

FINAL MINUTES

STATE OF VERMONT
DEPARTMENT OF LABOR
STATE WORKFORCE DEVELOPMENT BOARD

MINUTES

Wednesday December 9, 2015 meeting

Capitol Plaza, Montpelier, VT

Members participating in person: Frank Cioffi, Annie Noonan, Rose Lucenti, Pixie Loomis, Diane Dalmasse, Kathy Keenan, Lynn Vera, Grant Spates, Dennis LaBounty, Amanda Beraldi, Janette Bombardier, Dan DiBattista, Joan Goldstein, Chris Louras, Lisa Menard, Jeb Spaulding, Sean Woodroffe, Pat Moulton, Jen Kimmich, Gerry Ghazi, Mike Lane, Tom Alderman, Tom Longstreth, Judy Geiger, Pat Elmer, Robert Bridges.

Members participating by phone: Wendy Koenig, Chief Lampman, Rep. Tristan Toleno, Eileen Illuzzi, Chris Loso, Kent Eldridge, Jeff Wimette, Scott Giles, Marty Thieret.

VDOL staff present: Workforce Education and Training Coordinator Michele Kupersmith, Commissioner Annie Noonan, Deputy Commissioner Maureen Tivnan, Matthew Barewicz, Kevin Stapleton, Danielle Kane, Barb Smith, Jason Boss. Also listening in by phone, Linda Tarver of the U.S. Department of Labor.

Chair Frank Cioffi introduced the front table: Tom Alderman, Vermont Agency of Education; James Smith, Division of Vocational Rehabilitation, Agency of Human Services; Commissioner Annie Noonan.

Chair Cioffi asked for a motion to approve the minutes of the September 30, 2015 meeting. Pat Moulton so moved, Dennis LaBounty seconded the motion. A voice vote was taken with no dissenting votes and no abstentions.

Michele Kupersmith gave a brief update on the status of the Report on Act 51 of 2015: Vermont Career and Technical Education – expected to be finalized and available by the next meeting of the SWIB.

There was general discussion among board members about the report. Chair Cioffi expressed his support for Career and Technical Education and indicated that he would like the report to be the major focus of the next SWIB meeting.

Commissioner Noonan led the discussion of the Vermont State Workforce Development Board, WIOA Governance Document. This document establishes the State Workforce Development Board. After discussion, the board voted in a unanimous voice vote to approve the Governance Document.

Commissioner Noonan led the discussion of the Memorandum of Understanding Between the Vermont Department of Labor and the Vermont State Workforce Development Board. This document designates

the VDOL as the Vermont One-Stop Operator, and further establishes that the VDOL will provide administrative, operational and fiscal support to the SWDB. Board discussion focused significantly on the fiscal and other responsibilities of the Board and whether the Board is just advisory. Commissioner Noonan confirmed that the Board's role is advisory to the Governor. In that role, the Board can make any recommendations to the Governor, but the Governor is ultimately responsible for the System. After some discussion about the importance of the Board receiving enough information to allow it to make such recommendations, Secretary Moulton offered the addition of a phrase to the draft language – to be added to the end of the last sentence of Section IV. The new full sentence (addition in italics) to read: “The Operator shall make available to the SWDB sufficient information for the SWDB to oversee the One-Stop Delivery System and ensure the appropriate use, management and investment of funds that maximizes performance outcomes, *and other information needed to carry out the duties of the State Workforce Development Board.*” Gerry Ghazi moved and Jen Kimmich seconded the motion to accept the document as amended. A roll call vote was taken. Those present voting yes included: Frank Cioffi, Annie Noonan, Rose Lucenti, Pixie Loomis, Diane Dalmasse, Kathi Keenan, Lynn Vera, Grant Spates, Dennis LaBounty, Amanda Beraldi, Janette Bombardier, Dan DiBattista, Joan Goldstein, Pixie Loomis, Lisa Menard, Jeb Spaulding, Sean Woodroffe, Pat Moulton, Jen Kimmich, Gerry Ghazi, Mike Lane, Tom Alderman, Tom Longstreth, Judy Geiger, Pat Elmer, and Robert Bridges. Those on the phone voting yes included: Scott Giles, Chris Loso, Tristan Toleno, Eileen Illuzzi, and Marty Thieret. There were no dissenting votes.

Chair Cioffi promised that a legal memorandum would be provided to the Board regarding liability on the part of Board members and their organizations.

Commissioner Noonan moved into a short discussion about the Vermont Unified State Plan that was actively in the process of being drafted. Vermont had the option of doing a Unified Plan or a Combined Plan and chose the former. The Unified Plan includes three core partners – VDOL, AOE, and VR – covering six required WIOA programs – The Youth, Adult and Dislocated Worker Programs under Title I, the Adult Education and Family Literacy Act Program under Title II, the Wagner-Peyser Act Program under Title III, and the Vocational Rehabilitation Program under Title IV. She added that the Governor is required to decide whether to include TANF in the Plan, not as a core partner but to be involved; and the Governor has chosen to include TANF. She stressed that the Plan is still under construction. A full draft must be posted for public comment 30 days before the final due date of the Plan. The SWDB can continue to modify the Plan throughout this period.

The Commissioner then turned the presentation over to Cameron Wood, the attorney who has been assisting the Department in the development of the Plan and other aspects of WIOA implementation. Attorney Wood led the Board through a power point presentation, included in these Minutes. He assured Board members that neither they nor their organizations are personally liable for the programs under WIOA administration. The Governor designates a fiscal agent for the funds, but it is the Governor who is liable for any misuse of these funds. He promised to provide a legal memorandum to the members addressing this liability issue. SWEB members engaged in conversation during this presentation. Lynn Vera asked that the process include a focus on gender segregation data.

Attorney Wood said that a work group of the SWDB, together with representatives of the core partners, met about a month ago to develop the vision and goals for the Plan. He said that the Plan is a four-year plan, with required modifications at the two-year point. Members offered comments including that the portion speaking to a livable wage not be interpreted to mean that training cannot be carried out for jobs that pay less than livable wage – understanding that the training is part of a career pathway for the individual; that stackable credentials are important; and that the Plan should have a portion focusing on mature workers. Attorney Wood told members that there is an opportunity to share more comments – and requested that these comments be specific. He explained that the Plan was scheduled to go out for public comment, but before it could be drafted, the partners each need to put their separate portions through their own internal review processes. Tom Alderman of AOE stated that the Plan is the first step – the second being implementation of the Plan. Attorney Wood directed members to submit their comments to him. James Smith of VR suggested that Board members focus on the parts of the Plan that are discretionary on the part of the State, with the explanation that there are other many non-discretionary requirements in federal law.

A discussion took place about the date of the next SWDB meeting. The decision was to have it February 10, 2016.

Chair Cioffi adjourned the meeting at 3:30 p.m.

Hyperlink to the YouTube video recording of the full meeting:

<https://www.youtube.com/watch?v=pcidGcnqZC8&list=PLYV6NGVqglqgGYehTT07KL-zVgFIUhZns>

Respectfully submitted,

Michele Kupersmith, Liaison,
Vermont State Workforce Development Board