

DISCUSSION PAPER

SUBSEQUENT CERTIFICATION FOR LOCAL WORKFORCE DEVELOPMENT BOARDS

In accordance with 29 USC Section 3122(c)(2), Texas Workforce Commission (TWC) is required to bring forth Subsequent Certification every two years for local Workforce Development Boards.

29 USC Section 3122(c)(2), prescribes the official role of the governor in the Local Workforce Development Board (Board) certification process.

Certification is to ensure that all Boards are composed according to state and federal law and are meeting all other requirements. TWC uses the following requirements to conduct Board review:

- Board composition must be consistent with Texas Government Code §2308.256 and 40 TAC §801.1(g) and relevant federal law.
- Diversity requirements
- Industry representation
- Bylaws
- Board–Chief Elected Official (CEO) Partnership Agreement
- The Board must show whether it has ensured services that will be delivered in a manner allowing the Board to meet local measures
- The Board must show whether it has developed fiscal policies and procedures to ensure that financial controls are in place

Staff has made available to the Commissioner Offices the supporting materials. Staff remains available to provide additional information upon request.

Decision

Staff reviewed the requirements to ensure Boards are composed according to state and federal law and have determined that all 28 local Workforce Development Boards have met the requirements for compliance. 27 Boards were approved by the Commission on November 26, 2019 with Middle Rio Grande pending approval. Staff recommends the commission approve Subsequent Certification for Middle Rio Grande.

It is our recommendation for the Commission to recommend subsequent certification to the Governor of the 28 Local Workforce Development Boards.