executive Director, explained the process the review and submittal process of the state plan. She also stated that it was submitted for review and will come back to the KWIB Board for final approval later this year.

Heidi Marquis *motioned to approve the consent agenda*; **Paul Czarapata** seconded the motion. **Motion carried.**

Data/Metrics Update

Scott Secamiglio, Director of Visual and Analytics for KY STATS, updated the group on new reports that have been added to KYSTATS website.

- [Workforce Dashboard](#)
- [Work Ready Communities Dashboard](#)
- [Workforce Overview Report for Kentucky Regions \(WORKR\)](#)
- [Dual Credit Feedback Report](#)

We are recovering faster than in 2008 after the recession.

Committee work

Work Ready Communities Committee - Lori Ulrich, Chair, shared that the next window closes March 25, 2022. The applications will be reviewed by the committee, and recommendations made at the next KWIB board meeting.

Workforce Participation and Sustainability Committee – **Amy Luttrell**, Chair, provided an update to the work of the committee around the Benefit Cliff video that was produced. The link to that video is <https://youtu.be/8aPX9KljiA>

Education attainment and Employer Engagement Committee – **Beth Davisson**, Chair lifted up the CTE certification form that is available for employers to submit through their local workforce development areas for review <https://secure.kentucky.gov/formservices/KWIB/CTECertification>. She also lifted up the work being pursued by Sector Strategies sub-committee in conjunction with the Opportunity Youth sub-committee to create a *work-based learning toolkit* for employers to further become engaged in the various “ship” on-ramp options for jobseekers to enter industry.

Resource Alignment and Funding Committee – **Kim Menke**, Chair and Co-chair of the KWIB emphasized the work of his committee in collaboration with the Education and Workforce Development Collaborative that had been meeting since November 2021. They are pulling together a form to distribute to state, local, and private and non-profit entities to understand the funding scope around workforce in Kentucky.

There was no new business identified.

Kevin Smith introduced **Dr. Kish Kumi Price**, Commissioner, Department of Workforce Investment. Dr. Price discussed the Governor’s initiative *Everybody Counts* pilot in Jefferson County Public Schools. Students can do a virtual tour to see how careers, and career growth in supporting businesses will look. More information can be found <https://governor.ky.gov/Everybody-Counts>.

Closing comments

Kevin reminded the board that the next board meeting will be on May 19, 2022, at 1:30pm and we will have an in-person option for board members and a virtual option as well for guests. Kevin asked for any final comments. **Scott Pierce** *motioned to adjourn*; **Beth Davisson** *seconded* the motion. **Motion carried.**

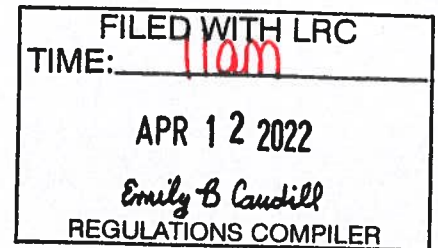
3:07 PM ADJOURNMENT

DRAFT

20 CFR 679.110 BOARD BYLAWS REQUIRED ELEMENTS

(d) The Governor must establish by-laws that at a minimum address:

- (1) The nomination process used by the Governor to select the State WDB chair and members;
 - (2) The term limitations and how the term appointments will be staggered to ensure only a portion of membership expire in a given year;
 - (3) The process to notify the Governor of a WDB member vacancy to ensure a prompt nominee;
 - (4) The proxy and alternative designee process that will be used when a WDB member is unable to attend a meeting and assigns a designee as per the following requirements:
 - (i) If the alternative designee is a business representative, he or she must have optimum policy-making hiring authority.
 - (ii) Other alternative designees must have demonstrated experience and expertise and optimum policy-making authority.
 - (5) The use of technology, such as phone and Web-based meetings, that must be used to promote WDB member participation;
 - (6) The process to ensure members actively participate in convening the workforce development system's stakeholders, brokering relationships with a diverse range of employers, and leveraging support for workforce development activities;
- and
- (7) Other conditions governing appointment or membership on the State WDB as deemed appropriate by the Governor.



1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET

2 Department of Workforce Investment

3 (Amendment)

4 787 KAR 2:040. Local workforce development area governance.

5 RELATES TO: KRS 151B.020(6), 29 U.S.C. 3101 et seq.

6 STATUTORY AUTHORITY: KRS 151B.020(6)

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 151B.020(6) requires the
8 secretary of the Education and Workforce Development Cabinet to promulgate administrative
9 regulations that are necessary to implement programs mandated by federal law, or to qualify for
10 the receipt of federal funds, and that are necessary to cooperate with other state and federal
11 agencies for the proper administration of the cabinet and its programs. This administrative
12 regulation establishes the membership criteria and operating guidelines for local workforce
13 development boards, requires interlocal and partnership agreements for local workforce
14 development areas, establishes the process for the identification of regions and designation of
15 local workforce development areas, establishes the guidelines for the hiring of staff by local
16 workforce development boards, [~~and~~]requires a written agreement for entities that perform
17 multiple functions in a local work-force development area under the Workforce Innovation and
18 Opportunity Act, 29 U.S.C. 3101 et seq., and addresses dissemination and implementation of
19 policies and guidance issued by the Kentucky Workforce Innovation Board. In addition to the
20 minimum federal requirements set forth in 29 U.S.C. 3122, this administrative regulation

1 provides further guidance and clarification necessary for effective local implementation
2 activities.

3 Section 1. Local workforce development board membership criteria and operating
4 guidelines. Each chief local elected official in a local workforce development area shall appoint
5 members to the local workforce development board and each local workforce development board
6 shall operate in compliance with the Workforce Innovation and Opportunity Act (WIOA).

7 Section 2. Interlocal agreement. Each local elected official of a unit of general local
8 government within a local workforce development area shall jointly execute a written interlocal
9 agreement that, at a minimum, complies with the Workforce Innovation and Opportunity Act.

10 Section 3. Partnership agreement. Each chief local elected official, representing the local
11 elected officials in a local workforce development area, and each designated chair, representing
12 the local workforce development board, shall jointly execute a written partnership agreement
13 that, at a minimum, complies with the Workforce Innovation and Opportunity Act.

14 Section 4. Identification of regions and designation of local workforce development
15 areas. The process and procedures for the identification of regions and the designation of local
16 workforce development areas within the Commonwealth of Kentucky shall be in compliance
17 with WIOA.

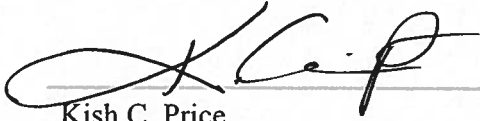
18 Section 5. Hiring of staff for local workforce development boards. Local workforce
19 development boards may hire a director and other staff in accordance with WIOA.

20 Section 6. Entities performing multiple functions in a local workforce development area.
21 Entities that have been selected or otherwise designated to perform more than one (1) function in
22 a local workforce development area shall develop a written agreement that, at a minimum,
23 complies with WIOA.

1 Section 7. Dissemination and Implementation of Policies and Guidance issued by the
2 Kentucky Workforce Innovation Board. The local workforce development boards shall
3 implement and disseminate policies, guidance, and manuals issued by the Kentucky Workforce
4 Innovation Board, in coordination with the Governor and the Department of Workforce
5 Investment, pursuant to the Workforce Innovation and Opportunity Act and accompanying Code
6 of Federal Regulations.

787 KAR 2:040

READ AND APPROVED:



Kish C. Price
Commissioner
Department of Workforce Investment
Education and Workforce Development Cabinet

4/18/2022
Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this amended administrative regulation shall be held on June 21, 2022, at 1:00 p.m. Eastern Time at the Mayo-Underwood Building Hearing Room, 500 Mero Street, 1st Floor, Frankfort, Kentucky. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through 11:59 PM on June 30, 2022. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person below.

Contact Person: Honor Barker, Deputy Commissioner, Department of Workforce Investment, 500 Mero Street, 4th Floor, Frankfort, Kentucky, 40601, phone (502) 782-3746, email honor.barker@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

787 KAR 2:040

Contact person: Honor Barker, Deputy Commissioner, Phone: 502-782-3746, Email honor.barker@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does:

The regulation directs how local Workforce Development Areas are to be governed, and adopts and implements the related provisions of the Workforce Innovation & Opportunity Act for the Commonwealth.

(b) The necessity of this administrative regulation:

This amended administrative regulation is necessary to assist the Secretary and Deputy Secretary of the Cabinet for Education and Workforce Development, Commissioner of the Department for Workforce Investment, and the Kentucky Workforce Innovation Board in carrying out their statutory duties of oversight and compliance of the local workforce development areas, as set forth in the Workforce Innovation and Opportunity Act.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

20 C.F.R. § 679.300 *et seq* sets forth the governing regulations for how local workforce development boards are to be organized, lead and staffed. The Workforce Innovation and Opportunity Act, 29 U.S.C. 3111(d), discusses the responsibility of the state to identify and disseminate information on best practices to the local workforce development areas as well as develop and review statewide policies affecting the coordinated provision of services through the state's one-stop delivery system. These requirements are also found in 20 CFR 679.130.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This administrative regulation assists in the effective and efficient administration for the Department of Workforce Investment and the Kentucky Workforce Innovation Board in implementing the related provisions of the Workforce Innovation and Opportunity Act.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

Adds an additional section to address dissemination and implementation of policies and guidance issued by the Kentucky Workforce Innovation Board.

(b) The necessity of the amendment to this administrative regulation:

The amendment addresses the need for local workforce development areas to implement and disseminate the state's policies and guidance developed and issued pursuant to the Workforce Innovation and Opportunity Act.

(c) How the amendment conforms to the content of the authorizing statutes:

The Workforce Innovation and Opportunity Act, 29 U.S.C. 3111(d), discusses the responsibility of the state to identify and disseminate information on best practices to the local workforce development areas as well as develop and review statewide policies affecting the coordinated provision of services through the state's one-stop delivery system. These requirements are also found in 20 CFR 679.130.

(d) How the amendment will assist in the effective administration of the statutes:

The amendment addresses the need for local workforce development areas to implement the policies and guidance issued at the state level to ensure continuity of workforce services across the state and appropriate administration of various workforce programs.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

This amended administrative regulation affects the Education and Workforce Development Cabinet, Department of Workforce Development; Labor Cabinet, Career Development Office; the Kentucky Workforce Innovation Board; and local Workforce Development Areas, the local Workforce Development Boards and staff.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to comply with this administrative regulation or amendment:

The Local Workforce Development Boards are expressly tasked with implementing and disseminating policies developed, reviewed, and issued by the Kentucky workforce Innovation Board, in cooperation with the Governor and the Department of Workforce Investment.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

There are no anticipated costs to any party with the proposed amendment.

- (c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

The amendment ensures that the state and local level will be operating under a defined set of policies and guidance, which will assist with continuity of workforce services across the state and appropriate administration of various workforce programs..

- (5) Provide an estimate of how much it will cost to implement this administrative regulation:

- (a) Initially:

There will be no cost to implement the modification as the state has previously issued policies and guidance to the local workforce development areas in accordance with the Workforce Innovation and Opportunity Act.

- (b) On a continuing basis:

There will be no substantive changes, and thus no costs to implement.

- (6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

The Workforce Innovation and Opportunity Act provides the funds to the Department of Workforce Investment, Division of Technical Assistance to perform all compliance and monitoring of the local workforce development areas.

- (7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

There will no increase in fees or funding.

- (8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

No fees impacted.

- (9) TIERING: Is tiering applied? Explain why or why not.

Tiering is not applied because all local areas will be subject to administrative regulation equally.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

787 KAR 2:040

Contact person: Honor Barker, Deputy Commissioner, Phone: 502-782-3746, Email honor.barker@ky.gov

1. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?

The Department for Workforce Investment and all local workforce development area boards and staff.

2. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.

This amended administrative regulation is authorized by 20 C.F.R. § 679.300 *et seq.* and provisions of the Workforce Innovation and Opportunity Act that specifically govern local workforce development boards. 29 U.S.C. 3111(d) discusses the responsibility of the state to identify and disseminate information on best practices to the local workforce development areas as well as develop and review statewide policies affecting the coordinated provision of services through the state's one-stop delivery system

3. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.
 - (a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?

No revenue will be generated for the state for the first year.

- (b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?

No revenue will be generated for the state for subsequent years.

- (c) How much will it cost to administer this program for the first year?

There will be no change in program administration based upon the amendment.

- (d) How much will it cost to administer this program for subsequent years?

The cost of administration of the Workforce Innovation and Opportunity Act varies year to year based upon the formula of funds received from the United States Department of Labor, but any additional costs brought on by this regulation will be negligible and can be absorbed through current staffing levels.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): None.

Expenditures (+/-): None.

Other Explanation: There is no fiscal impact associated with this amendment.

Code of Federal Regulations

Title 20. Employees' Benefits

Chapter V. Employment and Training Administration, Department of Labor

Part 679. Statewide and Local Governance of the Workforce Development System Under Title I of the Workforce Innovation and Opportunity Act (Refs & Annos)

Subpart A. State Workforce Development Board

20 C.F.R. § 679.100

§ 679.100 What is the purpose of the State Workforce Development Board?

Effective: October 18, 2016

Currentness

The purpose of the State Workforce Development Board (WDB) is to convene State, regional, and local workforce system and partners, to—

- (a) Enhance the capacity and performance of the workforce development system;
- (b) Align and improve the outcomes and effectiveness of Federally-funded and other workforce programs and investments; and
- (c) Through these efforts, promote economic growth.
- (d) Engage public workforce system representatives, including businesses, education providers, economic development, labor representatives, and other stakeholders to help the workforce development system achieve the purpose of the Workforce Innovation and Opportunity Act (WIOA); and
- (e) Assist to achieve the State's strategic and operational vision and goals as outlined in the State Plan.

SOURCE: 81 FR 56371, Aug. 19, 2016, unless otherwise noted.

AUTHORITY: Secs. 101, 106, 107, 108, 189, 503, Public Law 113–128, 128 Stat. 1425 (Jul. 22, 2014).

§ 679.100 What is the purpose of the State Workforce..., 20 C.F.R. § 679.100

Current through April 29, 2022, 87 FR 25430, except for Title 36, which is current through April 14, 2022; 87 FR 22428, and Title 40, which is current through April 21, 2022; 87 FR 23768.

End of Document

© 2022 Thomson Reuters. No claim to original U.S. Government Works.

Code of Federal Regulations

Title 20. Employees' Benefits

Chapter V. Employment and Training Administration, Department of Labor

Part 679. Statewide and Local Governance of the Workforce Development System Under Title I of the Workforce Innovation and Opportunity Act (Refs & Annos)

Subpart A. State Workforce Development Board

20 C.F.R. § 679.110

§ 679.110 What is the State Workforce Development Board?

Effective: October 18, 2016

Currentness

(a) The State WDB is a board established by the Governor in accordance with the requirements of WIOA [sec. 101](#) and this section.

(b) The membership of the State WDB must meet the requirements of WIOA [sec. 101\(b\)](#) and must represent diverse geographic areas of the State, including urban, rural, and suburban areas. The WDB membership must include:

(1) The Governor;

(2) A member of each chamber of the State legislature, appointed by the appropriate presiding officers of such chamber, as appropriate under State law; and

(3) Members appointed by the Governor, which must include:

(i) A majority of representatives of businesses or organizations in the State who:

(A) Are the owner or chief executive officer for the business or organization, or is an executive with the business or organization with optimum policy-making or hiring authority, and also may be members of a Local WDB as described in WIOA [sec. 107\(b\)\(2\)\(A\)\(i\)](#);

(B) Represent businesses, or organizations that represent businesses described in paragraph (b)(3)(i) of this section,

that, at a minimum, provide employment and training opportunities that include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the State; and

(C) Are appointed from a list of potential members nominated by State business organizations and business trade associations; and

(D) At a minimum, one member representing small businesses as defined by the U.S. Small Business Administration.

(ii) Not less than 20 percent who are representatives of the workforce within the State, which:

(A) Must include two or more representatives of labor organizations nominated by State labor federations;

(B) Must include one representative who must be a member of a labor organization or training director from a joint labor-management registered apprenticeship program, or, if no such joint program exists in the State, a member of a labor organization or training director who is a representative of an registered apprenticeship program;

(C) May include one or more representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of individuals with barriers to employment, including organizations that serve veterans or provide or support competitive, integrated employment for individuals with disabilities; and

(D) May include one or more representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.

(iii) The balance of the members:

(A) Must include representatives of the Government including:

(1) The lead State officials with primary responsibility for the following core programs—

(i) The adult, dislocated worker, and youth programs authorized under title I of WIOA and the Wagner–Peysers Act;

(ii) The Adult Education and Family Literacy Act (AEFLA) program authorized under title II of WIOA; and

(iii) The State Vocational Rehabilitation (VR) program authorized under the Rehabilitation Act of 1973, as amended by title IV of WIOA.

(iv) Where the lead official represents more than one core program, that official must ensure adequate representation of the needs of all core programs under his or her jurisdiction.

(2) Two or more chief elected officials (collectively representing both cities and counties, where appropriate).

(B) May include other appropriate representatives and officials designated by the Governor, such as, but not limited to, State agency officials responsible for one-stop partner programs, economic development or juvenile justice programs in the State, individuals who represent an Indian tribe or tribal organization as defined in WIOA [sec. 166\(b\)](#), and State agency officials responsible for education programs in the State, including chief executive officers of community colleges and other institutions of higher education.

(c) The Governor must select a chairperson for the State WDB from the business representatives on the WDB described in paragraph (b)(3)(i) of this section).

(d) The Governor must establish by-laws that at a minimum address:

(1) The nomination process used by the Governor to select the State WDB chair and members;

(2) The term limitations and how the term appointments will be staggered to ensure only a portion of membership expire in a given year;

(3) The process to notify the Governor of a WDB member vacancy to ensure a prompt nominee;

(4) The proxy and alternative designee process that will be used when a WDB member is unable to attend a meeting and assigns a designee as per the following requirements:

(i) If the alternative designee is a business representative, he or she must have optimum policy-making hiring authority.

(ii) Other alternative designees must have demonstrated experience and expertise and optimum policy-making authority.

(5) The use of technology, such as phone and Web-based meetings, that must be used to promote WDB member participation;

(6) The process to ensure members actively participate in convening the workforce development system's stakeholders, brokering relationships with a diverse range of employers, and leveraging support for workforce development activities; and

(7) Other conditions governing appointment or membership on the State WDB as deemed appropriate by the Governor.

(e) Members who represent organizations, agencies or other entities described in paragraphs (b)(3)(ii) through (iii) of this section must be individuals who have optimum policy-making authority in the organization or for the core program that they represent.

(f)(1) A State WDB member may not represent more than one of the categories described in:

(i) Paragraph (b)(3)(i) of this section (business representatives);

(ii) Paragraph (b)(3)(ii) of this section (workforce representatives); or

(iii) Paragraph (b)(3)(iii) of this section (government representatives).

(2) A State WDB member may not serve as a representative of more than one subcategory under paragraph (b)(3)(ii) of this section.

(3) A State WDB member may not serve as a representative of more than one subcategory under paragraph (b)(3)(iii) of this section, except that where a single government agency is responsible for multiple required programs, the head of the agency may represent each of the required programs.

(g) All required WDB members must have voting privileges. The Governor also may convey voting privileges to non-required members.

SOURCE: [81 FR 56371](#), Aug. 19, 2016, unless otherwise noted.

AUTHORITY: Secs. 101, 106, 107, 108, 189, 503, [Public Law 113–128](#), [128 Stat. 1425](#) (Jul. 22, 2014).

Current through April 29, 2022, [87 FR 25430](#), except for Title 36, which is current through April 14, 2022; [87 FR 22428](#), and Title 40, which is current through April 21, 2022; [87 FR 23768](#).

End of Document

© 2022 Thomson Reuters. No claim to original U.S. Government Works.

Code of Federal Regulations

Title 20. Employees' Benefits

Chapter V. Employment and Training Administration, Department of Labor

Part 679. Statewide and Local Governance of the Workforce Development System Under Title I of the Workforce Innovation and Opportunity Act (Refs & Annos)

Subpart A. State Workforce Development Board

20 C.F.R. § 679.120

§ 679.120 What is meant by the terms “optimum policy-making authority” and “demonstrated experience and expertise”?

Effective: October 18, 2016

Currentness

For purposes of § 679.110:

(a) A representative with “optimum policy-making authority” is an individual who can reasonably be expected to speak affirmatively on behalf of the entity he or she represents and to commit that entity to a chosen course of action.

(b) A representative with “demonstrated experience and expertise” means an individual with documented leadership in developing or implementing workforce development, human resources, training and development, or a core program function. Demonstrated experience and expertise may include individuals with experience in education or training of job seekers with barriers to employment as described in § 679.110(b)(3)(ii)(C) and (D).

SOURCE: 81 FR 56371, Aug. 19, 2016, unless otherwise noted.

AUTHORITY: Secs. 101, 106, 107, 108, 189, 503, Public Law 113–128, 128 Stat. 1425 (Jul. 22, 2014).

Current through April 29, 2022, 87 FR 25430, except for Title 36, which is current through April 14, 2022; 87 FR 22428, and Title 40, which is current through April 21, 2022; 87 FR 23768.

End of Document

© 2022 Thomson Reuters. No claim to original U.S. Government Works.

Code of Federal Regulations

Title 20. Employees' Benefits

Chapter V. Employment and Training Administration, Department of Labor

Part 679. Statewide and Local Governance of the Workforce Development System Under Title I of the Workforce Innovation and Opportunity Act (Refs & Annos)

Subpart A. State Workforce Development Board

20 C.F.R. § 679.130

§ 679.130 What are the functions of the State Workforce Development Board?

Effective: October 18, 2016

Currentness

Under WIOA [sec. 101\(d\)](#), the State WDB must assist the Governor in the:

- (a) Development, implementation, and modification of the 4-year State Plan;

- (b) Review of statewide policies, programs, and recommendations on actions that must be taken by the State to align workforce development programs to support a comprehensive and streamlined workforce development system. Such review of policies, programs, and recommendations must include a review and provision of comments on the State Plans, if any, for programs and activities of one-stop partners that are not core programs;

- (c) Development and continuous improvement of the workforce development system, including—
 - (1) Identification of barriers and means for removing barriers to better coordinate, align, and avoid duplication among programs and activities;

 - (2) Development of strategies to support career pathways for the purpose of providing individuals, including low-skilled adults, youth, and individuals with barriers to employment, including individuals with disabilities, with workforce investment activities, education, and supportive services to enter or retain employment;

 - (3) Development of strategies to provide effective outreach to and improved access for individuals and employers who could benefit from workforce development system;

- (4) Development and expansion of strategies to meet the needs of employers, workers, and job seekers particularly through industry or sector partnerships related to in-demand industry sectors and occupations;
 - (5) Identification of regions, including planning regions for the purposes of WIOA [sec. 106\(a\)](#), and the designation of local areas under WIOA [sec. 106](#), after consultation with Local WDBs and chief elected officials;
 - (6) Development and continuous improvement of the one-stop delivery system in local areas, including providing assistance to Local WDBs, one-stop operators, one-stop partners, and providers. Such assistance includes assistance with planning and delivering services, including training and supportive services, to support effective delivery of services to workers, job seekers, and employers; and
 - (7) Development of strategies to support staff training and awareness across the workforce development system and its programs;
- (d) Development and updating of comprehensive State performance and accountability measures to assess core program effectiveness under WIOA [sec. 116\(b\)](#);
- (e) Identification and dissemination of information on best practices, including best practices for—
- (1) The effective operation of one-stop centers, relating to the use of business outreach, partnerships, and service delivery strategies, including strategies for serving individuals with barriers to employment;
 - (2) The development of effective Local WDBs, which may include information on factors that contribute to enabling Local WDBs to exceed negotiated local levels of performance, sustain fiscal integrity, and achieve other measures of effectiveness; and
 - (3) Effective training programs that respond to real-time labor market analysis, that effectively use direct assessment and prior learning assessment to measure an individual's prior knowledge, skills, competencies, and experiences for adaptability, to support efficient placement into employment or career pathways;
- (f) Development and review of statewide policies affecting the coordinated provision of services through the State's one-stop delivery system described in WIOA [sec. 121\(e\)](#), including the development of—
- (1) Objective criteria and procedures for use by Local WDBs in assessing the effectiveness, physical and programmatic accessibility and continuous improvement of one-stop centers. Where a Local WDB serves as the one-stop operator, the State WDB must use such criteria to assess and certify the one-stop center;

(2) Guidance for the allocation of one-stop center infrastructure funds under WIOA [sec. 121\(h\)](#); and

(3) Policies relating to the appropriate roles and contributions of entities carrying out one-stop partner programs within the one-stop delivery system, including approaches to facilitating equitable and efficient cost allocation in the system;

(g) Development of strategies for technological improvements to facilitate access to, and improve the quality of services and activities provided through the one-stop delivery system, including such improvements to—

(1) Enhance digital literacy skills (as defined in [sec. 202](#) of the Museum and Library Service Act, [20 U.S.C. 9101](#));

(2) Accelerate acquisition of skills and recognized postsecondary credentials by participants;

(3) Strengthen professional development of providers and workforce professionals; and

(4) Ensure technology is accessible to individuals with disabilities and individuals residing in remote areas;

(h) Development of strategies for aligning technology and data systems across one-stop partner programs to enhance service delivery and improve efficiencies in reporting on performance accountability measures, including design implementation of common intake, data collection, case management information, and performance accountability measurement and reporting processes and the incorporation of local input into such design and implementation to improve coordination of services across one-stop partner programs;

(i) Development of allocation formulas for the distribution of funds for employment and training activities for adults and youth workforce investment activities, to local areas as permitted under WIOA [secs. 128\(b\)\(3\)](#) and [133\(b\)\(3\)](#);

(j) Preparation of the annual reports described in paragraphs (1) and (2) of WIOA [sec. 116\(d\)](#);

(k) Development of the statewide workforce and labor market information system described in [sec. 15\(e\)](#) of the Wagner–Peyser Act; and

(l) Development of other policies as may promote statewide objectives for and enhance the performance of the workforce

development system in the State.

SOURCE: [81 FR 56371](#), Aug. 19, 2016, unless otherwise noted.

AUTHORITY: Secs. 101, 106, 107, 108, 189, 503, [Public Law 113–128](#), [128 Stat. 1425](#) (Jul. 22, 2014).

Current through April 29, 2022, [87 FR 25430](#), except for Title 36, which is current through April 14, 2022; [87 FR 22428](#), and Title 40, which is current through April 21, 2022; [87 FR 23768](#).

End of Document

© 2022 Thomson Reuters. No claim to original U.S. Government Works.

Code of Federal Regulations

Title 20. Employees' Benefits

Chapter V. Employment and Training Administration, Department of Labor

Part 679. Statewide and Local Governance of the Workforce Development System Under Title I of the Workforce Innovation and Opportunity Act (Refs & Annos)

Subpart A. State Workforce Development Board

20 C.F.R. § 679.140

§ 679.140 How does the State Workforce Development Board meet its requirement to conduct business in an open manner under the “sunshine provision” of the Workforce Innovation and Opportunity Act?

Effective: October 18, 2016

[Currentness](#)

- (a) The State WDB must conduct business in an open manner as required by WIOA [sec. 101\(g\)](#).
- (b) The State WDB must make available to the public, on a regular basis through electronic means and open meetings, information about the activities and functions of the State WDB, including:
- (1) The State Plan, or modification to the State Plan, prior to submission of the State Plan or modification of the State Plan;
 - (2) Information regarding membership;
 - (3) Minutes of formal meetings of the State WDB upon request;
 - (4) State WDB by-laws as described at [§ 679.110\(d\)](#).

SOURCE: [81 FR 56371](#), Aug. 19, 2016, unless otherwise noted.

AUTHORITY: Secs. 101, 106, 107, 108, 189, 503, [Public Law 113–128](#), [128 Stat. 1425](#) (Jul. 22, 2014).

§ 679.140 How does the State Workforce Development Board..., 20 C.F.R. § 679.140

Current through April 29, 2022, 87 FR 25430, except for Title 36, which is current through April 14, 2022; 87 FR 22428, and Title 40, which is current through April 21, 2022; 87 FR 23768.

End of Document

© 2022 Thomson Reuters. No claim to original U.S. Government Works.

Code of Federal Regulations

Title 20. Employees' Benefits

Chapter V. Employment and Training Administration, Department of Labor

Part 679. Statewide and Local Governance of the Workforce Development System Under Title I of the Workforce Innovation and Opportunity Act (Refs & Annos)

Subpart A. State Workforce Development Board

20 C.F.R. § 679.150

§ 679.150 Under what circumstances may the Governor select an alternative entity in place of the State Workforce Development Board?

Effective: October 18, 2016

Currentness

(a) The State may use any State entity that meets the requirements of WIOA [sec. 101\(e\)](#) to perform the functions of the State WDB. This may include:

(1) A State council;

(2) A State WDB within the meaning of the Workforce Investment Act of 1998, as in effect on the day before the date of enactment of WIOA; or

(3) A combination of regional WDBs or similar entity.

(b) If the State uses an alternative entity, the State Plan must demonstrate that the alternative entity meets all three of the requirements of WIOA [sec. 101\(e\)\(1\)](#):

(1) Was in existence on the day before the date of enactment of the Workforce Investment Act of 1998 (WIA);

(2) Is substantially similar to the State WDB described in WIOA [secs. 101\(a\)-\(c\)](#) and [§ 679.110](#); and

(3) Includes representatives of business and labor organizations in the State.

(c) If the alternative entity does not provide representatives for each of the categories required under WIOA [sec. 101\(b\)](#), the State Plan must explain the manner in which the State will ensure an ongoing role for any unrepresented membership group in the workforce development system. The State WDB must maintain an ongoing and meaningful role for an unrepresented membership group, including entities carrying out the core programs, by such methods as:

- (1) Regularly scheduled consultations with entities within the unrepresented membership groups;
- (2) Providing an opportunity for input into the State Plan or other policy development by unrepresented membership groups; and
- (3) Establishing an advisory committee of unrepresented membership groups.

(d) In parts 675 through 687 of this chapter, all references to the State WDB also apply to an alternative entity used by a State.

SOURCE: [81 FR 56371](#), Aug. 19, 2016, unless otherwise noted.

AUTHORITY: Secs. 101, 106, 107, 108, 189, 503, [Public Law 113–128](#), [128 Stat. 1425](#) (Jul. 22, 2014).

Current through April 29, 2022, 87 FR 25430, except for Title 36, which is current through April 14, 2022; 87 FR 22428, and Title 40, which is current through April 21, 2022; 87 FR 23768.

End of Document

© 2022 Thomson Reuters. No claim to original U.S. Government Works.

Code of Federal Regulations

Title 20. Employees' Benefits

Chapter V. Employment and Training Administration, Department of Labor

Part 679. Statewide and Local Governance of the Workforce Development System Under Title I of the Workforce Innovation and Opportunity Act (Refs & Annos)

Subpart A. State Workforce Development Board

20 C.F.R. § 679.160

§ 679.160 Under what circumstances may the State Workforce Development Board hire staff?

Effective: October 18, 2016

Currentness

(a) The State WDB may hire a director and other staff to assist in carrying out the functions described in WIOA [sec. 101\(d\)](#) and [§ 679.130](#) using funds described in WIOA [sec. 129\(b\)\(3\)](#) or [sec. 134\(a\)\(3\)\(B\)\(i\)](#).

(b) The State WDB must establish and apply a set of objective qualifications for the position of director that ensures the individual selected has the requisite knowledge, skills, and abilities to meet identified benchmarks and to assist in effectively carrying out the functions of the State WDB.

(c) The director and staff must be subject to the limitations on the payment of salary and bonuses described in WIOA [sec. 194\(15\)](#).

SOURCE: [81 FR 56371](#), Aug. 19, 2016, unless otherwise noted.

AUTHORITY: Secs. 101, 106, 107, 108, 189, 503, [Public Law 113–128](#), [128 Stat. 1425](#) (Jul. 22, 2014).

Current through April 29, 2022, [87 FR 25430](#), except for Title 36, which is current through April 14, 2022; [87 FR 22428](#), and Title 40, which is current through April 21, 2022; [87 FR 23768](#).

End of Document

© 2022 Thomson Reuters. No claim to original U.S. Government Works.



Recommendation

The following Kentucky Career Centers have been reviewed and recertified by their respective local Workforce Investment Boards.

KWIB staff have received and reviewed all necessary documentation required for certification.

LWDA	Center Location	Center Type
EKCEP	Hazard	Comprehensive
EKCEP	Pikeville	Affiliate
Green River	Owensboro	Comprehensive
Green River	Hawesville	Access Point
Green River	Henderson	Access Point
Green River	Livermore	Access Point
Green River	Hartford	Access Point
Green River	Morganfield	Access Point
Green River	Dixon	Access Point
Bluegrass	Harrison Public Libraries	Access Point
Bluegrass	Jessamine Public Libraries	Access Point
Bluegrass	Campbellsville	Affiliate



2022 Work Ready Communities (WRC) Review Committee Pre-Read

Recommendation

The WRC Review Committee recommends that the KWIB approve the following recertification and extension requests.

County	WRC Status
Henderson	Work Ready Recertification
WKU	1 Year Extension
Murray State	3 Year Extension

Program Area	Career Pathway / Program of Study	CIP Code(s)	2021-2022 Industry Certification Name / Industry Certification Stacked Credentials	Phase-Out	High Demand	Date Received
Business & Marketing	E-Commerce, Marketing, Retail Services	52.0208.02; 52.1401.01; 52.1803.00	Google Analytics Individual Certification (GAIQ)	Yes	HD	2/1/2022
Business & Marketing	Global Logistics, High School of Business, Management Entrepreneurship	52.0203.00; 52.0201.02; 52.0701.00	The Project Management Professional (PMP)	Yes	HD	2/1/2022
Construction	Building Construction Technology	46.0404.01	Home Builders Institute (HBI PACT) Certification		HD	1/6/2022
Construction	Heavy Equipment Sciences	49.0202.01	Name change: Update CDL to also include CLP (Commercial Drivers License/ Commercial Learners Permit)		HD	
Health Science	Veterinary Assistant	51.0808.00	NOCTI Small Animal Science and Technology			2/1/2022
Multiple	Global Logistics	52.0203.00	MSSC - Certified Logistics Associate (CLA) and MSSC - Certified Logistics Technician (CLT)		HD	2/1/2022
Multiple	Global Logistics	52.0203.00	Six Sigma Yellow Belt Certification		HD	2/1/2022

BEAT Recommendations	Date Presented for Sub-Committee	Recommended to the EA/EE Committee? Yes/No	Date Presented for the EA/EE Committee	Recommended to the KWIB?	Date Presented for KWIB	Status - Approved Pending Denied	Version Update #
Remove from list. 2 year phase-out. Unobtainable by high school student.	4/20/2022	YES	5/4/2022	YES	5/19/2022		
Remove from list. 2 year phase-out. Unobtainable by high school student.	4/20/2022	YES	5/4/2022	YES	5/19/2022		
Add to valid industry certification list.	4/20/2022	YES	5/4/2022	YES	5/19/2022		
Also add CLP. This will reflect language used in industry and clear up confusion among secondary schools.	4/20/2022	YES	5/4/2022	YES	5/19/2022		
Add the NOCTI Small Animal Science and Technology Exam to the Health Science Veterinary Assistant certification options. This will allow schools to choose either the NAVTA exam or the NOCTI exam as the Verterinary Assistant industry certification.	4/20/2022	YES	5/4/2022	YES	5/19/2022		
Add Manufacturing Skill Standards Council (MSSC) Certified Logistics Technician (CLT) per BEAT Team recommendation - CLA is a requirement for the CLT.	4/20/2022	YES	5/4/2022	YES	5/19/2022		
Add Six Sigma Yellow Belt Certification per BEAT Team recommendation. There are several vendors , including: *ASQ *SixSigma Institute *LSSI *IASSC *The Council for Six Sigma Certification	4/20/2022	YES	5/4/2022	YES	5/19/2022		