

**Southwest TN Workforce Board  
Outreach and Opportunities Committee**

Thursday, February 5, 2026 – 11:00 a.m.

American Job Center  
1124 Whitehall St., Jackson

[Zoom Meeting ID: 860 1943 7541](#)

Passcode: 392976

Chair – Joe Stephens

Vice Chair – Mike Thorne

Agenda

1. Welcome and Call to Order Joe Stephens, Chair
  - a. Opportunity for Public Comment (limit of three minutes per speaker)
2. Review and Approval of Minutes of 11/6/25 Meeting (**Vote Required**) Joe Stephens
3. Target Populations Reports
  - a. Youth Services Report Kena Hamm, CSP Director of Program Services
    - o Youth Participant / Parent Report
  - b. Adult Education (AE) Report Angela Hollingsworth, AE Program Director
  - c. Vocational Rehabilitation Report Ashley Roberts, Regional Supervisor
4. Talent Pipelines Report Ginger Powell, Deputy Director
5. ETPL Report Laura Speer, Director of Performance & Compliance
  - a. State ETPL Appeal Hearing Results
  - b. Program Renewals (**Vote Required**)
6. LFPR Strategic Priorities – High Quality Jobs Action Items Jennifer Bane, Executive Director
7. Other Business
  - a. Board Certification Process Jennifer Bane

**Future Meeting Dates & Upcoming Events**

Meeting / Event	Date and Time	Location
State Workforce Board Meeting	February 27, 10:00 am	Nashville / YouTube
Virtually Speaking Webinar	March 3, 9:00 am	Zoom
Southwest TN Workforce Board Meeting	March 12, 11:00 am	Jackson State Community College / Zoom
Remaining 2026 Committee Meetings	11:00 am on Thursday, May 7 <sup>th</sup> , August 6 <sup>th</sup> , November 5 <sup>th</sup>	Jackson AJC/ Zoom
Remaining 2026 Board Meeting Dates	11:00 am on Thursday, June 11 <sup>th</sup> , Sept. 10 <sup>th</sup> (Annual Meeting), Dec. 1 <sup>st</sup> (with Northwest)	Jackson State Community College / Zoom

## Southwest TN Workforce Board Outreach and Opportunities Committee

Thursday, November 6, 2025 – 11:00 a.m.

Jackson American Job Center (AJC) / Zoom

Chair – Joe Stephens Vice Chair – Mike Thorne

### Minutes

**Committee Members Attending in Person:** Joe Stephens, Angela Hollingsworth; **via Zoom:** Gem Bell, Ashley Roberts, Marlita White, Dr. JacQuene Rainey

**Staff and Contractors Attending in Person:** Jennifer Bane, Laura Speer, Ariel McGahey, LeAnn Lundberg, Kena Hamm (CSP), Catherine Vandyke (CSP), Erica Nance (OSO), Melissa Blankenship (OSO); **via Zoom:** Lana Burchfiel, Gina Johnson, James Starnes (OSO)

**Guests Attending in Person:** Allison Wright-Donahoe

**Welcome and Call to Order/ Public Comments:** Joe Stephens called the meeting to order and asked if there were any public comments. No public comments were made.

**Election of Committee Vice-Chair:** Mike Thorne has agreed to serve as the vice-chair for this committee.

- **MOTION:** Gem Bell moved to approve Mike Thorne as the Outreach and Opportunity Committee Vice-Chair, and Marlita White seconded the motion. All were in favor, and the motion carried.

**Review and Approval of 8/7/25 Minutes:** Joe Stephens presented the 8/7/25 meeting minutes for review.

- **MOTION:** Gem Bell moved to approve the 8/7/25 minutes as presented, and Ashley Roberts seconded the motion. All were in favor, and the motion carried.

### Target Populations Reports:

**Youth Services Report:** Kena Hamm reported 13 out of a goal of 14 Title I Youth have been enrolled so far this quarter, 12 Out-of-School-Youth (OSY) and one In-School-Youth (ISY). Southwest still has a small amount of TN Youth Employment Program (TYEP) money with 84 enrolled so far, and enough funding to enroll about 8 more. We just received additional TYEP funds to serve youth with disabilities, as well as additional funds to serve Justice-Involved Youth.

- **Youth Participant/Parent Report:** No report.

**Adult Education (AE) Report:** Angela Hollingsworth reported they are still partnering with Helping Hands of West TN on the Dental Lab Technician pre-apprenticeship. Those who complete will receive OSHA 10 certification, but Adult Ed is looking to expand their credentials with this program. Angela reported that about 20 students will be participating tonight at an Adult Education graduation ceremony in Lexington.

**Vocational Rehabilitation (VR) Report:** Ashley Roberts reported they are still taking applications and providing services, but some services have been paused due to the federal government shutdown. They are working to provide as many services as possible and limit the impact of the shutdown on customers.

**Talent Pipelines Report:** Jennifer Bane presented the attached Talent Pipelines report detailing career exploration and talent pipelines efforts and programs. GROWWTH enrollment is at 429/375, and staff are continuing to enroll as long as we have funds. The state asks us to report on the YEP weekly and has asked us to track any individuals on a waitlist for the program since they will be requesting additional funding from the State budget for the program. There were 210 careers explored with our TRANSFR Reality headsets this quarter. The Justice Involved Grant funds are retroactive to July, but since we just got the contracts, we don't have data for the first quarter. Career Exploration Events is a new project partnering with TCAT Jackson to work with high schools to hold career exploration events. Dr. Rainey said Haywood County will be the first event to kick off this new project to bring awareness of a new construction program. The Rural Health Workforce Initiative grant started in July, and we have enrolled 14/92. This money will fund traditional classroom training, OJTs, etc. We continue to work with West TN Healthcare on this grant. Marlita White asked about job training opportunities for healthcare occupations other than patient care technicians. Jennifer explained that this grant can assist with any healthcare occupation. If a program or occupation comes up that we didn't list in the grant, we can ask the grant staff to have that added to the list. Even some administrative coding/medical billing can be included. Dr. Rainey asked if this

grant would fund any programs not on the local ETPL. Jennifer said the Rural Healthcare Grant is state money so we can fund additional programs. The in-demand requirements for the ETPL are a little more restrictive.

### **Eligible Training Provider (ETPL) Report:**

Program Renewals - Lane College: Laura Speer presented the attached list of programs due for renewal, including corresponding labor market information and performance data. Per State policy, the recommendations for the 21 programs at Lane College are contingent on Lane staff completing and submitting the required performance reports by the December 2<sup>nd</sup> board meeting. Staff have met with Lane and informed them of the outstanding reports, but they have not submitted them at this time. The attached list of programs shows 15 programs recommended for the State ETPL only, and 6 programs recommended for the State and SW Local ETPL. If Lane does not submit the required performance reports, per the State, all programs will be removed from the ETPL.

- **STATE ETPL MOTION:** Marlita White moved to approve the first 15 programs listed on the attached handout for the State ETPL only, contingent on the required performance reports being submitted, and Gem Bell seconded the motion. All were in favor, and the motion carried.
- **STATE and LOCAL ETPL MOTION:** Ashley Roberts moved to approve the Lane College Computer Science, Sociology, AA-Media Strategies, AA- Sociology, AS- Business, and Mass Communication programs to the State and Local ETPL as presented, contingent on the required performance reports being submitted, and Gem Bell seconded the motion. All were in favor, and the motion carried.

Program Renewals - Union University: Laura presented Union's Teaching and Learning program, including corresponding labor market information and performance data. This program was mistakenly left off the list of Union programs that were reviewed at the last meeting. We are recommending this program for the state ETPL only, contingent on Union submitting their state required performance reports.

- **MOTION:** Ashley Roberts moved to approve renewal of the Teaching and Learning program at Union University as presented to the State ETPL only, contingent on compliance with state required performance reports, and Marlita White seconded the motion. All were in favor, and the motion carried.

Jackson State Community College Pharmacy Technician Cost Increase: The cost of the Pharmacy Technician program has increased from \$1,395 to \$3,295, requiring a vote from the committee. The cost of this program has not been updated in several years.

- **MOTION:** Ashley Roberts moved to approve the cost increase for the Pharmacy Technician program at Jackson State Community College, and Gem Bell seconded the motion. All were in favor, and the motion carried.

New Program Applications: Laura Speer presented the attached new program applications including corresponding labor market information and performance data.

- TCAT Jackson: The Central Sterile Processing program is recommended for the State ETPL only due to not meeting the Board's in-demand criteria. The other two programs are recommended for the State and SW Local ETPL. Dr. Rainey abstained from discussion and voting on TCAT Jackson programs.
  - **MOTION:** Gem Bell moved to approve the Central Sterile Processing program to the State ETPL only and the General Construction Technology and Information and Infrastructure Technology programs to both the State and SW Local ETPLs as presented, and Ashley Roberts seconded the motion. All were in favor, and the motion carried.
- Jackson State Community College: The attached list shows seven new programs for review. These programs will be offered online through Ed2Go, so JSCC does not collect all of the documentation typically required for regular courses, particularly social security numbers that are necessary for tracking employment outcomes. Staff have reached out to JSCC to confirm that they will be able to provide the information for the required annual performance reports for these programs. The recommendation for the addition of these programs to the ETPL is contingent on confirmation that required information and reports will be submitted. Four of the programs on the attached list are recommended for approval for the State and SW Local ETPL. The Certified Supply Chain Professional, Certified Supply Chain Professional- Freight Broker/Agent Training, and Non-Profit Manager- Professional Grant Writing programs are recommended for the State ETPL only.
  - **MOTION:** Gem Bell moved to approve the Certified Supply Chain Professional, Certified Supply Chain Professional- Freight Broker/Agent Training, and Non-Profit Manager- Professional Grant Writing programs to the State ETPL only, and the Certified Administrative Professional with Microsoft Office

**Specialist, Certified Administrative Professional with Microsoft Office Expert, Human Resources Professional, and Human Resources Professional with Payroll Practice & Management to the State and SW Local ETPL as presented, and Ashley Roberts seconded the motion. All were in favor; motion carried.**

**Labor Force Participation Rate (LFPR) Strategic Priorities—~~High Quality Jobs Recap~~:** Jennifer Bane requested feedback on effective and innovative strategies the Board and AJCs can use to assist employers in creating and supporting high-quality jobs. A handout recapping the components of “high-quality jobs” that have been discussed over the past couple of years was provided, and members were encouraged to email feedback directly to Jennifer. She also summarized past topics and action items, noting plans for a webinar to review them; however, this is on hold due to the federal government shutdown and the temporary closure of EDA. There have been great topics for the Virtual Speaking Webinars suggested. Jennifer is working on compiling a list of highlights from the discussions the committees have had over the past couple of years and will share with members soon.

**Other Business:**

Annual Conflict of Interest Forms: Jennifer Bane reviewed the updated Conflict of Interest Form and highlighted the updates. The form is used to identify when members may have a conflict of interest during votes and when they should abstain. The chart allows members to disclose any organizational involvement by themselves or immediate family members to ensure full transparency. These forms will be distributed with the next Board meeting materials and will be due in December. Jennifer also noted that forms are subject to public records requests.

Appeal Update for Barber School I: The attached letter from the State details the outcome of Barber School I’s State appeal request to remain on the SW ETPL list. The appeal went before the state appeal committee, and they upheld the SW Workforce Board decision to not renew this program to the SW ETPL.

Other Discussion: Joe Stephens asked how participants will be affected if Lane and Union do not comply with the State performance reporting. Jennifer Bane said we don’t have any participants currently enrolled in these programs, particularly the ones that are State only, so she does not anticipate any impact.

**Future Meeting Dates & Upcoming Events:** Future meeting dates and upcoming events were listed on the agenda. Jennifer Bane mentioned the joint meetings in December. The NW and SW board meetings will be separate, but we will have a joint lunch and strategy session where UTCIS will present what the board certification process will look like. The meeting will be at 12PM at the UT AgResearch Center in Jackson.

Ashely Roberts moved to adjourn, and Marlita White seconded the motion. Meeting adjourned.

*Respectfully submitted,*

*Lana Burchfiel, Public Information Specialist*

# Talent Pipelines

## GROWTH

GROWING RELATIONAL AND OCCUPATIONAL WEALTH IN WEST TENNESSEE HOUSEHOLDS



**Number  
Enrolled to Date:  
464 / 375**

### Tennessee Youth Employment Program



**120 / 188**  
New Enrollments

**\$236,133 / \$390,889**  
Expended

### TRANSFR Virtual Reality Headsets



**8**  
High Schools/ Organizations  
Participating

**205 / 205**  
Active Explorers

**411**  
Careers Explored

### Justice Involved Individuals

**10 / 35**  
Individuals Served

**\$23,766 / \$127,500**  
Expended



### Career Exploration Events

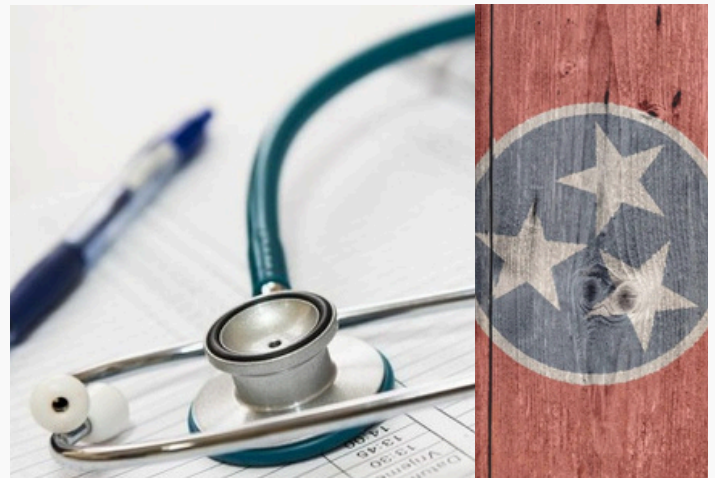
**Events Held**  
1 / 5

**High Schools Participating**  
1

**Students Participating**  
23

**Expended**  
\$1,600 / \$8,000

### Rural Health Workforce Initiative



**62 / 92**  
Enrollments

**\$29,916 / \$225,000**  
Expended

### Senior Community Service Employment Program (SCSEP) Grant



**14 / 17**  
Total Served

**\$35,529 / \$141,054**  
Expended

December 18, 2025

Provider: Lamar Hobson  
Barber School 1 Inc.  
77 Carriage House Drive  
Jackson, TN 38301

Respondent: TN NW & SW LWDB  
Workforce Innovations, Inc.  
Attorney Becky Dykes  
208 N. Mill Ave., Suite B  
Dyersburg, TN 38024

## **DECISION OF THE HEARING OFFICER**

### **PROCEDURAL HISTORY**

On or about September 12, 2024, the Northwest TN Workforce Development Board (hereinafter referred to as “the NW Board”) voted not to approve Barber School 1’s programs for the local Eligible Training Provider List (hereinafter referred to as “ETPL”). On or about September 23, 2024, Barber School 1 filed an appeal, and an appeal committee was formed to address the appeal. On December 3, 2024, the appeal committee recommended that the NW Board’s decision be upheld.

On or about December 5, 2024, the Southwest TN Workforce Development Board (hereinafter referred to as “the SW Board”) voted to remove Barber School 1’s programs from the local ETPL. The programs were approved to stay on the State ETPL. On or about December 6, 2024, Barber School 1 filed an appeal of the decision, and an appeal committee was formed to address the appeal. On or about March 13, 2025, the appeal committee recommended the SW Board’s decision be upheld.

On or about August 29, 2025, Barber School 1 appealed the NW and SW Board’s decisions to the ETPL State Appeal Committee. On or about September 15, 2025, the ETPL State Appeal Committee upheld the NW and SW Board’s decisions. Thereafter, Barber School 1 requested an appeal and a hearing.

On December 10, 2025, a video hearing was held wherein, the Provider, Lamar Hobson, appeared on behalf of Barber School 1. The NW Board and the SW Board appeared and was represented by Attorney Becky Dykes, BPR #32695. Jennifer Bane, Executive Director, appeared and testified on behalf of the NW Board and the SW Board.

## **STATUTORY REFERENCE**

Workforce Innovation and Opportunity Act of 2014  
20 CFR §§ 675 et seq  
29 USC §§ 3101 et seq

## **ISSUE PRESENTED**

Whether the Provider, Barber School 1, was improperly removed from or not added to the Local Workforce Board Eligible Training Provider List for the NW and SW Local Boards.

## **FINDINGS OF FACT**

After reviewing all relevant documents provided by both parties and considering all testimony provided during the video hearing conducted on December 10, 2025, the Hearing Officer hereby makes the following findings of fact.

The Provider, Barber School 1, is a barber training school. The owner/director is Lamar Hobson. Barber School 1 became an eligible training provider for the SW Board under WIOA in March 2023. Barber School 1 has never been an eligible training provider for the NW Board.

The NW and SW Boards, through the fiscal agent, Workforce Innovations, Inc., are responsible for administering workforce development services in accordance with the Workforce Innovation and Opportunity Act of 2014 (WIOA). The NW and SW Boards follow federal, state and local policies and guidelines in carrying out their responsibilities. The NW and SW Boards offer a wide variety of services including but not limited to helping qualified individuals receive training to access employment. Potential candidates must meet certain qualifications to be eligible for individual training accounts (ITA). Once approved for an ITA, the individual may obtain training from the eligible provider training list. The eligible training providers are tied to in-demand sectors and occupations. Local Workforce Development Boards may add additional requirements for providers on the local ETPL than what is required for inclusion on the State ETPL.

In September 2024, the NW Board and the SW Board developed criteria to determine in-demand jobs within the local community. The occupation criteria include: 1) typically requires no higher than a bachelor's degree; 2) has a minimum of 10 positions in the local area; 3) has positive growth of at least 4 in the planning period(2024-2027) or 1 per year; 4) has at least 4 more jobs/openings than resident workers (1 per year); 5) has median wages above the self-sufficiency

threshold (\$14.48); 6) typically requires no work experience at entry; 7) aligns with regional priority sectors: a) healthcare and social assistance; b) manufacturing; c) transportation and skilled trades; d) information; e) professional, scientific and technical services; 8) related to postsecondary training opportunities.

The Boards' goal is to get people to work. To determine the demand of a job, the Boards primarily focus on new job growth, but the total number of jobs and number of available workers is also considered. Pursuant to the Boards' approved priority sectors, the NW Board and the SW Board determined that barber jobs, which fall under the personal care services sector, were not in-demand jobs based upon the criteria list and did not have positive growth of at least 1 per year.

Based upon the lack of positive job growth within the planning period of 2024 to 2027, and not aligning with the priority sectors, the SW Board voted to remove Barber School 1 from the ETPL along with the TCAT barber programs as well as several other programs that did not align with the priority sectors. Barber School 1 was not added to the NW Board ETPL for the same reasons. Barber School 1 remains on the State ETPL.

### **DETERMINATION**

In the appeal, the Provider, Barber School 1, asserts that the SW Board's use of data differs from the standards employed by other AJCs across Tennessee. The Provider further asserts that the NW and SW Boards are the only boards that use the Lightcast's Developer database which Mr. Hobson states did not contact the barbershops in the SW region for its data.

The issue is whether the Provider, Barber School 1, was improperly removed from the SW Board ETPL and not properly added to the NW Board ETPL. Based upon a review of the evidence and testimony presented, the Hearing Officer finds that Barber School 1 has not met the burden of proof in this case.

The Workforce Innovation and Opportunity Act of 2014 (WIOA) is designed to help certain job seekers access employment, education, training, and support services to succeed in the labor market while also being responsive to the demands of the local employers. WIOA authorizes various funding mechanisms for allowable participant training including individual training accounts (ITAs). An ITA is a payment agreement with the local workforce development board on behalf of a participant with a training provider on the ETPL. ITAs are restricted to programs that address the skills needed for occupations in demand. Eligible training providers must be tied

to in-demand job sectors to be eligible for inclusion on the ETPL. Additionally, the student must meet the requirements to be eligible for an ITA, and it is the student who applies for the training. Further, pursuant to WIOA, local boards may add additional requirements for providers to remain eligible for the ETPL.

Under WIOA, an in-demand industry sector or occupation is defined as “an industry sector that has a substantial or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the state, regional or local economy as appropriate and that contributes to the growth or stability of other supporting business or the growth of other industry sectors or an occupation that currently has or is projected to have a number of positions in an industry sector so as to have a significant impact on the state, regional, or local economy as appropriate. The determination of whether an industry sector or occupation is in-demand under this paragraph shall be made by the state board or local board, as appropriate, using state and regional business and labor market projections, including the use of labor market information.”

The Provider argued that the Boards’ use of the Lightcast’s Developer database was improper and that it is not used in other parts of Tennessee. The Provider further argued that the Boards were inputting data into the Lightcast’s database to get the results they wanted. The NW Board has used Lightcast for 10 years, and the SW Board has used Lightcast since 2022. The Board testified that it does not input data but retrieves data from the database by setting parameters such as the area that the local boards serve. Under WIOA, the local boards are allowed to use labor market information.

Pursuant to 20 CFR § 680.460, local boards may require additional criteria and information from local providers as criteria to become or remain eligible in that local area and may set higher levels of performance than those required by the State as criteria for local providers to become or remain eligible to provide services in the local area, except with respect to registered apprenticeship programs. In this case, the local boards developed and approved an in-demand occupations criteria in September 2024, which set out the criteria for priority job sectors and barbering was not a priority for either board.

Although Barber School 1 provided some information regarding the barbering industry, it did not provide evidence to refute the labor market information regarding new job growth for barber jobs for the years 2024-2027 in the Northwest and Southwest areas, nor was any evidence presented to establish that barber jobs fell within the priority sectors.

The Provider further asserted that Barber School 1 was the only provider removed from the

ETPL; however, the Board testified that all barber programs had been removed from the ETPL lists including the TCAT barber programs as well as many other programs that did not align with the priority sectors under the in-demand occupations criteria set by the NW and SW Boards. As stated, Barber School 1 remains on the State ETPL.

The Provider, Barber School 1, has failed to establish that the business was improperly removed from the SW Board ETPL and not properly added to the NW Board ETPL; therefore, the prior decisions of the ETPL State Appeal Committee are affirmed.

*J. Songer*

Hearing Officer Songer

Provider Name	Program Name	SOC/Occupation	Duration	Total Cost	2024 Jobs	2027 Jobs	2024-2027 Change	Median Hourly Earnings	In-Demand Criteria Met?*	Overall Completion Rate	Overall Employment 2nd QTR after Exit	WIOA Total Enrolled	WIOA Completion Rate	Overall Employment 2nd QTR after Exit	Performance Criteria Met?*	Recommended for Renewal?	
JACKSON STATE CC	BUSINESS STUDIES	13-1199- Business Operations Specialists, All Other	4 Semesters/Terms	\$10008.00	219	248	29	\$ 28.99	Yes	26%	82%	10	44%	90%	No	State & SW Local ETPL	
JACKSON STATE CC	EMERGENCY MEDICAL SERVICES; PARAMEDIC	29-2043: Paramedics	4 Semesters/Terms	\$9404.25	169	176	7	\$ 25.86	Yes	78%	92%	7	0%	50%	N/A	State & SW Local ETPL	
JACKSON STATE CC	EMERGENCY MEDICAL TECHNICIAN	29-2042: Emergency Medical Technicians	1 Semesters/Terms	\$3922.25	133	140	8	\$ 19.32	Yes	46%	89%	1	50%	100%	N/A	State & SW Local ETPL	
JACKSON STATE CC	Engineering Systems Technology	17-3026- Industrial Engineering Technologists and Technicians	4 Semesters/Terms	\$13217.50	233	242	9	\$ 25.20	Yes	69%	92%	0	0%	0%	N/A	State & SW Local ETPL	
JACKSON STATE CC	MEDICAL LABORATORY TECHNICIAN	29-2010- Clinical Laboratory Technologists and Technicians	6 Semesters/Terms	\$14686.75	256	257	1	\$ 27.05	No- not enough growth	86%	92%	2	0%	100%	N/A	State ETPL Only	
JACKSON STATE CC	PHARMACY TECHNICIAN (Voucher Included)	29-2052- Pharmacy Technicians	12 Months	\$3295.00	407	423	15	\$ 17.75	Yes	0%	100%	1	0%	100%	N/A	State & SW Local ETPL	
JACKSON STATE CC	PHYSICAL THERAPIST ASSISTANT	31-2021- Physical Therapy Technicians	5 Semesters/Terms	\$16759.70	154	163	9	\$ 29.34	Yes	72%	86%	7	67%	70%	N/A	State & SW Local ETPL	
JACKSON STATE CC	RADIOLOGIC TECHNOLOGY	29-2034- Radiologic Technologists and Technicians	6 Semesters/Terms	\$14442.25	212	213	2	\$ 28.96	No- not enough growth	76%	88%	25	71%	100%	Yes	State ETPL Only	
JACKSON STATE CC	RESPIRATORY CARE.	29-1126- Respiratory Therapists	5 Semesters/Terms	\$15262.80	132	136	5	\$ 31.31	Yes	91%	98%	5	100%	100%	N/A	State & SW Local ETPL	
TCAT AT CRUMP	ADMINISTRATIVE OFFICE TECHNOLOGY	43-6014- Secretaries and Administrative Assistants, Except Legal, Medical, and Executive	1296 Hours	\$7018.75	1128	1139	11	\$ 19.24	Yes	69%	66%	7	50%	29%	N/A	State & SW Local ETPL	
TCAT AT CRUMP	COLLISION REPAIR TECHNOLOGY	49-3021- Automotive Body and Related Repairs	16 Months	\$6852.63	160	170	10	\$ 22.76	No- associated occupation is not part of a target sector.	77%	68%	1	0%	50%	N/A	State ETPL Only	
TCAT AT CRUMP	Computer Aided Design Technology	17-3011- Architectural and Civil Drafters	1728 Hours	\$6428.21	17	17	0	\$ 30.79	No- not enough growth	44%	74%	0	0%	0%	N/A	State ETPL Only	Also checked all other drafting occupations, and there was not enough growth to be considered in-demand.
TCAT AT CRUMP	COMPUTER INFORMATION TECHNOLOGY	15-1244- Network and Computer Systems Administrators	72 Weeks	\$8718.99	108	115	7	\$ 35.80	Yes	69%	75%	2	100%	100%	N/A	State & SW Local ETPL	
TCAT AT CRUMP	DIGITAL GRAPHIC DESIGN	27-1024- Graphic Designers	58 Weeks	\$6051.50	77	83	6	\$ 22.25	Yes	74%	54%	6	67%	33%	N/A	State & SW Local ETPL	
TCAT AT CRUMP	HEALTH INFORMATION MANAGEMENT TECHNOLOGY	29-2072- Medical Records Specialists	1296 Hours	\$5597.50	13	117	4	\$ 22.86	Yes	67%	78%	8	63%	79%	N/A	State & SW Local ETPL	
TCAT AT CRUMP	HEATING, VENTILATION, AC & REFRIGERATION	49-9021- Heating, Air Conditioning, and Refrigeration Mechanics and Installers	16 Months	\$7449.42	318	337	5	\$ 25.51	Yes	70%	73%	0	100%	0%	N/A	State & SW Local ETPL	
TCAT AT CRUMP	Heavy Equipment Technology	49-3042- Mobile Heavy Equipment Mechanics, Except Engines	2160 Hours	\$7975.00	71	77	6	\$ 27.91	Yes	85%	50%	0	0%	0%	N/A	State & SW Local ETPL	
TCAT AT CRUMP	INDUSTRIAL ELECTRICITY	47-2111- Electricians	16 Months	\$6921.50	887	1,047	160	\$ 27.09	Yes	64%	71%	2	50%	0%	N/A	State & SW Local ETPL	

TCAT AT CRUMP	INDUSTRIAL MAINTENANCE	49-9041-Industrial Machinery Mechanics	16 Months	\$6582.00	618	682	64	\$ 31.77	Yes	74%	85%	3	67%	33%	N/A	State & SW Local ETPL
TCAT AT CRUMP	MACHINE TOOL TECHNOLOGY	51-4041- Machinist	1728 Hours	\$5951.99	331	355	23	\$ 22.70	Yes	56%	54%	16	13%	13%	No	State & SW Local ETPL
TCAT AT CRUMP	PRACTICAL NURSING	29-2061- Licensed Practical Nurse	12 Months	\$6232.12	1,129	1,128	-1	\$ 24.53	Yes- While the occupation does not show growth, there is a deficient in resident workers to fill existing openings.	78%	88%	31	86%	93%	Yes	State & SW Local ETPL
TCAT AT CRUMP	WELDING TECHNOLOGY	51-4121- Welders, Cutters, Solderers, and Brazers	12 Months	\$5399.77	871	918	47	\$ 21.84	Yes	60%	79%	4	25%	100%	N/A	State & SW Local ETPL
TCAT AT JACKSON	ADMINISTRATIVE OFFICE TECHNOLOGY	43-6014- Secretaries and Administrative Assistants, Except Legal, Medical, and Executive	12 Months	\$4768.43	1128	1139	11	\$ 19.24	Yes	47%	77%	4	75%	60%	N/A	State & SW Local ETPL
TCAT AT JACKSON	AUTOMOTIVE TECHNOLOGY	49-3023- Automotive Service Technicians and Mechanics	16 Months	\$10195.85	600	633	33	\$ 22.22	Yes	67%	80%	11	57%	100%	Yes	State & SW Local ETPL
TCAT AT JACKSON	COLLISION REPAIR TECHNOLOGY	49-3021- Automotive Body and Related Repairers	16 Months	\$7575.21	160	170	10	\$ 22.76	No- associated occupation is not part of a target sector.	69%	84%	3	50%	100%	N/A	State ETPL Only
TCAT AT JACKSON	COMPUTER INFORMATION TECHNOLOGY	15-1244- Network and Computer Systems Administrators	20 Months	\$8645.67	108	115	7	\$ 35.80	Yes	70%	59%	4	50%	67%	N/A	State & SW Local ETPL
TCAT AT JACKSON	HEATING VENTILATION AIR CONDITIONING & REFRIGERATION	49-9021- Heating, Air Conditioning, and Refrigeration Mechanics and Installers	16 Months	\$7647.99	318	337	5	\$ 25.51	Yes	68%	79%	11	75%	100%	Yes	State & SW Local ETPL
TCAT AT JACKSON	INDUSTRIAL MAINTENANCE INTEGRATED AUTOMATION	49-9041-Industrial Machinery Mechanics	16 Months	\$6365.50	618	682	64	\$ 31.77	Yes	71%	89%	14	100%	100%	Yes	State & SW Local ETPL
TCAT AT JACKSON	MACHINE TOOL TECHNOLOGY	51-4041- Machinist	16 Months	\$8102.37	331	355	23	\$ 22.70	Yes	77%	81%	2	50%	67%	N/A	State & SW Local ETPL
TCAT AT JACKSON	PRACTICAL NURSE	29-2061- Licensed Practical Nurse	12 Months	\$7256.57	1,129	1,128	-1	\$ 24.53	Yes- While the occupation does not show growth, there is a deficient in resident workers to fill existing openings.	70%	90%	78	62%	98%	Yes	State & SW Local ETPL
TCAT AT JACKSON	TOOL AND DIE MAKING	54-4111- Tool and Die Makers	12 Months	\$10705.33	121	125	4	\$ 29.42	Yes	73%	84%	2	50%	100%	N/A	State & SW Local ETPL
TCAT AT JACKSON	TRUCK DRIVING	53-3032- Heavy and Tractor-Trailer Truck Drivers	222 Hours	\$1837.99	2219	2375	156	\$ 24.10	Yes	99%	83%	19	76%	94%	Yes	State & SW Local ETPL
TCAT AT JACKSON	WELDING TECHNOLOGY	51-4121- Welders, Cutters, Solderers, and Brazers	12 Months	\$5663.70	871	918	47	\$ 21.84	Yes	68%	81%	10	57%	67%	Yes	State & SW Local ETPL
<b>Provider Name</b>	<b>Program Name</b>	<b>SOC/Occupation</b>	<b>Duration</b>	<b>Total Cost</b>	<b>2024 Jobs</b>	<b>2027 Jobs</b>	<b>2024-2027 Change</b>	<b>Median Hourly Earnings</b>	<b>In-Demand Criteria Met?*</b>	<b>Overall Completion Rate</b>	<b>Overall Employment 2nd QTR after Exit</b>	<b>WIOA Total Enrolled</b>	<b>WIOA Completion Rate</b>	<b>Overall Employment 2nd QTR after Exit</b>	<b>Performance Criteria Met?*</b>	<b>Recommended for Renewal?</b>

\*Aligns with one of the regional priority sectors listed below:

Healthcare & Social Assistance

Construction

Professional, Scientific, & Technical Services

Transportation & Warehousing

Information

Manufacturing

Hospitality & Tourism

\*\*Performance Criteria: For programs with at least 10 WIOA-funded students.

All student completion and employment rate greater than or equal to 60% (PY 2022).

WIOA student completion and employment rate greater than or equal to 40%

## **Recruitment and Hiring**

**Actively recruit a diverse pool of applicants. Implement skills based hiring that only requires the education, credentials, and experience needed to do the job. Be intentional about onboarding and retaining workers.**

\*Applicants and existing employees failing drug screens. Vaping noted as a particular concern since individuals may not realize it can cause a failed drug screen.

\*Can be difficult to recruit, hire, and train (e.g. safety) non-English speakers.

\*Flexibility in hiring justice-involved individuals.

\*Addressing the benefits cliff (loss of benefits due to income).

### *Action Items*

*\*A webinar for jobseekers and maybe high school students was noted as a possible way to educate individuals on drug screening.*

*\*Outreach for Veterans.*

*\*Education on financial abuse / scamming of elders.*

*\*Partner with Vocational Rehabilitation to serve individuals with disabilities.*

## **Benefits**

**Seek workers' input on needed and desired benefits, such as paid leave, health insurance, and a retirement plan. Provide them and encourage their use.**

\*Incentives for attendance; bonuses for job performance.

\*Assistance with transportation and childcare barriers.

\*Work-life balance / flexibility in work hours such as accommodating slight changes to allow time for children to be dropped off at school, longer hours and fewer days per week, or remote work.

\*Healthcare and retirement benefits are of high importance. Small and medium size employers may need assistance.

\*Communication, workplace culture, and staff onboarding are key.

### *Action Items*

*\*Assist with filling / backfilling positions.*

*\*Continued work with youth and young adults to promote career opportunities.*

*\*Assist employers with connections to training providers to facilitate specialized training.*

*\*Obtain / provide data on why individuals aren't participating in the workforce to be able to better address those issues.*

*\*Education / training for employers on retirement plans for employees.*

*\*Offer pre-hire workshops for employers.*

## **Job Security & Working Conditions**

**Ensure a safe, healthy, and accessible workplace and offer job security. Minimize temporary or contractor labor solutions, using such workers mainly to adjust for short-term needs. Assess and schedule hours that are adequate and predictable.**

\*Workplace regulations change rapidly, so being kept up to date on policy changes is very important.

### *Action Items*

*\*Possible future Virtually Speaking webinar topics:*

*\*TOSHA or other workplace regulations divisions on any recent updates and requirements.*

*\*Health insurance compliance.*

*\*Helping employees understand the W-4 / tax withholdings.*

*\*Salary requirements for exempt employees.*

*\*I-9 and E-Verify compliance.*

## **Empowerment & Representation**

**Ensure that workers have a meaningful voice, without fear of retaliation. Enable workers to contribute to decisions about their work, how it is performed, and organizational direction.**

\*See Organizational Culture below.

## **Organizational Culture**

**Demonstrate through explicit behaviors and norms of leadership that all workers belong, are valued, and contribute meaningfully to the organization. Assess workers' engagement and feelings of respect.**

- \*Developing effective recognition programs such as leadership training, recognition on social media for work anniversaries, birthdays, etc.
- \*Direct communication with senior leadership, meeting with employees individually and asking the right questions to gather feedback, and learning what your employees want via surveys.
- \*Analyze the data and implement change based on results. Utilizing a third party can help staff feel more comfortable sharing their opinions and can bring a fresh perspective to recommend changes.
- \*Giving employees the opportunity to be innovative and make 'good mistakes.'
- \*Offering employee resource programs.
- \*Workplace engagement and support such as care funds that employees can contribute to assist employees when they are struggling.
- \*Community engagement and support such company matched funds to help stock care closets in local schools, hosting Christmas parties for special needs students, partnering with other area employers to host community events such as softball tournaments to foster community involvement and raise money for charity.
- \*Focusing on company culture during the hiring process.

### *Action Items*

- \*Better define what business services can do, identify business needs, and which services to focus on when speaking to employers.*
- \*Seek additional grant opportunities and options for help in writing grant applications.*

## **Pay**

**Provide an equitable living wage to all workers and ensure fair compensation practices.**

- \*Wage fluctuation overall is slowing down, but pay is still often a reason for employees leaving.
- \*Turnover also seems to be declining and retention increasing in general. Still competition among licensed / skilled positions.
- \*It is hard for smaller businesses to sometimes compete with wages of larger companies.
- \*Apprenticeships can help employees see wage progression through training.
- \*It can be difficult to get younger workers to understand that the dollar amount of pay isn't their entire package, so they may be more likely to leave for a higher hourly pay rate even when it might not be in their best interest due to benefits.
- \*Inflation causes people to focus mostly on pay/week-to-week rather than benefits/long-term.

### *Action Items*

- \*Continue providing wage reports for comparisons.*
- \*Defining a living wage - utilizing ALICE data from United Way.*

## **Skills & Career Advancement**

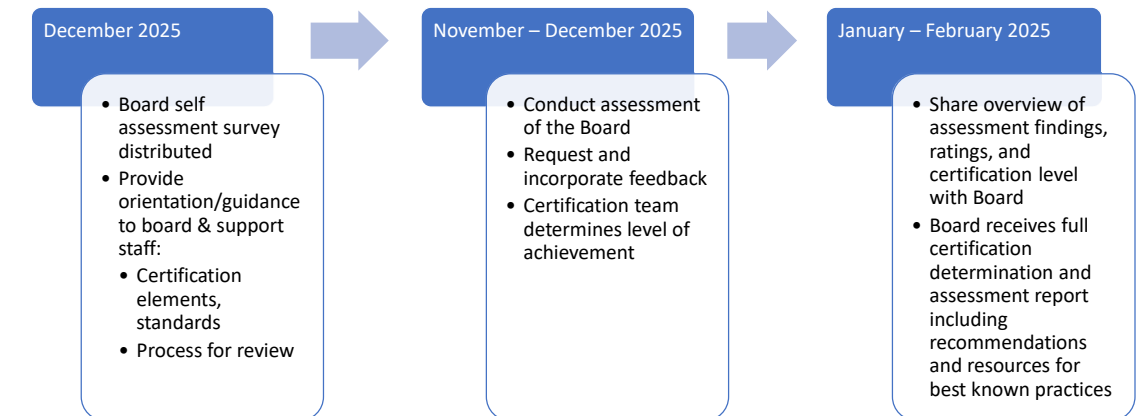
**Provide opportunities and tools for workers' self-realization and advancement in their current jobs, within the organization, and outside it.**

- \*Cross training current employees; resources such as time and funding are a challenge.
- \*Additional pay for employees who provide cross-training.
- \*Upskilling current workforce, including partnering with Upskill Midsouth for training.
- \*Lack of space can be a hinderance for offering training for employees.
- \*Funding for employees to complete external training would be helpful.
- \*Recruiting and hiring current students.
- \*Internal promotions.

### *Action Items*

- \*Continue Virtually Speaking Webinar series, especially on new information / changes, such as new labor laws, unemployment system changes, etc.*
- \*Helpful if state UI staff could come on-site and help all employees create accounts on the new system.*

## Next Steps



## Elements of Certification

- Board structure, roles, relationships\*
- Board and board member responsibilities\*
- Governance system\*\*
- Strategic Insight\*\*
- Performance Management\*\*
- Customer & Partner Engagement\*\*

\*Source: Board charter, bylaws, WIDA requirements, other

\*\*Source: Baldrige Criteria for Performance Excellence

**BYLAWS FOR THE  
SOUTHWEST TENNESSEE WORKFORCE BOARD  
LOCAL WORKFORCE DEVELOPMENT AREA**

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## **Article I: Name & Establishment**

**§ 1.1 Name:** This body shall be known as Southwest Tennessee Workforce Board, for the Southwest Tennessee Local Workforce Development Area (SWTN LWDA); hereinafter referred to as “the Board”. The Board is established in accordance with Workforce Innovation and Opportunity Act of 2014 (WIOA), Section 107(b)(2) as an entity within Tennessee’s workforce development system.

## **Article II: Location**

**§ 2.1 Location:** The principal office of the Board shall be located at 208 North Mill Avenue in Dyersburg, Tennessee, 38024. The Board may have such other offices, either within or without the State of Tennessee, as the Board of Directors may designate or as the affairs of the Board may require.

## **Article III: Mission and Purpose**

**§ 3.1 Mission and Purpose of the Board:** The purpose of this body is to provide policy guidance and exercise oversight with respect to activities under the Workforce Innovation and Opportunity Act of 2014 (WIOA) (or subsequent federal law) in partnership with the units of local government for Southwest TN LWDA. The Board is organized and shall be operated exclusively for charitable, scientific, literary and educational purposes. This Board supports WIOA activities that develop a quality workforce system to meet the needs of area employers and job seekers, so that Southwest Tennessee is an area where business and industry thrive based on the availability of a skilled workforce and a robust talent pipeline, and where increasing wealth fuels prosperous communities and a high quality of life.

In furtherance of such purposes, the Board intends to operate in the Local Workforce Development Area, established by the Governor of the State of Tennessee, encompassing Chester, Decatur, Hardeman, Hardin, Haywood, Henderson, Madison, and McNairy counties of Tennessee.

**§ 3.2 Term of the Bylaws:** These bylaws are effective beginning July 1, 2025. Bylaws must be reviewed every two years from the effective date.

## **Article IV: Functions of Local Board**

**§ 4.1 Roles and Responsibilities:** Consistent with WIOA section 107(d) and Tennessee Department of Labor and Workforce Development (TDLWD) requirements in partnership with the Local Elected Officials (LEOs) the following roles and responsibilities of the functions of the local board shall include the following:

- (1) LOCAL PLAN – Develop and submit a Strategic Plan in partnership with the Local Elected Officials (LEOs) (as defined in 29 - 29 USC 3123) within the LWDA for submission to the Governor of the State of Tennessee by the Local Board Chair. The LEOs, Chief Local Elected Official (CLEO), and Local Board will collaborate to write and approve the Local Strategic Plan utilizing the board committee structure, including seeking input from appropriate staff to the board and one-stop partner staff, as needed. The Local Strategic Plan will be published for public comment according to TDLWD policy prior to submission to the State Workforce Board. If the local area is part of a planning region that includes other local areas, the Board shall collaborate with the other local boards and chief elected officials in preparation of a regional plan as described in section 106(c)(2);
- (2) WORKFORCE RESEARCH AND REGIONAL LABOR MARKET ANALYSIS – In order to assist in the development and implementation of the local plan, the Board shall:
  - A. Carry out analyses of the economic conditions in the region, the needed knowledge and skills for the region, the workforce in the region, and workforce development activities (including education and training) and regularly update such information; and
  - B. Assist the Governor in developing the statewide workforce and labor market information system described in section 15(e) of the Wagner-Peyser Act, specifically in the collection, analysis, and utilization of workforce and labor market information; and
  - C. Conduct other research, data collection, and analysis related to the workforce needs of the regional economy as the board, after receiving input from a wide array of stakeholders.
- (3) CONVENING, BROKERING, LEVERAGING – The Board shall convene local workforce development system stakeholders to assist in the development of the local plan and in identifying non-Federal expertise and resources.

- (4) EMPLOYER ENGAGEMENT – The Board shall lead efforts to engage with a diverse range of employers:
  - A. To promote business representation (particularly representatives with optimal policymaking or hiring authority from employers whose employment opportunities reflect existing and emerging employment opportunities in the region) on the Board; and
  - B. To develop effective linkages with employers in the region to support employer utilization of the local workforce development system and to support local workforce investment activities; and
  - C. To ensure that workforce development activities meet the needs of employers and support economic growth in the region, by enhancing communication, coordination, and collaboration among employers, economic development entities, and service providers; and
  - D. To develop and implement proven or promising strategies for meeting the employment and skill needs of workers and employers (such as the establishment of industry and sector partnerships).
- (5) CAREER PATHWAYS DEVELOPMENT – The Board, with representatives of secondary and postsecondary education programs, shall lead efforts in the local area to develop and implement career pathways within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment.
- (6) PROVEN AND PROMISING PRACTICES – The Board shall lead efforts to:
  - A. Identify and promote proven and promising strategies and initiatives for meeting the needs of employers, workers, and jobseekers (including individuals with barriers to employment) in the local workforce development system, including providing physical and programmatic accessibility, in accordance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), to the one-stop delivery system; and
  - B. Identify and disseminate information on proven and promising practices carried out in other local areas for meeting such needs.
- (7) TECHNOLOGY – The local board shall develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, and workers and jobseekers, by—
  - A. Facilitating connections among the intake and case management information systems of the one-stop partner programs to support a comprehensive workforce development system in the local area;
  - B. Facilitating access to services provided through the one-stop delivery system involved, including facilitating the access in remote areas;
  - C. Identifying strategies for better meeting the needs of individuals with barriers to employment, including strategies that augment traditional service delivery, and increase access to services and programs of the one-stop delivery system, such as improving digital literacy skills; and
  - D. Leveraging resources and capacity within the local workforce development system, including resources and capacity for services for individuals with barriers to employment.
- (8) PROGRAM OVERSIGHT.—The local board, in partnership with the local elected officials for the local area, shall conduct oversight of the One-Stop System, including all WIOA activities and —
  - A. (i) conduct oversight for local youth workforce investment activities authorized under section 129(c), local employment and training activities authorized under subsections (c) and (d) of section 134, and the one-stop delivery system in the local area; and  
(ii) ensure the appropriate use and management of the funds provided under subtitle B for the activities and system described in clause (i); and
  - B. for workforce development activities, ensure the appropriate use, management, and investment of funds to maximize performance outcomes under section 116.
- (9) NEGOTIATION OF LOCAL PERFORMANCE ACCOUNTABILITY MEASURES.—The local board, the local elected officials, and the Governor shall negotiate and reach agreement on local performance accountability measures as described in section 116(c).
- (10) SELECTION OF OPERATORS AND PROVIDERS.—
  - A. SELECTION OF ONE-STOP OPERATORS.—Consistent with section 121(d), the local board and the LEOs, subject to the approval of the chief elected official for the local area—
    - (i) shall designate or certify one-stop operators as described in section 121(d)(2)(A) and (B), an eligible entity (which may be a consortium of entities) shall be designated or certified as a one-stop operator through a competitive process consistent with federal, state, and local procurement requirements. Procurement results shall be presented to the Executive Committee

- of the Board, which includes the CLEO as a member, for approval or recommendation to the full Workforce Board, including LEOs serving as ex-officio members; and
- (ii) may terminate for cause the eligibility of such operators based on documentation through monitoring and oversight conducted of non-compliance with the contractual agreement for services procured. Documentation shall be presented to the Executive Committee for approval or recommendation to the full Workforce Board, including LEOs serving as ex-officio members..
- B. SELECTION OF YOUTH PROVIDERS.—Consistent with section 123, the local board—
    - (i) shall identify eligible providers of youth workforce investment activities in the local area by awarding grants or contracts on a competitive basis consistent with federal, state, and local procurement requirements (except as provided in section 123(b)), based on the recommendations of the youth standing committee, if such a committee is established for the local area under subsection (b)(4); and
    - (ii) may terminate for cause the eligibility of such providers.
  - C. IDENTIFICATION OF ELIGIBLE PROVIDERS OF TRAINING SERVICES.—Consistent with section 122, the local board shall identify eligible providers of training services in the local area, including cost and performance data.
  - D. IDENTIFICATION OF ELIGIBLE PROVIDERS OF CAREER SERVICES.—If the one-stop operator does not provide career services described in section 134(c)(2) in a local area, the local board shall identify eligible providers of those career services in the local area by awarding contracts through a competitive process, consistent with federal, state, and local procurement requirements. Procurement results shall be presented to the Executive Committee of the Board, which includes the CLEO as a member, for approval or recommendation to the full Workforce Board, including LEOs serving as ex-officio members. The Career Service Provider may be terminated for cause based on documentation through monitoring and oversight conducted of non-compliance with the contractual agreement for services procured. Documentation shall be presented to the Executive Committee for approval or recommendation to the full Workforce Board.
  - E. CONSUMER CHOICE REQUIREMENTS.—Consistent with section 122 and paragraphs (2) and (3) of section 134(c), the local board shall work with the State to ensure there are sufficient numbers and types of providers of career services and training services (including eligible providers with expertise in assisting individuals with disabilities and eligible providers with expertise in assisting adults in need of adult education and literacy activities) serving the local area and providing the services involved in a manner that maximizes consumer choice, as well as providing opportunities that lead to competitive integrated employment for individuals with disabilities.
- (11) COORDINATION WITH EDUCATION PROVIDERS.—
- A. IN GENERAL.—The local board shall coordinate activities with education and training providers in the local area, including providers of workforce investment activities, providers of adult education and literacy activities under title II, providers of career and technical education (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)) and local agencies administering plans under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741).
  - B. APPLICATIONS AND AGREEMENTS.—The coordination described in subparagraph (A) shall include—
    - (i) consistent with section 232—
      - I. reviewing the applications to provide adult education and literacy activities under title II for the local area, submitted under such section to the eligible agency by eligible providers, to determine whether such applications are consistent with the local plan; and
      - II. making recommendations to the eligible agency to promote alignment with such plan; and
    - (ii) replicating cooperative agreements in accordance with subparagraph (B) of section 101(a)(11) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)(11)), and implementing cooperative agreements in accordance with that section with the local agencies administering plans under title I of that Act (29 U.S.C. 720 et seq.) (other than section 112 or part C of that title (29 U.S.C. 732, 741) and subject to section 121(f)), with respect to efforts that will enhance the provision of services to individuals with disabilities and other individuals, such as cross training of staff,

technical assistance, use and sharing of information, cooperative efforts with employers, and other efforts at cooperation, collaboration, and coordination.

- C. COOPERATIVE AGREEMENT.—In this paragraph, the term “cooperative agreement” means an agreement entered into by a State designated agency or State designated unit under subparagraph (A) of section 101(a)(11) of the Rehabilitation Act of 1973.

(12) BUDGET AND ADMINISTRATION.—

- A. BUDGET.—The local board shall develop a budget, with input from the LEOs through participation on the Executive Committee and as ex-officio members of the Workforce Board, 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 Board Chair prior to submission to the Chief Local Elected Officials for final approval and submission to the Tennessee Department of Labor and Workforce Development (TDLWD) prior to each program year in accordance with Workforce Services Policy – Local Governance.

B. ADMINISTRATION.—

(i) GRANT RECIPIENT.—

- I. IN GENERAL.—The chief elected official in a local area shall serve as the local grant recipient for, and shall be liable for any misuse of, the grant funds allocated to the local area under sections 128 and 133, unless the chief elected official reaches an agreement with the Governor for the Governor to act as the local grant recipient and bear such liability.

- II. DESIGNATION.—In order to assist in administration of the grant funds, the chief elected official or the Governor, where the Governor serves as the local grant recipient for a local area, may designate an entity to serve as a local grant subrecipient for such funds or as a local fiscal agent. Such designation shall not relieve the chief elected official or the Governor of the liability for any misuse of grant funds as described in subclause (I).

- III. DISBURSAL.—The local grant recipient or an entity designated under subclause (II) shall disburse the grant funds for workforce investment activities at the direction of the local board, pursuant to the requirements of this title. The local grant recipient or entity designated under subclause (II) shall disburse the funds immediately on receiving such direction from the local board.

- (ii) GRANTS AND DONATIONS.—The local board may solicit and accept grants and donations from sources other than Federal funds made available under this Act.

- (iii) TAX-EXEMPT STATUS.—For purposes of carrying out duties under this Act, local boards may incorporate, and may operate as entities described in section 501(c)(3) of the Internal Revenue Code of 1986 that are exempt from taxation under section 501(a) of such Code.

(13) ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES.— The local board shall annually assess the physical and programmatic accessibility, in accordance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), of all one stop centers in the local area. The Executive Committee of the Board shall assess and reassess the physical and programmatic accessibility on an annual basis or when physical and programmatic changes that may impact access are made.

Note: Except as provided in sec. 107(g)(1)(B), pursuant to a request from the local board, the Governor may grant a written waiver of training prohibition, no local board may provide training services.

**Other LWDB roles and responsibilities include:**

- (a) Elect a private-sector business representative as LWDB Chair; and  
(b) In accordance with WIOA Section 107(f) the Board may hire a director and other staff to assist in carrying out the functions described in subsection (d) using funds available under sections 128(b) and 133(b) as described in section 128(b)(4).

QUALIFICATIONS.— The local board shall establish and apply a set of objective qualifications for the position of director, that ensures that the individual selected has the requisite knowledge, skills, and abilities, to meet identified benchmarks and to assist in effectively carrying out the functions of the local board.

LIMITATION ON RATE.—The director and staff described in paragraph (1) shall be subject to the limitations on the payment of salaries and bonuses described in section 194(15).

APPOINTMENT.—Pursuant to the above, the Board of Directors are authorized to appoint an Executive Director who is authorized to appoint additional staff to carry out the functions of the Board and Fiscal Agent.

- (c) Create an annual report that must be submitted to the State Office as per guidelines established by the TDLWD; and
- (d) Promote American Job Center programs and activities; and
- (e) Assist the State Office in developing the statewide employment statistics system under the Wagner-Peyser Act; and
- (f) Coordinate with economic development strategies and establish employer linkages with workforce development activities; and
- (g) Carry out regional planning responsibilities as required by the TDLWD;
- (h) Conduct business in an open manner by making available to the public information about the activities of the LWDB, including the local Strategic Plan before submission, membership, designation of the local Workforce System Operator, the awards of grants or contracts, and minutes of LWDB meetings; and
- (i) Establish or revise local policy through a process of Staff to the Board consulting with either the Board of Directors or a Standing Committee of the LWDB or presenting directly to the LWDB to respond to the policy consideration by vote. All policies will reflect the signature of the LWDB Chair to demonstrate that they have been formally reviewed and approved by the LWDB.

## **Article V: Membership and Committees**

**§ 5.1 Membership:** The Board shall be established and certified by the Governor of the State to carry out the functions described in Article IV (and any functions specified for the local board under WIOA.) The Chief Local Elected Official in Southwest TN LWDA is authorized to appoint the members of the Board in accordance with the State criteria. Authority to appoint members to the LWDB lies solely with the Chief Local Elected Official.

The number of the members of the Board shall be not less than the minimum number required under the Act as set forth in the Workforce Innovation and Opportunity Act of 2014, as amended from time to time. The number of members may be increased or decreased from time to time by the Chief Local Elected Official, in consultation with the LEOs of the counties as needed, within the LWDA, but no decrease shall have the effect of shortening the term of an incumbent officer or member or reducing the number of members below the minimum number required under the Act.

The Local Elected Official of each of the counties encompassed within the LWDA may solicit nominations of members of the Board in accordance with the criteria established by the Governor of the State of Tennessee as described in Workforce Services Policy – Local Governance, as amended from time to time, and in accordance with the requirements of LWDB composition as described below. Nominations must come from the heads of organizations—specifically those representing businesses, labor, education, and economic and community development—to align the workforce and education needs within the State.

The CLEO acts as the signatory on behalf of the other LEOs and has final authority to select members to serve on the LWDB. To approve the nomination of each individual selected to serve on the LWDB, the following documentation is required:

- A Nomination Form signed by the CLEO; and
- A Conflict of Interest Form signed by the nominee to the LWDB; and

Completed nomination forms must be submitted to the TDLWD for review. Once the form has been reviewed, the LWDB will receive a follow-up letter of certification or denial within five (5) business days. Nominees will not be approved until all supporting documentation is complete, accurate, and contained in one (1) submission. The member must not be seated onto the LWDB until a certification letter from TDLWD has been received to affirm the nomination.

A majority – defined as the greater sum of the whole (largest percentage) - of the members of the local board shall be representatives of the private sector as described in paragraph (2)(A) in the WIOA, Section 107. The local elected officials within the LWDA may execute an agreement that specifies the respective roles of the individual local elected officials (a) in the appointment of the members in accordance with the criteria established

as provided below; and (b) in carrying out any other responsibilities assigned to such officials under the Workforce Innovation and Opportunity Act of 2014.

As ex-officio members of the Board, the local elected officials have all rights and privileges stated within these by-laws. As ex-officio members of the Workforce Board, LEOs/CLEO receive notices and all materials and are encouraged to participate in quarterly and special called board meetings. This includes collaborating with the Local Board on the following:

- Meeting Agendas are set in consultation with the Board Chair and CLEO and will include Board Committee Reports, as well as an “other” agenda item to promote membership contributions.
- Communicating the shared vision, goals and workforce development needs of local communities through attending presentations and review/comment on quarterly and annual reports; and
- Reviewing, monitoring, sharing and communicating with responsible staff/contractors to determine outcomes of performance metrics and any necessary adjustments for improvement.

- (1) **STATE CRITERIA:** The Governor, in partnership with the State board, shall establish criteria for use by the chief elected official in Southwest TN LWDA for appointment of members of the Board in accordance with the requirements of paragraph (2). Further, in accordance with Workforce Services Policy – Local Governance, nominations shall be solicited by the Chief Local Elected Official from entities of business, government or community development. The nominator shall be of a management capacity representing business, labor, education and economic community development. The staff to the LWDB, fiscal agent staff, staff employed by One-Stop Operators, and contracted service providers are prohibited from both nominating members to the board or serving on the board to avoid conflicts of interest.
- (2) **COMPOSITION.**—Such criteria shall require that, at a minimum—
- A. **Representatives of Business** - a majority – defined as the greater sum of the whole (largest percentage) - of the members of each local board shall be representatives of business in the local area, who—
- (i) are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority;
  - (ii) represent businesses, including small businesses, or organizations representing businesses that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area; and
  - (iii) are appointed from among individuals nominated by local business organizations and business trade associations.
- B. **Labor Organization Representatives** - A minimum of 20% of the membership shall be representatives of the workforce within the local area, who—
- (i) shall include two (2) or more representatives of labor organizations nominated by local labor federations in local areas where employers are represented by labor organizations, or (for a local area in which no employees are represented by such organizations) other representatives of employees;
  - (ii) shall include one (1) or more representative, who shall be a member of a labor organization or a training director, from a joint labor-management registered apprenticeship program, or if no such joint program exists in the area, such a representative of an apprenticeship program in the area, if such a program exists;
  - (iii) may include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive integrated employment for individuals with disabilities; and
  - (iv) may include (optional) representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of WIOA eligible youth, including representatives of organizations that serve out of school youth;
- C. **Representatives of Education & Training** - each local board shall include representatives of entities administering education and training activities in the local area, who—
- (i) shall include at least one (1) representative of eligible providers administering adult education and literacy activities under WIOA title II;

- (ii) shall include at least one (1) representative of institutions of higher education providing workforce investment activities (including community colleges);
  - (iii) may include (optional) representatives of local educational agencies, and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment.
- D. **Representatives of Government, Economic and Community Development** - each local board shall include representatives of governmental and economic and community development entities serving the local area, who—
- (i) shall include at least one (1) representative of economic and community development entities in the LWDA;
  - (ii) shall include at least one (1) appropriate representative from the State employment service office under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) serving the local area;
  - (iii) shall include at least one (1) appropriate representative of the programs carried out under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741), serving the local area;
  - (iv) may include (optional) representatives of agencies or entities administering programs serving the local area relating to transportation, housing, and public assistance; and
  - (v) may include (optional) representatives of philanthropic organizations serving the local area; and
- E. **Discretionary Representatives** - each local board may include such other individuals or representatives of entities as the chief elected official in the local area may determine to be appropriate.
- F. **County Representatives** - The CLEO must establish a LWDB that reflects the diversity of the counties that comprise the LWDA by requiring at least one (1) nomination per county. LWDB representation must be fair and equitable across the LWDA and is in accordance with WIOA policy regarding LWDB member nominations. LWDB members must exhibit the demographic diversity of the counties within their respective LWDA.
- (3) **AUTHORITY OF BOARD MEMBERS.**—Members of the board that represent organizations, agencies, or other entities shall be individuals with optimum policymaking or hiring authority within the organizations, agencies, or entities. The members of the board shall represent diverse geographic areas and demographic make-up, in accordance with the most recent US Census, within the local area, as much as possible.
- (4) **SPECIAL RULE.**—If there are multiple eligible providers serving the local area by administering adult education and literacy activities under title II, or multiple institutions of higher education serving the local area by providing workforce investment activities, each representative on the local board described in clause (i) or (ii) of paragraph (2)(C), respectively, shall be appointed from among individuals nominated by local providers representing such providers or institutions, respectively.

**§ 5.2 Standing Committees:** The Board, in accordance with WIOA Section 107(b)(4)(A), may designate and direct the activities of standing committees to provide information and to assist the Board in carrying out activities authorized in this section. The primary purpose of standing committees shall be to consider and recommend actions—and propose policies—in the functional areas under their jurisdictions, subject to final approval by the LWDB. Such standing committees shall have a Chair who is a member of the Board representing private business and a Vice-Chair who is a member of the Board representing a private-business, labor organization, apprenticeship program, or economic and community development entity; may include other members of the Board; and shall include other individuals appointed by the Board who are not members and who are determined to have appropriate experience and expertise. At a minimum, the Board may designate each of the following:

- (1) The American Job Center (AJC) Services Committee will provide information and assist with operational and other issues relating to the one-stop delivery system, which may include representatives of the one-stop partners. This committee will oversee activities related to AJC Technology Services; Coordination with education providers; and Employer engagement functions as outlined in Section 4.1. This committee also supports the Career Development Services Team in their efforts to provide job seekers with opportunities to explore career options, identify barriers, access resources, develop skills, and apply for jobs and the Business Services Team in providing employers with opportunities to

identify potential workers, assess skill gaps, and facilitate training of employees to meet employer needs.

- (2) The Outreach and Opportunities Committee will be responsive to the provision of services to individuals with particular service needs, such as veterans, youth ages 16-24, individuals with a disability, dislocated workers, offenders, and others with barriers to employment. The committee will lead local workforce development efforts in the functions related to Career pathways development by recommending alignment of employment, training, education, and supportive services and proven and promising practices identification in meeting the needs of customers of the American Job Center system and disseminating this information to the Board. This committee will also support the staff in seeking supplemental grant funds to support workforce development efforts in Southwest TN LWDA.
- (3) The Executive Committee shall have the authority to act on behalf of the Board between its business meetings, make recommendations to the Board, and such other duties as specified in these By-laws. The Executive Committee shall be subject to the order of the Board, and none of its acts shall conflict with these By-laws or stated policies of the Board. The Executive Committee will be made up of the chairpersons of each of the aforementioned standing committees, the Vice-Chair of the Board, the Secretary, the Chief Local Elected Official, the Vice Chief Local Elected Official, and the Board Chair. The Board Vice-Chairperson will serve as the Chair of the Executive Committee. This committee will be instrumental in performing the following functions of the Board as outlined in Section 4.1 Development of the Local Strategic Plan: Workforce research and regional labor market analysis; Convening, brokering, and leveraging stakeholders; Program oversight; Selection of Operators and providers; Approval of providers for Eligible Training Provider List; Negotiation of local performance accountability measures; and Budget and administration. In keeping with the requirements for the Accessibility function of the Board outlined in Section 4.1 (13), this committee shall annually assess the physical and programmatic accessibility of all one stop centers in the local area, in accordance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).
- (4) When deemed necessary or appropriate the chairperson of the Board shall have the authority to appoint temporary or ad hoc committees, including the chairperson of said committee, for the purpose of special projects.

**5.2.1** Members of Standing Committees not appointed to the Board may attend all meetings of the Board, but shall not have voting rights. Standing Committee members shall serve at the pleasure of the Board and shall advise and counsel the Board on appropriate matters.

**§ 5.3 Terms:** The terms of members of the Board shall be four (4) years. Member terms will be staggered so all terms do not expire at the same time. Members in good standing will automatically renew for subsequent terms until the Board member properly notifies the Chairperson of the Board of the intent to no longer serve. In accordance with Workforce Services Local Governance, documentation for renewal of a Local Board member's nomination or their conflict-of-interest form must be received within one (1) full calendar quarter following expiration. The CLEO will sign and submit a Renewal Form to extend the tenure of LWDB members in good standing. The Renewal Form must acknowledge:

- The member's organization that they indicated on the nomination form,
- The member has a conflict-of-interest form signed within 365 days of membership renewal,
- The member has not violated the Local Board's bylaws that would bring cause to the termination of their appointment, and
- The member's new begin and end dates of service, in compliance with the term limits of the Local Board's bylaws.

All member renewal due to change in employment must include a new nomination form and conflict-of-interest form signed by the LWDB member (if expired or not on file at the time of renewal).

**§ 5.4 Board Vacancy:** Any vacancy occurring on the Board will be filled within one (1) full calendar quarter from expiration or the last official day that the member served on the LWDB, including all documentation submitted, approved and confirmed. This includes vacancies created by the removal of members for cause. LWDB members replacing out-going individuals at mid-term will serve the remainder of the out-going member term. Any action taken by the Board, with a vacancy or term expiration beyond the time period described in the by-laws must

be approved through a waiver from the TDLWD prior to the Board meeting of such action. Waivers are to be requested in writing to the Assistant Administrator of Workforce Services with an explanation of why a vacancy was not filled in the defined timeframe and a description of the process underway to fill the vacancy.

**§ 5.5 Removal:** Any member of the Board will be removed for cause by the Chief Elected Official (CLEO), if any of the following occurs: (a) documented violation of conflict of interest; (b) failure or refusal to work cooperatively with the Board and to abide by the By-Laws as stated in 5.4; (c) documented proof of fraud and/or abuse and (d) failure to meet board member representation requirements defined in WIOA; (e) other causes as determined by the Board. Removal of a member shall also constitute removal as an officer of the Board and as a member of all committees of the Board. Intent to remove a member must be stated in the call of the meeting and be provided to all voting members at least five (5) days prior to the meeting. Removal of a member requires a two-thirds (2/3) vote at the Board meeting, at which a quorum is present.

**5.5.1** Any board member missing three consecutive meetings may be replaced at the sole discretion of the Chief Local Elected Official.

**5.5.2** A member who has a change of employment that results in a change of membership classification must resign or be removed by the Chief Local Elected Officials immediately as a representative of that entity.

Documentation of Board member violation and subsequent removal will be maintained by the LWDA in the form of attendance logs, conflict of interest forms and other documentation deemed necessary. A Board member subject to removal will be notified, in writing, within fifteen (15) days of the decision and will be provided the reason for removal. A Board member subject to removal may appeal by submitting a letter in writing within 30 days of notice of removal to the CLEO stating reasons to remain as an active member of the Board. The appeal must be sent by certified mail (return receipt) to the CLEO in care of Executive Director, at 208 N. Mill Ave., Dyersburg, TN 38024. A committee of LEOs will review the appeal and make a decision prior to the next scheduled date of the Board.

**§ 5.6 Resignation:** A member may resign his or her membership at any time by tendering his or her resignation in writing to the Chairperson, or in the case of the resignation of the Chairperson, to the Vice-Chairperson or the Secretary. A resignation shall become effective upon the date specified in such notice or, if no date is specified, upon receipt of the resignation by the Board.

**§ 5.7 Board Certification:** The TDLWD will certify that the composition of each LWDB, including the appointment process, complies with the criteria outlined in WIOA Section 107 and with the Workforce Services Policy – Local Governance. The composition of each LWDB will be evaluated quarterly by TDLWD staff and will coincide with State Workforce Development Board (SWDB) meetings.

**5.7.1** LWDB Recertification will be conducted by the TDLWD once every two (2) years to ensure the local workforce activities support meeting local performance measures, as outlined in the local grant agreement, to include LWDB composition requirements. If an LWDB meets all membership requirements but fails to meet all performance measures (90% of target or higher), certification will be granted for review period of one (1) year instead of two (2) years. At the end of the one-year review period, the recertification process will be repeated with an updated review of performance and membership composition. If this review shows the LWDB is meeting all performance measures, the regular two-year certification will be continued.

**5.7.2** The Governor shall have the authority to decertify a LWDB at any time after providing written notice and opportunity for comment, under the following conditions: (1) Documentation of fraud or abuse; (2) Failure to meet the local performance accountability measures for three (3) consecutive program years; (3) Failure to meet all LWDB certification requirements; or (4) Failure to carry out the required functions of the LWDB. If the Governor decertifies a LWDB, the Governor may require that a new LWDB be appointed and certified for the LWDA. Certifying a new LWDB will take place pursuant to a reorganization plan developed by the Governor, in consultation with the LEOs, which is consistent with WIOA Section 107(b).

## **Article VI: Officers**

**§ 6.1 Board Officers:** There shall be a Chairperson, a Vice-Chairperson, and a Secretary of the Board, each of whom shall be elected in accordance with the provisions of this article (§ 6.2). In accordance with WIOA sec.

107(3)(A), the Chair and thus the Vice-Chair shall be representatives of business in the local area. The Board may also elect such other assistant officers as the Board may from time to time deem necessary or appropriate. Any two or more offices may be held by the same person, except for that of the offices of Chairperson, Vice-Chairperson, and Secretary.

**§ 6.2 Election and Term of Office:** The officers of the Board shall be elected every two years by the Board members, during the designated annual meeting. Each officer shall hold office for a term of two (2) years or until his or her resignation, death or removal from office in the manner provided in these By-laws. An officer may succeed himself or herself in office.

**§ 6.3 Board Chairperson:** The Chairperson of the Board shall

- (1) be elected from among the members of the Board;
- (2) be a representative of the private sector;
- (3) be designated as the Chairperson of the Board and shall in general be primarily responsible for the management of the programmatic affairs of the Board and for implementing the policies and directives of the Board;
- (4) preside at all meetings of the Board; and
- (5) have authority to approve and sign, with the Vice-Chairperson, Secretary or any other proper officer thereunto authorized by the Board, Local Board budget, contracts, proposals, local and regional plans, selection and certification of One-Stop Operators and Career Service Providers, negotiated local performance measures, assessment of programmatic and physical accessibility or other instruments which the Board has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board or these By-laws to some other officer or agent of the Board, or shall be required by law to be otherwise signed or executed. Each chairperson shall hold office until his or her term shall have expired and his or her successor shall have been elected and qualified, or until his or her resignation, removal from office, or death. A chairperson may succeed himself or herself.

**§ 6.4 Vice-Chairperson:** The Vice-Chairperson shall

- (1) be elected from among the members of the Board;
- (2) be a representative of the private sector;
- (3) preside over the Executive Committee meetings;
- (4) preside at all meetings of the Board during the absence or disability of the Chairperson of the Board;
- (5) be primarily responsible for the general management of the business of the Board and for implementing the policies and directives of the Board in the absence or disability of the Chairperson of the Board;
- (6) have authority to sign, with the Secretary or any other proper officer thereunto authorized by the Board, contracts, proposals, plans, or other instruments which the Board has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board or these By-laws to some other officer or agent of the Board, or shall be required by law to be otherwise signed or executed; and
- (7) perform such other duties as from time to time may be assigned by the Chairperson of the Board.

**§ 6.5 Secretary:** The Secretary shall perform the following functions or shall oversee staff to the Board to

- (1) keep the minutes of the proceedings of the Board;
- (2) ensure that all notices are duly given in accordance with the provisions of these By-laws;
- (3) keep a register of the mailing address and electronic addresses of each member of the Board, as furnished to the Secretary by each member; and
- (4) in general perform all duties pertinent to the office of Secretary and such other duties as may from time to time be assigned by the Chairperson of the Board.

**§ 6.6 Vacancies:** A vacancy in any office, as a result of death, resignation, removal, disqualifications, or otherwise, may be filled by the affirmative vote of a majority of the Board at a meeting, at which a quorum is present, for the unexpired portion of the term of his or her predecessor, and until the next election of officers at the boards annual meeting.

**§ 6.7 Recall of Officers:** Pursuant to Section 5.4 of these By-Laws the Board may by a two-thirds (2/3) vote at a meeting, at which a quorum is present, remove any officer when, in its judgment, the best interest of the Board will be served thereby. Intent to recall or remove an officer must be stated in the call of the meeting with notice provided to the officer to be removed and all other voting members at least five (5) days prior to the meeting.

**§ 6.8 Resignation:** An officer may resign his or her office at any time by tendering his or her resignation in writing to the Chairperson or, in the case of the resignation of the Chairperson, to the Vice-Chairperson, or Secretary. A resignation shall become effective upon the date specified in such notice, or if no date is specified, upon receipt of the resignation by the Board. An officer may resign his or her position as an officer of the board, but retain his or her position as a member of the board.

**§ 6.9 Board of Directors:** The Board of Directors includes the Chief Local Elected Official, the Vice Chief Local Elected Official, the Board Chairperson, the Vice Board Chairperson from the Northwest and Southwest local areas and one regional private sector, labor organization, apprenticeship program, or economic and community development entity representative selected by the other Directors. The Northwest Board Chairperson will serve as the President, the Southwest Board Chairperson as Vice-President, and the regional representative as Secretary of the entity selected to serve as Fiscal Agent/Staff to the Board. The Board of Directors will serve as the administrative authority in oversight of day-to-day operations in conducting the functions of the board and fiscal agent. The Board of Directors shall have the authority to supervise and manage the employees of the entity serving in the capacity of staff to the Board and Fiscal Agent. The Board of Directors shall be subject to the order of the Board, and none of its acts shall conflict with these By-laws or stated policies of the Board. The Board of Directors shall be responsible for ensuring board actions comply with federal, state and local laws, regulations and policies.

## **Article VII: Meetings**

**§ 7.1 Regular and Annual meetings:** The Board and its committees shall meet at least quarterly for the purpose of transacting business according to the current workforce development needs. There will be one board meeting designated as the annual meeting for the purpose of receiving annual reports from the Administrative Entity, electing officers of the Board and transacting any other Board business. The Chairperson shall fix the time and place and provide notice to all voting members prior to the meeting. The notice shall state the location or means of communication for the meeting (including conference telephone or electronic communications, wherein all Board members have access to the discussion and vote of all participating members), in addition to the time and date. The local board shall make available to the public, through electronic means and print media, notice of upcoming open meetings.

**§ 7.2 Special or Called Meetings:** Special meetings of the Board may be called by the Chairperson or at the request of the Executive Director. Special meetings may also be called upon the written request of five members of the Board. Special or called meetings may be held under certain circumstances where a pertinent issue needs to come before the Board prior to the next scheduled meeting. This meeting can take place by means of conference telephone or electronic communications, wherein all Board members have access to the discussion and vote of all participating members. The purpose of the meeting shall be stated in the notice and no other business shall be transacted at the meeting. The Chairperson shall fix the time and place and provide notice to all voting members at least five (5) business days prior to the meeting. The notice shall state the location or means of communication for the meeting, in addition to the time and date. The local board shall make available to the public, through electronic means and print media, notice of upcoming open meetings.

**§ 7.3 Quorums:** One-third (1/3) of the voting members of the Board will constitute a quorum for the transaction of business at any meeting thereof. Action of the Board must be authorized by the affirmative vote of a majority of all voting members present at a meeting at which a quorum is present.

**§ 7.4 Participation in Meetings:** Each regular Board member, shall be entitled to one (1) vote on any matter properly submitted for a vote to the Board. The affirmative vote of a majority of the members present at a meeting, at which a quorum is present, shall be the act of the Board, except as may otherwise be specifically provided by law, by the Charter, or by these By-laws. Members of the Board absent from any meeting shall be permitted to vote at such a meeting by written proxies. The members of the Board, or any committee designated by the Board, may participate in a meeting of the Board, or of such committee, by means of conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear one another; and participation in a meeting pursuant to this provision shall constitute presence in person at such meeting. The members shall be furnished a copy of the minutes of the meetings of the Board prior to the next regularly scheduled meeting.

**§ 7.5 Open Meeting Requirement:** All meetings and actions of the Board must comply with the Tennessee Open Meeting Act, Tenn. Code Ann. 8-44-101 *et seq.*, along with WIOA Section 107(d), 20CFR 679.390, 20CRF 679.550(b)(5) and Tenn Code Ann 10-7-503(a)(2)(A)(B). Public records must be open to public scrutiny and transparency and accountability must be a part of the function and duties of the LWDB. Business conducted in an open manner and with accommodations when needed ensures that the public, including people with disabilities, can access information concerning board meetings. The following local policy is set forth:

- Notice of Southwest TN LWDA Board Meetings, including location, date, and time, will be posted on the Board’s website and social media page, and be emailed to Board Members and Local Elected Officials for distribution thirty (30) days prior to the meeting and will also serve as public outreach to encourage community engagement.
- Arrangements will be made upon request for all individuals, including those with disabilities to have physical and electronic access to Board meetings, including appropriate accommodations, such as documents in Braille and large print, sign language interpreters, wheelchair accessibility, and closed captioning.
- Board meetings will be conducted in an open manner and available to the public.
- The Tennessee Open Meetings Act requires governing bodies to provide a period for public comment at every meeting where there is an actionable item on the agenda. The public comments must be germane to items on the agenda. The governing body may put reasonable restrictions on the period for public comment, such as the number of speakers or the time period for public comment. Individuals seeking to make public comments are required to sign in prior to the commencement of the meeting.
  - Speakers are limited to three minutes during the public comment period portion of the meeting only. All comments must directly relate to agenda items. Meeting agendas will be made available at least seven (7) calendar days prior to the meeting through the organization’s website. At the discretion of the meeting Chair, speakers whose comments do not relate directly to agenda items will be instructed to comment on meeting agenda items only, or they will be asked to discontinue their comments. Individuals who do not follow these guidelines will be asked to leave the meeting.
  - To request agenda time for the public comment period, individuals must contact the Board staff through the organization’s website, in person, by writing, telephone, or other means, a minimum of two (2) business days prior to the scheduled meeting date. Individuals must specify the agenda item(s) they will be commenting on. Approval of requests to be added to the public comment section of the agenda received after the deadline will be at the discretion of the meeting Chair.
- WIOA Section 107(e)—along with 20 CFR 679.390—states that LWDBs must make available to the public, on a regular basis through electronic means and open meetings, certain information such as minutes of formal LWDB meetings. Unless otherwise provided by State law, minutes of Board meetings will be made available to the public upon request and will also available on its website within fifteen (15) business days of the Board’s approval of the meeting minutes. Only the formal minutes will be posted on the website; no attachments of presentations at the board meeting will be posted unless the Local Board believe that these attachments are necessary.
- Along with the board minutes, the LWDB must provide the updated LWDB roster to be uploaded on the LWDB’s website by the next quarterly calendar board meeting. Failure to do so will result in technical assistance. Multiple offenses may result in a corrective action plan or sanction. The State will maintain and internal comprehensive roster sheet for monitoring purposes. The public-facing roster must include the following information:
  - The name of the LWDB,
  - The date the member was confirmed to serve on the LWDB,
  - The member’s first and last name,
  - The member’s county of representation, and
  - The organization
  - the member represents.

**§ 7.6 Presumption of Assent:** A member of the Board who is present at a meeting of the Board at which action on any Board matter is taken shall be presumed to have assented to the action taken, unless his or her dissent shall be entered in the minutes of the meeting, or unless he or she shall file his or her written dissent to such action with the person acting as the secretary of the meeting before the adjournment thereof, or forward such dissent by

registered mail to the Secretary of the Board immediately after the adjournment of the meeting. Such right to dissent shall not apply to a member who voted in favor of such action.

**§ 7.7 Expenses and Compensation:** No member shall be entitled to receive compensation for services rendered to the Board, as a member of the Board or as a member of any committee thereof. However, upon prior approval by the Board, a member may be paid for reasonable expenses incurred by the member, which directly related to the affairs of the Board upon proper substantiation of such expenses. No such payments shall preclude any member from serving the Board in any other capacity and receiving compensation therefore.

**§ 7.8 Vote by Proxy:** Any member of the Board may proxy to another sitting board member by completing and filing the Member Proxy Form. Duly executed proxies must be filed with the Board Chairperson prior to the commencement of the board meeting in which the board member is to be absent. The board member accepting such proxy must be in good standing with the Southwest Tennessee Workforce Board. Any Board member may proxy to another Board member once per year. TDLWD policy prohibits proxy voting more than once per calendar year without written approval from the Board Chair. Such proxies shall be considered valid votes in matters considered by the Board, and shall constitute member participation in absentia.

### **Article VIII: Staff to the Board**

**§ 8.1 Staff:** In general, the Board and/or the fiscal agent may hire an executive director and other staff to assist in carrying out the functions described in WIOA sec. 107, subsection (d) using funds available under sections 128(b) and 133(b) as described in section 128(b)(4). Pursuant to the above, the Board of Directors are authorized to appoint an Executive Director. The Executive Director is authorized to appoint additional staff to carry out the functions of the Board and Fiscal Agent.

**§ 8.2 Qualifications:** The Board and/or the fiscal agent shall establish and apply a set of objective qualifications for the position of director that ensures the individual selected has the requisite knowledge, skills, and abilities to meet identified benchmarks and to assist in effectively carrying out the functions of the local board.

**§ 8.3 Limitation on Rate:** The director and staff described in paragraph (1) shall be subject to the limitations on the payment of salaries and bonuses described in section 194(15).

### **Article IX: Amendment of the By-Laws**

**§ 9.1 Amendment of By-Laws:** These By-Laws may be altered, amended, or repealed, upon the affirmative two-thirds (2/3) vote of the voting members of the Board at any regular meeting at which a quorum is present, provided that the amendment has been submitted to the voting members of the Board in writing two weeks prior to the meeting at which the vote on the amendment(s) is to be taken.

### **Article X: Conflict of Interest**

**§ 10.1 Conflict of Interest:** Board members and members of Standing Committees shall adhere to the following in regard to conflict of interest- WIOA Sec. 102 (b)(2)(E)(i) and Sec. 107 (h)(1)(2). A Board member may not vote on or participate in any decision-making regarding any matter that would provide direct financial benefit to the member, the members' immediate family, or any organization the member is or a member represents, or on matters of the provision of services by the member or the entity the member represents.

- (1) Board members shall avoid even the appearance of a conflict of interest. Prior to taking office, Board members must provide to the Board Chair a written declaration of all substantial business interests or relations they, or their immediate families, have with all businesses or organizations that have received, currently receive, or are likely to receive contracts or funding from the Board. Such declarations shall be updated annually to reflect any changes in such business interests or relationships. The Board shall appoint an individual to timely review the disclosure information and advise the Local Board Chair and appropriate members of potential conflicts. Board members shall recuse themselves from official board duties if they are involved in a conflict of interest.

- (2) Declarations must be maintained by the Board staff for five (5) years from the original signature date. TDLWD staff will conduct an annual on-site review of all LWDB member's conflict of interest forms in each LWDA. All LWDB member's conflict of interest forms must be available to staff conducting the on-site review and must be verified as current during the review. Expired conflict of interest forms will be noted and documented as a finding.
- (3) LWDB staff must monitor the expiration dates for all LWDB members.
- (4) Prior to a discussion, vote, or decision on any matter before the Board, if a member, or a person in the immediate family of such member, has a substantial interest in or relations to a business entity, organization, or property that would be affected by any official Board action, the member shall disclose the nature and extent of the interest or relationship and shall abstain from discussion and voting on or in any other way participate in the decision on the matter. Board members shall seek the opinion of the Board if there are any doubts whether specific situations involve a conflict of interest. All abstentions shall be recorded in the minutes of the Board meeting and be maintained as part of the official record.
- (5) It is the responsibility of the Board Chair to monitor the potential conflict of interest and bring it to the Board's attention in the event the member does not make a self-declaration.
- (6) The CLEO is prohibited from appointing members to the LWDB that are employed by the Fiscal Agent, LWDB staff, or LWDB staff entity (e.g. OSO, or CSP).
- (7) The Board shall ensure that the Board, its members or its employees do not directly control the daily activities of its workforce service providers, its workforce system partners, or its contractors.
- (8) Board members or their organizations may receive services as a customer of a local workforce service provider.
- (9) Board members shall not accept bribes, kickbacks or any gift, rebate, money or anything of value whatsoever, or any promise, obligation or contract for future reward, compensation, property or item of value, including intellectual property, for the purpose or result of causing detriment to another and/or bringing about some benefit to oneself or others.
- (10) The Board shall select or designate an organization to perform duties related to WIOA such as developing a written agreement with the Board and Local Elected Official, which shall clarify how the organization will carry out its multiple responsibilities while demonstrating compliance with WIOA, corresponding regulations, relevant Office Management and Budget circulars, and with the Workforce Services Policy - WIOA (Conflict of Interest Policy), minimize fiscal risk, and develop appropriate steps within the single entity performing multiple functions.
- (11) In the event the Board is selected as a One-Stop Operator, through a competitive process conducted by a third party, the Board shall establish sufficient "firewalls" and conflict of interest policies and procedures consistent with the Workforce Services Policy - WIOA (Conflict of Interest Policy). The Board shall also ensure that all new staff members and providers are informed about this policy, and that appropriate staff members are familiar with it and its requirements in order to prepare state or local plans and the conflict of interest policy.
- (12) The Board shall also ensure training concerning internal conflicts of interest for any entities directly involved with making assessments and determining the eligibility of participants. Documentation of training must be maintained and made available for review and audit purposes.

## **Article XI: Compliance with Law**

**§ 11.1 Compliance with Law:** The Board acknowledges that in execution of its business, the Board shall:

- (1) Comply with all applicable Tennessee statutes and regulations including, but not limited to, the governing procurement standards or regulations for the LWDA, Sunshine Law, and the State Travel Regulations;
- (2) Comply with Workforce Innovation and Opportunity Act of 2014 (WIOA) and other appropriate regulations, as well as, policies and directives from the Tennessee Department of Labor and Workforce Development and the State Workforce Board.
- (3) Local Boards shall be subject to the Tennessee Public Records Act (TPRA), TCA 10-7-503(a)(2)(A)(B). Under the TPRA, record requests must be sufficiently detailed to enable the entity to

identify the specific records sought. Requests for inspection may be made orally or in writing using the office of open records counsel (OORC) form using the link below. In-person or mailed requests may be made at the address listed above in Article II: Location. Requests for inspection may also be made by phoning 731-286-3585 or emailing [ajc@wfiinc.org](mailto:ajc@wfiinc.org). Requests for copies, or requests for inspection and copies, must be made in writing using the OORC request form. Requestors may not make copies or duplicates using their own devices, such as a cell phone camera or flash drive. The OORC Request Form is available online at:

<https://comptroller.tn.gov/content/dam/cot/orc/documents/oorc/policies-and-guidelines/RecordsRequestForm.pdf>.

(3)(A) Records shall, at all times during business hours, be open for personal inspection by any citizen of this state, and those in charge of the records shall not refuse such right of inspection to any citizen, unless otherwise provided by state law.

(3)(B) The custodian of a public record or the custodian's designee shall promptly make available for inspection any public record not specifically exempt from disclosure. In the event it is not practicable for the record to be promptly available for inspection, the custodian shall, within seven (7) business days, from the date of the request:

- (i) Make the information available to the requestor;
- (ii) Deny the request in writing or by completing a records request response form developed by the office of open records counsel. The response shall include the basis for the denial; or
- (iii) Furnish the requestor a completed records request response form developed by the office of open records counsel stating the time reasonably necessary to produce the record or information.

(3)(C) The Board is not required to compile information or create or recreate records that do not exist.

(3)(D) If a record contains confidential information or information that is not open for public inspection, the records custodian shall prepare a redacted copy prior to providing access. Whenever a redacted record is provided, a records custodian should provide the requestor with the basis for redaction. The basis given shall be general in nature and not disclose confidential information.

(3)(E) No duplication costs will be charged for requests for records less than 25 pages. For requests greater than 25 pages, records custodians shall provide requestors with an itemized estimate of the charges prior to producing copies of records and may require pre-payment of such charges before producing requested records.

- (i) \$0.15 per page for all letter- and legal-size black and white copies.
- (ii) \$0.50 per page for all letter- and legal-size color copies.
- (iii) Labor when time exceeds two (2) hours.
- (iv) If an outside vendor is used, the actual costs assessed by the vendor.

(3)(F) The Board will aggregate record requests in accordance with the Frequent and Multiple Request Policy promulgated by the OORC when more than (4) requests are received within a calendar month (either from a single individual or a group of individuals deemed working in concert). The records custodian must inform the individuals that they have been deemed to be working in concert and that they have the right to appeal the decision to the OORC.


## **Article XII: Rules of Order**


**§ 12.1 Rules of Order:** The Board will adhere to Robert's Rules of Order; Revised. In the Event any provision of these By-Laws conflict with Robert's Rules of Order; Revised, the provisions of these By-Laws shall govern.

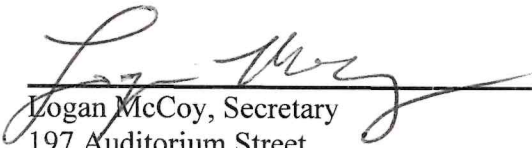
### Signatures

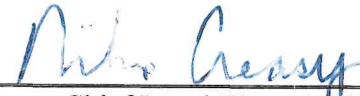
Revisions approved by Southwest Tennessee Workforce Board on 6/12/2025

As signed by:

  
 \_\_\_\_\_ 6/12/25  
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Signed by:  
  
 \_\_\_\_\_ 6/30/2025  
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 Date  
 Logan McCoy, Secretary  
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 \_\_\_\_\_ 6/12/25  
 Date  
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