



STATE OF TENNESSEE  
**DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT**  
DIVISION OF WORKFORCE SERVICES  
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**Workforce Services Guidance - (Local Workforce Development Board Member Nomination Process) - WIOA**

**Effective Date: 6/13/2017**

**Duration: Indefinite**

**To:** LWDA Chief Local Elected Officials, All County Mayors and Executives, Local Workforce Development Areas

**Subject:**

This document explains the required representation of the Local Workforce Development Board, the solicitation process to nominate individuals to the board, and the requisite documentation to support the appointment of a nominee.

**Purpose:**

This guidance explains the nomination process to place an individual onto the Local Workforce Development Board; this document also includes an outline of the roles and responsibilities given to a Chief Local Elected Official to conduct the nomination process. The requirements for Local Board representation, explained in **WIOA Section 107(b)(2)** and **TEGL 27-14**, must be considered by the Chief Local Elected Official when selecting individuals. Furthermore, this guidance lists the required documents to support a nomination to the Local Board and outlines the process developed by the Tennessee Department of Labor and Workforce Development for the certification of Local Workforce Development Board nominees.

**Scope:**

Adult Education (AE), American Job Center (AJC), American Job Center Operator (AJC Operator), American Job Center Access Point (AJC Access Point), Chief Local Elected Official (CLEO), Division of Workforce Services (WFS), Local Workforce Development Areas (LWDAs), Local Workforce Development Boards (LWDBs), Office of the Governor, Office of

Registered Apprenticeship (RA), Rehabilitation Services (RS), Regional Council (RC), State Workforce Development Board (SWDB), Tennessee Department of Economic and Community Development (TDECD), Tennessee Department of Education (TDOE), Tennessee Department of Human Services (TDHS), Tennessee Department of Labor and Workforce Development (TDLWD), Tennessee Eligible Training Providers (TETPs), Workforce Innovation and Opportunity Act (WIOA), Workforce System Subrecipients (Subrecipients), Workforce System Partners (Partners)

**References:**

Local Governance Policy; TEGL 27-14; WIOA Section 107(b)(2); WIOA Section 107(c)(1)(A)

**Background:**

In conjunction with the Chief Local Elected Official (CLEO) and Local Elected Officials (LEOs), the Local Workforce Development Board (LWDB or Local Board) is responsible for developing a strategy to continuously improve and strengthen the workforce development system. Alignment of employment, training, and education programs will promote economic growth and assist the CLEO and LEOs to implement strategies that meet the needs of job seekers and employers within their local area.

**I. Local Board Composition:**

The minimum requirements for the composition of a Local Workforce Development Board (LWDB) are explained in **TEGL 27-14** as follows:

- *Business:* A majority of Local Board members must be representatives who are owners, chief executive or operating officers, or other business executives, or employers with optimum policymaking or hiring authority; and
- *Workforce:* Not less than twenty (20) percent of the members must be workforce representatives. Such representatives must include:
  - Two or more representatives of labor organizations; and
  - One or more representatives of a joint labor-management registered apprenticeship program; and
- *Education:* At least one member must be a representative of an entity administering education and training activities in the local area. At least one member must be a representative of a provider of adult education and literacy activities under Title II of WIOA. Finally, at least one member must be a representative of an institution of higher education that provides workforce training (including community colleges); and
- *Governmental or Community Development:* The members must include at least one representative of each of the following:
  - Economic or community development entities in the local area;
  - The State Employment Service Office, under Wagner-Peyser, serving the local area; and

- Programs carried out under Title I of the Rehabilitation Act of 1973.

The CLEO may appoint, at their discretion, other individuals to the Local Board who represent local agencies or entities administering transportation, housing and public assistance, or philanthropic organizations. CLEOs are encouraged to select members to serve on the Local Board who represent entities beyond the scope of those mandated by WIOA.

The CLEO must strive to establish a Local Board that reflects the diversity the counties that comprise the LWDA. For example, urban, suburban, and rural districts must be represented in proportion to their influence on the local area; board members from these districts must exhibit the demographic diversity of the counties within their respective local area. For more information concerning Local Board composition please reference **WIOA Section 107(b)(2)**.

## **II. Nomination of Individuals to the Local Board:**

When a Local Workforce Development Area (LWDA) is comprised of multiple governmental jurisdictions an Interlocal Agreement must be signed by all LEOs. This agreement designates a CLEO who will have the authority to act on behalf of the other LEOs. It is the responsibility of the CLEO to select members to serve on the Local Board (**WIOA Section 107[c][1][A]**). To accomplish this task the CLEO must solicit nominations according to the requirements of Local Board composition, explained on page 2. Nominations must come from the heads of organizations – specifically those representing businesses, labor, education, and economic and community development – that provide policy-making experience to align the workforce and education needs within the State. The CLEO must establish a formal policy to facilitate the nomination of members to the Local Board (**TEGL 27-14**).

The nomination should be solicited by the CLEO from entities of: business, workforce (labor management/apprenticeships), education, government or community development. The nominator should be of a management capacity within these areas or entities. Thus, staff to the LWDB, fiscal agent staff, staff employed by One-Stop Operators, and contracted service providers should be prohibited from both nominating members to the board or serving on the board; this process is in place to avoid conflicts of interest.

## **III. Required Documentation to Support Nomination:**

Within the jurisdiction of a LWDA, the authority to appoint members of the LWDB lies solely with the CLEO as the final authority on appointments to the Local Board. The nomination for an individual to serve on the LWDB must come from the head of an organization which represents businesses, labor, education, or economic and community development; however, the signature to authorize the nominee must come from the CLEO. Each nomination also requires a Conflict of Interest form to

be signed by the nominee; this document assures that the individual has disclosed any business connection of the nominee or their immediate family which could be interpreted as unfairly beneficial to a party receiving WIOA program funds.

To approve the nomination of each individual selected to serve on the Local Board the following documentation is required:

- A) A Conflict of Interest form signed by the nominee to the board; and
- B) A signed nomination form; and
- C) A signed letter, which must come from the head of the organization the nominee represents, must identify the individual being nominated by their organization. This letter must also acknowledge the nominee's optimum policy making authority, as it aligns with a curriculum vitae, resume, or work history, to support the qualifications of the nomination; and
- D) The submission of this signed letter to the appointing CLEO of the LWDA. Composition of LWDB members should reflect the demographic makeup for the Local Area. The most recent US census is the best source for identifying respective demographics information. (**Local Governance Policy**)

**IV. Certification of LWDB Nominee by TDLWD:**

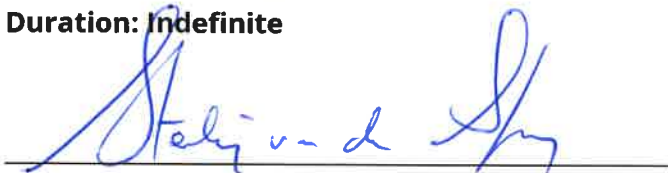
Completed nomination forms must be submitted to the Tennessee Department of Labor and Workforce Central Office – at [Workforce.Board@tn.gov](mailto:Workforce.Board@tn.gov) – for review. Once the form has been reviewed the Local Board will receive a follow-up letter of certification or denial within seven (7) business days; the letter will also make a request for additional information when submitted documentation is insufficient to make a determination. The member must not be seated onto the Local Board until a certification letter from TDLWD has been received to affirm the nomination.

**Contact:**

For any questions related to this policy, please contact Nicholas Bishop - Director of Compliance and Policy for Workforce Services at [Nicholas.Bishop@tn.gov](mailto:Nicholas.Bishop@tn.gov)

**Effective Date: 6/13/2017**

**Duration: Indefinite**

A handwritten signature in blue ink, appearing to read "Sterling van der Spuy", is written over a horizontal line.

Sterling van der Spuy, Administrator of Workforce Services