



POLICY

COMMONWEALTH OF KENTUCKY
DEPARTMENT OF WORKFORCE DEVELOPMENT
AND
KENTUCKY WORKFORCE INNOVATION BOARD

POLICY NAME: Local Elected Official(s) and Local Workforce Development Board Partnership Agreement

POLICY NUMBER: 15-003
DATE OF ISSUE: Reissued November 2, 2023
EFFECTIVE DATE: October 1, 2015

APPLIES/OF INTEREST TO: Local Workforce Development Boards, Local Workforce Development Boards' staff, Chief Local Elected Officials, and Local Elected Officials

POINT OF CONTACT: KWIB.projects@ky.gov

HISTORY: Issued 03/04/2015; effective date 10/01/2015; reissued November 2, 2023 with no substantive change, thus effective date remains.

BACKGROUND: This policy and template provide the initial foundation for understanding the separate and shared functions of LEOs and LWDBs envisioned under WIOA.

PURPOSE: This policy provides additional guidance relating to the LEOs and LWDBs per Workforce Innovation and Opportunity Act (WIOA), Public Law 113-128. The governance and operation of the Local Workforce Development System is contingent on a successful partnership between the LEOs and the LWDB related to their respective roles which are outlined in this policy and partnership agreement template. This policy and template are provided to ensure that the necessary regulatory and operational elements are described, included and understood by both parties. LEOs and LWDBs may include additional agreed upon expectations. This partnership agreement will facilitate the delivery of optimal workforce development services for individuals and employers within the Local Workforce Development Areas.

DEFINITIONS:

Chief Local Elected Official (CLEO) - The CLEO is the chief local elected official(s) elected among the consortium of LEOs representing the LEOs in the Workforce Development Area.

Local Elected Official (LEO) - The LEOs are the local elected officials of a county. The highest

elected official in counties and counties with merged government shall be considered the LEO for their respective county.

Local Workforce Development Board (LWDB) - means a local workforce development board established under section 107, subject to section 107(c)(4)(B)(i).

POLICY:

LEOs and LWDBs PARTNERSHIP AGREEMENT

As referenced in Policy 15-002, The LEO-LWDB partnership agreement is between the LEOs, represented by the CLEO, and the LWDB, represented by the designated Chair. Its purpose is twofold: (1) to define their operating relationship; and (2) to confirm that the LEOs and the LWDB have read, understood and agree on the functions, duties and responsibilities of the LEOs (represented by the CLEO) and the LWDB (represented by the Chair) as outlined in WIOA, Public Law 113-128 and in the policies issued by the Department of Workforce Development (DWD).

The Interlocal Agreement, a written agreement that specifies the responsibilities of the CLEO and the individual LEO(s), must be consistent with the Partnership Agreement insofar as any item addressed by both agreements is concerned. Both governing agreements are dynamic documents that can, and should, be amended when a need or desire arises and the respective signatories agree.

The initial agreement must be submitted to DWD no later than 30 days prior to the effective date of the agreement for approval. The approved agreement must be shared with each new LEO and LWDB member. Subsequent updates and amendments must be recorded and submitted to DWD for review, approval, and recording. You may elect to utilize the Partnership Agreement template which has been provided as a guide.

Technical assistance may be requested from the Department of Workforce Development.

REQUIRED ACTION: LEOs and LWDBs should review current processes and procedures for compliance per effective date of this policy.

REFERENCES:

- Workforce Innovation and Opportunity Act §134, Pub. L. 113-128
 - WIOA Section 107(c)(4)(B)(i). (29 USC Section 3122).
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SECTION I –

REQUIRED PARTNERSHIP AGREEMENT CONTENTS –

JOINT DUTIES FUNCTIONS AND RESPONSIBILITIES

Describe how the LEOs and LWDB will develop and submit a local plan and collaborate with other LWDBs and LEOs to prepare a regional plan for submission to the Governor (WIOA Section 107(d)(1)).

Describe how the LEOs and LWDBs will:

Conduct oversight for local youth workforce investment activities, local employment and training activities, and the one-stop delivery system in the local area. (WIOA 107(8)(A)(i)).

Ensure the appropriate use and management of the funds provided under subtitle B for the activities and system described in clause (i) and for workforce development activities. (WIOA 107(8)(A)(ii)).

Ensure the appropriate use, management, and investment of funds to maximize performance outcomes under section 116. (WIOA 107(8)(B)).

Describe how the LEOs and LWDB will prepare for negotiations with the State on local performance accountability measures. (WIOA Section 107(9)).

Describe how the LEOs and LWDB will designate or certify one-stop operators and the grounds and process for any subsequent termination for cause of the eligibility of such operators. (WIOA 107(10)(A)(i,ii)).

Describe how the LWDB will develop a local area budget and the process for obtaining CLEO approval. (WIOA 107(12)(A)).

Describe how operational issues and concerns relating to the designated fiscal agent/grant recipient shall be addressed.

Describe the process and procedures to be followed in the event there are unresolved disputes between the LEOs and the LWDB.

Describe the process of how the MOU and IFA will be completed.

SECTION II -
OTHER ADDITIONAL TOPICS THE PARTIES MAY CHOOSE TO ADDRESS

This confirms that the CLEO, representing the LEOs and the Chair, representing the LWDB, are authorized to sign this agreement, understand the agreement, and agree to the terms and conditions contained in this agreement.

This also confirms that the LEOs and the LWDB have read, understood and agree on the functions, duties and responsibilities of the LEOs (represented by the CLEO) and the LWDB (represented by the Chair) as outlined in WIOA, Public Law 113-128 and in the policies issued by the Department of Workforce Development (DWD).

It is further understood that updates and changes that affect this agreement (e.g. changes of CLEO, LWDB chair, policy revision/updates/additions), will require that this agreement be updated and reflect those amendments in Section III of this document. Any amendment must be submitted to DWD for prior approval.

CLEO – Print name:	Board Chair – Print Name:
CLEO – Signature:	Board Chair – Signature:
Date:	Date:

SECTION III - UPDATES AND AMENDMENTS TO THE INITIAL AGREEMENT AS NEEDED.

<p>LEOs-LWDB AGREEMENT UPDATE To be completed each time an amendment or update is required to the initial WIOA- LEO-Board Partnership Agreement</p> <p>Record as Amendment # ____ of ____ (amendment(s) to the initial agreement); Date _____</p>	
Explain/Detail the change/update to this agreement:	
Explain/Detail the reason for this change/update:	
Current authorized signatures to make this change:	
Except as amended above, all other terms and conditions of the partnership agreement are hereby ratified and confirmed.	
CLEO – Print name:	Board Chair – Print Name:

CLEO – Signature:	Board Chair – Signature:
Date:	Date: