

STATE OF DELAWARE



**EXECUTIVE DEPARTMENT
DOVER**

EXECUTIVE ORDER
NUMBER TWENTY-FIVE

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES

RE: ESTABLISHMENT OF THE DELAWARE WORKFORCE DEVELOPMENT
COUNCIL

WHEREAS, the economic future of Delaware and the prosperity of its citizens depend upon the ability of businesses in Delaware to compete in the world economy; and

WHEREAS, a well-educated and highly skilled workforce provides businesses in Delaware with a competitive edge critical for their success; and

WHEREAS, Delaware is committed to preparing its current and future workforce for the skills necessary in the 21st Century; and

WHEREAS, Delaware's current workforce development effort is fragmented among many separately funded and administered education, employment, and job training programs operated by several separate state agencies; and

WHEREAS, this fragmented approach to service delivery results in a lack of clear accountability, duplication of services, inappropriate training, and wasted resources; and

WHEREAS, consolidating the planning, coordinating, and budgeting functions of the various federal and state workforce development programs at the state and local level will increase accountability, improve the quality and effectiveness of services, and help provide businesses in this state with an element critical to their success -- a high quality workforce; and

WHEREAS, changes in federal law provide Delaware the opportunity to consolidate and streamline workforce development programs under one council at the state level; and

WHEREAS, empowering local business, labor, and community leaders to take a more active role in their communities' economic and workforce development will enhance the quality, efficiency, and responsiveness of these programs.

NOW, THEREFORE, I, THOMAS R. CARPER, by the authority vested in me as Governor of the State of Delaware, do hereby declare and order that:

1. The Delaware Workforce Development Council (the "Council") is hereby established.

2. The Council shall have twenty-three voting members appointed by the Governor. The Governor shall designate one of the business representatives on the Council to serve as Chairperson and one other member to serve as Vice-Chairperson. Each member shall serve at the pleasure of the Governor. The membership of the Council shall reflect the demographic and geographic diversity of the State, and shall be composed of:

- (a) The Secretary of the Department of Labor, the Secretary of the Department of Health and Social Services, and the Superintendent of the Department of Public Instruction, as heads of state agencies that administer federal workforce development programs;

- (b) Seven representatives of Delaware's business community, one of whom shall represent a small business, one of whom shall represent a large business, one of whom shall represent a minority-owned business, and one of whom shall be the Chairperson of the Delaware Private Industry Council ("DPIC") until such time as the Council assumes the duties and responsibilities of the DPIC;
- (c) Four representatives from Delaware's labor community, who shall include at least one representative of the AFL-CIO, one representative of the United Auto Workers, and one representative of the Building and Construction Trades Council;
- (d) Four representatives from Delaware's education community and from Delaware community-based organizations, one of whom shall represent a local education agency with responsibility for adult education and literacy, one of whom shall represent a post-secondary institution, one of whom shall represent a vocational-education institution, and one of whom shall represent a community-based organization; and
- (e) Five other members, who shall include the Director of the Delaware Economic Development Office, the Commissioner of the Department of Correction, the Chairperson of the House Labor Committee, the Chairperson of the Senate Labor Committee, and one such other person as the Governor may appoint.

3. The Council shall also have six non-voting, ex-officio members representing the State Council on Vocational Education, the Governor's Committee on Employment of People with Disabilities, the Developmental Disabilities Planning Council, the Delaware Higher Education

Commission, the Business and Public Education Council, and the Council on Apprenticeship and Training.

4. The Council shall be staffed initially by transferring the currently vacant federally funded staff positions of the DPIC to the Council, and permanently by transferring the remaining federally funded staff positions of the DPIC to the Council as the Council assumes the duties and responsibilities of the DPIC. Any such transfers shall be subject to approval by the Delaware State Clearinghouse Committee.

5. The Council shall also receive support from a Planning Subcommittee appointed by the Chairperson of the Council, consisting of employees of the Delaware Economic Development Office, the Department of Health and Social Services, the Department of Correction, the Department of Labor, the Department of Public Instruction and the Department of Services for Children, Youth and Their Families who are not members of the Council. The Chairperson of the Council shall designate one member of the Council to serve as Chairperson of the Planning Subcommittee. The Planning Subcommittee shall be responsible for providing staff support for the Council, including the coordination and implementation of recommendations made by the Council.

6. The Council shall serve as the single State Human Resource Investment Council in accordance with Title VII of the Federal Job Training Partnership Act, 1982, as amended by the Job Training Reform Amendments, 1992. The Council shall meet all requirements necessary to be recognized as a State Human Resource Investment Council under the Jobs Training Partnership Act. In this capacity, the Council shall:

- (a) Promote and develop a well-educated, highly skilled Delaware workforce by creating a coordinated, comprehensive workforce development system;

- (b) Oversee and coordinate all state and federal workforce development programs;
- (c) Develop a strategic plan including goals and strategies for all state and federal workforce development programs including:
 - (i) School-to-Work (Grades 11 to 14);
 - (ii) Welfare-to-Work;
 - (iii) Prison-to-Work;
 - (iv) Economically Disadvantaged Persons;
 - (v) Dislocated Workers; and
 - (vi) Customized Worker Training;
- (d) Develop, implement and coordinate standards and measures to evaluate the effectiveness and efficiency of workforce development programs;
- (e) Oversee and develop standardized intake, eligibility determination, and assessment procedures. Adopt standard definitions of program and fiscal terminology;
- (f) Promote integrated service delivery and information systems at the state and local level for all workforce development programs;
- (g) Determine which workforce development advisory councils are redundant and recommend which should be eliminated;
- (h) Assume the duties, responsibilities and functions of the State Job Training Coordinating Council, the State Occupational Information Coordinating Committee, and such other workforce development advisory councils that the Council recommends for elimination;

- (i) Develop and implement a plan for assuming the duties, responsibilities and functions of the DPIC within a time period of not more than two years from the signing of this Executive Order;
- (j) Develop federal regulatory waiver applications to consolidate training programs and streamline the delivery of services (“one-stop shopping”); and
- (k) Establish linkages with other entities necessary to enhance the development of a State strategic plan for workforce development.

7. The Council shall develop recommendations in each of the Council's areas of responsibility and shall submit such recommendations periodically to the Governor for review, approval, disapproval, or modification.

8. State agencies that are responsible for the administration of workforce development programs shall, with the Planning Subcommittee, implement the recommendations of the Council, if the recommendations do not conflict with an existing federal or state law, regulation or rule. An agency shall:

- (a) provide requested information to the Council in a timely manner;
- (b) report on the implementation of the Council's recommendations at the time and in the format requested by the Council; and
- (c) notify the Governor and the Chairperson of the Council if the agency determines that a recommendation cannot be implemented.

9. The Council may promulgate bylaws, not inconsistent with law and with this Executive Order, governing its organization and procedure.

10. The Council shall meet at the call of the Chairperson or as provided by rules adopted by the Council, but shall not meet less than once every quarter.

11. Members of the Council may receive reimbursement for necessary travel and expenses.

12. A majority of the serving members shall constitute a quorum for the transaction of business at a meeting, notwithstanding the existence of one or more vacancies. Decisions of the Council must be approved by a majority of those members constituting a quorum at a meeting of the Council.

13. The State Auditor of Accounts or a certified public accountant appointed by the State Auditor of Accounts may annually conduct and remit to the Governor and the General Assembly an audit of the Council and, in the conduct of the audit, shall have access to all records of the Council at any time.

14. The State Job Training Coordinating Council and the State Occupational Information Coordinating Committee are hereby eliminated.

APPROVED this 22ND day of December, 1994.


Governor

Attest:


Secretary of State

