

CHAPTER 6 REGIONAL ADVISORY BOARDS

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

877—6.1(84A,PL113-128) Definitions.

“Chief elected official” means designated representatives of the units of local government joined through a 28E agreement, pursuant to Section 107(c)(1)(B) of WIOA, for the purpose of sharing liability and responsibility in accordance with Title I of the WIOA.

“Community-based organization” means a private nonprofit organization (which may include a faith-based organization) that is representative of a community or a significant segment of a community and that has demonstrated expertise and effectiveness in the field of workforce development.

“Department” means the department of workforce development.

“Eligible youth” means, except as provided in Subtitles C and D of Title I of WIOA, in-school youth, as described in Section 129(a)(1)(B) of WIOA, or out-of-school youth, as described in Section 129(a)(1)(C) of WIOA.

“In-demand industry sector” means an industry sector that has a substantial current or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the state, regional, or local economy, as appropriate, and that contributes to the growth or stability of other supporting businesses, or the growth of other industry sectors.

“In-demand occupation” means an occupation that currently has or is projected to have a number of positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector so as to have a significant impact on the state, regional, or local economy, as appropriate.

“Local workforce development board” means a local workforce development board established in accordance with Section 107 of the Workforce Innovation and Opportunity Act, Public Law No. 113-128.

“Optimum policymaking authority” means that an individual can reasonably be expected to speak affirmatively on behalf of the entity the individual represents and to commit that entity to a chosen course of action.

“Representative with demonstrated expertise and effectiveness on a local workforce development board” means an individual who is a workplace learning advisor as defined in Section 3(70) of WIOA; who contributes to the field of workforce development, human resources, training and development, or a function of a core program as defined in Section 3(12) of WIOA; or whom the local workforce development board recognizes for valuable contributions in education or workforce development-related fields.

“Veteran” has the meaning given the term in Section 101 of Title 38, United States Code.

“WIOA” means the federal Workforce Innovation and Opportunity Act, Public Law No. 113-128.

[ARC 3610C, IAB 1/31/18, effective 3/7/18]

877—6.2(84A,PL113-128) Number of boards. The governor, in consultation with chief elected officials, shall appoint a regional advisory board in each workforce development region of the state.

[ARC 3610C, IAB 1/31/18, effective 3/7/18]

877—6.3(84A,PL113-128) Composition—voting members. Each regional local workforce development board shall meet the membership criteria in Section 107(b) or Section 107(i) of WIOA.

[ARC 3610C, IAB 1/31/18, effective 3/7/18]

877—6.4(84A,PL113-128) Nomination process for voting members. The following procedures shall be used in soliciting nominations for voting members.

6.4(1) All nominations for members which represent business shall be made by local or regional business organizations or trade associations. Business representatives should be owners of businesses, chief executive or operating officers of business and other business executives or employers with optimum policymaking or hiring authority and represent businesses with employment opportunities that reflect the employment opportunities of the region.

6.4(2) All nominations for members which represent labor shall be made by appropriate local federations of labor, union councils, or state federations of labor.

6.4(3) All nominations for members representing an eligible provider of adult education and literacy where there is more than one such eligible provider in the local workforce development area shall be made by such eligible providers.

6.4(4) All nominations for members representing a vocational rehabilitation program shall be made by Iowa vocational rehabilitation services or the Iowa department for the blind.

6.4(5) All nominations shall be made in writing with the signed approval of the required nominating organization.

6.4(6) The overall membership of the board shall be balanced by gender and political affiliation consistent with Iowa Code sections 69.16 and 69.16A. To the extent possible, the members should represent all counties within a region served by the board and both voting and nonvoting members should represent persons with disabilities, minorities and older workers of the region.

6.4(7) All nominations for members representing the employment service program under the Wagner-Peyser Act shall be made by the department.

6.4(8) Nominations are valid for an unlimited time period unless the local elected officials of a region set a specific time limit in the local annual plan.

[ARC 3610C, IAB 1/31/18, effective 3/7/18]

877—6.5(84A,PL113-128) Appointment process.

6.5(1) In making appointments to the boards, the chief local elected officials shall submit a nominee for a board vacancy to the department within 45 days of the vacancy.

6.5(2) The governor shall review a nominee for a vacancy on a local workforce development board and either appoint or reject such nominee. The governor shall notify the chief elected officials within 45 days of a nominee's appointment or rejection.

6.5(3) If the governor rejects a nominee, the chief elected officials shall submit the name of a new nominee to the department within 45 days of such rejection.

6.5(4) If the chief elected officials fail to submit the name of a nominee for a vacancy within the 45-day time period or fail to reach agreement locally on appointments to the board, the governor may appoint a person to fill the vacancy.

[ARC 3610C, IAB 1/31/18, effective 3/7/18]

877—6.6(84A,PL113-128) Meetings. The board shall meet in May of each year. The chief elected official for the local workforce development area will name a chairperson from among the local workforce development board's representatives of business. The chairperson and vice chairperson shall not be of the same political party. The board shall meet at the call of the chairperson or when a majority of the members of the board file a written request of the chairperson for a meeting. Written notice of the time and place of each meeting shall be given to each member of the board. A majority of the voting members constitutes a quorum.

[ARC 3610C, IAB 1/31/18, effective 3/7/18]

877—6.7(84A,PL113-128) Duties. The local workforce development board shall perform the following duties and other functions as necessary and proper to carry out its responsibilities under Title I of WIOA and listed in Iowa Code section 84A.4(2).

1. Conduct a needs assessment to identify the workforce development needs of the region.
2. Recommend to the state workforce development board and the department of workforce development awards of grants and contracts administered by the department in the region.
3. Monitor the performance of grants and contracts awarded in the region.
4. File an annual report with the department as required by Iowa Code section 84A.1B.
5. Recommend to the state workforce development board and department of workforce development the services to be delivered in the region.
6. Fulfill the responsibilities of a local workforce investment board as required by the WIOA, subsequent amendments and all related regulations.

7. Enter into an agreement with the region's chief elected officials board to delineate their respective duties related to administration of the WIOA.

[ARC 3610C, IAB 1/31/18, effective 3/7/18]

877—6.8(84A,PL113-128) Board certification and decertification. The governor will certify each local workforce development board in accordance with Section 107(c)(2) of WIOA and may decertify a board pursuant to Section 107(c) of WIOA.

[ARC 3610C, IAB 1/31/18, effective 3/7/18]

877—6.9(84A,PL105-220) Board decertification. Rescinded ARC 3610C, IAB 1/31/18, effective 3/7/18.

877—6.10(84A,PL113-128) Member travel expenses. Board members may be reimbursed for actual and necessary travel expenses for board meetings and other authorized board travel. Expenses will be reimbursed according to guidelines issued by the department of revenue.

[ARC 3610C, IAB 1/31/18, effective 3/7/18]

877—6.11(84A,PL113-128) Records. Agendas, minutes, and materials presented to the board are available from the Division of Workforce Development Center Administration, Department of Workforce Development, 150 Des Moines Street, Des Moines, Iowa 50309, except those records concerning closed sessions which are exempt from disclosure under Iowa Code subsection 21.5(5) or which are otherwise confidential by law. Board records contain information about persons who participate in meetings. This information is collected pursuant to Iowa Code section 21.3 and subsection 96.11(6). These records are not stored in an automated data processing system and may not be retrieved by a personal identifier.

Rule-making records may contain information about persons making written or oral comments on proposed rules. This information is collected pursuant to Iowa Code section 17A.4. These records are not stored in an automated data processing system and may not be retrieved by a personal identifier.

[ARC 3610C, IAB 1/31/18, effective 3/7/18]

These rules are intended to implement Iowa Code section 84A.4 and the federal Workforce Innovation and Opportunity Act, Public Law No. 113-128.

[Filed 6/27/97, Notice 5/21/97—published 7/16/97, effective 8/20/97]

[Filed emergency 6/25/99 after Notice 5/19/99—published 7/14/99, effective 6/25/99]

[Filed ARC 3610C (Notice ARC 3480C, IAB 12/6/17), IAB 1/31/18, effective 3/7/18]