



## Central Western Maine Workforce Development Board

February 3, 2021

Topic: CLEO Meeting

Time: 9:00-10:00AM

Meeting ID: 845 4302 8444

Call in #: +1 929 205 6099

Call Passcode: 632414

Zoom Passcode: cleo

Link: <https://us02web.zoom.us/j/84543028444?pwd=QjhYaXNYV0ZlTDN5T2kzMm9KUmRTQT09>

1. CLEO Bylaws
2. WIOA Milestone Review
  - a. MOU / IFA
  - b. Local Plan
  - c. One Stop Certification
3. Budget Changes
  - a. Unexpected Return of WMCA PY 19 Funding
  - b. 20% Youth Experience Work Element

**CENTRAL WESTERN MAINE  
CHIEF LOCAL ELECTED OFFICIALS BOARD  
(CLEO BOARD)  
BYLAWS**

Whereas, the State of Maine has designated Androscoggin, Franklin, Kennebec, Oxford and Somerset Counties as the Central Western Local Area (Local Area 3) under the Workforce Innovation and Opportunity Act (“WIOA”), as codified at 29 U.S.C. § 3101 *et seq.*; and

Whereas, pursuant to WIOA and these Bylaws, the county commissioners of Androscoggin, Franklin, Kennebec, Oxford and Somerset Counties shall each appoint an elected county commissioner (each a “CLEO”) to serve on the Central Western Maine Chief Local Elected Officials Board in order to carry out the obligations of the Chief Elected Official of the Central Western Local Area, including appointment of the members of the Central Western Workforce Development Board, providing program and fiscal oversight of WIOA activity in the Central Western Local Area, negotiation of local performance metrics, and the development and approval of the local plan and budget in coordination with the Workforce Board;

Whereas, pursuant to WIOA, the Central Western Chief Local Elected Officials Board has designated the Central Western Maine Workforce Initiatives to serve as its local fiscal agent but retains liability for the misuse of any WIOA funds allocated to the Central Western Local Area; and

Whereas, the Central Western Chief Local Elected Officials Board shall execute and periodically update an agreement with the Central Western Workforce Development Board describing their respective roles and responsibilities under WIOA;

Whereas, the Central Western Chief Local Elected Officials Board is require by WIOA to adopt bylaws governing its conduct and operations.

Now therefore, the appointed CLEOs representing Androscoggin, Franklin, Kennebec, Oxford and Somerset Counties hereby establish these Bylaws as follows:

**ARTICLE I: NAME OF THE BOARD**

The name of the board shall be the **Central Western Maine Chief Local Elected Officials Board**.

**ARTICLE II: PURPOSE**

2.1 Pursuant to WIOA and policies promulgated by the State of Maine Department of Labor and the State Workforce Board, the Central Western Maine Chief Local Elected Officials Board (the “CLEO Board”) is established and adopts these Bylaws on this \_\_\_\_ day of \_\_\_\_\_, 2021, to work in partnership with the Central Western Workforce Development Board (the “Workforce Board”) in order to develop and prepare workforce development programming in Androscoggin, Franklin, Kennebec, Oxford, and Somerset Counties and to fulfill all of the functions and obligations of the Chief Elected Official for Maine’s Central Western Local Area.

2.2 Functions of the CLEO Board. Pursuant to WIOA, the CLEO Board shall:

- (a) **Appoint the members of the Workforce Board** pursuant to 29 U.S.C. § 3122(b) and policies promulgated by the State Workforce Board and the Maine Department of Labor;
- (b) **Approve the budget and local plan** for the Central Western Local Area, as developed by the Workforce Board, pursuant to 29 U.S.C §§ 3122(d)(1) and (d)(12)(A);
- (c) **Serve as the local grant recipient for WIOA funds allocated** to the Central Western Local Area pursuant to 29 U.S.C. § 3122(d)(12)(B) and allocate any liability for misuse of WIOA funds between the five counties of the Central Western Local Area;
- (d) **Working in partnership with the Workforce Board, provide program oversight of WIOA activities** in the Central Western Local Area pursuant to 29 U.S.C. § 3122(d)(8);
- (e) **Assist the Workforce Board in negotiating the local performance accountability measures** described in 29 U.S.C §§ 3122(d)(9) and 3141(c);
- (f) **Designate and oversee a local fiscal agent**, if desired, pursuant to 29 U.S.C. § 3122(d)(12)(B)(ii) and 20 C.F.R. § 679.420, to serve as a local grant sub recipient for the purposes of distributing and administering WIOA funds;
- (g) **Approve the Workforce Board's designation of the one-stop operators** consistent with 29 U.S.C §§ 3122(d)(10)(A) and 3151(d);
- (h) **Allocate responsibility for WIOA oversight and participation between the CLEOs** pursuant to 29 U.S.C. § 3122(c)(1)(B)(i);
- (i) **Execute and periodically update an agreement with the Workforce Board** describing each entities respective roles and responsibilities under WIOA.

### ARTICLE III: OPERATION OF CLEO BOARD

3.1 Appointment of CLEOs; Term. The elected county commissioners of Androscoggin, Franklin, Kennebec, Oxford and Somerset Counties (the "Five Counties") shall each appoint from among their members a single county commissioner to serve as a CLEO on the CLEO board. Each CLEO shall be appointed for a term of no less than two and no more than four years at the discretion of each counties' commissioners, however, each CLEO may serve any number of terms.

3.2 Termination; Timely Replacement; Resignation. Should any CLEO cease to serve as an elected county commissioner for one of the Five Counties their term as a CLEO shall be automatically terminated and the county commissioners of that county shall appoint a replacement within thirty (30) days of said termination. A CLEO may resign from the CLEO board by providing notice to the CLEO Board Chair, as defined below, the commissioners of the CLEO's county, and the Executive Director of Workforce Board and/or any other local fiscal agent that may be later appointed. A replacement CLEO shall be appointed within thirty (30) days of any resignation.

3.3 Officers. The CLEO Board will elect two officers: The Chair and the Vice Chair. The Vice Chair will assume the duties of the Chair in their absence. The Chair and Vice Chair will be elected biennially at the first meeting of the Board following July 1 or within thirty (30) days of any vacancy in either position. The term of office is for two years, although the Chair and Vice Chair may be reappointed so long as they continue to serve as CLEOs and as elected county commissioners. The Chair shall serve as the signatory of the CLEO Board, and shall represent the Local Area on the State Workforce Board.

3.3 Meetings. The CLEO Board shall meet no less than once per quarter either in person, or by any video or telephonic conference method allowable under Maine's Freedom of Access Act. The time and location of each meeting will be determined at a prior meeting or by agreement of a majority of the CLEOs. The Chair shall have discretion to determine the method of each meeting (video, telephone, in-person, or combination thereof). Special meetings of the CLEO Board may be called by the Chair or by any two CLEOs acting in concert, for any reason, with no less than five (5) days written notice to all CLEOs. All meetings shall be conducted and all agendas, notes and materials shall be provided to the public in accordance with the Maine's Freedom of Access Act.

3.4 Voting; Proxy Voting. Each Member of the CLEO Board shall be entitled to a single vote on all matters. If a serving CLEO is unable to attend a meeting where their vote is required, the CLEO may submit their vote on any pending matters in writing. The CLEO may also send an individual as a proxy to vote in their place. The proxy will be required to submit a letter signed by the absent CLEO permitting them to vote.

3.5 Quorum. A quorum is required for binding votes of the CLEO Board. A quorum will exist when at least three of the serving CLEOs are able to cast a vote or have provided a proxy under Section 3.4 above.

#### **ARTICLE IV: APPOINTMENT OF MEMBERS OF THE CENTRAL WESTERN WORKFORCE DEVELOPMENT BOARD**

4.1 Nomination and Appointment of Workforce Board Members. Pursuant to WIOA, 29 U.S.C. § 3122(b), the CLEO Board shall appoint the members of the Workforce Board from the nominations received from the appropriate local business organization, business trade associations, local educational providers, labor organizations, governmental, philanthropic, nonprofit and economic development organizations, as well as the required representatives of the State employment service office and agencies. The Workforce Board nomination process and all necessary applications forms and disclosures shall be made publicly available on the Workforce Board's website. Nominations for appointment shall be provided to the CLEO Board by appropriate entities within thirty (30) days of any Workforce Board vacancy.

4.2 Vacancies. The CLEO Board shall be promptly notified of any vacancies by the Executive Director of Workforce Board, and replacements shall be approved and appointed to the Workforce Board by the CLEO Board within thirty (30) days of such notification.

4.3 Composition of Workforce Board. The Workforce Board shall be comprised of no less than \_\_\_\_ and no more than \_\_\_\_ members. In accordance with WIOA Section 107(b), as codified at 29 U.S.C § 3123(b), the Workforce Board shall be composed such that:

- (a) A majority of the members shall be representatives of business in the Central Western Local Area, who:
  - i. are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority;
  - ii. represent businesses, including small businesses, or organizations representing businesses described in this clause, 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; and
  - iii. are appointed from among individuals nominated by local business organizations and business trade associations;
- (b) Not less than 20 percent of the members shall be representatives of the workforce within the Central Western Local Area, who:
  - i. shall include representatives of labor organizations, who have been nominated by local labor federations, or other representatives of employees;
  - ii. shall include a representative, who shall be a member of a labor organization or a training director, from a joint labor-management apprenticeship program, or if no such joint program exists, such a representative of an apprenticeship program in the Central Western Local Area, if such a program exists;
  - iii. 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 that provide or support competitive integrated employment for individuals with disabilities; and
  - iv. may include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth;
- (c) The Workforce Board shall include representatives of entities administering education and training activities in the local area, who:
  - i. shall include a representative of eligible providers administering adult education and literacy activities under subchapter II;
  - ii. shall include a representative of institutions of higher education providing workforce investment activities (including community colleges);
  - iii. 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;

- (d) The Workforce Board shall include representatives of governmental and economic and community development entities serving the Central Western Local Area, who:
- i. shall include a representative of economic and community development entities;
  - ii. shall include an appropriate representative from the State employment service office under the Wagner-Peyser Act (29 U.S.C. § 49 et seq.) serving the Central Western Local Area;
  - iii. shall include an appropriate representative of the programs carried out under title I of the Rehabilitation Act of 1973 (29 U.S.C. § 720 et seq.), other than section 112 or part C of that title (29 U.S.C. §§ 732, 741), serving the Central Western Local Area;
  - iv. may include representatives of agencies or entities administering programs serving the Central Western Local Area relating to transportation, housing, and public assistance; and
  - v. may include representatives of philanthropic organizations serving the Central Western Local Area; and
- (e) The Workforce Board may include such other individuals or representatives of entities as the CLEOs of the Central Western Local Area may determine to be appropriate.
- (f) It shall be the aim of the CLEOs to appoint individuals to the Workforce Board who represent both the industrial and demographic composition of the Central Western Local Area.

4.4 Term of Appointment. Members of the Workforce Board shall be appointed by the CLEO Board for a term of three years or less, in the case of routine vacancies, if, at the discretion of the CLEO Board a shorter term is deemed necessary to maintain staggered appointments. Appointments shall be staggered such that approximately one-third of the Workforce Board members are subject to replacement or reappointment each year. Members of the Workforce Board may be appointed to serve a maximum of two (2) terms.

4.5 Designation of Alternates; Proxy Voting By Workforce Board Members. The CLEO Board hereby authorizes the Workforce Board to adopt a policy allowing members of the Workforce Board to designate alternates or proxies when they cannot attend meetings of the Workforce Board consistent with the CLEO Board's own policy at Section 3.4 herein.

4.6 Promotion of Stakeholder and System Engagement. The CLEO Board shall work in coordination with the members of the Workforce Board to actively participate in convening stakeholders of the Central Western Local Area's workforce development system, to assist in brokering relationships with a diverse range of employers, and to leverage support for workforce development activities from other interested stakeholders, organizations and government entities. Such activities shall include an annual stakeholder engagement plan, to be developed and presented by the staff of the Workforce Board.

## ARTICLE V: MISCELLANEOUS PROVISIONS

5.1 Amendment. These Bylaws may be amended, altered, or repealed only by the affirmative vote of a majority of the CLEOs at a regular or special meeting of the CLEO Board.

5.2 Compliance.

(a) Changes to WIOA. These Bylaws shall be regularly updated to address any changes necessitated by amendment or replacement of WIOA passed by the U.S. Congress, and regulatory changes made by the U.S. Department of Labor.

(b) Changes to Maine Law or Regulation. These Bylaws shall be regularly updated to address any changes necessitated by amendment or replacement of Maine's WIOA enabling statutes passed by the Maine Legislature, and regulatory changes made by the Maine Department of Labor or the Maine State Workforce Board.

(c) Regular Amendment Process. The staff of the Workforce Board shall prepare and present to the CLEO Board a summary of any law or regulatory changes necessitating amendment of as soon as practicable after such law or regulation has been amended or adopted by the corresponding legislative or regulatory body, but no less than semi-annually. Such presentation shall include proposed amendments to these Bylaws for further review, discussion, revision, or adoption by the CLEO Board.

(d) Other Invalid Provisions. To the extent any provision of these Bylaws which is not mandated by WIOA, Maine's WIOA enabling statutes, or corresponding state or federal regulation, is held to be illegal, invalid, or unenforceable under any present or future law (i) such provision will be fully severable, (ii) these Bylaws will be construed and enforced as if such illegal, invalid, or unenforceable provision had never comprised a part hereof, and (iii) the remaining provisions of these Bylaws will remain in full force and effect and will not be affected by the illegal, invalid, or unenforceable provision.

*{Signature page follows}*

**In witness thereof, the county commissioners of the Androscoggin, Franklin, Kennebec, Oxford, and Somerset Counties hereby adopt these Bylaws as of \_\_\_\_\_, 2021:**

\_\_\_\_\_  
By:  
County: Androscoggin

\_\_\_\_\_  
By:  
County: Franklin

\_\_\_\_\_  
By:  
County: Kennebec

\_\_\_\_\_  
By:  
County: Oxford

\_\_\_\_\_  
By:  
County: Somerset



7/17/2020	Local Plan	Sara Griffin Consultation	
12/1/2020	Local Plan	Local Plan (LP) Advisory Team Selection Complete	
1/13/2021	Local Plan	Kick Off Meeting	
2/10/2021	Local Plan	Outline, Schedule, Detailed Input Forums, Surveys, Interviews Strategy	
2/24/2021	Local Plan	Draft Surveys and Interview Forms	
3/17/2021	Local Plan	Surveys and Interviews Go Live	
3/24/2021	Local Plan	Interview Zoom Sessions	
4/14/2021	Local Plan	Section 1, Subject Matter Expert Data Section 7: Cooperative Agreements, Section 8: Jobs ...	
4/21/2021	Local Plan	Charettes & Input Forums	
4/28/2021	Local Plan	Board Focus Groups	
5/12/2021	Local Plan	Full Draft	
5/19/2021	Local Plan	Full Draft	
6/2/2021	Local Plan	CLEO Approval of Plan	
6/9/2021	Local Plan	Operations Approval of Plan	
7/28/2021	Local Plan	Full Board Approval Plan	



## Local Plan Process

1. Discuss Advisory Team
2. Review The Plan Elements
3. Schedule

### July 28, 2021 Board Meeting - Local Plan Process *(what it is, how it unfolds, data, people)*

- Data Public & Private
  - Public Data
  - Private Data
- People – Individuals
- WIOA Partners – Defined (Contact)
- Regional Stakeholders (nonWIOA)
- Input Methods
  - Survey
  - Social Media
  - Virtual 1:1 Interviews
  - Virtual Group Sessions with breakout rooms

### January 26, 2022 Board Meeting – Local Plan Approval

#### Local Plan Advisory Team (draft)

James Trudy, Chair

Jon Farley, Service Provider Representative

#### Other suggested members for Mr. Trundy's consideration

Fen Fowler Community Representative

Razell Ward Adult Education

Michelle Hawley CMCC

Diane T. Frigon Voc Rehab

#### Staff

Paul Karns

Erica McCarthy

### **§661.350 What are the contents of the local workforce investment plan?**

(a) The local workforce investment plan must meet the requirements of WIA section 118(b).

#### **The plan must include:**

(1) An identification of the workforce investment needs of businesses, job-seekers, and workers in the local area;

(2) An identification of current and projected employment opportunities and job skills necessary to obtain such opportunities.

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(3) A description of the One-Stop delivery system to be established or designated in the local area, including:

(i) How the Local Board will ensure continuous improvement of eligible providers of services and ensure that such providers meet the employment needs of local employers and participants; and

(ii) A copy of the local Memorandum(s) of Understanding between the Local Board and each of the One-Stop partners concerning the operation of the local One-Stop delivery system;

#### **April 2021 meeting**

(4) A description of the local levels of performance negotiated with the Governor and the chief elected official(s) to be used by the Local Board for measuring the performance of the local fiscal agent (where appropriate), eligible providers, and the local One-Stop delivery system;

#### **Completed 09/23/2020**

(5) A description and assessment of the type and availability of adult and dislocated worker employment and training activities in the local area, including a description of the local ITA system and the procedures for ensuring that exceptions to the use of ITA's, if any, are justified under WIA section 134(d)(4)(G)(ii) and 20 CFR 663.430;

#### **January 2021 meeting**

(6) A description of how the Local Board will coordinate local activities with Statewide rapid response activities;

(7) A description and assessment of the type and availability of youth activities in the local area, including an identification of successful providers of such activities;

(8) A description of the process used by the Local Board to provide opportunity for public comment, including comment by representatives of business and labor organizations, and input into the development of the local plan, prior to the submission of the plan;

(9) An identification of the fiscal agent, or entity responsible for the disbursement of grant funds;

**Spring RFPs – Accounting Services for Fiscal Agent (required by WIOA)**

(10) A description of the competitive process to be used to award grants and contracts for activities carried out under this subtitle I of WIA, including the process to be used to procure training services that are made as exceptions to the Individual Training Account process (WIA section 134(d)(4)(G)),

(11) A description of the criteria to be used by the Governor and the Local Board, under 20 CFR 663.600, to determine whether funds allocated to a local area for adult employment and training activities under WIA sections 133(b)(2)(A) or (3) are limited, and the process by which any priority will be applied by the One-Stop operator;

~~(12) In cases where an alternate entity functions as the Local Board, the information required at §661.330(b), and~~

(13) Such other information as the Governor may require.

(excerpt end)

**§661.355 When must a local plan be modified?**

The Governor must establish procedures governing the modification of local plans. Situations in which modifications may be required by the Governor include significant changes in local economic conditions, changes in the financing available to support WIA title I and partner-provided WIA services, changes to the Local Board structure, or a need to revise strategies to meet performance goals.



## CWMWDB 2021 MOU & IFA Milestone Summary

	A Milestone	31 Start Date	31 End date	Status	Group
1	Pre-Planning/ Brainstorm	1/15/2021	1/29/2021	Done	Staff +OSO+ Board members
2	Prepare Partner Attachments	1/29/2021	2/12/2021	In progress	Staff
3	Contact Partners to ask for Working Group & IFA Des...	2/2/2021	2/9/2021	Todo	Staff
4	Receive Budget Designee	2/9/2021	2/10/2021	Todo	Budget Designee Signatory
5	Receive Working Designee	2/9/2021	2/10/2021	Todo	Working Designee Signatory
6	MDOL Approval Template (Ginny Carroll)	2/2/2021	2/16/2021	Todo	Staff
7	Contact Partners with Draft Agency Profile	2/10/2021	2/11/2021	Todo	Staff
8	Receive Input	2/11/2021	2/18/2021	Todo	Staff Working Designee
9	Assemble Revised MOU Document	2/18/2021	2/26/2021	In progress	Staff
10	Send MOU to Partners for Review	2/26/2021	3/12/2021	Todo	Staff Signatory Working Designee
11	CLEO Board Approval	2/24/2021	3/3/2021	Todo	Staff + OSO CLEO
12	Time Limit on Right of Approval/Signature	2/26/2021	3/31/2021	Todo	Signatory
13	Operational Approval	3/3/2021	3/10/2021	Todo	Staff +OSO+ Board members
14	Board Approval	3/10/2021	4/28/2021	Todo	Board Staff + OSO
15	Phase 2: Infrastructure Cost Sharing	2/9/2021	4/28/2021	Todo	Staff + OSO Working Designee Signatory
16	Send out IFA Budget Sheet to Designee	2/9/2021	2/10/2021	Todo	Budget Designee Staff
17	Receive IFA Budget Sheet	2/10/2021	3/3/2021	Todo	Budget Designee Staff



CWMWDB 2021 MOU & IFA  
Milestone By Status

