

**STATE OF DELAWARE**



**EXECUTIVE DEPARTMENT  
DOVER**

**EXECUTIVE ORDER  
NUMBER FIFTY-ONE**

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES

RE: ESTABLISHMENT OF THE WORKFORCE DEVELOPMENT BOARD

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, coordinating the planning, budgeting, and service delivery 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, on July 22, 2014 the Workforce Innovation and Opportunity Act (WIOA) was signed into law and supersedes the Workforce Investment Act of 1998 and amends the Adult Education and Family Literacy Act, the Wagner-Peyser Act, and the Rehabilitation Act of 1973; and

WHEREAS, WIOA takes effect on July 1, 2015; and

WHEREAS, changes in federal law provide Delaware with the opportunity to coordinate and streamline investments in the workforce under one board at the state level; and

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

NOW, THEREFORE, I, JACK A. MARKELL, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby ORDER that:

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

2. The Board shall not exceed fifty-three voting members. Each member shall serve at the pleasure of the appointing authority. The membership of the Board shall reflect the demographic and geographic diversity of the state and shall be composed of:

- a. the Governor;
- b. 2 members of the Senate, appointed by the President Pro Tempore of the Senate, and 2 members of the House of Representatives, appointed by the Speaker of the House;
- c. and representatives appointed by the Governor, of which:
  - i. a majority shall be representatives of business in the state, who:
    - A. are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority;
    - B. 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 industries or sectors or occupations; and
    - C. are appointed from among individuals nominated by the state business organizations and business trade associations;
  - ii. not less than twenty percent shall be representatives of the workforce within the state who:
    - A. shall include representatives of labor organizations who have been nominated by state labor federations;
    - B. shall include a representative, who shall be a member of a labor organization or training director from a joint labor-management apprenticeship program, or if no such joint program exists in the state, such a representative of an apprenticeship program in the state;

- C. may include representatives of community based organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of individuals with barriers to employment , including organizations that serve veterans or that provide or support competitive integrated employment for individuals with disabilities; and

iii. the balance:

A. shall include:

1. the Secretary of the Department of Labor or his or her designee;
2. the Secretary of the Department of Education or his or her designee;
3. the Secretary of the Department of Health and Social Services or his or her designee;
4. the Secretary of the Economic Development Office or his or her designee;
5. the Director of the State Housing Authority or his or her designee; and
6. chief elected officials (collectively representing both cities and counties where appropriate).

B. may include any individuals the Governor deems necessary to appoint in order for the membership of the board to remain in compliance with federal requirements; and

C. may include such other persons as the Governor may from time to time appoint.

3. The Governor shall designate from the members appointed under 2(c)(i) one person to serve as Chairman of the Board and one person to serve as Vice Chairman of the Board.

4. An Executive Director shall staff the Board.

5. The Board shall assist the Governor in:

- a. the development, implementation and modification of the state plan required by applicable federal law;

- b. consistent with paragraph (a), the review of statewide policies of statewide programs, and recommendations on actions that should be taken by the state to align workforce development programs in the state in a manner that supports a comprehensive and streamlined workforce development system in the state, including the review and provision of comments on the state plans, if any, for programs and activities of one-stop partners that are not core programs as defined by applicable federal law;
- c. the development and continuous improvement of the workforce development in the state through:
  - i. the identification of barriers and means for removing barriers to better coordinate, align, and avoid duplication among the programs and activities carried out through the system;
  - ii. the development of strategies to support the use of career pathways for the purpose of providing individuals, including low skilled adults, youth, and individuals with barriers to employment (including individuals with disabilities), with workforce investment activities, education, and supportive services to enter or retain employment;
  - iii. the development of strategies for providing effective outreach to and improved access for individuals and employers who could benefit from services provided through the workforce development system;
  - iv. the development and expansion of strategies for meeting the needs of employers, workers, and jobseekers particularly through industry or sector partnerships related to in-demand sectors and occupations;
  - v. the development of strategies to support staff training and awareness across programs supported under the workforce development system;
- d. the development and updating of comprehensive state performance accountability measures, including state adjusted levels of performance, to assess the effectiveness of the core programs in the state;
- e. the identification and dissemination of best practices;
- f. the development and review of statewide policies affecting the coordinated provision of services through the state's one-stop delivery system;
- g. the development of strategies for technological improvements to facilitate access to, and improve the quality of, services and activities provided through the one-stop delivery system;

- h. the development of strategies for aligning technology and data systems across one-stop partner programs to enhance service delivery and improve efficiencies in reporting on performance accountability measures (including the design and implementation of common intake, data collection, case management information, and performance accountability measurement and reporting processes and the incorporation of local input into such design and implementation to improve coordination of services across one-stop partner programs);
- i. the preparation of the Board's annual reports;
- j. the development of the statewide workforce and labor market information system;
- k. the development of such other policies as may promote statewide objectives for, and enhance the performance of, the workforce development system in the state;
- l. the development and the implementation of a plan for assuming the duties, responsibilities and functions of the Delaware Workforce Investment Board including oversight of the "Blue-Collar Act" Title 19 Del. C 3402 (3)(a) & (3)(b); and
- m. the carrying out of responsibilities of the Local Boards.

6. The Board shall promulgate bylaws, consistent with law and with this Executive Order, governing its organization and procedure. These bylaws shall include provisions outlining procedures for the determination of a conflict of interest for a board member, and a conflict shall be handled.

7. The Board shall meet at the call of the Chairperson, or as provided by rules adopted by the Board, but shall not meet less than annually.

8. Members of the Board may receive reimbursement for necessary travel and expenses.

9. Forty Percent (40%) 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 Board must be approved by a majority of those members constituting a quorum at meeting of the Board.

10. The Delaware Workforce Investment Board is hereby eliminated.

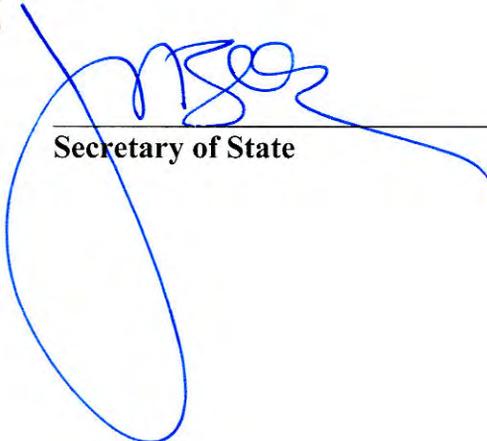
11. Executive Order No. 75, dated January 31<sup>st</sup>, 2000, issued by Governor Thomas R. Carper, is hereby rescinded.

APPROVED this 12<sup>th</sup> day of June, 2015



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Governor

ATTEST:



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Secretary of State

