



DWIB

May 17, 2012

MEMORANDUM FOR RECORD

**SUBJECT: Procedure for Board Membership to the Delaware Workforce Investment Board**

The Governor of Delaware shall appoint the members of the Board according to the Workforce Investment Act, Public Law 105-220. The Governor in partnership with the board will develop a process to satisfy the criteria for membership as indicated in the Workforce Investment Act (WIA) (Section 111 (b) and (c)).

**Administrative Procedure for Board Membership**

- 1) The Governor shall select a chairperson for the State Board from among the representatives describe in the Workforce Investment Act (Section 111 (b)(1)(C)(i)).
- 2) The Chairman of the Board will accept recommendations for board membership that meet the criteria for membership in accordance with the categories outline in membership requirements of the state board Workforce Investment Act (Section 111 (b) and (c)).
- 3) The Executive Director will send the names of the individuals recommended by the Chairman to the Governor's office (Office of Boards and Commissions) to be reviewed for nomination. All recommendations for nomination are made to the Governor's office in accordance with WIA membership guidelines.
- 4) The Governor's office will then contact the DWIB Executive Director informing whether or not to send applications to the individuals being recommended for board membership.
- 5) If recommendation(s) are approved for nomination, individuals are sent a board and commission's application. Applications are to be returned to the DWIB office for review. The completed application is then sent to the Governor's office for approval or disapproval.
- 6) If approved, the Governor's office will send the nominated individual an appointment letter. A copy of the appointment letter is to be sent to the Executive Director for filing.
- 7) The Executive Director will contact the new member(s) to schedule a new member's orientation and inform them of the next quarterly board meeting.

## **Membership of the State Board – Workforce Investment Act of 1998**

(Section 111 (b))

Section 111 (b) sets forth the membership requirements of the state Board:

- The Governor.
- Two members of each chamber of the state legislature, appointed by the appropriate presiding officers of each such chamber
  
- A majority of business leaders. The statute does not prescribe a minimum or maximum number of representatives required to be from business, as long as a majority of the membership is business representatives.
- Chief elected officials representing cities and counties.
- Representatives of labor organizations nominated by the state labor federation.
- Representatives of individuals and organizations that have experience with you activities.
- Representatives of organizations that have experience and expertise in the delivery of workforce investment activities, which includes chief executive officers of community colleges and community-based organizations within the state.
- Lead state agency officials with responsibility for at least twelve major workforce investment programs required for the one-stop system. If no lead state agency official has responsibility for one of these programs, then the Governor must appoint a representative from the state with expertise relating to that program. One individual may be the “lead state agency official” with responsibility for more than one of these programs.
- Other representatives and state agency officials the Governor may designate, such as state officials responsible for economic development and juvenile justice programs.

In making the business appointments to the state Board, the Governor must comply with three overarching factors: (1) the business representatives must be owners of businesses, chief executives or operating officers of businesses, and other business executives or employers with policymaking or hiring authority (this category should also reflect business representatives from local Workforce Investment Boards within the state); (2) the business representatives must be selected from those businesses within the state that provide employment opportunities; and (3) these business representatives must be appointed by the Governor from nominations submitted by state business organizations and business trade associations. All three factors must be satisfied. Moreover, the Governor must select a state Board chairperson from the business sector.

All members of the state Board that represent organizations and agencies must be individuals with “optimum policymaking authority” within those organizations. The Governor is also reminded that the membership must reflect the diverse regions of the state, including urban, rural and suburban areas. Section 111 does not prescribe a minimum or maximum number of representatives appointed by the Governor, as long as each of the specific categories is filled.