

## **Indiana's Workforce System: Chief Elected Officials and Workforce Development Boards<sup>1</sup>**

### The Role of Chief Elected Officials

WIOA provides Chief Elected Officials (CEOs) with a variety of powers and responsibilities within the workforce system. CEOs are organized by local workforce development area (LWDA). CEOs are the chief elected executive officers of counties and incorporated cities and towns with populations of 50,000 or more. Where there is more than one CEO in a region, WIOA requires the development of a regional CEO agreement that specifies the roles of the individual CEOs in carrying out their responsibilities identified in the law, including the appointment of local workforce development board (WDB) members.

The regional CEO agreement also identifies one CEO to serve as the Regional Chief Elected Official (RCEO). The purpose of the RCEO is to serve as the point of contact for all CEO business, the signatory for items not requiring approval from all CEOs, and any other responsibilities outlined in the CEO agreement. This agreement must establish the authority of the RCEO and delineate the individual responsibilities of the CEOs and the RCEO.

While a complete list of CEO roles and responsibilities can be found in DWD Policy 2019-02, Change 2 and in WIOA's statute and regulations, the following responsibilities are important with respect to the function of the workforce system:

- Appoint members to the local WDB and establish by-laws for the board;
- Approve/deny requests from the local WDB to serve in one or more roles (e.g., one-stop operator, service provider);
- Serve as or designate a fiscal agent;
- Assume liability for any misuse of grant funds;
- In partnership with the local WDB, develop and submit local and regional plans and subsequent modifications;
- In partnership with the local WDB, conduct negotiations and reach agreement on performance indicators;
- Conduct oversight; and
- Approve budgets for local WDBs.

### Local Workforce Development Boards

The local WDB serves as the strategic leader and convener of local workforce development system stakeholders. Local WDBs are appointed by the CEOs (or RCEO if delegated such authority) in a LWDA and certified by DWD, as the Governor's designee, every two (2) years.

The local WDB must conduct its business in accordance with open door laws. In addition, local WDBs must:

- Establish and maintain effective internal controls that provide reasonable assurance that the local WDB is managing WIOA funds in compliance with Federal statutes, regulations, and the terms and conditions of its WIOA grant agreement; and
- Take reasonable measures to safeguard protected personally identifiable information and other information the US Department of Labor or DWD designates as sensitive or the local WDB considers sensitive, consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

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<sup>1</sup> For reference: DWD Policy 2019-02, Change 2: Local Workforce Development Boards and Chief Elected Officials, available at [https://www.in.gov/dwd/files/activepolicies/2019-02-PC2\\_WDB\\_and\\_CEO\\_Policy\\_Change2.pdf](https://www.in.gov/dwd/files/activepolicies/2019-02-PC2_WDB_and_CEO_Policy_Change2.pdf).

At a minimum, each local WDB must consist of representatives from the following four categories: business, workforce, education and training, and government/economic development. Individuals must be in positions of optimal policymaking authority in the organizations they represent and should have broad geographic representation within the LWDA. In addition to the required members, the membership may include additional representatives from other appropriate entities, including from the philanthropic sector. All regular members of the LWDB have voting privileges. Individuals may be appointed to serve as a representative of more than one of the required sectors. The composition and specific eligibility requirements are outlined in DWD Policy 2019-02, Change 2.

LWDBs perform the functions outlined in WIOA Sections 107(d) and 108 and 20 CFR 679.370:

- Develop and submit the 4-year local plan, in partnership with the CEO(s);
- If a LWDA is part of a planning region, develop and submit a regional plan in collaboration with the other local areas within the region;
- Conduct workforce research and regional labor market analysis;
- Convene, broker, and leverage workforce development system stakeholders;
- Lead employer engagement efforts;
- Collaborate with education representatives to develop and implement career pathways;
- Identify and promote proven and promising practices;
- Develop and implement strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, workers, and job seekers;
- Conduct program oversight, in partnership with the CEO;
- Ensure appropriate use and management of adult, dislocated worker, and youth funds, in partnership with the CEO;
- Ensure the appropriate use, management, and investment of funds to maximize performance outcomes, in partnership with the CEO;
- Negotiate local performance accountability measures;
- Negotiate methods for funding the infrastructure costs of one-stop centers in the LWDA;
- Select and terminate (as appropriate) one-stop operators and service providers;
- Ensure adequate availability of career and training services, maximizing consumer choice;
- Coordinate workforce activities with education and training providers;
- Develop a local WDB budget;
- Assess the accessibility for individuals with disabilities; and
- Certify one-stop centers in accordance with 20 CFR 678.800 and DWD Policy 2016-10.

Each local WDB has the authority to hire a director and other staff to assist in carrying out the functions of the local WDB.

Local WDBs may operate with or through standing committees. Committees must include individuals appointed by the local WDB who are not members of the board. Specific requirements for committees are outlined in DWD Policy 2019-02, Change 2.

The Governor may decertify a local WDB at any time for fraud or abuse; failure to carry out the functions for the local WDB as specified in federal regulation or DWD policy; or failure to meet negotiated levels of performance for two (2) consecutive years.