



Program and Business
Services Committee Agenda

November 16, 2023
8:00 A.M.



1600 E. Belle Terrace Bakersfield, CA 93307
Second Floor Large Conference Room



**Kern, Inyo & Mono Workforce Development Board
Program and Business Services Committee Agenda**

November 16, 2023

Location: 1600 E. Belle Terrace – Bakersfield, 2nd Floor Conference Room

Dial In: (831) 296-3421

Access Code: 200 896 559#

Time: 8:00 a.m.

Committee Members:

Brenda Mendivel, **Chair**

Leo Bautista

Richard Chapman

Aaron Ellis

Nick Hill III

Brian Holt

Linda Parker

Alissa Reed

Jeremy Tobias

Arleana Waller

Page No.

I. Introductions

II. Public Comments

This portion of the meeting is reserved for persons to address the Committee on any matter not on this agenda but under the jurisdiction of the Committee. Committee members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information, or request staff to report back to the Committee at a later meeting. Also, the Committee may take action to direct the staff to place a matter of business on a future agenda. **SPEAKERS ARE LIMITED TO THREE MINUTES.**

III. New Business

- 1 A. Proposed Workforce Development Board and Committees' Meeting Schedule for Calendar Year 2024– **Action Item**
- 2-3 B. Authorization To Issue Request for Refunding for Workforce Innovation and Opportunity Act Adult, Dislocated Worker, and Combined Programs for Program Year 2024-2025 – **Action Item**
- 4 C. Request For Retroactive Approval to Apply for The Displaced Oil and Gas Workers Fund Grant – **Action Item**
- 5-18 D. Workforce Development Board Bylaws Proposed Changes Regarding Chairs of the Program and Business Services and Youth Committees – **Action Item**
- 19-20 E. Program and Business Services Committee Composition – **Action Item**
- 21 F. Request to Approve The Awarded Amount of \$47,460 From The Fresno Regional Workforce Development Board for The Earmark Valley Build Now Training Grant – **Action Item**
- 22 G. Notice of Funding Opportunity – Farmworkers Advancement Program (FAP) Program Year (PY) 2023-24

IV. Director's Report

V. Committee Member Comments

23-24 **VI. Miscellaneous Filings**

- 25 A. Program and Business Services Committee Attendance Report
- B. Kern, Inyo and Mono Workforce Development Board and Committees' Meeting Schedule for Calendar Year 2023

Disabled individuals who need special assistance to attend or participate in a meeting of the Workforce Development Board may request assistance at Employers' Training Resource, 1600 East Belle Terrace, Bakersfield, California 93307, or by calling (661) 336-6893. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting materials available in alternative formats. Requests for assistance should be made at least three (3) working days in advance whenever possible. All agenda item supporting documentation is available for public review at Employers' Training Resource, 1600 East Belle Terrace, Bakersfield, CA 93307 during regular business hours: 8:00 a.m. - 5:00 p.m., Monday through Friday, following the posting of the agenda. Any supporting documentation that relates to an agenda item for an open session of any regular meeting that is distributed after the agenda is posted and before the meeting will also be available for review at the same location. Please remember to turn all cell phones and all personal mobile devices to silent.

**PROPOSED
KERN, INYO AND MONO
WORKFORCE DEVELOPMENT BOARD AND
COMMITTEES' MEETING SCHEDULE
CALENDAR YEAR 2024**

Program and Business Services Committee

America's Job Center of California – Bakersfield,
1600 East Belle Terrace, Bakersfield, Second Floor

Thursday, January 18, 2024, 8 a.m.

Thursday, April 4, 2024, 8 a.m.

Thursday, August 22, 2024, 8 a.m.

Thursday, November 7, 2024, 8 a.m.

Youth Committee

America's Job Center of California – Oildale Affiliate,
1215 Olive Drive **Recruitment Center**

Wednesday, January 24, 2024, 3 p.m.

Wednesday, April 10, 2024, 3 p.m.

Wednesday, August 28, 2024, 3 p.m.

Wednesday, November 13, 2024, 3 p.m.

Executive Committee

America's Job Center of California – Bakersfield,
1600 East Belle Terrace, Bakersfield, Second Floor

Thursday, February 1, 2024, 3 p.m.

Thursday, April 18, 2024, 3 p.m.

Thursday, September 19, 2024, 3 p.m.

Thursday, November 21, 2024, 3 p.m.

Workforce Development Board

America's Job Center of California – Oildale Affiliate,
1215 Olive Drive **Recruitment Center**

Wednesday, February 7, 2024, 7 a.m.

Wednesday, May 1, 2024, 7 a.m.

Wednesday, September 25, 2024, 7 a.m.

Wednesday, December 11, 2024, 7 a.m.



November 16, 2023

Program and Business Services Committee
Kern, Inyo and Mono
Workforce Development Board
1600 E. Belle Terrace
Bakersfield, CA 93307

AUTHORIZATION TO ISSUE REQUEST FOR REFUNDING FOR WORKFORCE INNOVATION AND OPPORTUNITY ACT ADULT, DISLOCATED WORKER, AND COMBINED PROGRAMS FOR PROGRAM YEAR 2024-2025

Dear Committee Member:

One of the functions of the Program and Business Services Committee is to recommend to the Workforce Development Board (WDB) the annual procurement process for contracted programs under the Workforce Innovation and Opportunity Act (WIOA). “Contracted programs” are those in which providers are reimbursed for expenses. This does not include Eligible Training Provider List (ETPL) providers who are paid on a “per participant basis” nor On-the-Job Training (OJT) contracts in which employers are paid for training potential new employees.

Under current regulations, a full Request for Proposals (RFP) is required at least once every four years. Therefore, if year one is funded under the RFP process then, with your WDB’s approval, years two through four can be funded under the more limited Request for Refunding (RFR) process. The RFR process is more streamlined and allows our local area to continue to fund existing programs and services that are still needed and successfully meeting their contracted goals.

WIOA Adult, Dislocated Worker, and Combined Programs

A full RFP was issued for Program Year (PY) 2023-2024 for WIOA Adult, Dislocated Worker, and Combined programs. Staff is recommending we utilize the RFR process for PY 2024-2025 (July 1, 2024 – June 30, 2025) to consider continued funding programs and services (below) approved under the 2023-2024 RFP.

- Provider of Career Services at the Delano AJCC (Proteus, Inc.)
- Paid Work Experience (Proteus, Inc. and Kern High School District)

In responding to the RFR, agencies would be required to submit a proposed budget for PY 2024-2025 and justify any cost increases or program changes. Staff would consider any outstanding monitoring findings or performance concerns. RFR funding recommendations would be presented to your committee for approval before going to the WDB.

As a caveat, if ETR does have a need to issue an RFP for unanticipated funding or need during the year, we request your authorization to do so.

Funding Availability

We anticipate the WIOA formula (Adult, Dislocated Worker, and Youth) allocations for PY 2024-2025 being released in late spring 2024. WIOA Adult and Dislocated Worker funding for the current year PY 2023-2024 is \$9,273,392 which is \$996,855 less than the previous year PY 2022-2023. In addition, ETR has faced increased costs associated with staffing, operations, supplies, and work experience minimum wage increases. California's minimum wage will increase to \$16/hour on January 1, 2024, and participants in work experience are paid minimum wage. Similarly, a larger share of WIOA Adult funding is used for OTJs to meet the in-demand needs of area employers.

As a reminder, procurement for WIOA Youth programs is handled under a separate process and will be considered by the Youth Committee and the WDB.

Therefore, IT IS RECOMMENDED that your committee recommend that the WDB authorize the following: 1) issuance of an RFR limited to current programs and services for WIOA Adult, Dislocated Worker, and Combined programs for Program Year 2024-2025; and 2) if needed, an RFP for other workforce funding or needs that may emerge during the year.

Sincerely,



Aaron Ellis
Chief Workforce Development Officer

AE:am



November 16, 2023

Program and Business Services Committee
Kern, Inyo, and Mono
Workforce Development Board
1600 E. Belle Terrace
Bakersfield, CA 93307

REQUEST FOR RETROACTIVE APPROVAL TO APPLY FOR THE DISPLACED OIL AND GAS WORKERS FUND GRANT

Dear Committee Member:

This letter is to inform your committee that Employers' Training Resource (ETR) has applied for the Displaced Oil and Gas Workers Fund (DOGWF) grant offered through the State of California's General Fund. The purpose of the grant is to provide employment and training services to 800 core and core adjacent displaced oil and gas workers in Kern County. The grant is for thirty-three months, and ETR has applied for \$12,000,000.

This grant funding is awarded through a competitive process. Proposals were due by November 13, 2023. Awards are scheduled to be announced in January 2024, and the project is expected to commence in June 2024. ETR has identified several partners for the project including the Kern Community College District; the Kern, Inyo, Mono Building Trades Council; and the Small Business Development Center.

Therefore, IT IS RECOMMENDED that your committee recommend that the Workforce Development Board retroactively authorize the submission of the DOGWF grant application and, if awarded, the execution of the required grant documents by the Chief Workforce Development Officer.

Sincerely,

Aaron Ellis
Chief Workforce Development Officer

AE:am



November 16, 2023

Program and Business Services Committee
Kern, Inyo and Mono
Workforce Development Board
1600 E. Belle Terrace
Bakersfield, CA 93307

WORKFORCE DEVELOPMENT BOARD BYLAWS PROPOSED CHANGES REGARDING CHAIRS OF THE PROGRAM AND BUSINESS SERVICES AND YOUTH COMMITTEES

Dear Committee Member:

The Kern, Inyo, and Mono Workforce Development Board (WDB) Bylaws were last amended on June 28, 2022, to alter language regarding non-WDB members. During a recent review of the bylaws, it was determined that some changes were needed including clarifying language regarding the Chairs of the Program and Business Services and Youth Committees.

Specifically, the responsibility of the WDB Vice Chair to chair the Program and Business Services Committee was absent. The bylaws also did not address the term length of the Youth Chair. As a result, the attached bylaws include draft amendment changes for your committee to review in regard to the Program and Business Services Committee. Likewise, the Youth Committee will be given the opportunity to review the amendment in regard to language pertaining to its committee. Your recommendations will be shared with the Executive Committee which will make its recommendation on the amended bylaws to the WDB.

Therefore, IT IS RECOMMENDED that your committee review the amended bylaws changes proposed affecting your Program and Business Services Committee and share any comments and recommendations for the Executive Committee to consider at its meeting on December 7, 2023.

Sincerely,

Aaron Ellis
Chief Workforce Development Officer

Attachment

AE:am

KERN, INYO AND MONO WORKFORCE DEVELOPMENT BOARD BYLAWS

A. FUNCTIONS

The Workforce Investment Act (WIA) of 1998 has been replaced with the Workforce Innovation and Opportunity Act (WIOA) of 2014. The Local Workforce Development Board shall, along with the Chief Local Elected Officials (CLEO) representing units of general local government, be responsible for:

1. Developing a strategic Four-Year Local Plan;
 - a. If the Local Workforce Development Area (LWDA) is part of a planning region, the Local Workforce Development Board (Local Board) shall collaborate with the other local boards and CLEOs in preparing and submitting a Regional Plan, which incorporates the Local Plans.
2. Workforce Research and Regional Labor Market Analysis: Conduct research and assist the Governor in developing the statewide workforce and Labor Market Information (LMI) system;
3. Convening, Brokering, and Leveraging: Convene workforce and education stakeholders to assist in local planning and leverage resources;
4. Employer Engagement: Lead efforts to engage with a diverse range of employers, ensure the Workforce Development activities meet the needs of employers, and support economic growth in the region;
5. Career Pathways Development: Collaborate with secondary and postsecondary education to develop and implement career pathways;
6. Proven and Promising Practices: Identify, promote, and disseminate proven and promising strategies;
7. Technology: Develop strategies for using technology to maximize accessibility and develop intake and case management information systems;
8. Program Oversight: Conduct oversight of local programs in partnership with the CLEO;
9. Negotiation of Local Performance Accountability: Negotiation with the CLEO and the Governor;
10. Subject to the approval of the CLEO, selection of Operators and Providers;

11. Coordination of activities with education and training;
12. Budget and Administration: Develop a budget, subject to approval by the local grant recipient (i.e., CLEO);
13. Grants and Donations: The local board may solicit and accept grants and donations from sources other than Federal funds made available under this Act; and
14. Accessibility for Individuals with Disabilities: Annually assess the physical and programmatic accessibility of all one-stop centers in the local area in accordance with the Americans with Disability Act of 1990 and WIOA Section 188.

Convening Stakeholders and Brokering Relationships with a Diverse Range of Employers:

Although the WIOA does allow the Local Board to reduce its size to 19 mandated members, the Kern, Inyo and Mono (KIM) Workforce Development Board (WDB) has chosen to retain its larger composition, electing not to reduce its size by removing non-mandated One-Stop Partner members from the Local Board to an advisory-only position on a committee. Along with Business, Education, Economic and Community Development, Labor and Apprenticeships, Government and other stakeholders, the KIM WDB maintains a strong balance of workforce development, education and training stakeholders.

KIM WDB has and will continue to convene local employers to participate in industry forums to identify skills gaps and training needs to bridge the job seeker with job opportunities. These industry forums are led by the KIM WDB Members and engage all one-stop partners, educational providers, businesses, trade unions, and community-based organizations.

Leveraging Support for Workforce Development Activities:

At the direction of the CLEO, staff to the KIM WDB pursue as many workforce development grants that are available. A cross section of education partners are WDB members which ensures collaboration to enhance services. This aligns programs between WDB and education to leverage resources where possible and avoid duplication. KIM WDB offers integrated service delivery by braiding resources and coordinating services at the local level to meet client needs. Some of the programs the agency leverages include: TANF/CalWORKs, Transitional Age Youth (TAY), National Farmworkers Jobs Program (NFJP), and AB109 Prison Realignment.

Standing committees may be established by the Local Board to provide information and assist the Local Board in carrying out its responsibilities under WIOA Sec. 107. Standing committees must include at least two individuals who are not members of the WDB and who have demonstrated experience and expertise in accordance with § 679.340(b) and as determined by the Local WDB. All non-WDB members on standing committees are subject to all provisions in these bylaws, unless otherwise noted.

B. STANDARDS OF CONDUCT

1. Open Meetings

The Local Board and its standing committees will conduct business in an open manner by making available to the public, on a regular basis through open meetings, information about the activities of the Local Board, including information about the local plan before submission of the plan, membership, the designation and certification of One-Stop operators, the award of grants or contracts to eligible providers of youth activities and, on request, minutes of formal meetings of the Local Board.

~~At this time~~ *Under Emergency Orders (such as the COVID-19 pandemic)*, the Local Board and its committees ~~do not have equipment to participate via video conferencing~~ *may conduct virtual meetings*. All meetings of the Local Board or its committees are accessible via teleconference. Quarterly meeting notices include the physical location of the Local Board and committee meetings, as well as a toll-free dial-in phone number and a meeting access code.

For Local Board and committee members who are unable to attend at the main location but choose to participate, under the State's Brown Act, an accessible location must be posted for the public to be able to attend the meeting at that alternate location. Local Board and committee members who do not provide access to their site for the public are not permitted to vote during the teleconference on any action items before the Local Board or committee. Members phoning in from their car, for example, would not be able to vote, as the public would not have been able to access that vehicle.

2. Code of Conduct

The Local Board will adopt a code of conduct to be signed by each member and each non-WDB committee member at appointment and annually.

3. Conflict of Interest

The Local Board will adopt a conflict of interest policy governing the activities of the Local Board.

4. Ethics Training

Each member of the Local Board and each non-WDB committee member is required to receive ethics training no later than one (1) year after their appointment. After the initial training, each Local Board member is required to receive ethics training at least once every two (2) years.

5. New Member Orientation

Within *sixty* (60) days of their appointment by the Kern County Board of Supervisors, all new WDB members will participate in the New Member Orientation. All non-WDB

members appointed by the WDB to standing committees will attend orientation within *sixty* (60) days of being appointed by the WDB.

C. MEMBERSHIP

1. Appointments

Per the Joint Powers agreement between the three (3) counties, Inyo and Mono Counties may appoint one member each, *and* Kern County will appoint the balance. Should Inyo or Mono not appoint a member, Kern County will appoint members as necessary. Members will represent all groups required by Federal and State law.

Local Board member appointments and reappointments will be made by the Kern County Board of Supervisors, with the exception of non-WDB members on standing committees. The Executive Committee will review non-WDB member nominations, forward their recommendations to the Local Board, who will appoint and reappoint non-WDB committee members. The non-WDB committee members are subject to all provisions in these bylaws, except as noted.

2. Composition

Composition of the Local Board *shall comply with the membership requirements outlined in WIOA Section 107(b) and* shall consist of a Business majority *of* at least *fifty-one percent* (51%). The membership will be streamlined by having members represent more than one category as permitted by WIOA.

A minimum size must be *nineteen* (19) members including: (a) *ten* (10) Business members, two (2) representing small business; (b) workforce representatives, *twenty percent* (20%) of board size, with a minimum of four (4) Labor representatives, optional CBOs and youth providers; (c) one (1) each adult and higher education; and (d) one (1) economic development and one (1) each local State government (One-Stop Partner agencies) representing Wagner-Peyser and Vocational Rehabilitation.

a. Business:

- (1) The majority of the WDB Members must be representatives of business in the local area.
- (2) At a minimum, two (2) members must represent small business.

b. Workforce Representatives: 20% of board size, includes:

- (1) Mandatory Labor and Joint/Labor Management Apprenticeship; *minimum fifteen percent* (15%) Board size per State law;
- (2) Optional Community-Based Organizations (CBOs), non-labor agencies must have demonstrated experience in addressing the employment needs of those with barriers to employment (e.g., veterans, individuals with disabilities); and

(3) Optional Youth Provider organizations with demonstrated experience and expertise in addressing the employment, training, or education needs of youth, including out-of-school youth.

c. Education and Training:

(1) WIOA Title II Adult Education and Literacy;

(2) Institution of Higher Education; and

(3) Other Education or CBO (optional) with demonstrated experience in addressing the employment needs of those with barriers to employment.

d. Government and Economic or Community Development:

(1) Shall include at least one (1) Economic or Community Development entity;

(2) WIOA Title III State Wagner-Peyser Employment Services (One-Stop Partner Program); and

(3) State Vocational Rehabilitation (One-Stop Partner Program).

e. Other One-Stop Partner Programs:

Except for above, all other partner programs, while mandated to contribute to the One-Stop System are no longer mandatory Board members.

f. Other:

Workforce development related members as deemed appropriate.

3. Term

Board members and standing committee members will serve a fixed term of three (3) years. Members will serve until the appointment of another member to replace him/her or until they resign. Members may serve consecutive terms and may be reappointed prior to the end of their current terms. Terms shall be fixed and staggered by eighteen months.

As the requisite two non-WDB member per standing committee are appointed, their terms will be the same as a Local Board member. Terms may be subject to change by the Local Board as emerging labor market conditions or committee expertise requirements change.

4. Resignation

Any Local Board or standing committee member may resign by giving written notice to the Local Board. Local Board staff will forward any WDB resignations received to the Clerk of the Kern County Board of Supervisors for posting openings. As non-WDB committee members are not appointed by the CLEO, their resignation will not be submitted to the CLEO. In addition, Local Board and committee members will be

notified during meetings so that they may recruit as well as inform their nominating agencies about vacancies.

5. Removal for Cause or Attendance

In December 2014, the Local Board adopted an attendance policy that permits the Local Board to remove members who fail to attend meetings, subject to approval of the CLEO. Non-WDB standing committee members are also subject to the attendance policy of the Local Board; however, their removal is not subject to the CLEO, just the WDB. The WDB also chose not to reduce the size of the WDB by removing One-Stop Partner members from the Local Board to an advisory-only position on a committee.

Although the WIOA allows for an alternate designated to cover for a WDB member who cannot attend a meeting, the WDB did not adopt this option. The WDB discussed that since the size of the KIM WDB was not reduced down to the minimum *nineteen* (19) members, that any person attending for a WDB member and allowed to vote on action items before the Board should be vetted as fully as any WDB member. With the WDB remaining around *forty-five* (45) members, it was decided that the attendance policy was sufficient to ensure that each Local Board meeting would have its requisite quorum, thereby negating the need for vetting more than *forty* (40) alternates.

Removal of Local Board or non-WDB members may only be accomplished at meetings of the full Local Board. Such authority may not be assigned to an Executive or other committee.

a. Cause

Any member may be removed from the Local Board or standing committee for cause if a two-thirds (2/3) majority of the WDB members approve such action.

A Board member's failure to timely file a Form 700 *Statement of Economic Interests* ~~economic disclosure statement~~ as required by *Kern County* Employers' Training Resource's (ETR) Conflict of Interest Code constitutes sufficient cause for a member's removal.

b. Attendance

Attendance at all Local Board and standing Committees to which a member has been appointed is expected of all members. Attendance by members at regularly scheduled meetings is critical for the Local Board to fulfill its function.

The Executive Committee shall routinely review member attendance at Local Board and committee meetings. Staff shall present attendance records for Executive Committee members to review at each of its meetings.

Notification of Absence: Members shall notify the Chair of the Local Board (or through Board staff) of any expected absence from a meeting by 5:00 p.m. of the day before the meeting, indicating the reason for the absence.

Local Board staff shall act on behalf of the KIM WDB to record the cause of such absences and shall provide such to the Executive Committee for consideration.

An excused absence shall be recorded in the Local Board minutes when a Member notifies the Board staff of the intended absence the day before the meeting, except that if the absence is due to illness occurring during the *twenty-four (24)* hour period, the absence shall be deemed excused if the Board staff is notified of the illness prior to the roll call for the meeting.

Local Board members who miss two (unexcused) consecutive full Board meetings will be considered inactive and subject to removal. After a Member is absent and inactive, the Local Board Chair will contact the Member to find out what problems may exist and if the Member still has an interest in serving on the Local Board. The inactive Member will have one more opportunity to attend a meeting. If the Member misses a third meeting, the Local Board Chair will notify the Executive Committee in writing that the inactive Member should be considered for removal.

Unless otherwise excused, all Board Members shall be required to attend a minimum of three quarters (75%) of all Local Board meetings and a minimum of three quarters (75%) of all committee meetings to which they are assigned during the course of a year in order to maintain Membership in Good Standing. Unless otherwise excused, all non-WDB members shall be required to attend a minimum of three quarters (75%) of all committee meetings to which they are assigned during the course of a year in order to maintain Membership in Good Standing. Failure of any Member to comply with this attendance provision can result in removal from the Local Board and/or standing committee(s).

WDB Members will be removed from membership on the Local Board if the Member is absent from more than three (3) consecutive scheduled meetings of the full Board. Standing Committee Members, including WDB and non-WDB members, will be removed from membership on the standing committee if the Member is absent from more than three (3) consecutive scheduled meetings. A Member with a substantial pattern of absences, however varying from the absence pattern noted in this section, may be removed from membership.

c. Procedure for Removal by Local Board:

- (1) A removal is proposed and discussed at an Executive Committee meeting;
- (2) A Recommendation of Removal from the Executive Committee shall be brought before the full Board for discussion and vote;
- (3) The member whose removal is being considered shall be invited to present reason(s) why their removal should be reconsidered at both the Executive Committee and meeting of the full Board; and

- (4) Removal from the Local Board shall require a two-thirds (2/3) majority and affirmative vote of the KIM WDB at a regularly scheduled meeting, in which a quorum has been established.

The Local Board is appointed by the CLEO in the local area in accordance with State criteria established under WIOA section 107(b). Therefore, the Local Board will refer removal recommendations to the CLEO for their review and approval. Non-WDB members would be removed via the above procedure by the WDB, not the CLEO.

6. Renewal

Local Board and standing committee members will be notified by Board staff at least *sixty* (60) days in advance of their term end date that their term will end. Members who wish to be considered for renewed membership on the Local Board or standing committees shall notify Board staff no later than *thirty* (30) days prior to the end of their term to ensure their reappointment will be considered for renewal by the Local Board.

7. Change of Status

Local Board members are responsible for notifying the Local Board's Executive Secretary of any change in their status that would affect their eligibility to serve on the Local Board. This includes, but is not limited to:

- Change of employer into a different membership category
- Change of employment status including retirement
- Ceasing to represent the category for which they were appointed to the Board
- Activities or interests in conflict with the interests of the Board
- Or other change in status that alters the member's qualifications that were present when appointed

Members who no longer qualify for the category for which they were appointed will, within *thirty* (30) days of the change in status, either (a) resign their membership in writing or (b) petition the Local Board through the Executive Secretary to remain on the Local Board for additional time, up to the end of their regular three-year term or until they are replaced, whichever period is less.

The Executive Secretary of the Local Board will notify the Executive Committee of such petitions and will forward them to the full Board, which may accept or deny them and forward their recommendation to the CLEO. Members that do not resign or petition the Board are deemed to have voluntarily resigned their membership and are subject to removal by the Local Board and respective CLEO.

Non-WDB members are also responsible for notifying the Local Board's Executive Secretary of any change in their status that would affect their eligibility to serve on a

standing committee. They are subject to the same process as WDB members except their removal is not subject to CLEO approval.

8. Vacancies

The Executive Committee shall solicit and/or review nominations received to fill WDB vacancies and make recommendations to the Local Board, who will make recommendations to the Kern County Board of Supervisors. Both solicited and unsolicited nominations will be maintained as a pool for further appointments. Pools will be updated before new appointments are made or as necessary.

In the event of a WDB vacancy, the Executive Committee is responsible for maintaining the required composition of the Local Board. A vacancy may not necessarily be filled if the required composition of the Local Board can be maintained without filling the vacancy.

While reviewing potential Business members, consideration will be given to local and/or regional Labor Market Information and industry sectors targeted in the Local Plan.

WDB member resignation letters are forwarded to the Kern County Board of Supervisors' Clerk of the Board so those vacancies can be posted. In addition, staff to the Board review the existing pool of nominations. Business members and nominating agencies such as Chambers of Commerce are notified of openings for Business members. Labor or Apprenticeship vacancies will be reported to the appointing agencies so they can nominate replacement members. One-Stop Partner agencies generally nominate replacements, for example when the member is retiring. All of these are used to fill vacancies as expediently as possible.

Non-WDB members are subject to the same process as WDB members except that filling non-WDB vacancies are handled by the WDB and not the CLEO.

D. LOCAL BOARD COMMITTEES

Standing committees may be established by the Local Board to provide information and assist the Local Board in carrying out its responsibilities under WIOA Sec. 107. Standing committees must be chaired by a member of the Local Board and may include other members of the Local Board. Standing committees must include at least two individuals who are not members of the WDB.

The non-WDB committee members should have experience and expertise with workforce development and the Committee's mission. Demonstrated experience and expertise means a workplace learning advisor; contributes to the field of workforce development, human resources, training and development; or a core program function; or represents valuable contributions in education or workforce development related fields.

1. Executive Committee

The Executive Committee will consist of the Local Board Chair, Vice Chair, and all standing committee Chairs, and additional members as approved by the Local Board. It will retain a majority of business representatives.

Functions:

Act on matters requiring expediency and function for the full Board between Local Board meetings. In instances where urgency and time constraints do not permit items to be acted upon by the full Board, the Executive Committee takes necessary actions on behalf of the Local Board. All such actions shall be subject to ratification by the full Board at its next regularly scheduled meeting.

Develop agenda for Local Board meetings;

Review applications and make recommendations for membership to the Local Board;

Routinely review member attendance of Local Board and committee meetings;

Review applications for Title II Adult Basic Education and Literacy grants to the State to ensure they are compatible with the Local Plan and submit recommendations to the Local Board;

Approve annual budgets and forward to the Local Board for review;

Evaluate service providers and review audits and staff monitor reports;

Provide policy direction to staff; and

Perform other duties as deemed necessary by the Local Board.

Under the procurement policy, if applicants file an appeal, the Executive Committee will be responsible for reviewing funding appeals for merit and shall have authority to reconsider funding recommendations if warranted.

2. Youth Committee

Functions:

Coordinate the development of youth policies;

Coordinate local vocational and educational activities related to workforce preparation;

Recommend eligible providers of youth activities to be awarded grants or contracts on a competitive basis to ensure high quality programs;

Conduct oversight with respect to the eligible providers of youth activities in the local Workforce Development Area; and

Address key development, education, and employment issues affecting youth.

Chair:

The Committee shall elect one (1) member as Chair.

The Chair shall serve a term of one (1) year and may serve consecutive terms.

The Chair shall be a WDB member.

The Chair shall preside over all regular meetings and may call special meetings if necessary. The Chief Workforce Development Officer of Kern County Employers' Training Resource shall preside over meetings in the absence of the Chair.

3. Program and Business Services Committee

Functions:

Review and recommend approval of the local plan and the Business Services Plan to the Local Board and its committees;

Research/review labor market needs;

Provide overall guidance and promote the economic development strategy for the local area;

Review and recommend marketing strategies to promote the LWDA activities and service delivery goals;

Recommend programs to be funded and plans for accomplishment;

Develop linkages and coordinate resources with other agencies; and

Coordinate activities and policies for America's Job Center of California (AJCC) in the Local Area.

4. Other Committees

Other committees of Local Board members, which may include persons not on the Local Board, may be formed on either a standing or ad hoc basis.

E. MEETINGS

1. Regular Meetings

The Local Board shall meet not less than four (4) times per year.

2. Special Meetings

The Chair of the Local Board may call special meetings at any time. Each member and the public will be given adequate notice of such meetings.

3. Quorum

One half ($1/2$), plus one, of the total Local Board/committee membership shall constitute a quorum for official business for the WDB and Executive Committee meetings. One-third ($1/3$) of the total committee membership shall constitute a quorum for official business for the Youth Committee and the Program and Business Services Committee meetings.

4. Open Meetings

All regular meetings of the Local Board and its committees shall be open and accessible to the general public.

5. Voting

- a. Members of the Youth Committee, if not appointed as full Local Board members, will be non-voting members of the Local Board. Non-WDB standing committee members do not have voting privileges on the Local Board. Non-WDB committee members have voting privileges when conducting the business of the committee. Non-WDB committee members on the Executive Committee must recuse themselves from voting on any issue the Committee is acting upon in lieu of the Local Board.
- b. Each full member of the Local Board, including the Chair and Executive Secretary, shall have one (1) vote.
- c. For official business, a majority vote of the quorum is needed to pass a motion.

F. OFFICERS

1. Chair

- a. The Board shall elect one (1) member as Chair.
- b. The Chair shall serve a term of one (1) year and may serve consecutive terms.
- c. The Chair shall be a Business representative.
- d. The Chair shall preside over all regular meetings and may call special meetings if necessary.
- e. The Chair shall make appointments to all committees of the Board, except the elected committee Chairs, other elected Executive Committee members and the Youth Committee.

2. Vice Chair

- a. The Board shall elect one (1) person as Vice Chair.
- b. The Vice Chair shall serve a term of one (1) year and may serve consecutive terms.

- c. The Vice Chair shall be a Business representative.
- d. The Vice Chair shall assume the responsibilities of the Chair in his/her absence.
- e. *The Vice Chair shall preside over Program and Business Services Committee meetings.*

3. **Executive Secretary**

The ~~director~~ *Chief Workforce Development Officer* of *Kern County* Employers' Training Resource shall serve as Executive Secretary of the Board.

G. STAFF

1. The ~~director~~ *Chief Workforce Development Officer* of *Kern County* Employers' Training Resource shall serve as staff to the Board, unless otherwise specified in the Local Board/CLEO Agreement.
2. Staff shall be responsible for the taking of minutes of all meetings.
3. Staff shall prepare reports as necessary to inform the Board of the status of programs.

H. AMENDMENT OF THE BYLAWS

These Bylaws may be amended or repealed and new Bylaws adopted by the vote of a majority of the members of the Local Board at any regular or special meeting.



November 16, 2023

Program and Business Services Committee
Kern, Inyo, and Mono
Workforce Development Board
1600 E. Belle Terrace
Bakersfield, CA 93307

PROGRAM AND BUSINESS SERVICES COMMITTEE COMPOSITION

Dear Committee Member:

Reappointments

We recently contacted Workforce Development Board (WDB) and committee members whose terms are expiring on December 31, 2023 to determine their interest in continuing to serve another three-year term. All the Program and Business Services (PBS) Committee members with expiring terms have expressed their intent to continue to serve. The WDB will reappoint these members at its December 13, 2023 meeting.

Program and Business Services Committee Composition

As of your last meeting, the PBS Committee consisted of the following members:

- Leo Bautista, Chair
- Richard Chapman -- Business
- Nick Hill III-- Business
- Aaron Ellis – One-Stop Partner
- Brian Holt -- Labor
- Linda Parker *non-WDB member -- Business
- Alissa Reed -- Labor
- Jeremy Tobias – Community-based Organization
- Arleana Waller *non-WDB member -- Business

At the October 4, 2023 WDB meeting, a special election was held to elect a new WDB Chair and Vice Chair. Brenda Mendivel was elected WDB Vice Chair and is now the Chair of your PBS Committee, replacing Leo Bautista. While the responsibility of the WDB Vice Chair to chair the PBS Committee was not previously spelled out in the Kern, Inyo and Mono Workforce Development Board Bylaws, that oversight is being corrected

in the proposed bylaws amendment which will be discussed separately at today's meeting.

While Mr. Bautista has resigned as a WDB member due to his retirement from employment, he has generously volunteered to be a non-WDB member on the Executive Committee. His appointment was approved at the last WDB meeting. Mr. Bautista has also expressed his interest in continuing to serve on your committee also in the capacity of non-WDB member. Per the bylaws, standing committees of the WDB must have at least two non-WDB members. If your committee approves, the recommendation will be forwarded to the Executive Committee to discuss and act upon at its meeting on December 7, 2023.

With Mr. Bautista remaining on your committee as an At-Large Member and the addition of Brenda Mendivel, the PBS Committee would be comprised of ten members representing the following categories: one At-Large non-WDB member; five Business members, including two non-WDB members; one One-Stop Partner member; one Community-Based Organization; and two Labor members.

Therefore, IT IS RECOMMENDED that your committee approve Leo Bautista continuing to serve on the PBS Committee in the capacity of non-WDB member and forward this recommendation to the Executive Committee to discuss and approve at its meeting on December 7, 2023.

Sincerely,



Aaron Ellis
Chief Workforce Development Officer

AE:am



November 16, 2023

Program and Business Services Committee
Kern, Inyo and Mono
Workforce Development Board
1600 E. Belle Terrace
Bakersfield, CA 93307

**REQUEST TO APPROVE THE AWARDED AMOUNT OF \$47,460 FROM THE
FRESNO REGIONAL WORKFORCE DEVELOPMENT BOARD FOR THE EARMARK
VALLEY BUILD NOW TRAINING GRANT**

Dear Committee Member:

The California Workforce Development Board through the lead agency, the Fresno Regional Workforce Development Board (KIM WDB) awarded \$47,460 to the Kern, Inyo and Mono Counties Workforce Development Board to fund case management and drug testing for the Earmark Valley Build Nontraditional Occupations for Women (NOW) training grant which will provide Multi-Craft Core Curriculum pre-apprenticeship training and union referrals for one-hundred and ten (110) trainees valley-wide, including thirty (30) in the local workforce development area. Trainees must qualify under one or more of the following priority populations: (i) Women; and (ii) Other Underrepresented populations (i.e. Individuals that meet WIOA Adult or Dislocated Worker requirements) under the Workforce Innovation and Opportunity Act (WIOA). The KIM WDB will co-enroll trainees in WIOA the end of the grant which occurs on September 30, 2025.

Therefore, IT IS RECOMMENDED that the Committee approves your Board's partnership with the Fresno Regional Workforce Development Board in the Earmark Valley Build Nontraditional Occupations for Women training grant by providing case management and drug testing in the amount of \$47,460.

Sincerely,

Aaron Ellis
Chief Workforce Development Officer
AE:ms

Aaron Ellis - Chief Workforce Development Officer - Employers' Training Resource

1600 E. Belle Terrace, Bakersfield, CA 93307 | Office: 661.336.6957 | 661.325-HIRE | www.etronline.com



November 16, 2023

Program and Business Services Committee
Kern, Inyo and Mono
Workforce Development Board
1600 E. Belle Terrace
Bakersfield, CA 93307

NOTICE OF FUNDING OPPORTUNITY – FARMWORKERS ADVANCEMENT PROGRAM (FAP) PROGRAM YEAR (PY) 2023-24

Dear Committee Member:

This letter is to inform your Committee that on October 10, 2023, the California Employment Development Department (EDD), in coordination with the California Labor and Workforce Development Agency (LWDA), released a Solicitation for Proposals for the Farmworkers Advancement Program (FAP). There is up to \$9 million in Workforce Innovation and Opportunity (WIOA) Governor's Discretionary funds available for grants to research, design, and implement projects that focus exclusively on farmworker needs at a regional level by offering essential skills and upskilling training to either advance in the agricultural industry and/or prepare for advancement outside of the agricultural sector.

Employers' Training Resource (ETR) intends to apply for this grant funding either as the grantee or as a partnering agency. ETR can apply for up to \$1,000,000 in funding. The competitive proposal is due to the EDD no later than 3 p.m. on Wednesday, November 29, 2023. The grant award announcements are scheduled for January 2024 and the estimated project start date is February 2024.

We will keep your Committee advised of any updates regarding the FAP.

Sincerely,

Aaron Ellis
Interim Chief Workforce Development Officer

AE:jw

Kern, Inyo & Mono Workforce Development Board PBS Committee Attendance 2022

P = Present	U=unexcused	X=Cancelled			
A = Excused Absence		2/3/22	5/12/22	9/8/22	11/10/22
First	Last	PBS	PBS	PBS	PBS
Leo	Bautista	X	A	x	P
Richard	Chapman	X	P	x	P
Stacy	Ferreira	X	A	x	RESIGNED
Nick	Hill III	X	P	x	P
Brian	Holt	X	A	x	P
Teresa	Hitchcock	X	P	x	P
Linda	Parker*	X	P	x	P
Alissa	Reed	X	P	x	A
Jeremy	Tobias	X	P	x	P
Arleana	Waller*	X	P	x	A
*Non-WDB					

Kern, Inyo & Mono Workforce Development Board PBS Committee Attendance 2023

P = Present	U=unexcused	X=Cancelled			
A = Excused Absence		2/16/23	5/11/23	8/31/23	11/16/23
First	Last	PBS	PBS	PBS	PBS
Leo	Bautista	P	P	X	
Richard	Chapman	P	A	X	
Aaron	Ellis		P	X	
Nick	Hill III	P	P	X	
Brian	Holt	P	P	X	
Teresa	Hitchcock	P	Retired	X	
Linda	Parker*	A	P	X	
Alissa	Reed	P	P	X	
Jeremy	Tobias	P	P	X	
Arleana	Waller*	A	U	X	
*Non-WDB					

**KERN, INYO AND MONO
WORKFORCE DEVELOPMENT BOARD AND
COMMITTEES' MEETING SCHEDULE
CALENDAR YEAR 2023**

Program and Business Services Committee

America's Job Center of California – Bakersfield, 1600 East Belle Terrace,
Bakersfield, Second Floor

Thursday, February 16, 2023, 8:00 a.m.

Thursday, May 11, 2023, 8:00 a.m.

~~Thursday, August 31, 2023, 8:00 a.m.~~ **Cancelled**

Thursday, November 16, 2023, 8:00 a.m.

Youth Committee

America's Job Center of California – Oildale Affiliate, **1215 Olive Dr. Suite C,
Bakersfield**

Wednesday, March 1, 2023, 3:00 p.m.

~~Wednesday, May 17, 2023, 3:00 p.m.~~ **Cancelled**

Wednesday, September 13, 2023, 3:00 p.m.

Wednesday, November 29, 2023, 3:00 p.m.

Executive Committee

America's Job Center of California – Bakersfield, 1600 East Belle Terrace,
Bakersfield, Second Floor

Thursday, March 2, 2023, **3:00** p.m.

Thursday, May 25, 2023, **3:00** p.m.

Thursday, June 22, 2023, **3:00** p.m. **SPECIAL SESSION**

Thursday, September 21, 2023, **3:00** p.m.

Thursday, December 7, 2023, **3:00** p.m.

Workforce Development Board

America's Job Center of California – Oildale Affiliate, **1215 Olive Dr. Suite C,
Bakersfield**

Wednesday, March 8, 2023, 7:00 a.m.

Wednesday, May 31, 2023, 7:00 a.m.

Wednesday, October 4, 2023, 7:00 a.m.

Wednesday, December 13, 2023, 7:00 a.m.