

PARTNERSHIP AGREEMENT
Between the
CHIEF LOCAL ELECTED OFFICIAL,
LOCAL ELECTED OFFICIALS
And the
SOUTHEAST TENNESSEE LOCAL WORKFORCE DEVELOPMENT BOARD

The Mayor of Hamilton County, acting on the authority as Chief Local Elected Official (CLEO) for the Local Elected Officials (LEOs) of Bledsoe, Bradley, Grundy, Marion, Meigs, McMinn, Polk, Rhea and Sequatchie Counties, representing the Southeast Tennessee Local Workforce Development Area Consortium (STLWDA), enter into this Partnership Agreement with the Southeast Tennessee Local Workforce Development Board in accordance with the Workforce Innovation and Opportunity Act (*WIOA*) § 107 [c] [1] [B] to be effective July 1, 2018 through June 30, 2020.

Local Board Membership

The Consortium shall establish a Governing Board in accordance with the requirements of *WIOA Section 107* to be known as the **Southeast Tennessee Local Workforce Development Board** (STLWDB). The Interlocal Agreement signed by the CLEO and LEOs designates the CLEO with the authority to act on behalf of the other LEOs. It is therefore the responsibility of the CLEO to appoint members to serve on the Board that meet the required Board composition and minimum number.

In accordance with the criteria established under *WIOA Section 107(b)* and the *Workforce Services Policy (16-11) - Local Governance*, the CLEO:

- will receive and sign the required appointment form for any local Board nominee;
- has sole authority to appoint members of the Board;
- will immediately remove any Board member, who does not resign, if that member becomes ineligible to serve on the Board;
- will make all reappointments of Board members within 60 days of the term of expiration;
- ensures that employees of entities serving as the fiscal agent, Board staff, One-Stop Operator(s), and American Job Center Career Services provider(s) are prohibited from serving on the Board, *Workforce Services Policy (17-02) Conflict of Interest*.

Fair and equitable appointments across STLWDA will be achieved due, in part, to the selection requirements. For example, urban, suburban, and rural districts will be represented in proportion to their influence on the local area; Board members from these districts must exhibit the demographic diversity of the counties within their respective local area. Additionally, the Board must be chaired by a business representative selected from the members of the private sector.

The number of Directors shall be determined by the Board, provided, however, that the Board shall have no fewer members than the minimum number required under the Act. The minimum requirements for the composition of the Board are explained in **TEGL 27-14** as follows:

- **Business:** A majority of local Board members, at least 51%, must be representatives who are owners, chief executive or operating officers, or other business executives, or employers with optimum policymaking or hiring authority;
- **Workforce:** Not less than twenty (20) percent of the members must be workforce representatives. Such representatives must include:
 - Two or more representatives of labor organizations; and
 - One or more representatives of a joint labor-management registered apprenticeship program; and
- **Education:** Members included in this category shall include the following:
 - At least one member must be a representative of an entity administering education and training activities in the local area.
 - At least one member must be a representative of a provider of adult education and literacy activities under Title II of WIOA.
 - Finally, at least one member must be a representative of an institution of higher education that provides workforce training (including community colleges);
- **Governmental or Community Development:** The members must include at least one representative of each of the following:
 - Economic or community development entities in the local area;
 - State Employment Service Office, under Wagner-Peyser, serving the local area; and
 - Programs carried out under Title I of the Rehabilitation Act of 1973.

In addition to the representatives noted above, the Board may include the following contribute to the 20 percent requirement:

- One or more representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of individuals with barriers to employment including organizations that serve veterans or provide or support competitive integrated employment for individuals with disabilities; and
- One or more representatives of organizations that demonstrate experience and expertise in addressing the employment, training, or education needs of eligible youth including representatives of organizations that serve out-of-school youth.

Approval of the nomination of each individual selected to serve on the Board requires the following documentation:

- A conflict of interest form signed by the nominee to the board;

- A signed nomination form;
- A signed letter from the head of the organization the nominee represents; the content of which specifies that the individual is being nominated by the organization. The letter shall acknowledge the nominee’s optimum policy making authority as it aligns with a curriculum vitae, resume, or work history to support the qualifications of the nomination; and
- The above-noted signed letter shall be submitted to the CLEO of the STLWDA.

Completed nomination forms shall be submitted to the Tennessee Department of Labor and Workforce Development (TDLWD) at workforce.board@tn.gov for review. Additional duties of the Southeast Tennessee Local Workforce Development Board may be found within the Southeast Tennessee Local Workforce Development Board Bylaws.

Relationship between the Local Elected Officials and the Board

The CLEO shall be engaged with the STLWDB and Fiscal Agent regarding activities, performance outcomes, and budgets via electronic communication (see Communication Section) and quarterly Board meetings. The CLEO and LEOs, who are Board members on the Southeast Tennessee Development District (SETD) Board and comprise the Chattanooga Area Regional Council of Governments, will convene at least one joint meeting with the STLWDB annually.

- A. In partnership, the STLWDB and CLEO shall have the following roles and responsibilities which may require agreement, approval, or partnership with the LEOs:
- i. Local plan development in accordance with WIOA and the TDLWD requirements;
 - ii. Workforce research and regional labor market analysis—carry out analyses of the economic conditions in the region; other research, data collection, and analysis;
 - iii. Convening, brokering, leveraging—convene local workforce development system stakeholders to assist in the development of the local plan and in carrying out the functions described in this subsection;
 - iv. Employer engagement—lead efforts to engage with a diverse range of employers; promote business representation; develop effective linkages with employers; ensure that workforce investment activities meet the needs of employers and support economic growth; develop and implement proven or promising strategies for meeting the employment and skill needs of workers and employers;
 - v. Career pathways development—lead efforts in the local area to develop and implement career pathways;
 - vi. Proven and promising practices—lead efforts in the local area to identify and promote proven and promising strategies and initiatives; identify and disseminate information on proven and promising practices carried out in other local areas;

- vii. Technology—develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, and workers and jobseekers;
- viii. Program oversight—conduct oversight for local youth workforce investment, activities, local employment and training activities and the One-Stop delivery system in the local area; and ensure the appropriate use and management of the funds; ensure that funds maximize performance outcomes;
- ix. Negotiation of local performance accountability measures—negotiate and reach agreement on local performance accountability measures;
- x. Selection of operators and providers--selection of One-stop operators; selection of youth providers, identification of eligible providers of training services; identification of eligible providers of career services; and consumer choice requirements;
- xi. Coordination with education providers—coordinate activities with education and training providers in the local area;
- xii. Budget and administration—develop a budget for the activities of the local board in the local area, consistent with the local plan, and the duties of the local board under this section, subject to the approval of the CLEO; the CLEO in STLWDA shall serve as the local grant recipient for, and shall be liable for any misuse of the grant funds allocated to the local area;
- xiii. Accessibility for individuals with disabilities—annually assess the physical and programmatic accessibility.

- B. The CLEO on behalf of the LEOs are tasked with the following responsibilities:
- i. Appointment of members to the STLWDB ***WIOA Section 107(c)(1)(A)***;
 - ii. Submission of regional and local plans ***WIOA Section 106(c)(2) and WIOA a. Section 107(d)(1)***;
 - iii. Act as the local grant recipient for funds allocated to the local area ***WIOA Section 107(d)(12)(B)***;
 - iv. Appointment of the Fiscal Agent for the STLWDA ***20 CFR 679.420***;
 - v. Approval of the designation and certification of One-Stop Operators ***Workforce Services Policy – One-Stop Delivery***;
 - vi. Develop Memorandum of Understanding with One-Stop Partners ***Workforce Services Guidance – Memorandum of Understanding***;
 - vii. Oversight and governance of the One-Stop Service Delivery system ***WIOA Section 121(e)***;
 - viii. Approval and oversight the STLWDB budget ***WIOA Section 107(d)(12)(A)***;
 - ix. Request STLWDA designation and certification;
 - x. Provide input to establish the Bylaws of the STLWDB ***20 CFR 679.310(g)***;
 - xi. Establish Agreements between all STLWDA LEOs and between LEOs and STLWDB;
 - xii. Negotiate and reach agreement on local performance measures ***WIOA Section 107(d)(9), WIOA Section 116(c)***-- The Southeast Tennessee Local Workforce

Development Board, the Chief Local Elected Official, and the Governor shall negotiate and reach agreement on local performance accountability measures.

The STLWDB meeting agendas shall be determined by the Executive Committee with input from the CLEO and facilitated by staff to the Board. Quarterly Board meeting agenda items may, in part, be determined by new or modified state and federal policies, guidance or other directives.

The CLEO and STLWDB shall communicate the vision, needs, shared goals and workforce development needs for STLWDA. The local plan provides CLEO and Board members the opportunity to review and identify data and other detailed information to support the expected local area's inputs, outputs, and deliverables during the four-year timeframe. The plan identifies the shared goals and workforce development needs of the region. The quarterly Board meetings will provide a platform to disseminate the goals and expectations of STLWDA. Performance metrics will be reviewed, monitored, shared and communicated quarterly during Board meetings. As previously noted, STLWDB, CLEO, and LEOs have at least one joint meeting annually to identify workforce development needs as well as program year progress.

The STLWDB with assistance from its staff shall ensure that WIOA funds and resources are fully utilized for workforce development across all counties in STLWDA. Service provider contract language stipulates that the services shall be delivered throughout the STLWDA for youth, adults, and dislocated workers. In addition, services shall be provided to area employers throughout the region. Each of the ten (10) counties shall be canvassed by Career Services provider staff, the Board members and Board staff for opportunities to expend funds in order to meet regional workforce development needs.

Monitoring, Performance and Oversight

The STLWDB and its staff will be responsible for performing the functions of monitoring, performance, and oversight of the workforce system. All reports will be distributed to the Executive Committee of the STLWDB, with summary reports being provided to the full Board and Executive Committee of the SETD.

When findings are identified in program activity or expenditures the Board staff shall issue corrective actions in order to remedy said findings. If corrective actions do not remedy the findings, the Board staff shall provide technical assistance to address the finding(s) and correct the process or outcome. The Board may approve other locally developed monitoring procedures consistent with the Act.

Consistent with an approved State plan and with the agreement of the LEOs, STLWDB shall conduct oversight with respect to the One-Stop delivery system in the local area. The Fiscal Agent, SETD, has dedicated staff that provides monitoring of programmatic activities and policy compliance on behalf of the Board and LEOs.

A minimum of two workforce activity reports as well as a financial report will be presented at each of the Board's quarterly meetings. The reports serve as "Scorecards" and contain

dashboard information and other relevant data. The CLEO and Board members received these reports either via electronic communication or at the quarterly Board meeting. The CLEO, LEOs, and Board members will be able to monitor local public workforce system utilizing these data.

Criteria used to measure performance of the local American Job Center System shall be identified by the local Board, CLEO, Board staff, and American Job Center partners. The centerpiece of the criteria is data that include employer and individual activities occurring in the American Job Centers (comprehensive and affiliate) from all required and additional partners in the system whether the partners are co-located or not. Fiscal policy alignment, Unemployment Insurance, area demographics, labor markets among other data are provided to stakeholders when appropriate to review. Anecdotal data and customer surveys are also important feedback from the system. The clearinghouse for all local area data is www.jobs4tn.com; however, the Board and LEOs may benefit from other data sources such as U.S. Census and its American Community Survey, Economic Modeling Specialists, Inc. (EMSI) and other data resources.

Local Board Budget Approval

Upon notification of local area allocations from TDLWD, the Board in partnership with the CLEO shall develop a budget for the activities of the Board in the local area consistent with the local plan and the duties of the local board, subject to the approval of the CLEO. The CLEO and STLWDB shall review and approve the annual budget. The review and approval process should occur within the fourth quarter of each fiscal year (April 1 – June 30) unless the Notice of Obligation(s) is delayed. In the event this occurs, the Executive Committee will convene within 30 days of receipt of the NOO.

The LEOs shall have the opportunity to voice support or opposition to the proposed budget by providing feedback via electronic communication to the CLEO. The CLEO will, in turn, submit this feedback via electronic communication to the Board Chair. If necessary, the Board Chair will convene an Executive Committee meeting to address the issue, and committee members will weigh on each comment/opinion of the LEOs. If there is an issue with the budget, the Executive Committee will find a reasonable resolution. If applicable, the revised budget will then be submitted to the CLEO who will, in turn, send to the LEOs for approval. If this does not resolve the issue, the process is repeated until approved by the LEOs.

Quarterly financial statements are provided to the LEOs via electronic communication and are available for review during the quarterly Executive Committee and Board meetings. The Consolidated Statement of Revenues and Expenses report details the current year-to-date budget through a specific month. The STLWDB and LEOs, SETD Board members, convene a joint quarterly meeting at least once per year.

Special projects and additional funding opportunities may be identified by the Board members in collaboration with the LEOs. For example, market responsiveness to shortages in the labor market may generate discussions regarding untapped labor markets such as justice-involved

individuals, a non-working parent, and individuals with disabilities. The Opportunities Committee may be charged with identifying such projects and additional funding sources.

Communication

STLWDB, with assistance from the Board staff, shall address multiple county and city needs via continuous communication with LEOs who are members of the Southeast Tennessee Development District (SETD) Board of Directors and comprise the Chattanooga Area Regional Council of Governments. Board staff, employed by the Fiscal Agent SETD, communicates updates and provides information on behalf of the Board to the LEOs at SETD quarterly Board meetings. Facilitated by Board staff, STLWDB shall identify both short and long-term needs for workforce and economic and community development in the region. City and county workforce development needs communicated by a LEO may be met by the American Job Center services or via one of the One-Stop Partners such as postsecondary or Adult Education. The LEOs, STLWDB and SETD shall sustain the partnership for success for the area, particularly successes applicable to workforce development and economic and community development.

Amendments

This Agreement may be amended at any time by the written, signed consent of all the parties. Any amendments will be maintained at the principle office of the STLWDB at 1000 Riverfront Parkway, Chattanooga, TN 37405 and available for monitoring by the State Office.

The process for officially amending the Partnership Agreement, such as when there is newly elected LEO in the area or a change in the composition of the Board, shall commence within 60 days after the LEO assumes her/his office within the respective county. In the event of any type of required amendment to the Agreement, the CLEO and LEOs shall include the amendment and details concerning the amendment in the agenda at the next STLWDB's quarterly meeting. The amendment shall be brought up for formal discussion and must be approved by the Board and CLEO.

The activities surrounding the amendment process shall be facilitated by the staff to the Board. Input from the from the CLEO, LEOs, and Board members will be obtained for all amendents. For example, if the CLEO did not retain his office in the next round of elections, outreach to the LEOs via electronic communication will provide an opportunity for each LEO to weigh in on who may be selected by the LEOs as the next area CLEO. Likewise, if the Board composition changes, the LEOs will be given an opportunity to discuss how this change may affect the fair and equitable distribution of Board representation in the local area. The resulting resolution from the LEOs will be documented and become part of the amendment to be voted on by the LEOs. Once approved, the amendment will become an official part of the Partnership Agreement.

Authorized Signatures

This agreement shall become effective **July 1, 2018** by and between the CLEO, LEOs and the Southeast Tennessee Workforce Development Board and shall remain in effect through **June 30, 2020**. A signed copy will be provided to the CLEO, LEOs, and STLWDB members.

Authorized Signatures of the CLEO and STLWDB Chairman:



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423-209-6100
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7-27-18
Date



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7-31-18
Date