



VIRGINIA CAREER WORKS

BLUE RIDGE REGION

Chief Local Elected Officials (CLEO) – Board Agreement

Western Virginia Workforce Development Board

Local Workforce Development Area 3 (LWDA3)

Effective Date: August 3, 2018

Amended: January 6, 2020

Purpose

The purpose of this agreement is to describe the respective roles and responsibilities under the Workforce Innovation and Opportunity Act (WIOA) of the Chief Local Elected Officials (CLEO) Consortium and the Workforce Development Board, the Western Virginia Workforce Development Board (WVWDB), in Local Workforce Development Area 3 (LWDA3).

LWDA3 CLEO Consortium Responsibilities

The sole duties of the CLEO Consortium include, but are not limited to, the following:

- Designate the Grant Recipient for LWDA3;
- Designate the Fiscal/Administrative Agent, if applicable, for LWDA3;
- Accept fiscal liability for the use of WIOA funds;
- Appoint WVWDB members and maintain membership certification every 2 years;
- Accept annual A-133 audit;
- Approve annual budget submitted by the WVWDB;
- Approve CLEO Consortium bylaws; and
- Any other functions, responsibilities or actions referred to within the CLEO Agreement or this agreement as requiring action by the CLEO Consortium.

CLEO and WVWDB Shared Responsibilities

In partnership with the WVWDB, the CLEO Consortium's additional responsibilities include, but are not limited to, the following:

- Development of a vision, goals, and policies for the local workforce development area that are aligned with both the economic development missions for the local area and the Virginia Board of Workforce Development's (VBWD) goals;
- Development of the 4-year local strategic plan to include a workforce demand plan and a plan for business engagement;
- Selection of One-Stop Operator(s) and locations through a competitive process, including operators of career services if the One-Stop Operator does not provide career services as described in section 134(c)(2);
- Selection of training providers;
- Approval of the budget for WIOA One-Stop and Program activities;
- Conduct oversight of local programs for Youth, Adult, and Dislocated Worker activities authorized under Title I of WIOA;
- Negotiate and reach agreement with the VBWD on behalf of the Governor on local performance accountability measures;
- Approval of WVWDB Bylaws; and
- Any other activities as required by the WIOA, Section 107 (d), by state statute or by the Governor.

WVWDB Responsibilities

The establishment of the WVWDB in LWDA3 is to create a public-private partnership to ensure that the region's workforce development activities and strategies are focused on providing a trained and skilled

workforce that meets the current and future demand of the local businesses in the Roanoke Valley and Alleghany Highlands. In following this vision, the WVWDB will solely be responsible for the following strategic activities:

- Decide how best to organize the regional workforce system to most effectively serve the needs of current and emerging private sector employers and job seekers;
- Decide how to best provide comprehensive services to regional private sector employers;
- Decide how best to deploy available resources to achieve negotiated local performance accountability measures and build capacity for continuous improvement; and
- Decide how to expand the resource base and service capability through the development of strategic partnerships, an integrated service-delivery system, and generation of additional public and private funding.

To complete the above strategic activities, the WVWDB will also be responsible for the following items, which include, but are not limited to:

- Conduct workforce research and labor market analysis in accordance with Section (d)(2) of the WIOA.
- Develop a budget for the purpose of carrying out the duties of the WVWDB, subject to the approval of the CLEO;
- Meet at least quarterly and review presented financial reports that reflect actual expenditures and their relationship to the approved budget as well as workforce program outcomes and their relationship to negotiated performance levels;
- Solicit and accept grants and donations from sources other than federal funds made available under Title I of WIOA assuming the WVWDB is organized in a manner to do so;
- Select eligible providers of youth activities by awarding grants or contracts on a competitive basis;
- Identify eligible providers of training services for adults and dislocated workers;
- Assist in the development of a statewide employment statistics system in partnership with the Governor and the Virginia Board of Workforce Development;
- Coordinate the workforce activities under WIOA with local economic development strategies, and develop employer linkages with those activities;
- Promote the participation of local private sector employers through the statewide workforce development system;
- In partnership with representatives of secondary and post-secondary education programs, lead efforts in LWDA3 to develop and implement career pathways within the region by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment;
- Lead efforts in LWDA3 to identify and promote proven and promising strategies and initiatives for meeting the needs of employers and job seekers, and identify and disseminate information on findings;
- Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers and job seekers by:
 - Facilitating access to services in remote areas;

- Identifying strategies for better meeting the needs of individuals with barriers to employment; and
- Leveraging resources and capacity with the local workforce development system, including resources and capacity for services for individuals with barriers to employment;
- Enter into Memorandums of Understanding (MOUs) with workforce development system partners;
- Coordinate activities with education and training providers in LWDA3, including providers of workforce development activities, providers of adult education and literacy activities under Title II, and providers of career and technical education and local agencies administering plans under Title I of the Rehabilitation Act of 1973 as described in Section 107 (D)(11);
- Annually assess the physical and programmatic accessibility of all One-Stop centers in the local workforce development area as described in Section 107 (D)(12); and
- Employ staff and/or utilize other options for carrying out these responsibilities; and
- Any other activity as required by the WIOA, Section 107(d) or by the Governor.

Fiscal Agent Designation

The CLEO Consortium has approved the designation of the WVVWDB as the fiscal agent for the WIOA Title I funding provided to LWDA3, through the Grant Recipient, the City of Roanoke. As the fiscal agent, the WVVWDB will be responsible for the overall administration and oversight of the federal WIOA Title I funding provided through the Adult, Dislocated Worker and Youth Programs by the U.S. Department of Labor. This will include all accounts payable, accounts receivable, payroll, and other associated fiscal responsibilities of administering the funds. A detailed memorandum of understanding will be executed between the City of Roanoke and the WVVWDB outlining the responsibilities of the WVVWDB as the fiscal agent.

Provision of WIOA Title I Adult and Dislocated Worker Programs

Beginning July 1, 2020, the WVVWDB will also be the provider of Individualized Career Services and Follow-up Services for the WIOA Title I Adult and Dislocated Worker programs. This provision was secured by a waiver request submitted to and approved by the Governor of the Commonwealth of Virginia. As the provider of services, the WVVWDB operations will be overseen by the CLEO Consortium including, but not limited to, fiscal expenditures, program enrollments, federal, state, and local performance measures/outcomes, and other oversight and administration tasks. The specific tasks of the CLEO Consortium and the WVVWDB related to the provision of these services is detailed in local policy named Segregation of Duties as well as the policy named Internal Controls. Further financial internal controls are detailed in the WVVWDB Financial Operations Manual.

WVVWDB Composition

The CLEO for LWDA3 has the sole authority to appoint members to the WVVWDB in accordance with Section 107(b) of WIOA and Virginia Board of Workforce Development Policy 200-02. A detailed composition of the WVVWDB will be outlined in ***Attachment A: Western Virginia Workforce Development Board Composition***. Nominations for WVVWDB members will be reviewed to ensure that stakeholders and major industry partners are represented among the WVVWDB members.

General Administrative Provisions

Sunshine Provisions

The WVVWDB shall share information regarding its meetings and activities with the public subject to the provisions of the Virginia Freedom of Information Act.

The WVVWDB shall make available to the public, on a regular basis through open meetings, information regarding the activities of the WVVWDB, including information regarding the local plan prior to submission of the plan, membership, the designation and certification of One-Stop Operator(s) consistent with the State Plan, and the award of grants or contracts to eligible providers of youth activities, and the minutes of formal meetings of the WVVWDB.

In order to comply with the Sunshine Provisions, the WVVWDB and any Committees authorized to take official action on behalf of the WVVWDB shall do the following:

- Take official action and engage in deliberations only at meetings open to the public. "Official action" includes making recommendations, establishing policy, making decisions, and/or voting on matters of WVVWDB business. "Deliberations" are discussions of WVVWDB business necessary in order to reach decisions.
- Ensure that all meetings are held in locations accessible to individuals with disabilities and that all information is available in accessible and alternate formats.
- Give public notice of meetings in accordance with applicable state code provisions, including public notice in advance of any special meeting or rescheduled regular meeting. No public notice need be given of an emergency meeting called to deal with a real or potential emergency involving a clear and present danger to life or property.
- Ensure that votes of WVVWDB members be publicly cast and, in the case of roll call votes, recorded.
- Keep written minutes of all public meetings, including date, time and place of the meeting, members present, the substance of all official actions, a record of roll call votes, and the names of any citizens who appeared and gave testimony.
- Closed executive sessions may be used according to the provisions of the Virginia Freedom of Information Act. Such sessions may be held during or after an open meeting or may be announced for a future time. If closed session is not announced for a specific time, WVVWDB members must be notified 24 hours in advance of the date, time, location, and purpose of the session. The reason for holding a closed executive session must be announced at the open meeting either immediately prior to or subsequent to the closed executive session.
- Official action on any matter discussed at a closed executive session must be taken at an open meeting.

Conflict of Interest Provision

All members of the WVVWDB serve a public interest and trust role and have a clear obligation to conduct all affairs in a manner consistent with this concept. All decisions of the WVVWDB are to be based on promoting the best interest of the state and the public good. Accordingly:

- All members of the WVVWDB are subject to the provisions of the State and Local Government Conflict of Interest Act;

- The WVVWDB shall adopt in its Bylaws a conflict of interest policy meeting the minimum standards set forth in the State and Local Government Conflict of Interest Act. The conflict of interest standards shall apply to all Board members (voting and non-voting);
- A member of the WVVWDB shall neither cast a vote on, nor participate in, any decision-making capacity on the provision of services by such member (or by an organization that such member directly represents) or any matter that would provide any direct benefit to such member or the immediate family of such member. (For these purposes, immediate family means wife, husband, son, daughter, mother, father, brother, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, grandson, granddaughter, grandparent, stepparent, stepchild, or any person residing in the same household);
- Any WVVWDB member (or specific entity represented by that member) who participates in the development of contract specifications or standards is prohibited from receiving any direct financial benefit from any resulting contract;
- Any WVVWDB member who participates in a WVVWDB decision relating to specific terms of a contract, the determination of specific standards for performance of a contract, the development of Invitations for Bid or Requests for Proposals or other such bid processes leading to a contract, or any similar decisions is prohibited from receiving any direct financial benefit from any resulting contract. In addition, no corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, trust, foundation or other entity shall receive the contract if it would create a conflict of interest for the Board member who participated in this manner.
- Each WVVWDB member shall file a statement of economic interest with WVVWDB Staff as a condition of assuming membership and then annually while serving as a Board member.
- Any WVVWDB member with a potential or actual conflict of interest shall disclose that fact to the WVVWDB as soon as the potential conflict is discovered and, to the extent possible, before the agenda for the meeting involving the matter at issue is prepared. If it is determined during a meeting that a conflict of interest exists, the member must verbally declare such conflict of interest, such declaration must be clearly noted in the minutes, and such member must excuse him/herself from the remainder of the discussion and voting on that item. Each WVVWDB member is responsible for determining whether any potential or actual conflict of interest exists or arises during his/her tenure on the WVVWDB.
- If a contract or purchase is made by the WVVWDB involving its own member with a conflict of interest, the WVVWDB shall justify the terms and conditions of the contract or purchase and document that the contract or purchase was adequately bid or negotiated and that the terms of the contract or price of the purchase are fair and reasonable.
- WVVWDB members who are also One-Stop Center or Program Operators shall not serve on any committees that deal with oversight of the One-Stop system or allocation of resources that would potentially be allocated to that member's program.
- All members of the WVVWDB are subject to all other provisions of the State and Local Government Conflict of Interest Act not outlined above.

Effective Dates of this Agreement

This agreement shall take effect on August 3, 2018 by a majority vote of all members of the CLEO and the WVVWDB and shall remain in effect until the WIOA law is no longer in effect.

Amendment of the Agreement

This agreement may be modified by a written amendment approved by a majority vote of all members of the CLEO and WWWDB, following notice of (1) the specific language of the proposed amendment, and (2) of the date(s), time(s), and location(s) of the meeting(s) at which the amendment will be presented to the CLEO and WWWDB for a vote.

Signatures

DocuSigned by:
Martha Hooker
460A98820F82403...

CLEO Consortium Chair Signature

Martha Hooker

CLEO Consortium Chair Printed Name

1/6/2021

Date

DocuSigned by:
Casey Nicely
B0CA49D0131D464...

WWWDB Chair Signature

Casey Nicely

WWWDB Chair Printed Name

1/6/2021

Date

Attachment A: WVDDB Board Composition

The WVDDB composition shall be in accordance with WIOA, Section 107 and Virginia Board of Workforce Development Policy 200-02. The composition detailed below has been approved by the CLEO Consortium in LWDA3 and meets requirements in law and policy stated above.

Private Sector	Members	Public Sector	Members
Alleghany County	2	Labor Representatives	2
Botetourt County	2	Community Based Representatives	4
Craig County	1	DSS – TANF/SNAP	1
City of Covington	1	Title III – Wagner-Peyser	1
Franklin County	2	Title II – Adult Education	1
City of Roanoke	3	CTE Program/School Division	1
Roanoke County	2	Community College	2
City of Salem	2	Title IV – Vocational Rehabilitation	1
		Economic Development	1
Total	15	Total	14

Business Majority – 51.7%

Labor Requirement – 20.7%