

WORKFORCE INVESTMENT FIELD INSTRUCTION (WIFI) No. 11-12

DATE: March 1, 2013

TO: Maryland Workforce Investment Area Grant Recipients

SUBJECT: Recertification of Local Workforce Investment Boards

REFERENCES: Public Law 105-220 ~ Workforce Investment Act of 1998 (WIA)
20 CFR 652 Workforce Investment Act: Final Rule
WIFI 10-99: Local Comprehensive Workforce Investment Act Five Year Plan
WIFI 04-04: Recertification of Local Workforce Investment Boards (LWIBs)

BACKGROUND INFORMATION:

Section 117 (c)(2) {Certification} WIA provides that:

“(A) IN GENERAL – The Governor shall, once every two years, certify one local board for each local area in the State.”

“(B) CRITERIA – Such certification shall be based on criteria established under subsection (b) {Membership} and, for a second or subsequent certification, the extent to which the local board has ensured that workforce investment activities carried out in the local areas have enabled the local area to meet the local performance measures.”

WIA mandates that the Governor recertify Local Workforce Investment Boards bi-annually. To fulfill this requirement, policy and local Board certification processes were developed in 2005.

POLICY:

1. LWIBs will be recertified effective July 1, 2013, for a period of two years provided that:
 - The LWIB meets the membership criteria of WIA Section 117 (b);
 - The LWIB has satisfactorily performed the board functions outlined in WIA Section 117 (d);
 - The LWIB has established a Youth Council or an alternative entity, as specified in WIA Section 117 (h), that carries out required duties;
 - The LWIB has maintained fiscal integrity, defined as having no major unresolved questioned costs, or other major

outstanding audit issues and having no findings of fraud or abuse; and,

- The LWIB will be assessed on its ability to achieve 80 percent or higher on at least seven of the nine performance measures detailed below.

Performance Measure	
Entered Employment Rate	Adults
	Dislocated Workers
Retention Rate	Adults
	Dislocated Workers
Average Earnings	Adults
	Dislocated Workers
Performance Measure	
Youth Attainment of a Degree or Certificate	
Youth Placement in Employment of Education	
Youth Literacy/Numeracy	

2. There shall be the following two levels of recertification:

Level I Recertification

If the LWIB meets all of the requirements in No. 1 above, it will be recertified for a period of two years.

Level II Recertification

If the LWIB fails to meet the standards outlined in No. 1 above, it will receive a one-year Provisional Certification designation, provided it establishes an improvement plan and agrees to technical assistance provided by the Department of Labor, Licensing and Regulation (DLLR) Division of Workforce Development and Adult Learning (DWDAL). At the conclusion of the one-year period, the LWIB may be certified for one additional year, provided that it meets the requirements set forth in No. 1 above. At the conclusion of the one-year provisional period, the LWIB may be certified for one additional year, provided that it meets the requirements set forth in No. 1. In the event the LWIB remains in non-compliance, the Governor’s Workforce Investment Board (GWIB) may recommend significant action, including decertification and the appointment of a new board as provided in WIA Section 136 (h).

ACTION REQUIRED:

As a part of this communication, the following electronic forms must be completed, regarding your local board, to ensure that we have the correct information needed to recertify your board:

- LWIB Certification Form;
- Local Workforce Investment Board Questionnaire; and

For your convenience, you are able to type directly into the fields on each of the forms; saving you time from handwriting your responses. Additionally, where signatures are requested, please feel free to provide an electronic signature.

Please complete and return your package via email to Darla Henson at dhenson@gwib.state.md.us by close of business by Friday, May 17, 2013, so that we will ample time to review your package in preparation for the June 19, 2013 Quarterly GWIB Board Meeting.

**ACTION TO BE
TAKEN BY GWIB:**

GWIB staff will review LWIB membership and composition, while staff from the DLLR DWDAL will monitor WIA performance, financial/audit reports, and Board activities. All results and related reports will be made available to the LWIB upon completion of the monitoring process.

If a local area is not performing at the standard outlined in the proposed policy, the local area will be required to prepare an improvement plan and DLLR will provide technical assistance to help in achieving the standard. Any decisions to recommend recertification or decertification of a local board must be preceded by the opportunity for a review of the data by DLLR and the local area.

We appreciate the time and energy your staff and board members devote on behalf of Maryland's citizens, businesses, and workforce development system. We stand ready to assist you in any possible way and look forward to our continuing partnership. If you have any questions, please do not hesitate to contact

**CONTACT
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or

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EFFECTIVE:

March 1, 2013



Ellen Flowers-Fields,
Deputy Assistant Secretary
Division of Workforce Development and Adult Learning