



BOARD MEMBER MANUAL

SEPTEMBER 2023

TABLE OF CONTENTS

INTRODUCTION	3
COMPANY VISION AND MISSION	3
VISION	3
MISSION.....	3
WORKFORCE STRUCTURE.....	4
ORGANIZATIONAL STRUCTURE.....	5
BOARD MEMBERS' ROLES AND RESPONSIBILITIES.....	6
BYLAWS	7
INTERLOCAL AGREEMENT.....	18
BOARD ROSTER	26
BOARD COMPOSITION.....	27
POLICY 91.....	28
COMMITTEE DESCRIPTIONS	35
MEETING SCHEDULE	36
BOARD ATTENDANCE POLICY.....	37
CODE OF ETHICS AND TRANSPARENCY POLICY	38
REQUIRED FINANCIAL DISCLOSURE POLICY	40
BOARD GOVERNANCE POLICY	42





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INTRODUCTION

The Pasco-Hernando Workforce Board, Inc. is a not-for-profit organization that serves Pasco and Hernando counties by administering local workforce development and welfare reform programs as part of the State of Florida and the Federal Government's initiatives.

COMPANY VISION AND MISSION

VISION

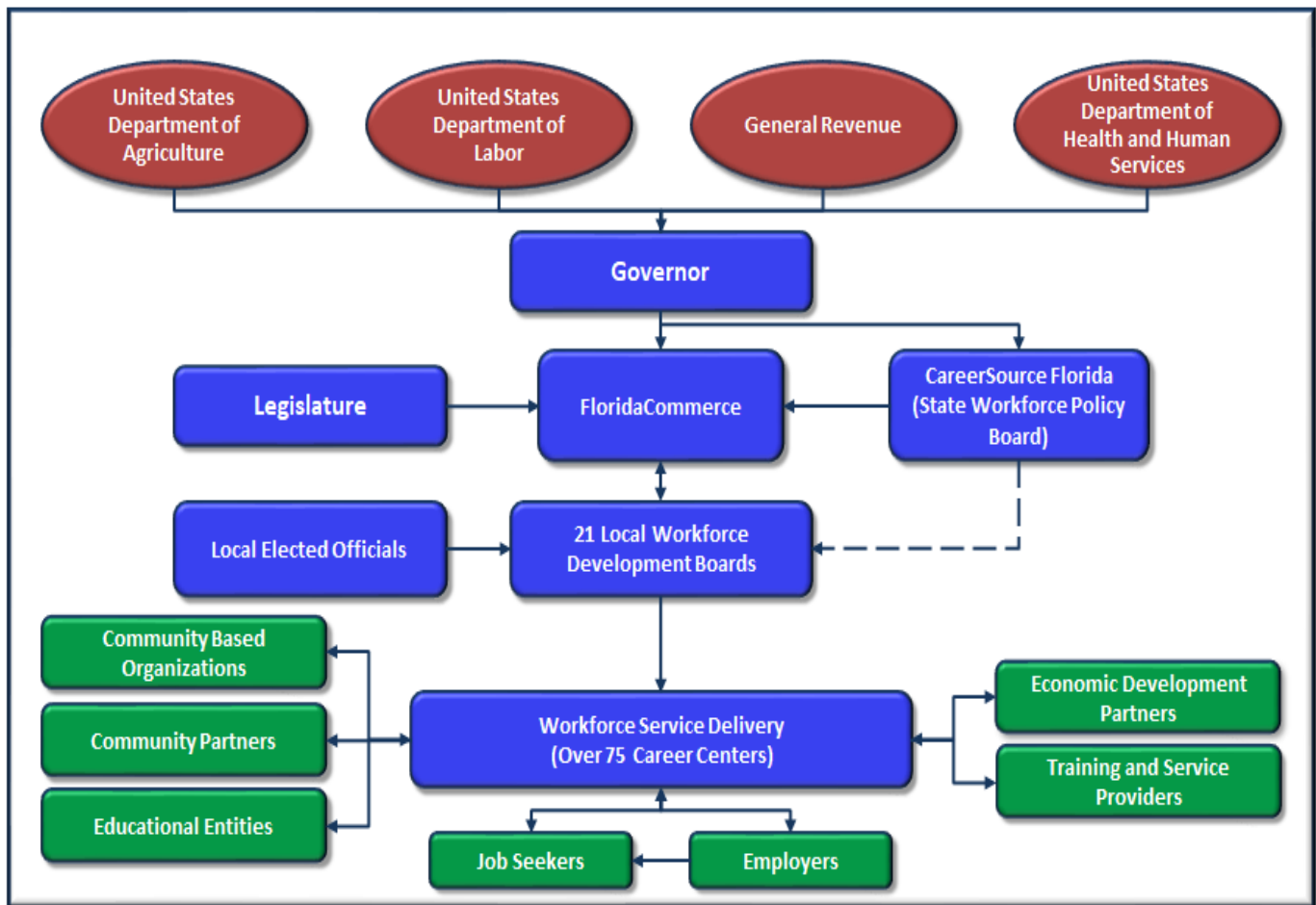
To serve as a catalyst in the community for promoting self-sufficiency through the development of a quality workforce.

MISSION

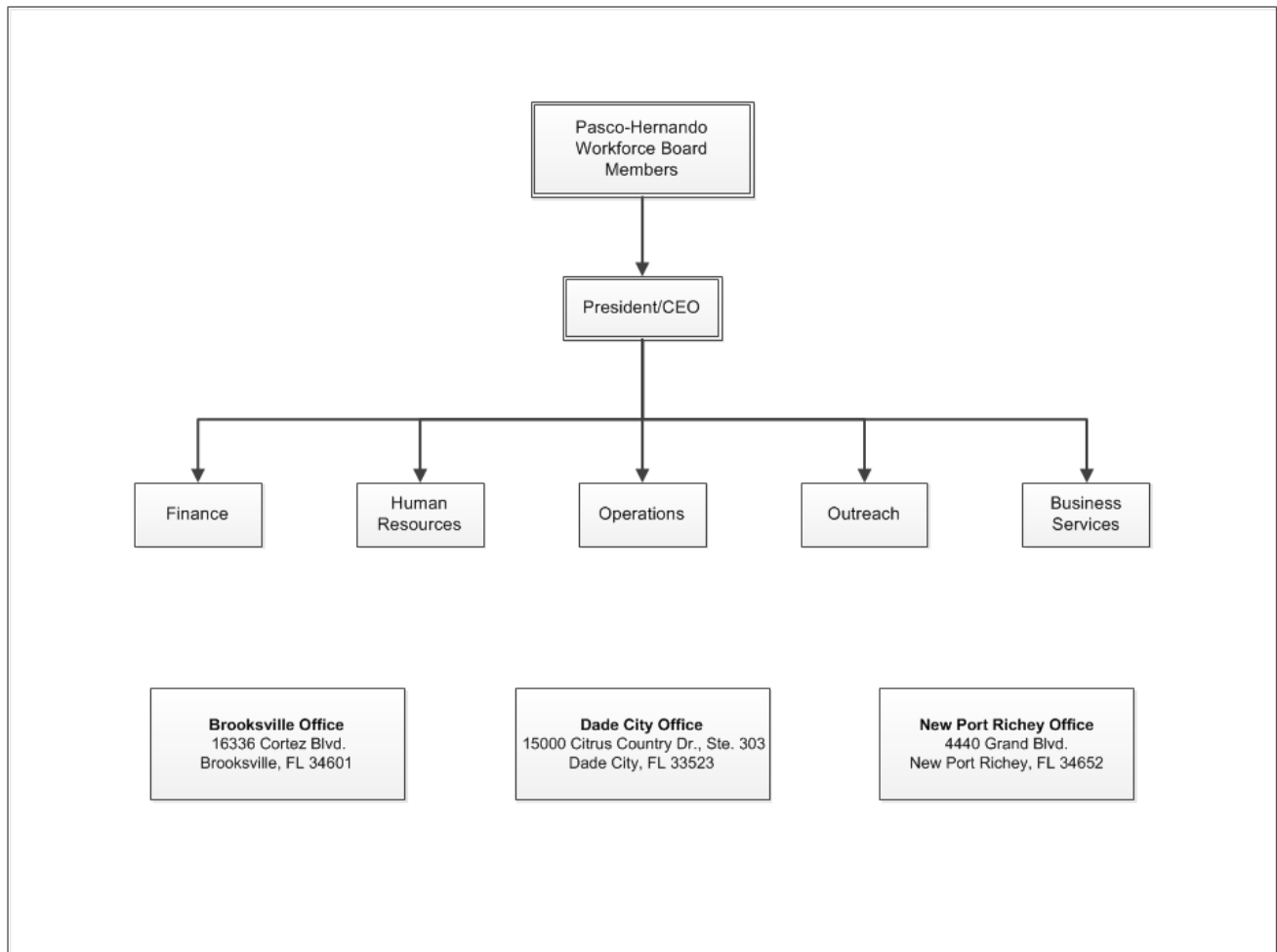
Pasco-Hernando Workforce Board enhances economic development efforts of our region by providing a well trained, high quality workforce which supports the success of local business and improves the quality of life.

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WORKFORCE STRUCTURE



ORGANIZATIONAL STRUCTURE



BOARD MEMBERS' ROLES AND RESPONSIBILITIES

Board Members play a significant role by ensuring the performance and accountability of the Local Workforce Development Board. With a commitment to integrity and ethical behavior, Board Members have the following responsibilities:

- Abide by the organization's Bylaws and the Board Member Manual
- Convene and facilitate board and committee meetings in accordance with Robert's Rules of Order and the Sunshine Law
- Vet potential board member candidates for the necessary skills and expertise, and acclimate new board members
- Establish and evaluate the performance of the CEO
- Maintain communication with external auditors and internal monitors
- Review to ensure organizational compliance with federal, state, or grant program rules and regulations as needed
- Review and approve the local workforce plan according to WIOA public law and applicable state law
- Approve updates to the organization's Bylaws, Articles of Incorporation, and Interlocal Agreement
- Exercise fiduciary responsibility by approving an annual budget, signing checks and contracts, and reviewing the annual audit and Form 990
- Complete and submit the Statement of Financial Disclosure Form 1 by July 1 of each year

ARTICLE I
DEFINITIONS

- (A) CLEO – Chief Local Elected Official of the county(ies) represented
- (B) LWDB – Local Workforce Development Board established under WIOA (Workforce Opportunity and Innovation Act) section 107, to set policy for the local workforce development system
- (C) Board of Directors, the Board – The governing body of the Corporation, responsible for oversight of the organization in the fulfillment of its Mission and Vision
- (D) Board Officers – Individuals appointed to the office of Chair, Vice Chair, Treasurer/Secretary
- (E) Corporate Officer – Executive Director/CEO hired or designated by the Board responsible for the overall operational and administrative functions of the Corporation
- (F) Board Staff – Employees of the Corporation, responsible for the daily management and operations as directed by the CEO
- (G) Ex-officio Member – a non-voting member of the Board of Directors

ARTICLE II
PURPOSE

Section 1. Purpose. The Pasco-Hernando Workforce Board, Inc. dba CareerSource Pasco Hernando shall be hereafter referred to as “PHWB”. PHWB was formed in response to the Workforce Investment Act of 1998 (Public Law 105-220), Florida’s welfare reform initiative titled the “Work and Gain Economic Self-Sufficiency Act (WAGES), and an Interlocal Agreement between Pasco and Hernando Counties (“Interlocal Agreement”), and serves as the Local Workforce Development Board (LWDB).

The purpose of this Corporation shall be as stated in the Articles of Incorporation and as follows:

- (A) To operate exclusively in any other manner for such charitable and educational purposes as will qualify it as an exempt organization under Section 501(c)(3) of the Internal Revenue Code, as amended, or under any corresponding provisions of any subsequent federal tax laws covering distributions to organizations qualified as tax exempt.
- (B) To serve as a catalyst in the community for promoting self-sufficiency through the development of a quality workforce.
- (C) To enhance economic development efforts of the region by providing a well-trained, high quality workforce which supports the success of local business and improves the quality of life.
- (D) To provide strategic and operational oversight, assist in achievement of the State of Florida’s strategic and operational vision and goals, and maximize and continue to improve quality of services, customer satisfaction, and effectiveness of services provided related to a diverse range of workforce services. LWDB responsibilities include, but are not limited to:

1. Developing and submitting local and, if applicable, regional plans;
2. Conducting workforce research and regional labor market analysis;
3. Convening local workforce development system stakeholders to assist in the development of the local plan and identify expertise and resources to leverage support for workforce development activities;
4. Leading efforts to engage a diverse range of employers and other entities in the region;
5. Leading efforts to develop and implement career pathways;
6. Leading efforts in the local area to identify and promote proven and promising strategies and initiatives for meeting the needs of employers, workers, and jobseekers;
7. Conducting oversight of the Workforce Innovation and Opportunity Act (WIOA) adult, dislocated worker and youth programs and the entire workforce delivery system, ensure the appropriate use and management of WIOA funds and ensure the appropriate use, management and investment of funds to maximize performance outcomes;
8. Negotiating and reaching agreement on local performance measures with the Chief Local Elected Official (CLEO) and the state;
9. In partnership with the CLEO, establishing bylaws and codes of conduct for LWDB Directors, LWDB Chief Executive Officer and staff to the LWDB; and,
10. Establishing additional monitoring and reporting requirements if one entity fulfills multiple functions to ensure the entity is compliant with WIOA, final rules and regulations, Office of Management and Budget circulars, and the state's conflict of interest policy.
11. Such other duties as may be required by federal or state legislation and the relevant rules and regulations as may be amended from time to time.

ARTICLE III

BOARD OF DIRECTORS

Section 1. Function and Duties. All corporate powers, business and affairs shall be exercised by or under the authority of the Board of Directors.

Board of Directors' responsibilities include, but are not limited to:

- (A) Establish policies to promote the Corporation's Mission, Vision, and Goals for the advancement of the local area's workforce development;
- (B) Approve and adopt local and, if applicable, regional plan;
- (C) Approve and adopt an annual budget and modifications as applicable;
- (D) Discharge duties in good faith, with the care an ordinary prudent person in a like position would exercise under similar circumstances;
- (E) Carry out the functions provided in the Workforce Innovation and Opportunity Act (WIOA), Section 107(d);
- (F) Actively participate in convening the workforce development system stakeholders.

Section 2. Number. The Board of Directors shall have not less than three (3) directors, and no more than the number necessary to meet the composition and representation requirements set forth in Section 3 of this Article, or as otherwise required by applicable federal, state, and local law and the Interlocal Agreement.

Section 3. Composition. The Board of Directors shall be comprised of individuals who are appointed in accordance with the requirements set forth in the Workforce Investment Act of 1998 [29 USC §2832(b)], as amended by the Workforce Innovation and Opportunity Act of 2014, and the Florida Workforce Innovation Act of 2000 (Fla. Stat. §445.007), as these laws exist from time to time, and the Interlocal Agreement, as may be entered into or amended from time to time. The composition of the local board must meet the following criteria:

(A) Business

A majority of the Directors must represent businesses in the local area as individuals who:

1. Are owners of a business, chief executives or operating officers, of businesses, or other business executives or employers with optimum policymaking or hiring authority;
2. Represent businesses, including small businesses, or organizations representing businesses that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area (at least two representatives of small businesses must be included); and
3. Are appointed from individuals nominated by local business organizations and business trade associations.

(B) Labor/Apprenticeships

Not less than 20 percent of the Directors must be representatives of the workforce within the local area who:

1. Include at least two representatives of labor organizations nominated by local labor federations. For a local area in which no employees are represented by such organizations, at least two other representatives of employees will be included.
2. Include at least one representative of a labor organization or a training director, from a joint labor-management apprenticeship program. If no such joint program exists in the area, at least one representative of an apprenticeship program in the area, if such a program exists.
3. May include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that serve veterans or provide/support competitive integrated employment for individuals with disabilities.
4. May include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives or organizations that serve out-of-school youth.

(C) Education

Each local board must include representatives of entities administering education and training activities in the local area who:

1. Include a representative of eligible providers administering adult education and literacy activities under Title II of WIOA.

2. Include a representative of institutions of higher education providing workforce investment activities (including community colleges).
3. Include a private education provider, if a public education or training provider is represented on the LWDB. The CareerSource Florida Board of Directors may waive this requirement if requested by a LWDB if it is demonstrated that such representative does not exist in the local area.
4. May include representatives of local educational agencies and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment.

When there is more than one institution in each of the types of educational entities listed above, nominations are solicited from representatives of each of these entities.

(D) Governmental/Economic/Community Development

Each local board must include representatives of economic and community development as well as governmental entities serving the local area who:

1. Represent economic and community development entities serving the local area.
2. Represent Vocational Rehabilitation serving the local area.
3. May represent agencies or entities serving the local area relating to transportation, housing, and public assistance.
4. May represent philanthropic organizations serving the local area.

(E) Other Entity Representation

Each local board may include other individuals or representatives of entities determined by the Chief Elected Official in the local areas to be appropriate.

Unlike the state board, members of the local board may be appointed as representatives of more than one entity if the individual meets all the criteria for representation.

Notwithstanding these requirements, the composition of the Board of Directors may be modified in accordance with, and as is required to comply with, applicable federal and state law governing not-for-profit corporations or regional workforce boards, and any changes to the Interlocal Agreement.

Section 4. Term. Directors shall serve staggered terms and may not serve for more than 8 consecutive years, unless the Director is a representative of a government entity. Service in a term of office which commenced before July 1, 2021, does not count toward the 8-year limitation.

Section 5. Recruiting, Nominating, Vetting, and Appointing. The Board will follow a process for recruiting, nominating, vetting, and appointment Directors that complies with federal, state, and local requirements or guidance as may be amended from time to time. The process will:

- Identify and advertise vacancy;
- Provide instructions for submitting applications;
- Comply by vetting candidates per applicable criteria;
- Select candidates for presentation to CLEO for appointment.

Efforts will be made to ensure diverse geographic areas are represented. The importance of minority and gender representation shall be considered when making appointments to the local board.

Section 6. Vacancies. Director vacancies must be filled within a reasonable amount of time, but no more than 12 months from the vacancy occurrence.

Section 7. Removal, Resignation.

- (A) Removal for Cause – Directors may be removed for cause by the Governor, the CLEO, or 2/3 vote of the Board present at a meeting, quorum having been established. The following shall be grounds for removal for cause:
1. Disclosure of confidential information;
 2. Misuse of position;
 3. Failure to comply with statutory requirements (ex: not disclosing conflict of interest, failure to file Form 1);
 4. Felony conviction while a Director of the Board;
 5. Failure to comply with the Board attendance policy;
 6. Refusal to perform or gross neglect in performance of Board duties;
 7. Other causes as may be determined by the Board or defined by the Governor.

The Governor and CLEO may remove a Director, its Chief Executive Officer, or the designated person responsible for operational and administrative functions for the board for cause.

(B) Resignations

1. Resignations shall occur when a Director, for his or her own reasons, elects to leave the Board and gives due notice of such intent.
2. Directors who no longer hold the position or status that made them eligible appointees must resign or be removed by the CLEO.

In the event a Director fails to meet the attendance requirements set forth in the board policy or is prevented from doing so due to death or disability, the Director will be deemed to have resigned.

Section 8. Permanent Designees

- (A) Directors may appoint a permanent designee in accordance with the provisions of this section.
- (B) The permanent designee, once accepted by the Board of Directors, may, in the Director's absence, attend and vote at any and all meetings and such attendance and vote shall be as if the director attended and voted for all By Law attendance and voting requirements, including, but not limited to, establishing a quorum. If the alternative designee is a business representative, the alternative designee must have policy-making and hiring authority within the organization the designee represents.
- (C) Directors seeking to appoint a permanent designee shall notify the Board of Directors of the request to appoint a permanent designee so that the request may be placed on the agenda of the next regularly scheduled meeting of the Board of Directors for consideration for acceptance by the Board. Acceptance by the Board of Directors shall mean an affirmative vote to accept the permanent designee at any meeting at which a quorum is established.

ARTICLE IV
OFFICERS

Section 1. Officers and Terms. The Officers of the Board shall consist of a Board Chair, a Vice Chair and a Treasurer/Secretary, each of whom shall be elected by the Board of Directors. Elections shall be held at the annual meeting of the Board of Directors, and officers shall serve until their successors are chosen and qualified. The Board Chair and Vice Chair shall be elected from among the Board of Directors under the Business category. The Board Chair may serve a term of no more than 2 years and shall serve no more than 2 terms.

It is the intention of the Board, but not a requirement of these bylaws, that the offices of Board Chair and Vice Chair be alternated between Pasco and Hernando County where practical. Such other officers and assistant officers and agents as may be deemed necessary may be elected by the Board of Directors from time to time. Any two or more offices may be held by the same person. The failure to elect a Board Chair, a Vice Chair or Treasurer/Secretary shall not affect the existence of the Board.

Section 2. Duties. The Officers of the Board shall have the following duties:

- (A) The Board Chair shall preside at all meetings of the Board of Directors and meetings of the Executive Committee. The duties of the Board Chair include but are not limited to:
 - 1. Leading the board to develop a guiding vision that aligns with the state's priorities;
 - 2. Acting as the lead strategic convener to promote and broker effective relationships between CLEOs and economic development, education, and workforce partners in the local area;
 - 3. Leading an executive committee to guide the work of the board, and ensure that committees or task forces have necessary leadership and membership to perform the work of the board; and
 - 4. Leading the agenda setting process for the year and guide meetings to ensure both tactical and strategic work is completed in all meetings.
- (B) The Vice Chair shall, in the absence of the Board Chair, or in the event of the Board Chair's death or inability or refusal to act, perform the duties of the Board Chair and, when so acting, shall act with all of the powers of and be subject to all of the restrictions on, the Board Chair. The Vice Chair shall perform such other duties as may be assigned, from time to time, by the Board Chair or the Board of Directors. A Vice Chair who succeeds to the office of Board Chair during the term of a Board Chair shall be eligible to serve a subsequent full term as Board Chair. The Vice Chair shall ascend to the position of Board Chair and complete the term of a Board Chair unable to complete his or her term of office.
- (C) The Treasurer/Secretary shall have custody of all corporate funds and financial records, shall keep full and accurate accounts of receipts and disbursements and render accounts thereof at the annual meetings and whenever else required by the Board of Directors or the Board Chair, and shall perform such other duties as may be prescribed by the Board of Directors or the Board Chair. The Treasurer/Secretary shall be responsible for preparing minutes of the Board of Directors' meetings and for authenticating the records of the Corporation. The Treasurer/Secretary may utilize staff assistance in the accomplishment of the duties of the office.

Section 3. Removal, Resignation. Removal and resignation of officers shall be addressed in the same manner as the Board of Directors in Article III, Section 7.

ARTICLE V
CHIEF EXECUTIVE OFFICER

Section 1. Duties. The Chief Executive Officer (CEO) shall be employed by the Board of Directors to manage and supervise the day-to-day operation and administration of the Corporation. The CEO shall be responsible for the employment of staff, the designation of their duties, and shall have general supervision of their work.

Section 3. Removal of CEO. The CEO may be removed by the Board of Directors whenever in its judgment the best interest of the Corporation will be served thereby.

- (A) Any vacancy, however occurring, in the office of the CEO may be filled by appointment by the Board of Directors.
- (B) Removal of the CEO shall be without prejudice to the contract rights, if any, of the person so removed; however, election or appointment thereof shall not, of itself, create contract rights. The Governor and CLEO may remove the Chief Executive Officer, or the designated person responsible for operational and administrative functions for the board for cause.

ARTICLE VI
MEETINGS AND RECORDS

Section 1. Board and Committee Meetings

(A) Frequency

The Board shall meet not less than annually but shall schedule quarterly meetings which may be subject to cancellations. The annual meeting of the Board of Directors shall be the last regularly scheduled Board meeting for each Program Year (July 1 – June 30). Committees will meet with such frequency as necessary to perform their duties.

(B) Notice

Notice of all regular Board meetings shall be given at least seven days before the meeting is to occur. Notice of special board meetings must be posted at least 72 hours before the meeting is to occur.

(C) Participation

Participation in a meeting of the Board of Directors can occur by any means, provided that the public is given proper notice of the telecommunications meeting and reasonable access to observe and, when appropriate, participate. Participation by such means shall constitute the presence in person at a meeting, including for purposes of establishing a quorum.

(D) Quorum and Voting

A majority of the number of Directors fixed by these Bylaws shall constitute a quorum for the transaction of business. The act of the majority of the Directors present at a meeting at which a quorum has been established shall be the act of the Board of Directors unless a different number is specified in these Bylaws. Provided, however, that approval of a contract with an organization or individual represented on the Board of Directors shall require

approval by a 2/3 vote of the Board present at a meeting, a quorum having been established, and the Board Director who could benefit financially from the transaction abstains from voting on the contract.

Section 2. Record Keeping.

(A) Minutes

The Board shall keep minutes of the proceedings of its Board and Committee meetings including the number of votes of Directors or committee members (yeas, nays, and abstentions) and attendance records for each meeting. Approved minutes will be made available on the Corporation's website.

(B) Form of Records

Any books, records or minutes may be in written form or in any other form capable of being inspected or copied within a reasonable time.

ARTICLE VII
COMMITTEES

Section 1. Committee Structure and Functions. The Board of Directors shall adopt a committee structure consistent with applicable federal and state law, and their implementing rules, regulations and policies. The Board may designate, direct and delegate to committees any duty, function, or activity which it deems necessary to provide information and to assist in carrying out the Board's duties; provided, however, the Board may not delegate the duty of electing or removing directors or officers, or adopting, amending or repealing bylaws.

The LWDB prohibits staff from serving on Board committees or subcommittees, however, staff may attend or serve as a resource to the committee upon their request.

Section 2. Standing Committees. The Board of Directors shall have the following standing committees; which committee Directors shall serve for 1 year:

Executive Committee

Audit and Finance Committee

Nominating Committee

Such other committees as the Board of Directors, by resolution, deems necessary.

Section 3. Ad Hoc Committees. The Chair of the Board of Directors may appoint ad hoc committees for specific purposes. Ad hoc committees will serve until their purpose has been accomplished.

Section 4. Committee Membership. Standing Committees shall be chaired by a director serving on the Board. Committees, whether standing or ad hoc, may include other directors of the Board, but may include other individuals appointed by the Board who are not directors. Unless otherwise provided by law, these Bylaws or by resolution of the Board, the Chair of the Board of Directors shall appoint all committee Chairs and committee Directors, except that the Chief Executive Officer, or designee, shall be an ex-officio member of all committees of the Board.

Section 5. Meeting Procedure. Unless otherwise provided in these Bylaws, meetings, quorum, notice and other procedural matters of the committees shall be the same as that of the Board.

Section 6. Executive Committee.

- (A) The Executive Committee shall consist of the Board Chair, Vice Chair, Treasurer/Secretary, and not more than 4 additional Directors nominated by the Board Chair and confirmed by vote of a majority of a quorum of Directors at any regular or special meeting.
- (B) During the intervals between the meetings of the Board of Directors, the Executive Committee shall possess and may exercise all the powers and functions of the Board of Directors in the management and direction of the affairs of the Board in all cases in which specific directions shall not have been given by the Board of Directors.
- (C) All actions by the Executive Committee shall be reported to the Board of Directors at its meeting next succeeding such action. Regular minutes of the proceedings of the Executive Committee shall be kept. A majority of the Directors of the Executive Committee in office at the time shall be necessary to constitute a quorum and in every case an affirmative vote of a majority of the Directors of the Committee present at a meeting shall be necessary for the taking of any action.

Section 7. Audit and Finance.

- (A) It shall be composed of not less than 5 directors appointed annually by the Board Chair and shall be representative of all counties in the Region.
- (B) The Audit and Finance Committee shall serve as a direct communication link between the independent audit firm and the Board. The committee shall engage in audit planning, monitor the progress of the annual audit, maintenance and investment of Company retirements plans and shall be responsible for financial reporting oversight.
- (C) Meetings shall be held as often as is necessary to discharge the duties of the committee.

Section 8. Nominating.

- (A) It shall be composed of not less than 3 directors appointed annually by the Board Chair and shall be representative of all counties and Region.
- (B) In consultation with the CLEO, the Committee develops and implements written processes and procedures for recruiting, nominating, vetting, and appointing directors to serve on the Board of Directors.
- (C) In the event the Nominating Committee is unable to convene in a timely manner, their duties may be discharged by the Executive Committee.

ARTICLE VIII

PARLIAMENTARY AUTHORITY

Business will be conducted to the extent feasible in accordance with Roberts' Rules of Order, as amended.

ARTICLE IX

EXECUTION OF INSTRUMENTS AND FINANCIAL MATTERS

Section 1. Checks. All checks, drafts, and orders for payment of money shall be signed in the name of the Corporation and shall be countersigned by those Officers as the Board of Directors shall from time to time designate for that purpose.

Section 2. Contracts, Conveyances. The Board of Directors shall have power to designate the officers and agents who shall have authority to execute any instrument on behalf of the Corporation, such designation shall be established by policy or resolution of the Board. When the execution of any contract, conveyance or other instrument has been authorized without specification of the specific authorized executing officers, the Board Chair or any Vice Chair may execute the same in the name and behalf of the Corporation.

Section 3. Contracts; Voting Requirement In the Event of Potential Conflict of Interests. If the Board proposes to enter into a contract with an organization or individual represented on the Board of Directors, the contract must be approved by a 2/3 vote of the Board, a quorum having been established, and the Director who could benefit financially from the transaction must abstain from voting on the contract in accordance with F.S. §445.007(1).

Section 4. Fiscal Year. The fiscal year of the Board shall begin on July 1 and end on June 30 of the following calendar year.

ARTICLE X

CODE OF CONDUCT AND ETHICS

Section 1. Sunshine Law and Public Records. All meetings of the Board, its committees and between Directors shall comply with Section 24, Article I of the State Constitution, the Florida Government in the Sunshine Act (Fla. Stat. §286 et seq.) and the Public Records Act (Fla. Stat. §119 et seq.).

Section 2. Conduct Standards. Directors and Officers shall be governed by Chapter 112, Florida Statutes, in their conduct.

Section 3. Conflicts of Interest. In compliance with the Board's Code of Ethics and Transparency Policy, upon discovery of an actual or potential conflict of interest involving an Officer or Director of the Board, said individual shall promptly file a formal statement of disqualification as stated in the Board Manual and shall withdraw from any further participation in the transaction involved. No Director of the Board shall cast a vote on any matter on which he or she has a conflict of interest as defined by federal or state law.

Section 4. Non Discrimination Policy. All actions taken by the Board shall be made without regard to age, sex, race, religion, national origin, political affiliation, marital status, disability or handicap, or other reason prohibited under applicable law.

Section 5. Restriction on Benefits of Net Earnings. No part of the Corporation's net earnings shall inure to the benefit of any director, staff, private individual, Corporation or other entity.

Section 6. Procurement. The Board is not a state agency, and is therefore exempt from the Chapters 120 and 287 of the Florida Statutes; however, the Board shall apply the procurement and expenditure procedures as required by applicable federal, state or local law and the rules, regulations and policies promulgated thereunder.

Section 7. Board and Officer Compensation. Neither Directors nor Officers of the Board shall receive any salary or compensation for their services, other than reimbursement for actual out-of-pocket expenses incurred in the performance of their duties as permitted under the State Travel Policy.

ARTICLE XI
AMENDMENT

These Bylaws may be replaced or amended by a vote of 2/3 of a quorum of the Board of Directors at any regular or special meeting of the Board called for that purpose.

EFFECTIVE DATE: December 8, 2022

Adopted by the Board of Directors at its meeting on December 8, 2022

Charles Gibbons
Charles Gibbons (Dec 12, 2022 13:08 EST)

Charles Gibbons, Board Chair

**AMENDED AND RESTATED INTERLOCAL AGREEMENT
BETWEEN PASCO COUNTY AND HERNANDO COUNTY
FOR THE CONTINUATION OF A REGIONAL WORKFORCE BOARD**

This AMENDED AND RESTATED INTERLOCAL AGREEMENT is made and entered into by and between PASCO COUNTY, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose principal address is 37918 Meridian Avenue, Dade City, Florida, 33523, hereinafter called "PASCO" and HERNANDO COUNTY, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose principal address is 20 N. Main St., Rm. 263, Brooksville, Florida, 34601, hereinafter called "HERNANDO."

WITNESSETH:

WHEREAS, the legislative and executive branches of the State of Florida have identified the need for a consolidated workforce development system and has adopted a uniform policy to guide education, training, and employment programs within the State; and

WHEREAS, Chapter 445, Florida Statutes, designates CareerSource Florida, Inc. as the principal workforce policy organization with the responsibility of planning and accountability for the State's workforce development strategy; and

WHEREAS, the Governor of the State of Florida has identified the Interlocal Agreement as the method for establishment of the community board, also known as the Regional Workforce Board , in a multi-county area; and

WHEREAS, the Workforce Investment Act (29 USC § 2732, Public Law 105-220, Sec 117), as amended by the Workforce Innovation and Opportunity Act (Public Law 113-128), (collectively, "the Acts") authorizes the expenditure of federal funds for the job training programs within designated service delivery areas; and

WHEREAS, PASCO and HERNANDO Counties constitute designated Local Workforce Development Area (LWDA) 16 under the Acts and a region for workforce development activities under the Workforce Florida Act; and

WHEREAS, pursuant to the Florida Interlocal Cooperation Act of 1969, Section 163.01, Florida Statutes, PASCO and HERNANDO Counties mutually desire to enter into an Interlocal Agreement for the purpose of the continuation of the Regional Workforce Board; and

WHEREAS, the State of Florida has identified Regional Workforce Boards as the local entities to implement the policy which guides the education, training and employment programs; and

WHEREAS, the local elected officials of PASCO and HERNANDO Counties acknowledge the need for maximization of education, training and employment resources and the need for a local workforce development board charged with the responsibility for implementing federal and state policies at the local level and hereby express their desire to continue this agreement for a workforce development board.

NOW, THEREFORE, in consideration of the foregoing recitals which are true and correct and an integral part of this Agreement and of the mutual covenants and conditions set forth herein, the parties intending to be legally bound hereby agree as follows:

1. **WHEREAS CLAUSES.**

The WHEREAS clauses set forth above are incorporated herein by reference and made a part of this Amended and Restated Interlocal Agreement.

2. **OBLIGATIONS OF THE PARTIES.**

A. The parties agree to the formation of the Regional Workforce Board pursuant to Section 163.01(7), Florida Statutes, to be known as the Pasco-Hernando Workforce Board hereinafter referred to as the "WORKFORCE BOARD."

B. The WORKFORCE BOARD shall be composed of representatives of the two counties. PASCO and HERNANDO Counties shall appoint the representatives to the

WORKFORCE BOARD in accordance with criteria established by the Acts, and Chapter 445, Florida Statutes, and applicable rules and regulations.

C. The WORKFORCE BOARD will notify the Chief Elected Officials, for the purpose of this Agreement, the Chairman of the County Commission, of a vacancy on the WORKFORCE BOARD including any criteria established by the Acts, and Chapter 445, Florida Statutes, as applicable, for filling the vacancy. Upon notification, PASCO and HERNANDO will solicit nominations, in accordance with the requirements of the Acts, utilizing county procedures to seek qualified candidates.

D. Appointments to the WORKFORCE BOARD will be made in accordance with the Acts and Chapter 445, Florida Statutes, as applicable. PASCO and HERNANDO Counties will work together to achieve balanced representation to the extent possible, taking into consideration factors such as the category of membership as described in the Acts, Chapter 445, Florida Statutes, and other applicable rules and regulations. Generally, PASCO and HERNANDO Counties will split the appointments of the WORKFORCE BOARD seats. Consideration will also be given to the location of the operating base of the entity being represented and the location of the residence of the member.

F. PASCO and HERNANDO Counties hereby designate the WORKFORCE BOARD as the local grant sub-recipient and local fiscal agent for funds distributed pursuant to the Acts and other workforce development programs operating within Local Workforce Development Area (LWDA) 16. In that capacity, the WORKFORCE BOARD shall act as its own administrative entity.

G. PASCO and HERNANDO Counties hereby designate the WORKFORCE BOARD as the One-Stop Career Center Operator within Local Workforce Development Area (LWDA) 16.

H. On the occasion Additional One-Stop Partners are required, the approval of the Chief Elected Officials of PASCO and HERNANDO Counties will be secured.

I. Pursuant to the Acts, and in accordance with the requirements established by the Governor of the State of Florida, the WORKFORCE BOARD shall develop the Local Plan and other plans, as required, and shall present said plans to PASCO and HERNANDO Counties for review and approval.

J. PASCO and HERNANDO Counties shall each be responsible for its proportionate part of any liability arising from its status as a grant recipient. PASCO and HERNANDO Counties either jointly or separately may at any time request that an audit be performed by the WORKFORCE BOARD to determine how grant funds are being expended.

3. DUTIES OF THE WORKFORCE BOARD.

The duties of the WORKFORCE BOARD shall include:

A. Developing and evaluating the region's strategic workforce development plan and its subsequent implementation.

B. Reporting to the Board of Directors of CareerSource Florida, Inc. as required, regarding its functions, duties and responsibilities.

C. Soliciting, accepting, receiving, investing and expending funds from any public or private source.

D. Contracting with public and private entities as necessary to further the directives of the workforce development strategy.

E. Developing and approving an annual budget for recommendation to the PASCO and HERNANDO County Commissions for approval.

F. Overseeing and monitoring activities under its jurisdiction in accordance with Acts, the Florida Workforce Innovation Act of 2000, Chapter 445, Florida Statutes, and any subsequent enabling legislation, regulations, and rules.

4. POWERS OF THE WORKFORCE BOARD.

The WORKFORCE BOARD shall have the power to:

A. Act as the grant sub-recipient, administrator and program planner for all programs funded under the Acts with all the responsibilities and liabilities associated therewith.

B. Act as the administrative entity and fiscal agent for workforce development activities within PASCO and HERNANDO Counties.

C. Serve as the community board under CareerSource Florida, Inc. and the Workforce Investment Board under the Acts.

D. Serve as the local entity for education, training and employment programs for PASCO and HERNANDO Counties.

5. CODE OF CONDUCT AND ETHICS.

A. All meetings of the WORKFORCE BOARD, its committees and between members shall comply with Sec. 24, Article I of the Florida Constitution, the Florida Government in the Sunshine Act and the Public Records Act, and Chapter 112, Florida Statutes.

B. The WORKFORCE BOARD of Directors and its Officers shall be governed by Chapter 112, Florida Statutes, in their conduct.

C. All actions taken by the WORKFORCE BOARD shall be made without regard to age, sex, race, religion, national origin, political affiliation, marital status, disability or handicap, or any other reason prohibited under applicable law.

6. ALLOCATION OF FUNDS.

Funds shall be allocated on behalf of each county on the same formula basis as funds are allocated by the State. Funds may be reallocated within the two-county area for a specific time and purpose, only by mutual agreement of the counties affected by the reallocation.

7. AUTHORITY FOR AMENDED AND RESTATED INTERLOCAL AGREEMENT.

Each party warrants and represents to the other party that the execution and delivery of this Amended and Restated Interlocal Agreement has been duly authorized by all appropriate actions of its respective governing body, that this Amended and Restated Interlocal Agreement has been executed and delivered by an authorized officer of the respective governmental entity,

and that this Amended and Restated Interlocal Agreement constitutes the legal, valid, and binding obligation of the executing governmental entity enforceable against it by the other party in accordance with its terms (except as enforceability may be limited by statutes or applicable bankruptcy or similar laws affecting creditor's rights, and by application of equitable principals if equitable remedies are sought). This Amended and Restated Interlocal Agreement shall be effective immediately when fully executed by the duly authorized representatives of both PASCO and HERNANDO Counties and filed with the Clerk of the Circuit Court in the county where the WORKFORCE BOARD maintains its principal place of business and replaces and supersedes the former Interlocal Agreement approved in September 2012. This Amended and Restated Interlocal Agreement may be executed in multiple counterparts each of which may be deemed an original.

8. SURVIVABILITY.

The warranties, representations, covenants, and agreements set forth herein and in the exhibits hereto shall be continuous and shall survive the existence of this Agreement.

9. DURATION OF AGREEMENT.

This Agreement shall have the duration equal to the period that the service delivery area designation remains in effect for the geographical area covered by this Agreement.

10. NOTICE REQUIREMENTS.

Whenever either party is required to give notice unto the other, written notice shall be sent via hand-delivery, overnight delivery or first class mail to:

For Pasco County:
Michele Baker
County Administrator
8731 Citizens Drive, Suite 340
New Port Richey, FL 34654

For Hernando County:
Leonard Sossamon
County Administrator
20 N. Main St., Rm. 263
Brooksville, FL 34601

All notices shall be effective upon receipt. Any party may change their representative to get notice or their address by giving notice in this manner without the need of formal amendment of this Amended and Restated Interlocal Agreement.

11. TERMINATION.

Either party to this Agreement may cancel the same, upon the provision of ninety (90) days written notice advising the other party of its intent to cancel the Agreement.

12. DISPUTE RESOLUTION.

As local government entities, disputes between the parties are governed by Chapter 164, Florida Statutes. This shall not prevent the parties from entering into informal discussions prior to invoking this process.

IN WITNESS WHEREOF, the parties hereto have executed the foregoing Amended and Restated Interlocal Agreement:



Paula S. O'Neil
**PAULA S. O'NEIL, Ph.D.,
CLERK & COMPTROLLER**

DATE: _____

APPROVED
IN SESSION

APR 26 2016

PASCO COUNTY
BCC

**BOARD OF COUNTY COMMISSIONERS OF
PASCO COUNTY, FLORIDA**

Kathryn Starkey
KATHRYN STARKEY, CHAIRMAN



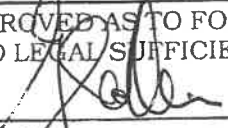
BOARD OF COUNTY COMMISSIONERS OF
HERNANDO COUNTY, FLORIDA

ATTEST:


DON BARBEE, CLERK & COMPTROLLER

DATE: 4/13/14


JAMES ADKINS, CHAIRMAN

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
BY 
County Attorney's Office



careersourcepascohernando.com

BOARD OF DIRECTORS

Charles Gibbons, Board Chair

Keiser University
Campus President

Mark Barry, Treasurer/Secretary

The ARC Nature Coast
Executive Director

Keven Barber

Iron Workers Local 397
President/Business Agent

Dana Cutlip

Cutlip Financial Insurance Services
Owner, Insurance Agent

Tate Foster

Teamsters Local Union No. 79
Business Agent

Lindsey Hack

Spherion Staffing & Recruiting
Sr. Business Development & Local Partner

Hope Kennedy

North Tampa Bay Chamber
President/CEO

Paul Micklow

Amerikey Locksmith
Owner

Tom Mudano

AmSkills, Inc.
President & CEO

Lori Romano

Pasco County Schools
Director, Career, Technical, & Adult Ed.

Sophia Watson

Hernando County School District (SunTech)
Director, Adult & Technical Ed.

Joelle Neri, Vice Chair

The Angelus, Inc.
Human Resource Manager

Turner Arbour

Pasco Economic Development Council
Workforce Development Manager

Timothy Beard

Pasco Hernando State College
President

Mark Earl

Wal-Mart
Digital Operations Lead

Beth Galic

Bay Area Manufacturers Association
Executive Director

John Howell

Division of Vocational Rehabilitation
Area Director

Nils Lenz

B&N Lenz Enterprises
Owner

Lee Middleton

Plumbers, Pipefitters & HVAC Technicians LU 123
Training Director

Stefanie Pontlitz

Lighthouse for the Visually Impaired and Blind
CEO

Lex Smith

Truist Wealth
Managing Director, Wealth Advisor

info@careersourcepascohernando.com
PO Box 6589 | Spring Hill, FL 34611
p: 352-593-2222 | f: 352-593-2200



BOARD COMPOSITION

WORKFORCE		11		
A. Labor/Apprenticeships (Must be 20% or greater)		5	24%	County
1	Representative of labor organization	Tate Foster	Required	H
2	Representative of labor organization	Lee Middleton	Required	P
3	Representative of joint labor-management organization	Keven Barber	Required	P
4	Representative of community-based organization	Mark Barry	Optional	H
5	Organization that serves veterans		Optional	
6	Organizations supporting individuals with disabilities	Stefanie Pontlitz	Optional	P
7	Organization assisting youth		Optional	
8	Union affiliated registered apprenticeship program		Optional	
9	Non-union affiliated registered apprenticeship program		Optional	
B. Education		4		
1	Representative of adult education and literacy activities	Sophia Watson	Required	H
2	Representative of adult education and literacy activities	Lori Romano	Optional	P
3	Representative of higher education	Timothy Beard	Required	P
4	Representative of private education	Tom Mudano	Required	P
5	Representative of local educational agencies or CBO		Optional	
C. Governmental/Economic/Community Development		2		
1	Representative of economic and community development	Turner Arbour	Required	P
2	Representative of Vocational Rehabilitation	John Howell	Required	P
3	Representative of transportation, housing, and public assist		Optional	
4	Representative of philanthropic organizations		Optional	
D. Other Entity Representation		0		
1	Other representatives as determined by CLEO		Optional	
BUSINESS				
E. Business (Must be 51% or greater)		10	48%	
1	Representative of small business	Joelle Neri	Required	P
2	Representative of small business	Dana Cutlip	Required	H
3	Representative of other business	Mark Earl	Optional	H
4	Representative of other business	Lex Smith	Optional	H
5	Representative of other business	Paul Micklow	Optional	P
6	Representative of other business	Lindsey Hack	Optional	H
7	Representative of other business		Optional	
8	Representative of other business	Nils Lenz	Optional	P
9	Representative of other business	Charles Gibbons	Optional	P
10	Representative of other business	Hope Kennedy	Optional	P
11	Representative of other business	Beth Galic	Optional	P
12	Representative of other business		Optional	
	Representation Count:	21	Hernando	33%
	Current Board Member Count:	21	Pasco	67%





**POLICY
NUMBER
091**

Administrative Policy

Title:	Local Workforce Development Board Composition and Certification		
Program:	Workforce Innovation and Opportunity Act		
Effective:	06/08/2016	Revised:	07/01/2021

I. PURPOSE AND SCOPE

The purpose of this policy is to provide Local Workforce Development Boards (LWDBs) with the requirements for LWDB membership composition under the Workforce Innovation and Opportunity Act (WIOA) and Chapter 445, Florida Statutes (F.S.), and the process for certification of LWDBs.

II. BACKGROUND

Each local workforce development area in the state must establish a local workforce development board to carry out the functions specified for the local board under WIOA sec. 107(d) for such area. The CareerSource Florida Board of Directors, in consultation with the Department of Economic Opportunity, will ensure LWDBs have a membership consistent with the requirements of federal and state law and have developed a plan consistent with the state's workforce development plan.

III. AUTHORITY

[Public Law 113-128, Workforce Innovation and Opportunity Act](#), Sections 106 and 107

[20 Code of Federal Regulations 679.320](#)

[Sections 445.004 and 445.007, F.S.](#)

IV. POLICIES AND PROCEDURES

Outlined below are the policies and procedures for certifying LWDBs and ensuring the composition of and appointment of members to LWDBs are consistent with the provisions of federal and state requirements.

A. LWDB Membership and Composition

The Governor, in partnership with the CareerSource Florida Board of Directors, must establish criteria for use by Chief Local Elected Officials (CLEOs) for appointment of members of the local boards in accordance with WIOA sec. 107(b)(2). The composition of the local board must meet the following criteria:

1. Business

A majority of the local board members must represent businesses in the local area as individuals who:

- a. Are owners of a business, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority;
- b. Represent businesses, including small businesses, or organizations representing businesses that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area (at least two representatives of small businesses must be included); and
- c. Are appointed from individuals nominated by local business organizations and business trade associations.

2. Labor/Apprenticeships

Not less than 20 percent of the members must be representatives of the workforce within the local area who:

- a. Include at least two representatives of labor organizations nominated by local labor federations. For a local area in which no employees are represented by such organizations, at least two other representatives of employees will be included.
- b. Include at least one representative of a labor organization or a training director from a joint labor-management apprenticeship program. If no such joint program exists in the area, at least one representative of an apprenticeship program in the area, if such a program exists.
- c. May include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that serve veterans or provide/support competitive integrated employment for individuals with disabilities.

- d. May include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives or organizations that serve out-of-school youth.

3. Education

Each local board must include representatives of entities administering education and training activities in the local area who:

- a. Include a representative of eligible providers administering adult education and literacy activities under Title II of WIOA.
- b. Include a representative of institutions of higher education providing workforce investment activities (including community colleges).
- c. Include a private education provider, if a public education or training provider is represented on the LWDB. The CareerSource Florida Board of Directors may waive this requirement if requested by a LWDB if it is demonstrated that such representative does not exist in the local area.
- d. May include representatives of local educational agencies and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment.

When there is more than one institution in each of the types of educational entities listed above, nominations are solicited from representatives of each of these entities.

LWDBs requesting to waive the requirement for private education provider representation on the board must demonstrate that such a provider does not exist in the local area. The LWDB will describe, in a locally defined process, how private education providers will be identified and efforts to include those representatives on the local board. If through the local process the LWDB finds that a private education provider representative of an entity administering education and training activities in the local area does not exist, the LWDB will submit a request to waive the requirement to LWDBGovernance@deo.myflorida.com. The request must include a copy of the local process and the results of the LWDB's efforts in its request.

4. Governmental/Economic/Community Development

Each local board must include representatives of economic and community development as well as governmental entities serving the local area who:

- a. Represent economic and community development entities serving the local area.
- b. Represent Vocational Rehabilitation serving the local area.
- c. May represent agencies or entities serving the local area relating to transportation, housing, and public assistance.
- d. May represent philanthropic organizations serving the local area.

5. Other Entity Representation

Each local board may include other individuals or representatives of entities determined by the Chief Elected Official in the local areas to be appropriate.

Unlike the state board, members of the local board may be appointed as representatives of more than one entity if the individual meets all the criteria for representation.

B. LWDB Chairperson

The LWDB chairperson is elected by the members of the LWDB and must be one of the business representatives on the local board. LWDB chairperson requirements can be found in [Administrative Policy 110 – Local Workforce Development Area and Board Governance](#).

C. Standing Committees

The local board may designate and direct the activities of standing committees to provide information and to assist the local board in carrying out its required activities, as further prescribed in WIOA sec. 107(b)(4).

D. Authority of Board Members

Members of the board who represent organizations, agencies, or other entities must be individuals with optimum policymaking authority within the organizations, agencies or entities.

E. Board Member Recruiting, Vetting and Nominating

The LWDB, in consultation with the CLEO, must develop and implement written processes and procedures for recruiting, vetting and nominating LWDB members. The qualifications of LWDB members must be documented, align with the requirements of WIOA, and be compliant with all federal and state laws, rules and regulations, and applicable state policies. Documentation supporting the recruitment, vetting and nomination process, including names of nominating organizations and names of all candidates and their qualifications, must be retained for not less than five years.

In addition to criteria outlined in Section A. of this policy, the members of the board shall represent diverse geographic areas within the local area. The importance of minority and gender representation must be considered when making appointments to the local board.

F. Appointment of Board Members

The CLEO in a local area is authorized to appoint the members of the local board who meet the criteria outlined in **Section A.** of this policy. The CLEO may not delegate the responsibility of appointing members to the LWDB, to the executive director or to staff.

When a local area includes more than one unit of local government, the CLEOs of such units may execute an agreement that specifies the respective roles of the individual CLEOs regarding:

- a. The selection, appointment, removal or reappointment of the members of the local board from the individuals nominated or recommended to be such members; and
- b. Carrying out any other responsibilities assigned to such officials in accordance with WIOA.

If after a reasonable effort the CLEOs are unable to reach agreement, the Governor may appoint the members of the local board from individuals so nominated or recommended.

Upon appointment to the local board, members must be educated about and acknowledge state and local conflict-of-interest policies.

LWDBs must adopt and abide by a conflict-of-interest policy that ensures compliance with federal and state laws, rules and regulations and applicable state policies.

G. Board Member Vacancies, Term Limits and Removal

LWDB members who no longer hold the position or status that made them eligible appointees must resign or be removed by the CLEO. Local workforce development board vacancies must be filled within a reasonable amount of time, but no more than 12 months from the vacancy occurrence. This process may be described in the local area's bylaws or in a local operating procedure.

LWDB members shall serve staggered terms and may not serve for more than eight (8) consecutive years, unless the member is a representative of a government entity. Service in a term of office which commenced before July 1, 2021, does not count toward the 8-year limitation.

The Governor and CLEO may remove members of an LWDB, and its Executive Director or the designated person responsible for operational and administrative functions for the board for cause.

H. Certification of Local Workforce Development Boards

1. Certification

Once every two years, one LWDB must be certified for each local area in the state, based on the criteria described in WIOA sec. 107(b). For a second or subsequent certification, certification must also be based on the extent to which the local area ensures workforce investment activities carried out in the local area enabled the local area to meet the corresponding performance accountability measures and achieve fiscal integrity as defined in WIOA sec. 106(e)(2).

The CareerSource Florida Board of Directors shall recertify LWDBs every two years. DEO, in consultation with the CareerSource Florida Board of Directors, will issue

instructions to the LWDBs for certification. LWDBs will submit certification documents to DEO. Upon satisfactory review of an LWDB's certification documents, DEO will provide a recommendation on certification to the CareerSource Florida Board of Directors. At the appropriate time intervals, instructions will be issued to LWDBs about the certification process, to include documentation requirements.

2. Failure to Achieve Certification

Failure of an LWDB to achieve certification shall result in appointment and certification of a new local board for the local area pursuant to WIOA sec. 107(c)(1). [Administrative Policy 104 – Sanctions for Local Workforce Development Boards' Failure to Meet Federal and State Standards](#) details the actions the CareerSource Florida Board of Directors and DEO may take if an LWDB fails to meet this standard.

I. Decertification of Local Workforce Development Boards

The Governor may decertify an LWDB in accordance with WIOA Sec. 107(c)(3), as further prescribed in Administrative Policy 104, Sanctions for Local Workforce Development Boards' Failure to Meet Federal and State Standards.

V. DEFINITIONS

1. **Small business** is defined by the [Small Business Administration](#).
2. **Economic agency** is defined as including a local planning or zoning commission or board, a community development agency, or another local agency or institution responsible for regulating, promoting, or assisting in local economic development.
3. **For cause** includes, but is not limited to, engaging in fraud or other criminal acts, incapacity, unfitness, neglect of duty, official incompetence and irresponsibility, misfeasance, malfeasance, nonfeasance, gross mismanagement, waste, or lack of performance.
4. **Person with optimum policy-making authority** is an individual who can reasonably be expected to speak affirmatively on behalf of the entity he or she represents and to commit that entity to a chosen course of action.

VI. REVISION HISTORY

Date	Description
07/01/2021	Revised and issued by the Florida Department of Economic Opportunity to incorporate the requirements of the Reimagining Education and Career Help Act of 2021 (House Bill 1507).
01/07/2021	Issued by the Florida Department of Economic Opportunity.
12/03/2020	Revised and approved by CareerSource Florida Board of Directors.
02/20/2020	Revised and approved by CareerSource Florida Board of Directors.
06/08/2016	Issued by the Florida Department of Economic Opportunity. This administrative policy supersedes and replaces FG-OSPS-073, Regional Workforce Board Composition, Certification and Decertification, issued June 29, 2013.

COMMITTEE DESCRIPTIONS

EXECUTIVE COMMITTEE

- Composed of the Board Chair, Vice Chair, Treasurer/Secretary, and not more than four additional Directors
- Meetings are scheduled to alternate with Board meetings
- All actions by the Committee are reported to the Board of Directors

AUDIT AND FINANCE COMMITTEE

- Composed of not less than five Directors
- Review and approve the organizational budget
- Review financial statements
- Review and approve new funding budgets, transfers, and modifications
- Recommend cancellations of contracts to the Board due to non-performance
- Communicate with the auditors if necessary

NOMINATING COMMITTEE

- Composed of not less than three Directors
- Develop and implement processes for recruiting, nominating, vetting, and appointing Directors
- Review nominations for Board Membership

MEETING SCHEDULE

July 1, 2023 – June 30, 2024

JULY 2023

July 4 – Independence Day

July 13 – Nominating Committee (9a)

AUGUST 2023

August 3 – Audit Finance Committee (9a)

Executive Committee (10a)

August 31 – Nominating Committee (9a)

SEPTEMBER 2023

September 4 – Labor Day

September 14 – Board (3p)

OCTOBER 2023

October 19 – Audit Finance Committee (9a)

Executive Committee (10a)

October 25 – Staff Meeting

NOVEMBER 2023

November 10 – Veterans Day (Observed)

November 16 – Nominating Committee (9a)

November 23 – Thanksgiving Day

November 24 – Day after Thanksgiving

DECEMBER 2023

December 7 – Board (3p)

December 22 – Christmas Eve (Observed)

December 25 – Christmas Day

December 29 – New Year's Eve (Observed)

JANUARY 2024

January 1 – New Year's Day

January 11 – Audit Finance Committee (9a)

Executive Committee (10a)

January 15 – Martin Luther King Day

FEBRUARY 2024

February 8 – Executive Committee (9a)

February 22 – Nominating Committee (9a)

MARCH 2024

March 7 – Board (3p)

March 29 – Good Friday

APRIL 2024

April 11 – Executive Committee (9a)

April 17 – Staff Meeting

April 25 – Nominating Committee (9a)

MAY 2024

May 9 – Executive Committee (9a)

May 23 – Nominating Committee (9a)

May 27 – Memorial Day

JUNE 2024

June 6 – Annual Board Meeting (3p)

OPERATING HOURS

BROOKSVILLE

16336 Cortez Blvd.
Brooksville, FL 34601

Office Hours:

Monday - Friday 8a – 5p

Call Center Hours:

Monday-Friday 8a – 7p

Saturday 8a – 5p

DADE CITY

15000 Citrus Country Dr. Ste. 303
Dade City, FL 33523

Office Hours:

Monday - Friday 8a – 5p

Call Center Hours:

Monday-Friday 8a – 7p

Saturday 8a – 5p

NEW PORT RICHEY

4440 Grand Blvd.
New Port Richey, FL 34652

Office Hours:

Monday - Friday 8a – 5p

Call Center Hours:

Monday-Friday 8a – 7p

Saturday 8a – 5p

info@careersourcepascohernando.com
P.O. Box 6589 | Spring Hill, FL 34611
p: 352-593-2222 | f: 352-593-2200



BOARD ATTENDANCE POLICY

I. PURPOSE

To establish attendance expectations to encourage full participation of all Board members. Regular attendance ensures that each meeting has a quorum to conduct official business, which directly correlates to the well-being and success of the organization.

II. POLICY

Except in the event of unforeseen circumstances, Board members are expected to attend all regularly scheduled meetings. The Board Assistant shall maintain a record of the members' attendance, which shall be recorded in the meeting minutes. Prior to the annual meeting, the board attendance records shall be reviewed. If a Board member has missed one-third of the total number of meetings in that fiscal year, the Board Chair and CEO shall be notified and may make contact with the respective Board member to discuss their attendance. Depending on the circumstances surrounding the issue, the Board Chair and CEO may consider the following options:

- (1) Allow the Board member the opportunity to improve their attendance.
- (2) Allow the Board member to resign their seat from the Board.

If the Board member's attendance is not rectified within the next fiscal year, a recommendation to revoke their membership shall be presented to the Executive Committee. With the Executive Committee's approval, a request to remove the member from the Board shall be presented to the appointing County Commission.

III. ACKNOWLEDGMENT

My signature below indicates that I have read and understand the Board Attendance Policy.

Print Name: _____

Signature: _____ Date: _____

CODE OF ETHICS AND TRANSPARENCY POLICY

I. PURPOSE

Pursuant to CareerSource Florida Policy 2018.09.26.A.1, local workforce development boards must create and enforce policies to ensure compliance with regulatory expectations for ethics and transparency.

II. POLICY

Pasco-Hernando Workforce Board, Inc. recognizes the importance of ethics and transparency, and these principles are communicated to our staff, members, and outsourced service providers regularly. Compliance with Chapter 112, Part III, Florida Statutes ensures ethical conduct and disclosures of conflict of interest as applicable to all workforce development board members and their designees.

To meet transparency requirements, workforce development board members will abide by the provisions of Chapter 119 relating to public records, provisions of Chapter 286 relating to public meetings and Section 24, Article 1 of the State Constitution regarding Access to Public Records and Meetings.

Annual training on the applicable laws will be provided to all board members to ensure compliance.

III. ACKNOWLEDGMENT


My signature indicates that I will comply with the Code of Ethics and Transparency policy and all applicable laws. Furthermore, I understand the requirement to disclose any conflict of interest as soon as it becomes known and as it pertains to any matter of relevance to the Pasco-Hernando Workforce Board. Violation of this policy may result in removal from the board.

Print Name: _____

Signature: _____ Date: _____

IV. AUTHORITIES

- [U.S. Department of Labor, Employment and Training Administration Advisory System, Training and Employment Guidance Letter No. 35-10](#)
- [Public Law 113-128, the U.S. Workforce Innovation and Opportunity Act Of 2014 \(WIOA\), Sections 106-110](#)
- [20 CFR Part 679—Statewide and Local Governance of the Workforce Development System Under Title I of the Workforce Innovation and Opportunity Act](#)
- [Chapter 445.003-445.007, Florida Statutes](#)
- [Chapter 112, Florida Statutes](#)
- [Chapter 119, Florida Statutes](#)
- [Chapter 286, Florida Statutes](#)

 Region 16 Local Operating Policy		Policy Number ADMIN-03
Title:	Required Financial Disclosure	
Effective:	12/08/2022	
Revised:	N/A	

I. PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to Local Workforce Development Board (LWDB) Chief Local Elected Officials, Directors, and Chief Executive Directors, involved in implementing Workforce Innovation and Opportunity Act (WIOA) programs and related workforce services. This policy outlines the responsibilities and procedures concerning the financial disclosure requirements.

II. BACKGROUND

Section 445.007, Florida Statutes, requires that each LWDB Director, who is not otherwise required to file a full and public disclosure of financial interests pursuant to Section 8, Article II of the State Constitution or Section 112.3144, Florida Statutes, shall file a statement of financial interests pursuant to Section 112.3145, Florida Statutes.

The Chief Executive Director or designated person responsible for the operational and administrative functions of the LWDB, who is not otherwise required to file a full and public disclosure of financial interests pursuant to Section 8, Article II of the State Constitution or Section 112.3144, Florida Statutes, shall file a statement of financial interests pursuant to Section 112.3145, Florida Statutes.

The Supervisor of Elections in each county shall be responsible for annually reminding LWDB Directors and Chief Executive Directors of statement of financial interests' submission deadlines and keeping the forms on file. Florida's Department of Economic Opportunity (DEO) shall routinely determine compliance with the financial disclosure requirement as a component of annual monitoring of the LWDB. DEO will review the information from the LWDB and on file with the appropriate local Supervisor of Elections offices to make its determination of compliance.

III. AUTHORITY

Chapter 112, Florida Statutes

Section 445.007, Florida Statutes

DEO Final Guidance FG-075

Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees

IV. GUIDANCE


LWDB Directors and Chief Executive Directors (or a person providing the same services to the LWDB as an executive director but under a different title) who are not otherwise required under another provision of law to file a full and public disclosure of financial interests pursuant to Section 8, Article II of the State Constitution or Section 112.3144, Florida Statutes, are now required to file a statement of financial interests under Section 445.007, Florida Statutes, and follow Chapter 34-8 of the Rules of the Florida Commission on Ethics.

All LWDB Directors and Chief Executive Directors are required to file annually by July 1 of each year. For purposes of filing, LWDB Directors and Chief Executive Directors are considered "local officers" and are required to file with the County Supervisor of Elections in their county of residence. All newly appointed Directors or Chief Executive Directors must file within 30 days of their appointment or employment. Resigning Directors or Chief Executive Directors are required to file their final statement of financial interests within 60 days of leaving public office or employment.

Each LWDB shall appoint a local coordinator to provide the Commission of Ethics and DEO, the names and addresses of its Directors and Chief Executive Directors, and to timely advise of any changes thereto. The local coordinator shall also be responsible for advising LWDB Directors and Chief Executive Directors to file their final statement of financial interests (Form 1F) when leaving the board. Additional information about statements of financial interests is contained in the Commission's publication A Guide to the Sunshine Amendment and Code of Ethics.

V. REVISION HISTORY

Date	Description
12/13/2022	Issued by CareerSource Pasco Hernando.
12/08/2022	Approved by CareerSource Pasco Hernando Board of Directors.

 Region 16 Local Operating Policy		Policy Number ADMIN-04
Title:	Board Governance	
Effective:	12/08/2022	
Revised:	N/A	

I. PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to Chief Local Elected Official (CLEOs), Fiscal Agents, Local Workforce Development Boards (LWDBs), LWDB Chairpersons, LWDB Executive Directors, LWDB staff, and workforce system partners on the requirements for local workforce development area (“local area”) and LWDB governance. This policy outlines key roles, responsibilities, and requirements of the entities/individuals that make up the workforce development system within a local area.

This policy also identifies and describes required agreements to ensure the local area serves as a jurisdiction for the administration of workforce development activities and expenditure of Workforce Innovation and Opportunity Act (WIOA) adult, dislocated worker, and youth funds allocated to LWDBs by the state.

Local Workforce Development Board Leadership

The federal Workforce Innovation and Opportunity Act (WIOA) requires the chief local elected official (CLEO) in each local area to play an active role in both the strategic planning and ongoing operation of the local system. The CLEO is authorized to appoint the members of the local workforce development board in accordance with criteria established in Public Law 113-128, Section 107, the Workforce Innovation and Opportunity Act, and Chapter 445.007, Florida Statutes.

Each local workforce development board shall elect a chair to direct the business of the board. Each local workforce development board may designate and direct the activities of standing committees to provide information and to assist the local workforce development board in carrying out activities described in Section, 107, WIOA. Such standing committees shall be chaired by members of the board and shall include other individuals appointed by the local workforce development board as persons determined by the local workforce development board to have appropriate experience and expertise.

To effectively fulfill their responsibilities and expectations, local workforce development boards hire executive directors, presidents and/or chief executive officers to carry out the

board-directed programmatic, financial and operational functions of the local workforce development board and one-stop career centers.

Agreements between the CLEO and the entities responsible for the local workforce development system will address how the local workforce development board functions and how administrative tasks will be carried out within the local area.

Executive directors, presidents, chief executive officers, chief operating officers and chief financial officers who represent a local workforce development board shall not personally contract with or otherwise represent more than one local workforce development board. Under extraordinary circumstances, local workforce development boards may request approval for a temporary exception to this prohibition from the state workforce development board and the Department of Economic Opportunity.

Both local workforce development board members and staff must maintain integrity, accountability and transparency in decisions and actions that earn and protect the public trust in compliance with CareerSource Florida Strategic Policy 2018.09.26.A.1: Ethics and Transparency. This includes taking all necessary steps to avoid the appearance of conflicts of interest.

II. BACKGROUND

WIOA envisions a workforce development system that focuses on the needs of job seekers and businesses; and, anticipates and responds to the needs of local and regional economies.

WIOA requires LWDBs and CLEOs to design and govern the system regionally, align workforce policies and services with regional economies and support service delivery strategies tailored to those needs. The local area serves as a jurisdiction for the administration of workforce development activities which requires the CLEO to play an active role in both the strategic planning and ongoing operation of the local system. Agreements between the CLEO and the entities responsible for the local workforce development system will address how the local area functions and how administrative tasks will be carried out within the local area.

State Workforce Development Board

The Governor of Florida establishes the state workforce development board to guide workforce development for the state of Florida and provide oversight and policy direction for talent development programs administered by CareerSource Florida, the Department of Economic Opportunity, and Florida's 24 local workforce development boards.

State board functions include, but are not limited to, those activities described in WIOA, Section 101(d), and Chapter 445.004, Florida Statutes, and guided by the CareerSource Florida Strategic Policy 2020.06.04.A.2: State Workforce Development Board Roles and Responsibilities.

Local Workforce Development Boards

Authorized by WIOA, local workforce development boards oversee the design and delivery of locally customized job training programs and workforce development initiatives.

Local workforce development board functions include, but are not limited to, those activities described in WIOA, Sections 107 and 108.

Specific roles and responsibilities for CLEOs, fiscal agents, local workforce development boards, the chair of local workforce development boards, and the executive director representing the local workforce development board are described in CareerSource Florida Administrative Policy 110: Local Workforce Development Area and Board Governance.

III. AUTHORITY

Public Law 113-128, Workforce Innovation and Opportunity Act (2014)

Public Law 113-128, Workforce Innovation and Opportunity Act, Sections 106

Public Law 113-128, Workforce Innovation and Opportunity Act, Sections 107

20 Code of Federal Regulations 679

20 Code of Federal Regulations 679.310

20 Code of Federal Regulations 679.320

20 Code of Federal Regulations 679.370

Sections 445.003 and 445.007 Florida Statutes

Chapter 112, Florida Statutes

Chapter 119, Florida Statutes

Chapter 286, Florida Statutes

CSF Strategic Policy 2020.06.04.A.2 – State Workforce Development Board Roles and Responsibilities

CSF Strategic Policy 2020.02.20.A.1 – Board Governance and Leadership

CSF Strategic Policy 2018.09.26.A.1 – Ethics and Transparency Policy

CSF Administrative Policy 110: Local Workforce Development Area and Board Governance

Training and Employment Guidance Letter No. 35-10

IV. POLICIES AND PROCEDURES

A. Roles and Responsibilities

1. Chief Local Elected Official (CLEO)

Pursuant to WIOA sec. 3(9), the CLEO is the chief elected executive officer of a unit of general local government in a local area and, in a case in which a local area includes more than one unit of general local government, the representative(s) under the agreement (interlocal, consortium, and other agreements as described in **Section IV.E.1.** of this policy) that specifies the respective roles.

The CLEOs responsibilities include:

- a) Requesting local area designation (as prescribed in Administrative Policy 94 – Local Workforce Development Area Designation);

- b) Appointing members to the LWDB;
- c) Requesting LWDB certification (as prescribed in Administrative Policy 091 – Local Workforce Development Board Composition and Certification);
- d) In coordination with the local board, establishing bylaws;
- e) Designating a fiscal agent (if not serving as grant recipient);
- f) Remaining liable for any misuse of WIOA grant funds by the local area;
- g) In coordination with the local board and/or staff to the board, negotiating and reaching agreement on LWDB local performance measures with the state;
- h) Negotiating with the LWDB and required partners to maintain the workforce delivery system through the Memorandum of Understanding (as prescribed in Administrative Policy 106 - Memorandums of Understanding and Infrastructure Funding Agreements); and
- i) Partnering with the LWDB and planning region, if appropriate, to develop and submit the WIOA local plan and regional plan.

The CLEO may delegate the listed administrative functions except:

- a) Appointment of members to the LWDB.
- b) Designation of a fiscal agent (designation of a fiscal agent does not relieve the CLEO or Governor of liability for misuse of grant funds – 20 CFR 679.420).

The CLEO may remove a member of the LWDB, the executive director of the LWDB, or the designated person responsible for the operational and administrative function of the LWDB for cause.

2. Fiscal Agent

The fiscal agent is the entity designated by the CLEO to perform accounting and funds management on behalf of the CLEO. The duties of the fiscal agent may include but are not limited to:

- a) Receiving funds;
- b) Ensuring sustained fiscal integrity and accountability for expenditures of funds in accordance with Office of Management and Budget (OMB) circulars, WIOA, corresponding federal regulations, state law, and state policies;
- c) Responding to audit financial findings;
- d) Maintaining proper accounting records and documentation;
- e) Preparing financial reports; and,
- f) Providing technical assistance to sub-recipients regarding fiscal issues.

Although the appropriate role of the fiscal agent should be limited to accounting and funds management functions rather than policy or service delivery, there may be circumstances in which the fiscal agent may be the LWDB, the procured

one- stop operator or the workforce services provider and/or youth service provider.

At the direction of the LWDB, the fiscal agent may have the following additional functions:

- a) Procure contracts or obtain written agreements;
- b) Conduct financial monitoring of service providers; and
- c) Ensure an independent audit is conducted of all employment and training programs.

3. Local Workforce Development Board

The LWDB is appointed by the CLEO in each local area in accordance with state criteria established under WIOA sec. 107(b) and certified by the Governor every two years in accordance with WIOA sec. 107(c)(2). The state's criteria for LWDB certification is found in Administrative Policy 091 – Local Workforce Development Board Composition and Certification.

The LWDB provides strategic and operational oversight, assists in achievement of the state's strategic and operational vision and goals, and maximizes and continues to improve quality of services, customer satisfaction, and effectiveness of services provided. LWDB responsibilities include, but are not limited to:

- a) Developing and submitting local and, if applicable, regional plans;
- b) Conducting workforce research and regional labor market analysis;
- c) Convening local workforce development system stakeholders to assist in the development of the local plan and identify expertise and resources to leverage support for workforce development activities;
- d) Leading efforts to engage a diverse range of employers and other entities in the region;
- e) Leading efforts to develop and implement career pathways;
- f) Leading efforts in the local area to identify and promote proven and promising strategies and initiatives for meeting the needs of employers, workers, and jobseekers;
- g) Conducting oversight of the WIOA adult, dislocated worker and youth programs and the entire workforce delivery system, ensure the appropriate use and management of WIOA funds and ensure the appropriate use, management and investment of funds to maximize performance outcomes;
- h) Negotiating and reaching agreement on local performance measures with the CLEO and the state;
- i) In partnership with the CLEO, establishing bylaws and codes of conduct for LWDB members, LWDB executive director and staff to the LWDB; and,
- j) Establishing additional monitoring and reporting requirements if one entity fulfills multiple functions to ensure the entity is compliant with WIOA, final rules and regulations, OMB circulars, and the state's conflict of interest policy.

A full list of LWDB functions can be found in WIOA sec. 107(d) and 20 CFR 679.320.

4. Local Workforce Development Board Chairperson

The LWDB chairperson is elected by the members of the LWDB and must be one of the business representatives on the board. The LWDB chairperson shall serve a term of no more than two years and may not serve more than two terms as chair. At a minimum, the state will review the LWDB chairperson's term requirements during the LWDB's certification process as described in Administrative Policy 091 – Local Workforce Development Board Composition and Certification. The Department of Economic Opportunity (DEO) will review each LWDB's composition during its annual programmatic monitoring, which may include a review of the LWDB chairperson's term(s).

The LWDB chairperson's duties may include but are not limited to:

- a) Leading the board to develop a guiding vision that aligns with the state's priorities;
- b) Acting as the lead strategic convener to promote and broker effective relationships between CLEOs and economic development, education, and workforce partners in the local area;
- c) Leading an executive committee to guide the work of the board, and ensure that committees or task forces have necessary leadership and membership to perform the work of the board; and
- d) Leading the agenda setting process for the year and guide meetings to ensure both tactical and strategic work is completed in all meetings.

5. Local Workforce Development Board Executive Director

The LWDB may hire a qualified executive director and staff to assist in ensuring the functions of the local board are achieved. The LWDB must ensure the individual or entity designated as the executive director has the requisite knowledge, skills, and abilities to meet identified benchmarks and to assist in effectively and ethically carrying out the functions of the LWDB which may include, but is not limited to:

- a) Coordinating with the CLEOs regarding the identification and nomination of members to the LWDB and ensuring membership is compliant with WIOA and Florida Statutes;
- b) Organizing board meetings and ensuring meetings are held according to the LWDB's bylaws and Florida's sunshine laws;
- c) Developing and submitting the local and regional workforce development plan;
- d) Conducting oversight of the WIOA adult, dislocated worker, youth programs and the entire one-stop delivery system, including development of policies and monitoring the administration of the programs;
- e) Negotiating and reaching agreement on local performance measures;

- f) Negotiating with CLEO and required partners for the Memorandum of Understanding (as prescribed in Administrative Policy 106 - Memorandums of Understanding and Infrastructure Funding Agreements);
- g) In compliance with local board procurement policy, provide oversight of the competitive procurement process for procuring or awarding contracts for providers of youth program services, providers of workforce services (if applicable), and the one-stop operator as required in paragraph (I) of 20 CFR 679.370;
- h) Developing a budget for activities of the LWDBs; and
- i) Certifying the one-stop career centers. One-stop certification requirements may be found in Administrative Policy 93 – One-Stop Career Center Certification Requirements.

B. One Entity Performing Multiple Functions

WIOA establishes clear roles and responsibilities for each entity or organization involved in the workforce delivery system. The LWDB should make every effort to ensure that roles and duties of workforce delivery system entities are clearly delineated. This includes efforts to designate or procure the functions of the fiscal agent, staff to the LWDB, one-stop operator, direct provider of workforce services, and provider of youth program services.

One entity may perform multiple functions if appropriate firewalls and internal controls are in place. Local entities or organizations often function simultaneously in a variety of roles, including fiscal agent, board staff, one-stop operator, provider of career services, and provider of youth services. See Section IV.B.3. of this policy for agreement requirements for one entity (not LWDBs) performing multiple functions.

See Section IV. C. 1. for requirements for LWDBs serving multiple functions.

C. Local Workforce Development Boards as Direct Providers of Workforce Services

Ideally, entities providing workforce services are procured through the LWDB, which is responsible for monitoring and overseeing the contracts, as well as services performed through the contract. The LWDB is designed to oversee the workforce delivery system and its services. Chapter 445.007(6), F.S. allows LWDBs to be designated as the one-stop operator and direct provider of services (except training services), with the agreement of the CLEO and governor based on the criteria established by the state workforce development board.

LWDBs seeking to provide workforce services, except training services, will follow the requirements established in Administrative Policy 083 – Direct Provider of Workforce Services.

Before a LWDB may be designated as the one-stop operator, LWDBs must still follow criteria established in Administrative Policy 097 – One-Stop Operator Procurement.

1. Local Workforce Development Boards Serving Multiple Functions

LWDBs serving multiple functions must be able to demonstrate that roles, responsibilities and duties of each function are clearly defined and delineated in locally established processes and procedures that clearly detail:

- a) How functions are sufficiently separated;
- b) Descriptions of the steps the local area has taken to mitigate risks that could lead to impropriety;
- c) Firewalls (physical, technological, policies, etc.) created to ensure such risks are mitigated; and
- d) Oversight and monitoring procedures.

These processes and procedures must be included in the LWDB's WIOA Local Plan.

D. Temporary Assumption of Duties for Procured and Contracted Services

While LWDBs may provide workforce services and assume the role of one-stop operator, many LWDBs procure and contract with providers for these services. In certain critical circumstances, (e.g., sudden termination of contract or failed procurement), the local board may be faced with needing to temporarily assume the role(s) of one-stop operator, direct provider of workforce and/or youth program services. When this happens, LWDBs may request to temporarily assume the responsibilities that were being provided by a contracted vendor or services being sought when the procurement failed. Requests for boards to act as a one-stop operator and provider of workforce and/or youth program services on a time-limited basis must be approved by the CLEO and submitted to DEO. The request must include the duration for which the board will act as a one-stop operator and provider of services. DEO will make a recommendation to the state workforce development board.

1. Sudden Termination of Contract

If the circumstance arises that the LWDB or LWDB staff needs to temporarily serve in multiple roles due to sudden (unexpected) termination of a contract, a new competitive solicitation must be reissued timely. A new entity must assume the applicable role on or before the end of the temporary designation.

In the event of a sudden termination of contract, the LWDB must submit a formal request to serve in the capacity of the role in which the contract was terminated.

The LWDB will:

- a) Submit a request to serve in the role in which the contract was terminated;
- b) Provide documentation of the original contract and the termination notification, which should include the reason for termination;
- c) Provide an explanation and an organizational chart showing who will be responsible for assuming the role(s) temporarily. The explanation and organizational chart must clearly illustrate how the following will be enforced to minimize potential risks associated with the temporary designation.

1. Separation of duties; (including but not limited to the temporary removal of duties from certain areas/individuals to allow assumption of the temporary role);
 2. Firewalls; (including but not limited to restriction from access to any information that may lead to impropriety); and
 3. Conflict of interest requirements.
- d) The length of time in which the LWDB seeks to temporarily serve in the role in which the contract was terminated, not to exceed one year from the date of request.

LWDBs will submit formal requests for temporary designation to CareerSource Florida and DEO via email at LWDBGovernance@deo.myflorida.com.

2. Failed Procurement

- a) If the circumstance arises that the LWDB or LWDB staff needs to serve in multiple roles due to failed procurement, the LWDB will: Submit, in writing, the request to serve in the role sought through the failed procurement and provide the following:
1. A copy of the competitive solicitation;
 2. Proof of the announcement medium used (e.g., newspaper, social media, website, email notification to potential bidders), including documentation showing how long the announcement was posted; and
 3. The length of time the LWDB seeks to temporarily serve in the role.
- b) An explanation and an organizational chart showing who will temporarily be responsible for assuming the role(s). The explanation and organizational chart will clearly illustrate how the following will be enforced to minimize potential risks associated with the temporary designation.
1. Separation of duties; (including but not limited to the temporary removal of duties from certain areas/individuals to allow assumption of the temporary role);
 2. Firewalls; (including but not limited to restriction from access to any information that may lead to impropriety); and
 3. Conflict of interest requirements.
- c) The LWDB will review the previously issued competitive solicitation and identify any elements that led to the failed procurement (e.g., unrealistic compensation for requested services, duties outside the scope of the role for which services are being sought);
- d) Update and reissue the competitive solicitation (within one month of being granted temporary authority to serve in the role in which the procurement was not successful);
- e) Once an entity is selected, notify DEO of the selection upon final approval by the LWDB; and
- f) Onboard the selected entity of the new solicitation on or before the end of the temporary designation.

The individual or entity contracted to fulfill the role of the LWDB executive director **must not** be the one-stop operator or the provider of workforce and/or youth program services.

Formal requests for temporary designation will be sent to CareerSource Florida and DEO via email at LWDBGovernance@deo.myflorida.com.

3. Local Workforce Development Area Multi-Function Agreement

For circumstances in which an entity or organization, other than the local workforce development board, has been selected or otherwise designated to perform more than one function, the required contract or written agreement must include a clause to clarify how the entity will carry out its responsibilities while demonstrating compliance with WIOA and corresponding regulations, relevant OMB circulars, and the state's conflict of interest policy. The written clause in the contract or agreement must include, at a minimum, the following requirements:

- a) Definition of roles and responsibilities/duties per function (e.g., fiscal agent, one-stop operator, and/or procured provider of workforce or youth program services);
- b) Description of the separation of staff duties under each role, including deliverables for each separate function;
- c) Description of how budget authority is separated, including separate line item budgets for each function; and
- d) Description of how staff duties will be completed while demonstrating compliance with WIOA and corresponding regulations, OMB circulars, and the state's conflict of interest policy, including how conflict of interest will be minimized;
- e) Description of the roles and responsibilities within the organization, including an organizational chart, and sustainability if a function is removed; and
- f) Description of how fiscal monitoring will occur if the fiscal agent is performing multiple functions.

The written clauses in the agreement are intended to limit conflicts of interest or the appearance of conflicts of interest, minimize fiscal risk, and develop appropriate firewalls within a single entity performing multiple functions.

E. Governance Agreements

Implementation of a local workforce development system pursuant to WIOA requires that the CLEOs play an active role in both strategic planning and ongoing operation of the local system. When a local area includes more than one unit of general local government, the chief elected officials of such units may execute a written agreement that specifies the respective roles and liability of the individual chief elected officials. Chief local elected officials are liable in their official capacity but not personally liable for the misuse of WIOA funds.

1. Interlocal, Consortium and Other Agreements

The purpose of having interlocal, consortium or other governing agreements is to ensure the decisions that are delegated to CLEO(s), or a consortium, reflect the agreement of all the chief elected officials in all jurisdictions of a local area and consistent with requirements established in s 163.01, F.S. These agreements are between the chief elected officials of each jurisdiction within the local area and must contain signatures of the representative(s) authorized to enter into such agreements.

The interlocal or consortium agreement will clearly state the level of agreement to be reached amongst the governmental entities involved and identify the roles and responsibilities of the CLEOs within the local area. At a minimum, applicable agreements will address:

- a) **Identification of local workforce development area** - The agreement will clearly identify the units of local government which are covered by the agreement and which make up the local area.
- b) **Designation and responsibilities of the CLEO** - The parties to the interlocal agreement should identify the county commissioners and/or mayors to serve as the CLEO(s) of the local area for the purposes of approving local and, if appropriate, regional plans; establishing policy; authorizing WIOA expenditures; establishing contracts; paying for services outside of the local area; or paying costs associated with monitoring or audit findings or sanctions.

Areas where a consortium is serving in the capacity to perform the duties and functions of the CLEO will describe the duties/responsibilities of the consortium, members that make up the consortium, and the authority of its members in an agreement signed by the applicable elected officials or their authorized designee.

- c) **Establishment, appointment, and operation of the LWDB** - The agreement should include an agreed upon process for establishing and appointing the LWDB members, including:
 - 1. Membership of the LWDB that is consistent with WIOA and state guidance; and
 - 2. How the needs of all geographical areas in all jurisdictions will be represented within the local area.
- d) **Designation and responsibilities of the fiscal agent** - The fiscal agent is the entity designated to perform accounting and funds management on behalf of the CLEO. The agreement will identify the entity performing these duties.
- e) **Process for CLEOs to provide input** - The agreement will include a process for all CLEOs to provide input for the purposes of reaching a consensus on critical decisions that may impact the local workforce development system.
- f) **Liability** - Under WIOA, CLEOs are liable for misspent funds, disallowed costs, funds spent fraudulently, and potential sanctions for nonperformance. Therefore, it is recommended that CLEOs within a local area agree on how liability will be addressed. The following questions can be used to guide such discussions:

1. How will sanctions related to performance be shared among the jurisdictions within the local area?
2. How will the issue of disallowed costs or misspent funds that cannot be covered by federal grant funds be addressed?

g) **Performance Accountability** – Generally, performance accountability is addressed in the WIOA local plan. However, CLEOs should agree on an approach to performance accountability. The following questions may be used to guide such discussions:

1. Who will be responsible for negotiating local performance measures with the state (the Executive Director / staff to the board, local board)?
2. Will the local area have any performance criteria in addition to federal and state criteria? How will performance be administratively tracked locally?
3. Will performance-related incentives be shared among the jurisdictions within the local area?

h) **Dispute Resolution Process** - The governing agreement should include provisions for resolving disputes. Below are possible issues to address in the agreement relative to dispute resolution:

1. What types of disputes arise to the level of needing a dispute resolution process?
2. What type of dispute resolution process should be used (mediation, arbitration, consultation with state, etc.)?

i) **Other Agreement Provisions (Miscellaneous)**

1. Duration of the agreement; and
2. Process for modification or termination of agreement.

2. Bylaws

Bylaws are the provisions by which the local area is governed and the LWDB and its operations are managed. They provide consistency and clarification on the roles and responsibilities of the various representatives governing the local workforce development system. The LWDB must ensure that its bylaws are up-to-date and in alignment with requirements of WIOA and state policy. At a minimum, the following should be reflected in the local area's bylaws.

a) **Purpose and Responsibilities (Functions)** – Describe the purpose of the LWDB (e.g. to set policy and establish oversight of the workforce development system). Describe the functions or the responsibilities of the LWDB (e.g. the local board has the responsibility to provide strategic and operational oversight, assists in achievement of the State's strategic and operational vision and goals, and maximizes and continues to improve quality of services, customer satisfaction, and effectiveness of services provided). A list of the board's responsibilities can be found in Section IV.A.3. of this policy.

b) **Membership** – Include the processes and procedures for the following:

1. Recruiting, nominating, vetting and appointing board members;
2. Filling LWDB member vacancies; and

3. Resignation, reasons for disqualification, removal, and reappointment of board members.

Board membership and composition requirements can be found in Administrative Policy 091 - Local Workforce Development Board Composition and Certification.

- c) **Authority of LWBD** – Include the power and authorities of the LWBD, including authority to recommend, select, and hire an Executive Director to perform operational and administrative functions of the board.
- d) **Duties and Terms of the Members** – Describe the duties and term limits of the board members. Board member term limit requirements can be found in Administrative Policy 091 - Local Workforce Development Board Composition and Certification.
- e) **Officers** – Describe the authority of its officers, including terms of office, and board officer duties.
- f) **Committees** – Describe the types of committees (e.g. executive committee, finance committee, nominating committee, etc.) as well as their authorities, responsibilities, terms of committee members and chairpersons, who has the authority to appoint committee members, and who may sit on the committee. The LWDB will prohibit any LWDB staff from serving as members of a committee or subcommittee.
- g) **Meetings and Minutes** - Describe frequency of meetings and describe how regular board and committee meetings are planned and conducted. The LWDB will also describe the process and requirements for calling special and emergency meetings, what constitutes an emergency meeting or special meeting, and who is authorized to call such meetings. This includes but is not limited to the requirement to provide the schedule to the board members and the public.
 1. **Record Keeping** – The LWDB will describe how meeting minutes will be scribed/recorded, retain records of board members who are present/absent, and record official acts of the board including the number of votes of members (yeas, nays, and abstentions). Meeting minutes must be made available publicly on the LWDB's website.
 2. **Voting, Board Actions, and Conflict of Interest** – Include voting and quorum requirements, record official acts of the board including the number of votes of members (yeas, nays, and abstentions). Abstentions due to conflict of interest must be recorded, include the name of the abstaining member, and the reason for abstention.
Strategic Policy 2012.05.24.A.2 - State and Local Workforce Development Board Contracting Conflict of Interest Policy provides guidelines for approving contracts in which a conflict of interest may exist.

LWDBs must adhere to requirements in the Grantee-Subgrantee Agreement for board member conflicts of interest disclosures and applicable requirements. This includes but is not limited to the requirement to adopt and abide by a conflict of interest policy that ensures compliance with state and federal law, regulations and policies.

While it is preferable that the elements outlined in Section IV. E. of this policy be contained in comprehensive documents as described, it is acceptable that the items identified in this section be contained in separate agreements (memoranda of understanding, governing policies and procedures, etc.), as long as the requirements of this section are clearly met.

F. WIOA Sunshine Provision, Public Disclosures and Transparency

The WIOA “sunshine provision” requires LWDBs to conduct business in an open manner and make available, on a regular basis through electronic means and open meetings, information about the activities of the LWDB.

In addition to the sunshine provision under WIOA, LWDBs must comply with and adhere to the transparency and public disclosure requirements in 445.007, F.S. as well as requirements detailed in the Grantee-Subgrantee Agreement. In accordance with federal and state requirements, the following items must be posted to each LWDB’s website:

- a) Local Plans – information about the local plan or modification of the local plan before submission.
- b) Board Members – list of current board members, company, entity that the board member is employed by or owns, and their terms of service.
- c) Selection of One-Stop Operators
- d) Minutes of formal meetings
- e) Bylaws
- f) All the requirements found in the Board Governance, Responsibilities and Transparency section of the Grantee-Subgrantee Agreement.
- g) All public disclosure requirements found in 445.007, F.S. which include:
 - 1. **Compensation disclosures** – the amount and nature of compensation paid to all executives, officers, directors, trustees, key employees, and the highest compensated employees as defined for purposes of the Internal Revenue Service (IRS) Form 990 (Return of Organization Exempt from Income Tax). Compensation includes but is not limited to salary, bonuses, present value of vested benefits, including but not limited to, retirement, accrued leave and paid time off, cashed-in leave, cash equivalents, severance pay, pension plan accruals and contributions, deferred compensation, real property gifts, and any other liability owed to such persons.

Each LWDB will, within 30 days after the end of the fiscal year, provide compensation disclosures to DEO using Exhibit E - Total Compensation for Executive Leadership form found in the Grantee-Subgrantee Agreement.
 - 2. **Written declaration from the Chief Financial Officer (CFO)** – The CFO or his or her designee must provide a written declaration that he or she has read the compensation disclosure documents and that the facts stated in it are true. The written declaration must accompany the applicable document(s).

3. **LWDB's IRS Form 990** – Annually, each LWDB must publish its most recent IRS form 990 within 60 calendar days after it is filed with the IRS and remain posted for three years after it is filed.
4. **Statements of Financial Interest** – The LWDB's website must inform the public that disclosures or statements of financial interest (consistent with requirements in s. 112.3144 or s. 112.3145, whichever is appropriate) for each LWDB member and executive director or designated person responsible for the operational and administrative functions of the LWDB, have been filed with the Commission on Ethics and provide information on how each disclosure or statement may be reviewed. The notice to the public must remain on the website throughout the term of office or employment of the filer and until one year after the term on the LWDB or employment ends.
5. **Contracts** – All contracts between a local board and a member of the local board, relative of a local board member, an organization or individual represented on the local board or an employee of the local board approved on or after July 1, 2021 must be published on the local board's website within 10 days after approval by the local board or the department, whichever is later. Such contracts must remain on the website for at least one year after termination of the contract.

LWDB members and staff must maintain integrity, accountability and transparency in decisions and actions that earn and protect the public trust in compliance with Strategic Policy 2018.09.26.A.1 - Ethics and Transparency Policy. This includes taking all necessary steps to avoid the appearance of conflicts of interest.

The LWDB is subject to open government and confidentiality requirements in Chapters 119 and 286, Florida Statutes (F.S).

G. New Board Member Orientation and Annual Training

Members appointed to the LWDB are required to participate in orientation and annual training to ensure they understand the purpose of their participation on the LWDB. The purpose of orientation and training is to provide LWDB members with information that empowers them to effectively serve as a board member. The LWDB is expected to take all reasonable steps necessary to encourage attendance by the CLEO at board member orientation and training.

1. New LWDB Member Orientation

All new board members, within six months of appointment, will complete a new board member orientation. The board shall develop board member orientation for board members, which will cover at a minimum:

- a) Overview of WIOA;
- b) Overview of the workforce development system and structure;
- c) Overview of the workforce development system goals and strategies;
- d) The purpose of the LWDB;
- e) LWDB composition, including required members and areas of representation;

- f) Roles and responsibilities of the CLEO, fiscal agent, LWDB, LWDB chairperson, and LWDB executive director and staff;
- g) Required partners and programs;
- h) How the workforce system is funded;
- i) Performance requirements;
- j) Sunshine law requirements; and
- k) Conflict of interest policy and disclosure of potential conflicts of interest.

2. Annual Training Requirements

Board members will complete an annual refresher training to remind them of the purpose of their appointment as a member to the LWDB. The annual training will include at a minimum:

- a) The state's workforce development system goals and strategies;
- b) The purpose of the LWDB.
- c) Roles and responsibilities of the CLEO, fiscal agent, LWDB, LWDB chairperson, and LWDB executive director and staff;
- d) How the workforce system is funded;
- e) Performance requirements;
- f) Sunshine law requirements; and
- g) Conflict of interest policy.

New member orientation and refresher training may be offered in-person and/or virtually at the local area's discretion. The LWDB must retain and, provide to DEO upon request, attendance records of participants and the dates of completion. New board members completing the board member orientation are not required to complete the annual refresher training in the same year they become a new member.

H. State and Local Monitoring

At the local level, the LWDB must conduct oversight of the procurement process and resulting contracts and agreements to ensure all aspects of written agreements and contracts are compliant with federal and state laws and regulations. Additionally, the LWDB must also ensure that governing agreements are upheld. In instances where the LWDB is also the one-stop operator, the LWDB must follow the monitoring requirements outlined in Administrative Policy 097 – One-Stop Operator Procurement. The LWDB must monitor compliance with this policy.

DEO will perform programmatic and fiscal monitoring and will review the local area's agreements and contracts during the annual monitoring review for compliance with federal and state laws and regulations. Findings and other noncompliance issues will be handled through the state's monitoring resolution process.

V. DEFINITIONS

1. **Board Chairperson** is a business representative among the board members who is elected by the board.
2. **Chief Local Elected Official (CLEO) (CEO in WIOA sec. 3(9)) –**
 - a) A chief elected executive officer of a unit of general local government in a local area; and
 - b) In a case in which a local area includes more than one unit of general local government, the individuals designated under the agreement described in Section 107(c)(1)(B).
3. **Executive Director** is an individual hired or designated by the LWDB to perform the operational and administrative functions of the board.
4. **Fiscal Agent** is the entity designated to perform accounting and funds management on behalf of the CLEO.
5. **For cause** includes but is not limited to, engaging in fraud or other criminal acts, incapacity, unfitness, neglect of duty, official incompetence or irresponsibility, misfeasance, malfeasance, nonfeasance, gross mismanagement, waste, or lack of performance.
6. **Governance Agreements (i.e. Interlocal, Consortium, and other governing agreements)** are written agreements designed to ensure that decisions to CLEO(s), or a consortium, reflect the agreement of all the chief elected officials in all jurisdictions of a local area. Including, how the local board is governed, roles and responsibilities of members, liabilities, etc.
7. **Local Workforce Development Area (LWDA)** is a geographical area that serves as the jurisdiction for the administration of workforce development activities and has been granted such designation by meeting criteria as prescribed in Administrative Policy 94 – Local Workforce Development Designation.
8. **Local Workforce Development Board (LWDB)** is a board established under WIOA sec. 107, to set policy for the local workforce development system.

VI. REVISION HISTORY

Date	Description
12/13/2022	Issued by CareerSource Pasco Hernando.
12/08/2022	Approved by CareerSource Pasco Hernando Board of Directors.

VII. RESOURCES

WIOA Fact Sheet: Governance and Leadership