



Chief Elected Officials

(Joint Executive Committee)

Tuesday, January 25, 2022

10:00 am

Virtual Meeting

MRCOG, 809 Copper NW, Albuquerque, NM 87102

AGENDA

- ☐ **Call to Order**
- ☐ **Approval of Thursday, January 25, 2022 Agenda**
 - Motion
 - Second
 - Action

Tab 1: Approval of Minutes, Chief Elected Officials: August 10, 2021

- Motion
- Second
- Action

WCCNM – CEO ACTION ITEMS

Tab 2: Approval of Workforce Connection of Central New Mexico (WCCNM) Board Members

- Motion
- Second
- Action

Tab 3: Approval of Amended WCCNM Bylaws

- Motion
- Second
- Action

Tab 4: Approval of Amended WCCNM CEO Agreement and Voting Rules, and CEO Partner Agreement

- Motion
- Second
- Action

PUBLIC COMMENT/ADJOURNMENT

- ☐ **Discussion**
 - Real Time Solutions Contract Update
 - EDA Grant
 - WCCNM Annual Report
 - Workforce Update
- ☐ **Public Comments**

Anyone who wishes to address the Board must register with the secretary of the Board
- ☐ **Adjournment**

NOTES

Next Meeting: July 12, 2022, 10:00 am

*Anyone requiring special accommodations please notify the MRCOG office at 247-1750 seven (7) days prior to the meeting.
"Equal Opportunity Program"*



MINUTES
Workforce Connection
Of Central New Mexico

Chief Elected Officials

Tuesday, August 10, 2021

10:00 a.m.

Mid-Region Council of Governments

809 Copper, NW

Call to Order- 10:05 a.m. by Mayor Gregg Hull, CEO Chair City of Rio Rancho

Attendance-

CEO's Present

Charlene Psykoty, Commissioner, Bernalillo County

Gregg Hull, Mayor, City of Rio Rancho

David Heil, Commissioner, Sandoval County

Charlene Ashburn, for Charles Griego, Mayor, Village of Los Lunas

Nathan Dial, Mayor, Town of Estancia

Leon Espinosa, for Mayor Tim Keller, City of Albuquerque

JoAnne D. Roake, Mayor, Village of Corrales

Others Present

Jerry Schalow, Board Chair

Art Martinez

Joy Forehand

Jesse Turley

Nicole Giddings

Lloyd Aragon

Dewey Cave

Tawnya Rowland

Cindy Cordova

Approval of Tuesday, August 10, 2021, Agenda

Motion: David Heil, Commissioner

Second: Charlene Pyskoty, Commissioner

No Discussion

Action: Passed unanimously by roll call vote

Name	Organization	Yes	No	abstain
Charlene E. Pyskoty, Commissioner	Bernalillo County	x		
Greggory D. Hull, Mayor	City of Rio Rancho	x		
David Heil, Commissioner	Sandoval County	x		
Charles Griego, Mayor	Village of Los Lunas			
Charlene Ashburn, HR Manager		x		
Nathan Dial, Mayor	Town of Estancia	x		
Tim Keller, Mayor	City of Albuquerque			
Leon Espinosa, Operations Coordinator		x		
JoAnne D Roake, Mayor	Village of Corrales	x		

Tab 1: Approval of Minutes, Chief Elected Officials – February 9, 2021

Motion: JoAnne Roake, Mayor

Second: David Heil, Commissioner

No Discussion

Action: Passed unanimously by roll call vote

Name	Organization	Yes	No	abstain
Charlene E. Pyskoty, Commissioner	Bernalillo County	x		
Greggory D. Hull, Mayor	City of Rio Rancho	x		
David Heil, Commissioner	Sandoval County	x		
Charles Griego, Mayor	Village of Los Lunas			
Charlene Ashburn, HR Manager		x		
Nathan Dial, Mayor	Town of Estancia	x		
Tim Keller, Mayor	City of Albuquerque			
Leon Espinosa, Operations Coordinator		x		
JoAnne D Roake, Mayor	Village of Corrales	x		

Tab 2: Approval of WFCP-01-20, PY21 Preliminary Budget

by Jesse Turley, WCCNM Accounting Manager

- Mr. Turley outlines and discussed the PY21 Preliminary budget.
- The budget is based on the allocation received from the New Mexico Department of Workforce Solutions and projected carry-in amounts.
- He stated the allocations are as follows: Adult (\$2,409,214), Dislocated Worker (\$4,267,460), Youth (\$2,077,181), and Admin (\$972,50) for a total PY21 allocation of \$9,726,505.
- This is a 1.1% decrease from the previous program year.
- The proposed budget also includes a projected carry-in amount from PY20 of \$3,282,000 the total PY proposed budget is \$14,206,505.

Questions

Motion: JoAnne Roake, Mayor

Second: Gregg Hull, Mayor

Action: Passed unanimously by roll call vote

Name	Organization	Yes	No	abstain
Charlene E. Pyskoty, Commissioner	Bernalillo County	x		
Greggory D. Hull, Mayor	City of Rio Rancho	x		
David Heil, Commissioner	Sandoval County	x		
Charles Griego, Mayor	Village of Los Lunas			
Charlene Ashburn, HR Manager		x		
Nathan Dial, Mayor	Town of Estancia	x		
Tim Keller, Mayor	City of Albuquerque			
Leon Espinosa, Operations Coordinator		x		
JoAnne D Roake, Mayor	Village of Corrales	x		

Tab 3: Approval of Workforce Connection of Central New Mexico (WCCNM) Board Members

by Art Martinez, Workforce Administrator

- Mr. Martinez presented new Board Members for PY21.

New Board Member

Business

<u>Name</u>	<u>County</u>	<u>Business</u>
Troy Clark	Bernalillo	New Mexico Hospital Association

Partners

Economic Development

<u>Name</u>	<u>County</u>	<u>Business</u>
Kristen Gamboa	Valencia	Village of Los Lunas
Synthia Jaramillo	Bernalillo	City of Albuquerque

Education

<u>Name</u>	<u>County</u>	<u>Business</u>
Gina Urias-Sandoval	Bernalillo	University of New Mexico
David Valdes	Bernalillo	Central New Mexico Community College

Workforce System Partner

<u>Name</u>	<u>County</u>	<u>Business</u>
Samuel Kolapo	Bernalillo	Albuquerque Job Corps

Term Extension Board Member

Business

<u>Name</u>	<u>County</u>	<u>Business</u>
Beth Barela	Bernalillo	Manpower of New Mexico
Vaadra Martinez	Bernalillo	Rural Sourcing Inc,
John Mierzwa	Bernalillo	Ingenuity Software Labs

Partner

Community Based Organization

<u>Name</u>	<u>County</u>	<u>Business</u>
Raymond Trujillo	Bernalillo	UA Local 412 Plumbers & Pipefitters Training Center

Education

Name

Laura Musselwhite

County

Valencia

Business

UNM-Valencia Campus

Workforce System Partner

Name

Waldy Salazar

County

Bernalillo

Business

NMDWS

Doug Calderwood

Bernalillo

Aging and Long-Term Services

Motion: David Heil, Commissioner

Second: JoAnne Roake, Mayor

Action: Passed unanimously by roll call vote

Name	Organization	Yes	No	abstain
Charlene E. Pyskoty, Commissioner	Bernalillo County	x		
Greggory D. Hull, Mayor	City of Rio Rancho	x		
David Heil, Commissioner	Sandoval County	x		
Charles Griego, Mayor	Village of Los Lunas			
Charlene Ashburn, HR Manager		x		
Nathan Dial, Mayor	Town of Estancia	x		
Tim Keller, Mayor	City of Albuquerque			
Leon Espinosa, Operations Coordinator		x		
JoAnne D Roake, Mayor	Village of Corrales	x		

Tab 4: Approval of Amendment to the WCCNM CEO Agreement

by Art Martinez, Workforce Administrator

- Mr. Martinez, explained that the CEO Agreement is required to comply with the Workforce Innovation Opportunity Act of 2014.
- The State of New Mexico has modified their regulations regarding WIOA Governance.
- The State of New Mexico is asking that we only have one voting member on our CEO Board from each of the counties within the Central Region.
- Mr. Martinez explained this a huge ask for us as we value the input and participation from our mayors.
- Other changes were 90 days to replace a board member instead of 120 days.
- There are concerns on this and we need all the input from all counties.
- There was discussion between Mayor Hull as he is the Lead CEO and Commissioner Heil and it was agreed between both of them that Commissioner Heil will be the voting member for their area.
- Mr. Martinez will reach out to all the other members to get input.

Questions & Comments

(Detailed discussion can be made available with a request to Workforce Connection of Central New Mexico Board)

Mayor Hull asked for a motion

This item failed due to the lack of motion.

Tab 5: Approval of Amendment to the WCCM CEO Partner Agreement

by Art Martinez, Workforce Administrator

- Mr. Martinez, explained that the CEO Partner Agreement is required to ensure the criteria established by the state are acknowledged by both the CEO's and the WCCNM Local Board.
- This also goes hand in hand with the CEO Agreement.

Questions & Comments

(Detailed discussion can be made available with a request to Workforce Connection of Central New Mexico Board)

Mayor Hull asked for a motion

This item failed due to the lack of motion

Tab 6: Approval of WCCNM CEO Chair

by Art Martinez, Workforce Administrator

- Mr. Martinez explained to the Board, a lead Chief Elected Official needs to be nominated to act on behalf of the CEO's on WCCNM matters.
- The lead CEO shall serve a term of one year with the option of successive.
- It was recommended that Mayor Gregg Hull continue as Lead CEO

Motion: JoAnne Roake, Mayor nominated Gregg Hull as the Chair

Second: Nathan Dial, Mayor

Motion: JoAnne Roake, Mayor closed the nomination

Second: David Heil, Commissioner

No Discussion

Action: Passed unanimously by roll call vote

Name	Organization	Yes	No	abstain
Charlene E. Pyskoty, Commissioner	Bernalillo County	x		
Greggory D. Hull, Mayor	City of Rio Rancho			x
David Heil, Commissioner	Sandoval County	x		
Charles Griego, Mayor	Village of Los Lunas			
Charlene Ashburn, HR Manager		x		
Nathan Dial, Mayor	Town of Estancia	x		
Tim Keller, Mayor	City of Albuquerque			
Leon Espinosa, Operations Coordinator		x		
JoAnne D Roake, Mayor	Village of Corrales	x		

Discussion Local Board Redesignation/Transformation

- Jerry Schalow, Board Chair gave an update on Local Board Redesignation
- The focus was to split the State in half.
- He stated it's really important that all CEO's voice their opinion on this matter
- Mr. Martinez stated that the Board release three RFP's. One for the One-Stop Operator, Youth Provider and Adult Dislocated Worker.
- He stated the Administrative Entity and Fiscal Agent will remain on contract with the Mid-Region Council of Governments along with the One-Stop Operator Contract, Youth Provider will remain with YDI and the Mid-Region Council of Governments was selected for the Adult/Dislocated Worker Contract.
- Mr. Martinez stated there is large Initiative with Economic Development with the Department of Commerce and they have over a billion dollars that are going to available to all the states. We have an Economic Sub Committee that has been discussing what grant opportunities they'll move forward with.

Adjournment – 11:27 am

Next Meeting – January 11, 2022

A more detailed account of the meeting and discussions are available for review at the MRCOG offices at: 809 Copper NW, Albuquerque, NM 87102.

Approved at the January 25, 2022 WCCNM CEO Meeting

Greg Hull, CEO Chair

ATTEST:

Secretary

Workforce Connection of Central New Mexico Board Member Nominees

New Board Member

Community Based Organizaiton

<u>Name</u>	<u>County</u>	<u>Business</u>
Eleanor Chavez	Bernalillo	NUHHCE District 1199NM

Partners

Economic Development

<u>Name</u>	<u>County</u>	<u>Business</u>
Danielle Casey	Bernalillo	Albuquerque Economic Development

Workforce System Partner

<u>Name</u>	<u>County</u>	<u>Business</u>
Antoinette Homes	Bernalillo	NM Department of Vocational Rehabilitation

Workforce Connection of Central New Mexico Proposed Amendments to WCCNM Bylaws

Action Requested:

Request adoption of the proposed amendments to the Workforce Connection of Central New Mexico (WCCNM) Bylaws.

Background:

Bylaws are required to comply with state law and orderly function of the WCCNM Board.

The proposed amendment is to provide additional detail and clarification for the WCCNM Executive Committee as they may act on behalf of the WCCNM Full Board for certain action items and for issues that require immediate action. Additional modification is for the removal of reference to the Youth Council and replacement with the WCCNM Youth Standing Committee. Also, provided an update to provide consistency with the proposed code of conduct that will be presented to the WCCNM Full Board in February for approval.

The proposed changes are presented within attached and noted with comments. Any additional changes to the Bylaws will be considered as amendments during adoption.

Policy Ramifications:

Ensures that the WCCNM is in compliance with state policy.

Financial Impact:

None

Pass: _____

Do not pass: _____

WORKFORCE CONNECTION

Of Central New Mexico

BYLAWS



Adopted, November 17, 2003,
Revised, October 16, 2006
Amended, October 20, 2008
Revised, February 25, 2013
Amended June 16, 2014
Amended December 10, 2018
Amended October 18, 2021
Amended January 25, 2022



"Equal Opportunity Program"

WORKFORCE CONNECTION OF CENTRAL NEW MEXICO BOARD BYLAWS

Article 1 - Establishment

1.0 The Workforce Connection of Central New Mexico Board (“WCCNM”) is established in accordance with Section 107 of Workforce Investment and Opportunity Act (“WIOA”) of 2014 and related New Mexico State statutes, rules and regulations. The WCCNM is to assist the chief elected officials of the Local Area ("CEOs") by carrying out the many WIOA functions, specifically, those of planning, coordinating and monitoring provision of programs and services.

1.1 These Bylaws are established in a manner consistent with the Chief Elected Officials and Workforce Connection of Central New Mexico Partnership Agreement dated December 10, 2018 (“Agreement”) to implement the WCCNM. The Agreement outlines the roles and responsibilities of the CEOs and the WCCNM members.

Article 2 – Service Area

2.0 The WCCNM local area comprises Bernalillo, Sandoval, Torrance and Valencia Counties (the “Local Area”). The WCCNM official office location and mailing address is:

Workforce Connection of Central New Mexico
c/o Workforce Administrator
809 Copper Ave NW
Albuquerque, NM 87102

Article 3 - Purpose

3.0 The WCCNM, in partnership with the CEOs, is responsible for coordinating activities in the Local Area, as described in WIOA Sec 107 and 20 CRD 679.300:

3.0.1 Serve as a strategic leader and convener of local workforce development system stakeholders. WCCNM partners with employers and the workforce development system to develop policies and investments that support public workforce system strategies that support regional economies, the development of effective approaches including local and regional sector partnerships and career pathways, and high quality, customer centered service delivery and service delivery approaches;

3.0.2 Provide strategic and operational oversight in collaboration with the required and additional partners and workforce stakeholders to help develop a comprehensive and high-quality workforce development system in the local area and larger planning region;

3.0.3 Assist in the achievement of the State's strategic and operational vision and goals as outlined in the Unified State Plan or Combined State Plan; and

3.0.4 Maximize and continue to improve the quality of services, customer satisfaction, effectiveness of the services provided.

Article 4- Objectives and Function

4.1 Objectives. The objectives of the WCCNM are to carry out functions and responsibilities according to the WIOA and New Mexico State statutes, and their rules and regulations. Those functions and responsibilities include:

4.1.1 As provided in WIOA sec. 107(d), WCCNM must:

4.1.1.1 Develop and submit a 4-year local plan for the local area, in partnership with the chief elected officials and consistent with WIOA sec. 108;

4.1.1.2 If the local area is part of a planning region that includes other local areas, develop and submit a regional plan in collaboration with other local areas. If the local area is part of a planning region, the local plan must be submitted as a part of the regional plan;

4.1.1.3 Conduct workforce research and regional labor market analysis to include:

a) Analyses and regular updates of economic conditions, needed knowledge and skills, workforce, and workforce development (including education and training) activities to include an analysis of the strengths and weaknesses (including the capacity to provide) of such services to address the identified education and skill needs of the workforce and the employment needs of employers;

b) Assistance to the Governor in developing the statewide workforce and labor market information system under the Wagner-Peyser Act for the region; and

c) Other research, data collection, and analysis related to the workforce needs of the regional economy as the WCCNM, after receiving input from a wide array of stakeholders, determines to be necessary to carry out its functions;

d) Convene local workforce development system stakeholders to assist in the development of the local plan under 20 CFR § 679.550 and in identifying non-Federal expertise and resources to leverage support for workforce development activities. Such stakeholders may assist the WCCNM and standing committees in carrying out convening, brokering, and leveraging functions at the direction of the WCCNM;

e) Lead efforts to engage with a diverse range of employers and other entities in the region in order to:

4.1.1.4 Promote business representation (particularly representatives with optimum policy-making or hiring authority from employers whose employment opportunities reflect existing and emerging employment opportunities in the region) on the WCCNM;

4.1.1.5 Develop effective linkages (including the use of intermediaries) with employers in the region to support employer utilization of the local workforce development system and to support local workforce investment activities;

4.1.1.6 Ensure that workforce investment 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

4.1.1.7 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), that provide the skilled workforce needed by employers in the region, and that expand employment and career advancement opportunities for workforce development system participants in in-demand industry sectors or occupations;

4.1.1.8 With representatives of secondary and postsecondary education programs, lead efforts 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;

4.1.1.9 Lead efforts in the local area to identify and promote proven and promising strategies and initiatives for meeting the needs of employers, workers and job seekers, and identify and disseminate information on proven and promising practices carried out in other local areas for meeting such needs;

4.1.1.10 Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, and workers and job seekers, 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 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;

4.1.1.11 In partnership with the chief elected officials for the local area:

a) Conduct oversight of youth workforce investment activities authorized under WIOA sec. 129(c), adult and dislocated worker employment and training

activities under WIOA secs. 134(c) and (d), and the entire one-stop delivery system in the local area;

b) Ensure the appropriate use and management of the funds provided under WIOA subtitle B for the youth, adult, and dislocated worker activities and one-stop delivery system in the local area; and

c) Ensure the appropriate use management, and investment of funds to maximize performance outcomes under WIOA sec. 116;

4.1.1.12 Negotiate and reach agreement on local performance indicators with the chief elected officials and the Governor;

4.1.1.13 Negotiate with CEOs and required partners on the methods for funding the infrastructure costs of one-stop centers in the local area in accordance with 20 CFR § 678.715 or must notify the Governor if they fail to reach agreement at the local level and will use a State infrastructure funding mechanism;

4.1.1.14 Select the following providers in the local area, and where appropriate terminate such providers in accordance with 2 CFR parts 200:

a) Providers of youth workforce investment activities through competitive grants or contracts based on the recommendations of the youth standing committee (if such a committee is established); however, if the WCCNM determines there is an insufficient number of eligible training providers in a local area, the WCCNM may award contracts on a sole-source basis as per the provisions at WIOA sec. 123(b);

b) Providers of training services consistent with the criteria and information requirements established by the Governor and WIOA sec. 122;

c) Providers of career services through the award of contracts, if the one-stop operator does not provide such services; and

d) One-stop operators in accordance with 20 CFR §§ 678.600 through 678.635;

4.1.1.15 In accordance with WIOA sec. 107(d)(10)(E) work with the State to ensure there are sufficient numbers and types of providers of career services and training services serving the local area and providing the services in a manner that maximizes consumer choice, as well as providing opportunities that lead to competitive integrated employment for individuals with disabilities;

4.1.1.16 Coordinate activities with education and training providers in the local area, including:

a) Reviewing applications to provide adult education and literacy activities under WIOA title II for the local area to determine whether such applications are consistent with the local plan;

b) Making recommendations to the eligible agency to promote alignment with such plan; and

c) Replicating and implementing cooperative agreements to 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;

4.1.1.17 Develop a budget for the activities of the WCCNM, with approval of the chief elected officials and consistent with the local plan and the duties of the WCCNM;

4.1.1.18 Assess, on an annual basis, the physical and programmatic accessibility of all one-stop centers in the local area, in accordance with WIOA sec. 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101*et seq.*); and

4.1.1.19 Certification of one-stop centers in accordance with § 678.800.

Article 5 – WCCNM Board

5.1 Appointment. The CEOs will appoint the WCCNM from the individuals nominated as required by the WIOA Sec 107 (b)(1) and (2) and 20 CFR 679.320. Chief elected officials must establish a formal nomination and appointment process, consistent with the criteria established by the Governor and State Workforce Development Board under sec. 107(b)(1) of WIOA for appointment of members of the Local WDBs, that ensures:

5.1.1 Business representatives are appointed from among individuals who are nominated by local business organizations and business trade associations;

5.1.2 Labor representatives are appointed from among individuals who are nominated by local labor federations (or, for a local area in which no employees are represented by such organizations, other representatives of employees); and

5.1.3 When there is more than one local area provider of adult education and literacy activities under title II, or multiple institutions of higher education

providing workforce investment activities as described in WIOA sec. 107(b)(2)(C)(i) or (ii), nominations are solicited from those particular entities.

5.1.4 An individual may be appointed as a representative of more than one entity if the individual meets all the criteria for representation for each entity.

5.1.5 All required WCCNM members must have voting privilege. The chief elected official may convey voting privileges to non-required members.

5.2 Membership. The WCCNM consists of the following members, pursuant to 20 CFR 679.320. Members must be individuals with optimum policy-making authority within the entities they represent:

5.2.1. Business Representatives. A majority of the members of the WCCNM must be representatives of business in the local area. At a minimum, two members must represent small business as defined by the U.S. Small Business Administration. Business representatives serving on WCCNM also may serve on the State Workforce Development Board. Each business representative must meet the following criteria:

5.2.1.1 Be an owner, chief executive officer, chief operating officer, or other individual with optimum policy-making or hiring authority; and

5.2.1.2 Provide employment opportunities in in-demand industry sectors or occupations, as those terms are defined in WIOA sec. 3(23).

5.2.2 Workforce Sector. At least 20 percent of the members of the WCCNM must be workforce representatives. These representatives:

5.2.2.1 Must include two or more representatives of labor organizations, where such organizations exist in the local area. Where labor organizations do not exist, representatives must be selected from other employee representatives;

5.2.2.2 Must include one or more representatives of a joint labor-management, or

union affiliated, registered apprenticeship program within the area who must be a training director or a member of a labor organization. If no union affiliated registered apprenticeship programs exist in the area, a representative of a registered apprenticeship program with no union affiliation must be appointed, if one exists;

5.2.2.3 May include one or more 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 provide or support competitive integrated employment for individuals with disabilities; and

5.2.2.4 May include one or more representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.

5.2.3 The WCCNM also must include:

5.2.3.1 At least one eligible training provider administering adult education and literacy activities under WIOA title II;

5.2.3.2 At least one representative from an institution of higher education providing workforce investment activities, including community colleges; and

5.2.3.3 At least one representative from each of the following governmental and economic and community development entities:

a) Economic and community development entities;

b) The State Employment Service office under the Wagner-Peyser Act (29 U.S.C. 49*et seq.*) serving the local area; and

c) The programs carried out under title I of the Rehabilitation Act of 1973, other than sec. 112 or part C of that title;

5.2.4 The membership of the WCCNM Board may include individuals or representatives of other appropriate entities in the local area, including:

5.2.4.1 Entities administering education and training activities who represent local educational agencies or community-based organizations with demonstrated expertise in addressing the education or training needs for individuals with barriers to employment;

5.2.4.2 Governmental and economic and community development entities who represent transportation, housing, and public assistance programs;

5.2.4.3 Philanthropic organizations serving the local area; and

5.2.4.4 Other appropriate individuals as determined by the chief elected official.

5.3 Diversity. In recommending or nominating to the Board, recommending bodies and all nominating committees must consider categorical representations, gender, ethnicity, and geographical representations.

5.4 Terms.

A. Each WCCNM member will serve a term of three years and may serve successive terms.

B. Members will be appointed so as to assure that the WCCNM is staggered with one-third of the WCCNM, or as close thereto as possible, appointed annually.

5.5 Change of Status.

A. A WCCNM member who no longer holds the position or status for which he or she was appointed must inform the chair of such change in status and resign his or her position as a member of the WCCNM.

B. WCCNM members will certify annually that they fulfilled the requirements of the category they represent.

C. The CEOs will certify annually that WCCNM members are eligible to serve.

5.6 Removal.

A. WCCNM members shall serve at the pleasure of the CEOs.

B. A WCCNM member is automatically removed from the WCCNM if such member does not meet the requirements of the particular membership category for which he or she was appointed and has not resigned such position. The chair shall inform the CEOs, the WCCNM and the individual in question that the individual has been removed.

C. Any member who misses three consecutive regular meetings of the WCCNM may be removed.

D. Any member will be removed by the CEOs for documented conflict of interest; proof of fraud, or violation of the Code of Conduct, or for violation of any policy or procedure as provided in WCCNM's Program, Policy and Procedure Manual.

5.7 Vacancy. An appointment to fill a vacant position on the WCCNM will be made by the CEO within 90-120 days of the vacancy.

Commented [AM1]: Modified to be consistent with NMAC

5.8 Quorum. The majority of the current WCCNM board membership constitutes a quorum for the transaction of business and a quorum must be maintained to conduct official business.

5.9 Voting. The affirmative vote of the majority of the WCCNM members present constitutes an official act of the WCCNM. Voting by proxy is not permitted.

5.10 Designees. A WCCNM member may not delegate any of his or her duties, including attendance at meetings or voting.

Article 6 - Officers

6.1 Officers. The officers of the WCCNM include a Chair, a Chair-elect, a Secretary and a Treasurer.

6.2 Chair.

A. The chair must be a business member.

B. The chair's authority includes:

- (i) Presiding at all meetings;
- (ii) Appointing members to all committees and task forces;
- (iii) Appointing chairs of all committees and task forces;
- (iv) Preserving order and decorum;
- (v) Reviewing the proposed agenda;
- (vi) Deciding all questions of order, subject to member's right to appeal to the board and/or committee as a whole;
- (vii) Speaking to points of order in preference to other members;
- (viii) Speaking on general questions from the chair;
- (ix) Announcing the result promptly on the completion of every vote;
- (x) Signing all contracts, resolutions and other formal written actions passed;
- (xi) Imposing at his or her discretion, a time limit on presentations made at meetings; and
- (xiii) Other matters delegated to the chair by the WCCNM or the CEOs.

6.3 Chair-Elect. The chair-elect must be a business member. The chair-elect will perform the duties of the chair in the absence of the chair and all other duties assigned by the chair. The chair-elect will assume the position of chair at the end of the chair's term.

6.4 Secretary. The Secretary of the Board shall ensure that the minutes of all meetings are recorded, that all books and records are maintained, and shall perform all the duties incident to those of a secretary of a private corporation. The Secretary may delegate the performance of these tasks to, or have assistance for these tasks from, the staff of WCCNM's administrative entity.

6.5 Treasurer. The treasurer must be a member of the WCCNM and is responsible for

reviewing financial management, budget, accounting, auditing relating to WCCNM.

6.6 Term. All elected officers will serve a term of one year. Elected officers may only serve two consecutive terms in the same position.

6.7 Removal. An elected officer will be removed if he or she no longer meets the requirements of the elected position, and may be removed by the WCCNM for malfeasance in office, neglect of duties, or for cause.

6.8 Vacancy. The WCCNM will fill any elected officer vacant position and the individual elected will serve the balance of the term of the former officer.

Article 7 - Meetings

7.1 Conduct of Business.

7.1.1 The WCCNM will conduct business in an open manner as required by WIOA, and by the New Mexico Open Meetings Act, N.M.S.A. 1978 § 10-15-1 *et seq.*

7.1.2 The WCCNM will conduct its business as outlined in the Partnership Agreement between the Chief Elected Officials and WCCNM Board, dated December 10, 2018.

7.2 Regular Meetings. The WCCNM will meet at least once each quarter at a time and location to be determined by the WCCNM.

7.3 Special Meeting. The chair may call a special meeting at a time and place to be determined in the call of the meeting.

7.4 Emergency Meeting. The chair has sole discretion of calling an emergency meeting.

7.5 Time and Place. All meetings will be held in the Local Area at a place, time and date determined by the chair.

7.6 Teleconference. WCCNM members, or any committee, task force of the WCCNM, may participate in a meeting of the WCCNM by means of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear

each other at the same time.

7.7 Notice. Once a meeting date, time and location of a meeting have been determined, the secretary will send the WCCNM members notice of such meeting at least five days before a regular meeting, three days before a special meeting and twenty-four hours before an emergency meeting.

7.8 Electronic or Telephonic Notification. Any combination of telephone calls, e-mail notices, or facsimile correspondence may be used to notify each member of a meeting.

7.9 Minutes. The secretary will record the minutes of the proceedings for each WCCNM meeting. Those minutes will be in accordance with the Open Meetings Act. Minutes will document both attendance and official action taken by the WCCNM. The secretary will prepare and distribute draft minutes to each member no later than seven days before regular meetings and three days before special meetings. Prior to the next scheduled regular or special meeting, the minutes and agenda, as well as supporting and informational material of any meeting will be posted on the WCCNM web-site.

Article 8 - Committees

8.1 Standing Committees. Standing committees of the WCCNM include an Executive Committee, a Training/Service Provider Committee, and a Performance and Monitoring Committee.

8.2 Executive Committee.

A. The Executive Committee will consist of the following members:

- 1) WCCNM Chair;
- 2) WCCNM Chair-elect;
- 3) Past WCCNM Chair (if a member of the WCCNM board);
- 4) WCCNM Treasurer;
- 5) WCCNM Standing Committee Chairs, including Co-chairs;
- 6) WCCNM CEO Representative;
- 7) One WCCNM member from Bernalillo County to be elected by members of

- Bernalillo County;
- 8) One WCCNM member from Sandoval County to be elected by members of Sandoval County;
 - 9) One WCCNM member from Valencia County to be elected by members of Valencia County;
 - 10) One WCCNM member from Torrance County to be elected by members of Torrance County;
 - 11) Youth Council chair (voting member only if member of Full-Board, if not, non-voting member and not counted in quorum)

B. **Chair.** The chair of the WCCNM will serve as the chair of the Executive Committee.

C. **The Executive Committee has the authority to act on behalf of the WCCNM on:**

- **issues that cannot be deferred to the next WCCNM Full Board meeting, or;**
- **for approval of policies that are mandated by federal or state law/regulatory changes and does not contain criteria that is applicable only to the Central Region , or for editorial changes or other minor modifications.**

Commented [AM2]: Provide additional information of the type of policies for executive committee approval

8.3 Youth Standing Committee

A. Youth Standing Committee. The Youth Standing Committee will review and make recommendation to the Executive Committee on matters related to WCCNM's WIOA Youth Program and other youth related initiatives.

8.4 Training/Service Provider Committee. The Training/Service Provider Committee will review and make recommendations to the Executive Committee on matters related to WCCNM's Training/Service Provider Program.

8.5 Performance and Monitoring Committee.

A. The Performance and Monitoring Committee will develop performance standards for each program, monitor their progress, and provide oversight to the tracking data collection systems.

B. The Performance and Monitoring Committee will make its recommendations to the

Executive Committee.

8.6 Ad Hoc Committees. The chair may establish ad hoc committees as the chair deems necessary or convenient to conduct WCCNM business. When establishing an ad hoc committee, the chair will indicate the purpose of the committee and the date it will disband.

8.7 Task Forces. The chair of the WCCNM may appoint one or more task forces from the membership of the WCCNM. Task forces may only make recommendations to the WCCNM and may not act on any policy issues.

8.7 Members and Chair. The chair of the WCCNM will appoint all members and the chair of any committee or task force, except the Youth Council and Executive Committee.

8.8 Meetings. Committees will meet at the time and place within the Local Area as determined by the chair of the committee. All meetings of the Executive Committee must comply with the Open Meetings Act.

8.9 Minutes. All committee chairs, or their designees, will give a verbal update to the Full Board on Committee issues and actions taken. A copy of each Committee meeting agenda will be maintained at the office of the Administrative Entity.

8.10 Quorum.

A. A majority of the members of the Executive Committee will constitute a quorum for the transaction of any business of the Executive Committee.

B. The presence of at least one member will constitute a quorum of all committees, other than the Executive committee.

8.11 Voting. An affirmative vote of a majority of a quorum of members present at a meeting constitutes action by that committee. Voting by proxy is not permitted.

8.12 Notice. The chair of a committee will give each member at least twenty-four hours notice of any committee meeting. Notice may be written by mail, e-mail, or facsimile.

Article 9 - Policies and Procedures

The WCCNM will promulgate policies and procedures that will be followed in conducting its business.

Article 10 - Code of Conduct

The WCCNM shall promulgate a policy concerning Code of Conduct with respect to the WCCNM, officers, contractors and the Youth Council. At a minimum, such policy must provide for conflict of interest, prevention of fraud and abuse, nepotism, prohibited political activities and other related code of conduct issues. The code of conduct shall strive to instill the highest standards of honesty and integrity in handling federal monies with the objective of insuring the highest level of services to clients of the program and proper expenditure of funds pursuant to the Acts, all regulations promulgated thereunder, and all other applicable laws or regulations.

~~Furthermore, for purposes of the Code of Conduct, all officers and chairpersons of committees shall not have any contractual relationship with the WCCNM.~~ The WCCNM shall not enter into any procurement contract for services, construction or items of personal tangible property with a WCCNM member or with a business in which the WCCNM member has an interest unless the WCCNM member has disclosed their interest and unless the contract is awarded in accordance with the competitive bidding or proposal provisions of the Procurement Code and WCCNM policy. Any contract awarded to any WCCNM member must be approved by the CEOs.

Commented [AM3]: Modified for consistency with Code of Conduct policy. Furthermore, this language was overbearing and not required by State or USDOL Regulation to include Uniform Code.

Article 11 – Conflict of Interest

11.1 A local board member may not vote on any matter that would provide direct financial benefit to the member or the member's immediate family, or on matters of the provision of services by the member or the entity the member represents.

11.2 A local board member shall avoid even the appearance of a conflict of interest. Prior to taking office, local board members shall provide to the local board chair a written declaration of

all substantial business interests or relationships 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 local board. Such declarations shall be updated annually or within 30 days to reflect any changes in such business interests or relationships. The local board shall appoint an individual to timely review the disclosure information and advise the local board chair and appropriate members of potential conflicts.

11.3 Prior to a discussion, vote, or decision on any matter before a local board, if a member, or a person in the immediate family of such member, has a substantial interest in or relationship to a business entity, organization, or property that would be affected by any official local 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 participating in the decision on the matter. All abstentions shall be recorded in the minutes of the local board meeting and be maintained as part of the official record.

11.4 It is the responsibility of the local board members to monitor potential conflict of interest and bring it to the local board's attention in the event a member does not make a self-declaration.

11.5 In order to avoid a conflict of interest, a local board shall ensure that the local board's workforce service providers shall not employ or otherwise compensate a current or former local board member or local board employee who was employed or compensated by the local board or its administrative entity, fiscal agent, or grant recipient anytime during the previous 12 months.

11.6 Local board members or their organizations may receive services as a customer of a local workforce service provider or workforce system partner. To avoid conflict of interest, a local board shall ensure that the local board, its members, or its administrative staff do not directly control the daily activities of its workforce service providers, workforce system partners or contractors.

Article 12 - Amendment of Bylaws

These Bylaws may be amended or repealed by a majority vote of a quorum of the Chief Elected Officials after notification of such amendments to the full WCCNM membership in compliance with Article 7, Meetings, of these Bylaws.

Article 14 - Compliance with Law

In execution of its business, the WCCNM will comply with:

- A. The WIOA and regulations; and
- B. All applicable New Mexico statutes, regulations and policies.

Notice Provided to WCCNM by the Chief Elected Officials on ~~December 10, 2018~~February 28,
2022.

Passed, Approved and Adopted by the Chief Elected Officials on January 31, 2019 January 25,
2022.

SIGNATURE PAGES FOLLOW

WORKFORCE CONNECTION OF CENTRAL NEW MEXICO
Bylaws Signature Page

_____ Date: _____
Chair, WCCNM

_____ Date: _____
Lead CEO

Workforce Connection of Central New Mexico Proposed Amendments to WCCNM CEO Agreement and WCCNM CEO Partnership Agreement

Action Requested:

Request adoption of the proposed amendments to the Workforce Connection of Central New Mexico (WCCNM) CEO Agreement and Workforce Connection of Central New Mexico (WCCNM) CEO Partnership Agreement.

Background:

The WCCNM CEO Agreement and WCCNM CEO Partnership Agreement amendments are required to comply with NMAC 11.2.4.7 Definition of CEO **“Chief elected official (CEO) is the chief elected executive officer of a unit of general local government in a local area. CEOs shall consist of one county commissioner, or their designee, from each county located in the area. In a case in which a local area includes more than one unit of general local government, the points of contact shall only be the recognized CEOs for each county located in that area.”** 11.2.4.7 N.M.A.C. (N, 7/1/2018; A, 06/22/2021).

The WCCNM CEO Agreement voting rules specifically addresses the requirement to identify and distinguish which CEO are voting members and to ensure involvement\participation of non-voting members.

Policy Ramifications:

Ensures that the WCCNM is in compliance with federal and state policy.

Financial Impact:

None

Pass: _____

Do not pass: _____

Workforce Connection

of Central New Mexico



Chief Elected Official (CEO) Agreement

Adopted, November 17, 2003
Revised, December 14, 2006
Amended, October 23, 2008
Revised, January 7, 2013
Revised, January 31, 2019
Revised, August 3, 2021
Amended January 25, 2022

“Equal Opportunity Program”



WORKFORCE CONNECTION OF CENTRAL NEW MEXICO CHIEF ELECTIVE OFFICER AGREEMENT

This Agreement is made and entered into by and among the Chief Elected Officials of the Bernalillo, Sandoval, Torrance and Valencia Counties (“CEO” or “CEOs”).

WHEREAS, under the Workforce Innovation and Opportunity Act of 2014 (“WIOA”), Pub L. 113-128, Title I, Section 107, if a local area includes more than one unit of general local government, the CEOs of such units may execute an agreement that specifies the respective roles of the individual CEOs; and

WHEREAS, 11.2.4.9 N.M.A.C. (N, 7/1/2018; A, 06/22/2021) requires that the CEOs execute a CEO Agreement that specifies their respective roles and responsibilities in carrying out their joint duties assigned to them under WIOA; and

WHEREAS, the CEOs wish to execute this Agreement in compliance with such laws and rules.

NOW THEREFORE, the CEOs agree:

Article I General Provisions

1.1 The Workforce Connection of Central New Mexico’s CEO Agreement dated January 31, 2019, is terminated as of the effective date of this Agreement.

1.2 Terms used in this Agreement adhere to definitions contained in the WIOA and 11.2.4.7 N.M.A.C. (N, 7/1/2018; A, 06/22/2021).

1.3 Name. The name of the local workforce development investment board is the Workforce Connection of Central New Mexico (“WCCNM”).

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Commented [AM2]: Updated date of last approved agreement

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Commented [AM3]: Added proper citation for 2021 revisions

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1.4 **Region.** The WCCNM is responsible for the oversight of services provided under the WIOA to the following four (4) counties located in central New Mexico: Bernalillo, Sandoval, Torrance, and Valencia. The four (4) counties are referred to in this Agreement as the “Local Area.”

1.5 **CEO Local Government Composition.** CEOs shall consist of one county commissioner, or their designee, from each county located in the area. In a case in which a local area includes more than one unit of general local government, the points of contact shall only be the recognized CEOs for each county located in that area. See 11.2.4.7 N.M.A.C. (N, 7/1/2018; A, 06/22/2021).

This does not prevent participation from other elected officials in the community, however, the only voting member is the CEO who may consider the input and contributions from the other elected officials. ~~See 11.2.4.7 N.M.A.C. (N, 7/1/2018; A, 06/22/2021).~~ The name and contact information of each participating CEO is included in the signature page to this Agreement and pursuant to 11.2.4.9(A)(5) N.M.A.C. (N, 7/1/2018; A, 06/22/2021).

1.6 **Action of the CEOs.** The presence at a meeting of a minimum of three (3) voting member CEOs constitutes a quorum for the meeting. The affirmative vote of the voting member CEOs present at a meeting constitutes the official action of the CEOs. Each voting member CEO shall have one vote in all matters that come before the CEOs. Voting by proxy is permitted so long as the proxy is in writing and pertains only to the meeting specified in the writing.

1.6.1 The CEOs (voting and non-voting) shall meet at least once annually to deal with WCCNM matters and at least once annually with the WCCNM.

1.6.2 A voting member CEO may designate a senior staff member or a CEO from another local government entity from their associated county to attend a meeting and vote on any matter that comes before the CEOs.

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Commented [AM4]: Added proposer citation for 2021 NMAC revisions

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Commented [AM5]: Changed to 3 from 7 due to the NMAC requirements that only one voting member per county is allowed

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1.6.3 CEO meetings shall be conducted in accordance with the New Mexico Open Meetings Act Section 10-15-1 *et seq* N.M.S.A. 1978.

1.6.4 A CEO may participate in a meeting by means of a conference telephone or other similar communications equipment and participation by such means shall constitute presence at a meeting.

Article II Election of a New CEO

2.1 Pursuant to 11.2.4.9.(A)(6) N.M.A.C. (N, 7/1/2018; A, 06/22/2021), within ninety (90) days of being elected as a CEO within a Local Area, the WCCNM shall be informed of such new CEO and the WCCNM shall ensure that the new CEO submits to the WCCNM a written statement acknowledging that he or she:

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a) has read, understands and shall comply with this Agreement; and

b) reserves the option to request negotiations to amend this Agreement at any time during his or her tenure as a CEO.

Commented [AM7]: Added prooper citation for 2021 NMAC revisions

Article III Lead CEO

3.1 The CEOs shall select from among themselves, by a majority vote, a lead CEO who shall act on behalf of the CEOs with respect to WCCNM related matters. The lead CEO shall serve a term of one (1) year with the option of successive terms. The CEO's shall send to the WCCNM (i) the name, contact information, and term of the lead CEO, and (ii) the process by which the lead CEO was selected. The CEOs shall also inform the WCCNM that the lead CEO shall serve as the signatory for the CEOs and that the designated lead CEO may vote on any item presented to the WCCNM or the Executive Committee of the WCCNM. See 11.2.4.9(B)(1)

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N.M.A.C. – (N, 7/1/2018; A, 06/22/2021).

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Article IV Grant Funds

4.1 **Grant Recipient.** The CEOs shall serve as the grant recipient for the grant funds allocated to the Local Area under the WIOA. The CEOs designate the WCCNM as the entity that shall receive and administer the grant funds. See [WIOA 107\(d\)\(12\)\(B\)\(i\); 20 CFR § 683.710, 11.2.4.9\(A\)\(1\) N.M.A.C \(N, 7/1/2018; A, 06/22/2021\).](#)

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Commented [AM9]: Update NMAC Reference

4.2 **Liability for Misuse.** The CEOs acknowledge that they are liable for any misuse of grant funds allocated to the Local Area. The CEOs shall share any such liability in proportion to the relative population of the counties and municipalities they represent. The WCCNM shall procure and maintain professional liability insurance coverage for its members and provide the CEOs as named insured. The WCCNM also shall require appropriate coverage from contract service providers based on the type of service provided and further require that the service providers agree to indemnify the WCCNM and the CEOs for any liability imposed on the CEOs. See [WIOA 107 \(d\)\(12\)\(B\)\(i\)\(I\); 20 CFR Part 679.310\(e\); 11.2.4\(9\)\(A\)\(1\) N.M.A.C \(N, 7/1/2018; A, 06/22/2021\).](#)

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4.3 The CEOs shall appoint a fiscal agent to administer and account for grant funds per 20 CFR Part 679.420; 11.2.4.9(A)(3). The CEOs shall appoint such fiscal agent after receiving a recommendation from WCCNM. If the CEOs reject such recommendation, the CEOs shall notify the WCCNM within 120 days, indicating its reasons for such rejection and instructing the WCCNM to again recommend a fiscal agent. The CEOs appoint the Mid-Region Council of Governments as the fiscal agent as of the date of this Agreement and until they appoint a successor fiscal agent.

Article V Oversight of WCCNM

5.1 The CEOs shall appoint members of the WCCNM as provided in the CEO and

WCCNM Partnership Agreement, dated December 10, 2018 and incorporated in this Agreement.

5.2 The CEOs annually shall review the members of the WCCNM and ensure that such membership comports with the WIOA 107(b), 20 CFR § 679.320 and 11.2.4.11 N.M.A.C. – (N, 7/1/2018; A, 06/22/2021) and that the membership fairly and equitably represents each of the counties and municipalities located in the Local Area.

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5.3 The CEOs shall approve WCCNM's budget annually at a meeting held before the beginning of the fiscal year to which the budget applies. See WIOA 107(d)(12)(A) and 20 CFR 679.370(o).

Article VI

Joint Meeting

The CEOs shall have at least one joint meeting with the WCCNM annually.

Article VII

Miscellaneous

7.1 **Amendments.** Any CEO may request that this Agreement be amended by submitting the proposed amendment to all the CEOs. At a regularly scheduled meeting or a special meeting called for such purposes, the CEOs shall consider whether to adopt such amendment. Any amendments to this Agreement shall be made with a majority vote of the CEOs present at the meeting. All amendment or changes shall be maintained at the local administrative entity office and available for monitoring by the state administrative entity.

7.2 **Duration.** This Agreement must be ratified every four (4) years by the CEOs.

7.3 **Authority to Act.** Each CEO signing on behalf of a given jurisdiction shall obtain the necessary authorization required.

7.4 **Counterparts.** This Agreement may be executed in separate counterparts, each of which when so executed shall be an original, but all of such counterparts shall together constitute

but one and the same instrument.

| **Passed, Approved and Adopted** by the Chief Elected Officials at their meeting on January 25⁶, 2022.

Chief Elected Officials

Lead CEO: _____ Date: _____
Greggory Hull, Mayor, City of Rio Rancho

Voting CEO Members

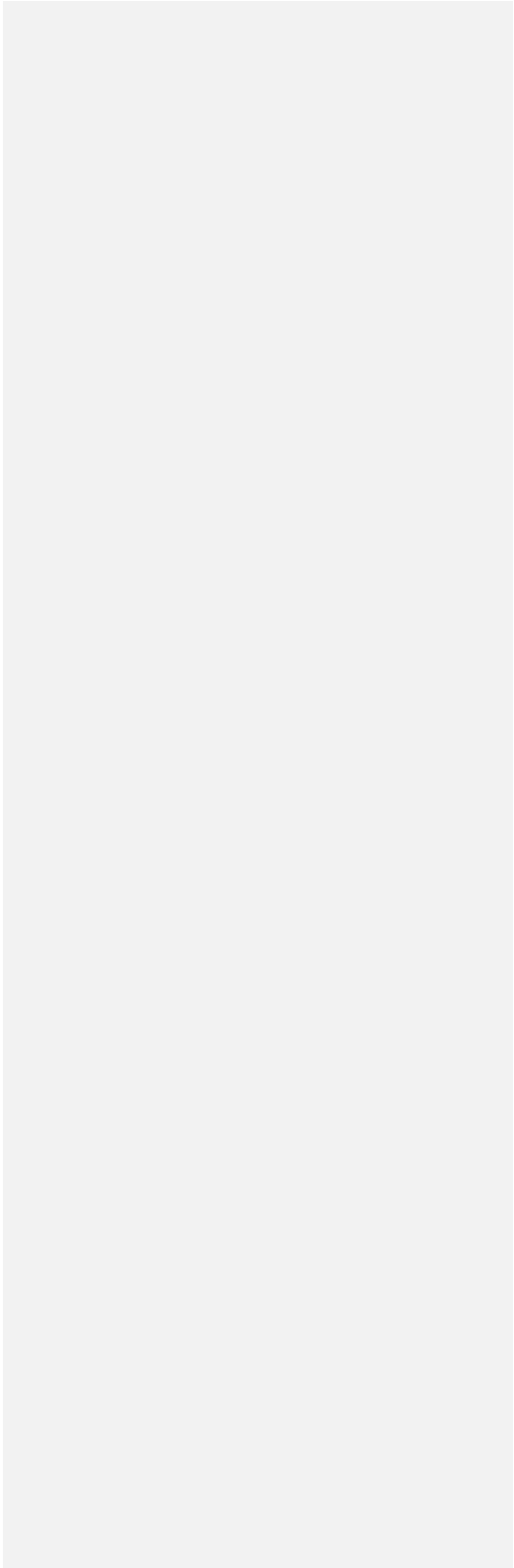
Bernalillo County

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Sandoval County _____ date: _____

Torrance County

date: _____



Valencia County _____ date: _____

Non-Voting CEO Members

Albuquerque

date:

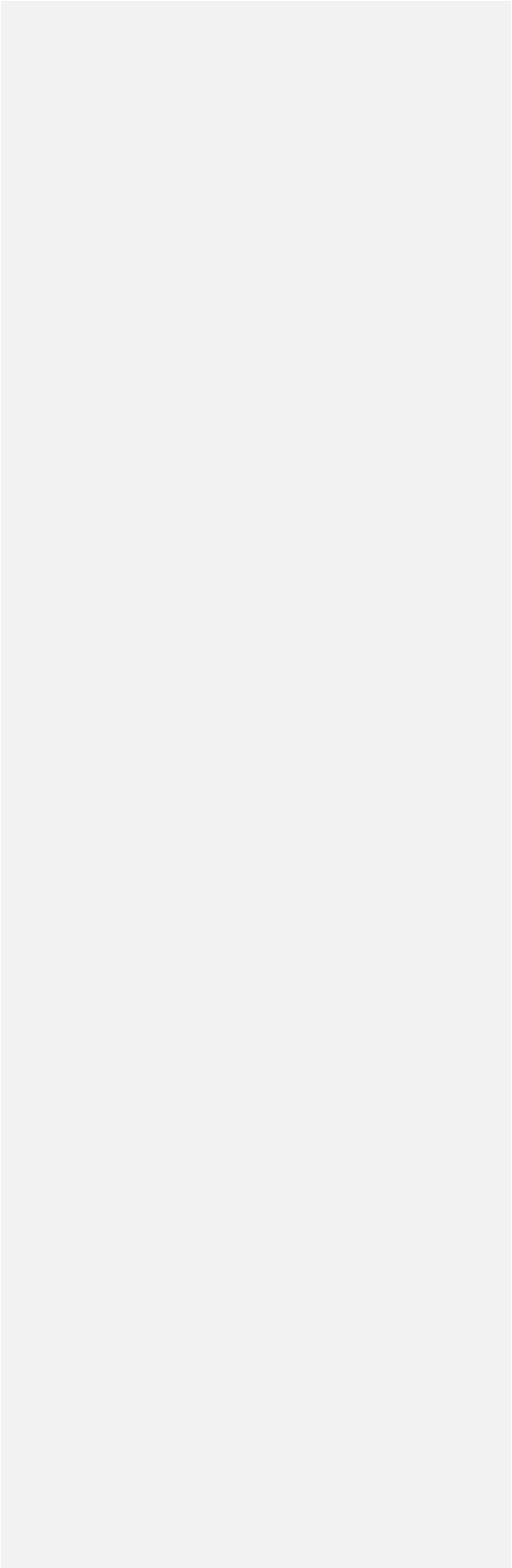
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Edgewood

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Los Ranchos de
Albuquerque

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Tijeras

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Bernalillo

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Corrales

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Cuba

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Jemez Springs

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Rio Rancho

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San Ysidro

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Encino

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Estancia

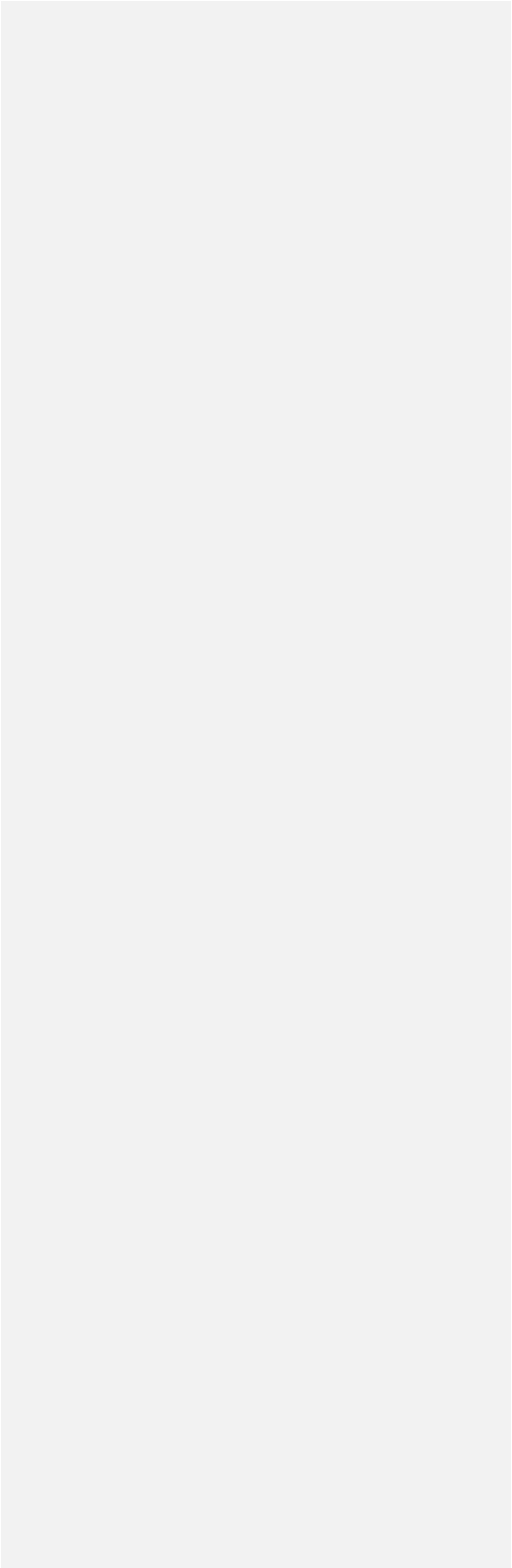
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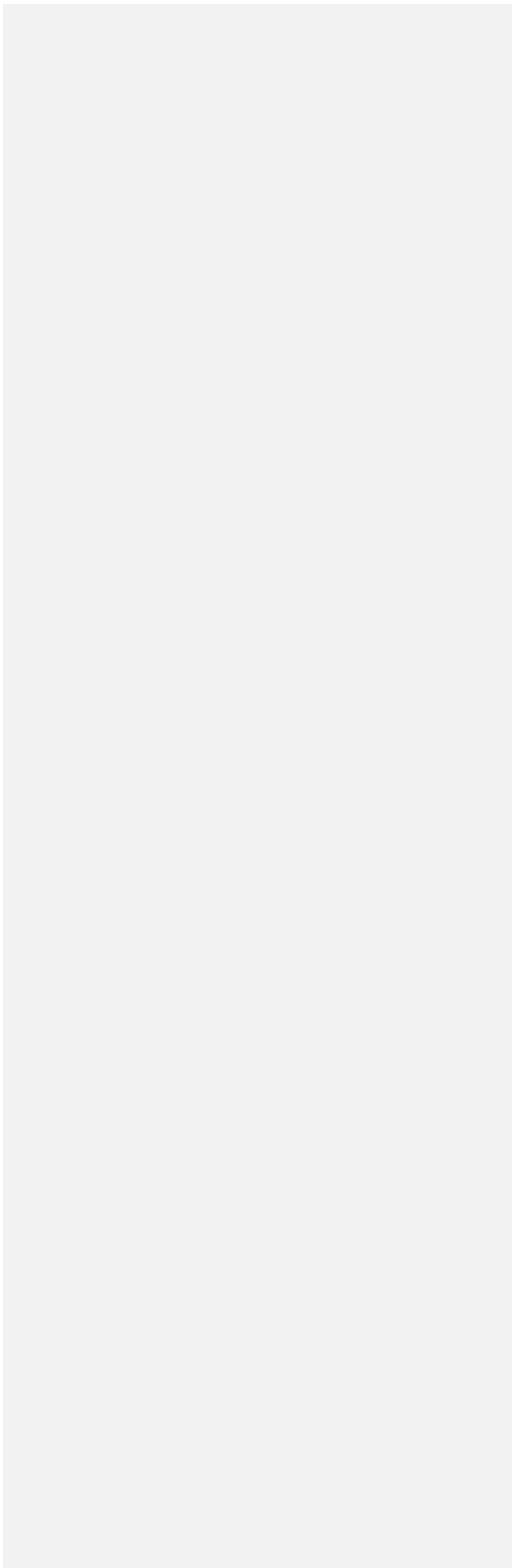


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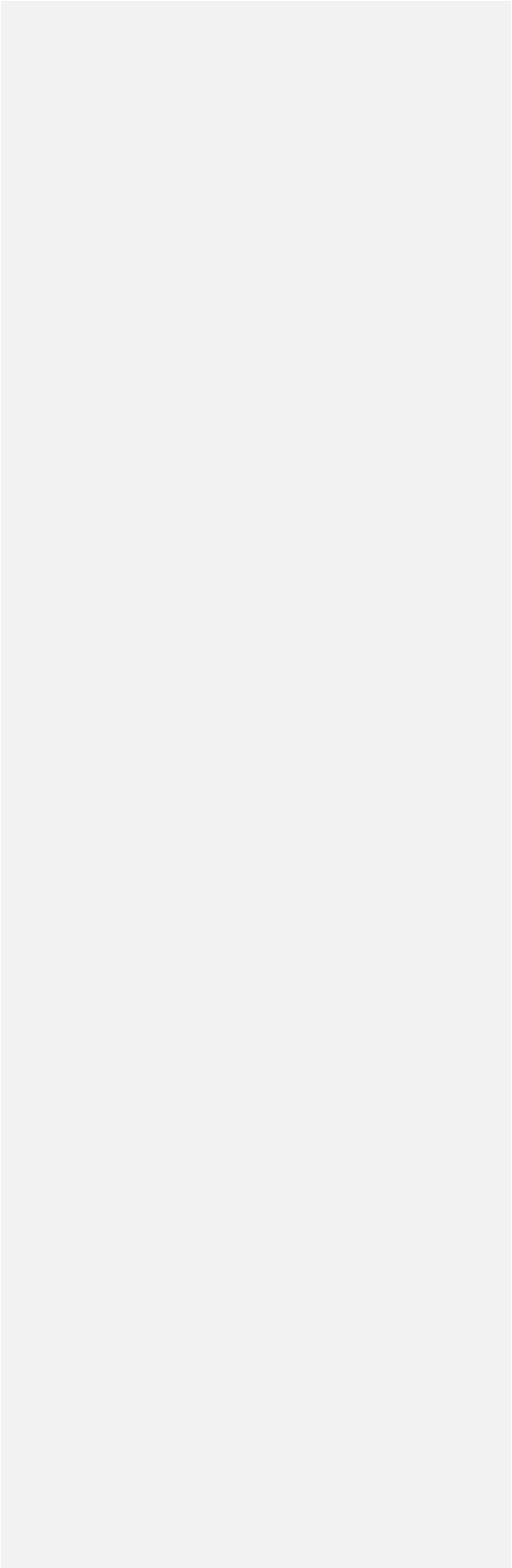
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Los Lunas

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Peralta

date: _____



WCCNM CHIEF ELECTED OFFICIALS
Voting Procedure at Chief Elected Officials Meetings

I. EFFECTIVE:

- (a) January 25, 2022

II. PURPOSE:

- (a) The purpose of this rule is to establish a voting procedure for the WCCNM CEO's to ensure compliance with NMAC 11.2.4.7 as follows:

"Chief elected official (CEO) is the chief elected executive officer of a unit of general local government in a local area. CEOs shall consist of one county commissioner, or their designee, from each county located in the area. In a case in which a local area includes more than one unit of general local government, the points of contact shall only be the recognized CEOs for each county located in that area."

Additionally, the NM Department of Workforce Solutions provided further clarification in a response to a question or comment with the following:

"This does not prevent participation from other elected officials in the community, however, the only voting member is the CEO who may consider the input and contributions from the other elected officials."

III. BOARD MEETING ACTION ITEMS:

- (a) During a Chief Elected Officials meeting, an action item must be motioned and seconded by voting CEO members.
- (b) Discussion will be offered on the item.
- (c) The Lead CEO chairing the meeting will call for the recommendations to pass or fail by vote on the item from the non-voting CEO members of each county.
- (d) A tally of the recommendation vote shall be announced by county.
- (e) The Lead CEO chairing the meeting will then call for the vote on the item from the voting CEO members representing their respective counties. The voting CEO Member is encouraged to consider the input and recommendations from other non-voting county member elected officials.
- (f) The Lead CEO will indicate whether the motion passed or failed.

IV. APPROVED

- (a) This procedural rule was approved by WCCNM CEO Board Vote on January 25, 2022.

Lead CEO

WCCNM CHIEF ELECTED OFFICIALS
Voting Procedure at Chief Elected Officials Meetings

I. EFFECTIVE:

(a) January 25, 2022

II. PURPOSE:

(a) The purpose of this rule is to establish a voting procedure for the WCCNM CEO's to ensure compliance with NMAC 11.2.4.7 as follows:

"Chief elected official (CEO) is the chief elected executive officer of a unit of general local government in a local area. CEOs shall consist of one county commissioner, or their designee, from each county located in the area. In a case in which a local area includes more than one unit of general local government, the points of contact shall only be the recognized CEOs for each county located in that area."

Additionally, the NM Department of Workforce Solutions provided further clarification in a response to a question or comment with the following:

"This does not prevent participation from other elected officials in the community, however, the only voting member is the CEO who may consider the input and contributions from the other elected officials."

III. BOARD MEETING ACTION ITEMS:

- (a) During a Chief Elected Officials meeting, an action item must be motioned and seconded by voting CEO members.
- (b) Discussion will be offered on the item.
- (c) The Lead CEO chairing the meeting will call for recommendations on the item from the non-voting CEO members.
- (d) The Lead CEO chairing the meeting will then call for the vote on the item from the voting CEO members representing their respective counties. The voting CEO Member is encouraged to consider the input and recommendations from other non-voting county member elected officials.
- (e) The Lead CEO will indicate whether the motion passed or failed.

IV. APPROVED

This procedural rule was approved by WCCNM CEO Board Vote on January 25, 2022.

Lead CEO

Workforce Connection

of Central New Mexico



Chief Elected Officials & Workforce Connection of Central New Mexico Partnership Agreement

Adopted, January 7, 2013

Revised, December 10, 2018

Revised August 3, 2021

Amended January 25, 2022

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**CHIEF ELECTED OFFICIALS
AND
WORKFORCE CONNECTION OF
CENTRAL NEW MEXICO
PARTNERSHIP AGREEMENT**

This Chief Elected Officials and Workforce Connection of Central New Mexico Partnership Agreement (“Agreement”) is entered into by and between the Chief Elected Officials of Bernalillo County, Sandoval County, Torrance County, and Valencia County (“CEOs”) and the Workforce Connection of Central New Mexico (“WCCNM”).

WHEREAS, 11.2.4.10 NMAC (2018) requires that the CEOs and WCCNM enter into a partnership agreement indicating the relationship between them and the WCCNM roles and responsibilities as provided in the Workforce Innovation and Opportunity Act of 2014 (“WIOA”), the New Mexico Workforce Development Act and attendant federal and state rules and regulations.

WHEREAS, the CEOs and WCCNM intend this Agreement as their partnership agreement.

NOW, THEREFORE, the CEOs and WCCNM agree as follows:

**Article I
General Provisions**

1.1 Terms used in this Agreement adhere to the definitions in the WIOA and 11.2.4.7

NMAC ~~(N, 7/1/2018; A, 06/22/2021) (2018);~~

Commented [AM1]: Added proper citation for 2021 NMAC revisions

1.2 **WCCNM.** The WCCNM is the local workforce development investment board for central New Mexico, which includes Bernalillo, Sandoval, Torrance and Valencia Counties.

1.3 **CEO Local Government Composition.** CEOs shall consist of one county commissioner, or their designee, from each county located in the area. In a case in which a local area includes more than one unit of general local government, the points of contact shall only be the recognized CEOs for each county located in that area. This does not prevent participation from other elected officials in the community, however, the only voting member is the CEO who may consider the input and contributions from the other elected officials for counties. The CEOs comprise (a) the Commission Chairs or a designated elected official from the Board of County Commissioners of each of the four (4) counties; and (b) the Mayors, or a designated elected official of the municipalities of the four (4) counties articulated in paragraph 1.2 above.

Commented [AM2]: Added modified language from NMAC 11.2.4.7 (A 6/22/2021)

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Article II WCCNM

2.1 Appointment of WCCNM.

A. The CEOs will appoint the WCCNM from the individuals nominated to the CEOs as provided in this Agreement. For each member of the WCCNM that requires a nomination, the nominating organization will submit to the CEOs a document or letter signed by the organization's chief executive officer, or his or her designee, identifying the nominee. The document or letter must also acknowledge the nominee's optimum policy making authority and include the nominee's curriculum vitae, resume, or work history supporting the nominee's qualifications. Any appointment of a WCCNM member will be signed by the lead CEO who will

submit such appointment to the WCCNM administrative entity.

B. The CEOs will fill any vacancy in the WCCNM within ~~120-90~~ days of the vacancy. THE CEOs will also reappoint any member of the WCCNM within ~~120~~ 90 days of the expiration of the member's term.

Commented [AM3]: Modified to new requiremnts of NMAC

C. Any action taken by the WCCNM with a vacancy or term expiration beyond ~~120-90~~ days will be void unless the WCCNM has received a waiver approved by the State Administrative Entity ("SAE") prior to the meeting of the WCCNM at which such action will be taken. The WCCNM will request the waiver in writing, explaining why a vacancy of expired term was not filled within the ~~90+120~~-day timeframe and a description of the process underway to fill the vacancy or expired term.

D. WCCNM members who no longer hold the position or status for which they were appointed will resign, or be removed by the CEOs, immediately.

2.2 Membership of WCCNM.

The WCCNM consists of the following members, pursuant to 20 CFR 679.320.

Members must be individuals with optimum policy-making authority within the entities they represent:

A. Business Representatives. A majority of the members of the WCCNM must be representatives of business in the local area. At a minimum, two members must represent small business as defined by the U.S. Small Business Administration. Business representatives serving on WCCNM also may serve on the State Workforce Development Board. Each business representative must meet the following criteria:

- (i) Be an owner, chief executive officer, chief operating officer, or other

individual with optimum policy-making or hiring authority; and

(ii) Provide employment opportunities in in-demand industry sectors or occupations, as those terms are defined in WIOA sec. 3(23).

B. Workforce Sector At least 20 percent of the members of the WCCNM must be workforce representatives. These representatives:

(i) Must include two or more representatives of labor organizations, where such organizations exist in the local area. Where labor organizations do not exist, representatives must be selected from other employee representatives;

(ii) Must include one or more representatives of a joint labor-management, or union affiliated, registered apprenticeship program within the area who must be a training director or a member of a labor organization. If no union affiliated registered apprenticeship programs exist in the area, a representative of a registered apprenticeship program with no union affiliation must be appointed, if one exists;

(iii) May include one or more 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 provide or support competitive integrated employment for individuals with disabilities; and

(iv) May include one or more representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of

organizations that serve out-of-school youth.

C. The WCCNM also must include:

- (i) At least one eligible training provider administering adult education and literacy activities under WIOA title II;
- (ii) At least one representative from an institution of higher education providing workforce investment activities, including community colleges; and
- (iii) At least one representative from each of the following governmental and economic and community development entities:
 - a) Economic and community development entities;
 - b) The State Employment Service office under the Wagner-Peyser Act (29 U.S.C. 49*et seq.*) serving the local area; and
 - c) The programs carried out under title I of the Rehabilitation Act of 1973, other than sec. 112 or part C of that title;

D. The membership of the WCCNM Board may include individuals or representatives of other appropriate entities in the local area, including:

- (i) Entities administering education and training activities who represent local educational agencies or community-based organizations with demonstrated expertise in addressing the education or training needs for individuals with barriers to employment;
- (ii) Governmental and economic and community development entities who represent transportation, housing, and public assistance programs;
- (iii) Philanthropic organizations serving the local area; and
- (iv) Other appropriate individuals as determined by the chief elected

official.

E. Diversity. In recommending or nominating to the Board, recommending bodies and all nominating committees must consider categorical representations, gender, ethnicity, and geographical representations.

F. CEO Representative. A designated CEO, as described in the Workforce Connection of Central New Mexico CEO Agreement, will represent the CEOs.

2.3 Terms

A. Each WCCNM member will serve a term of three years and may serve successive terms. The CEOs will certify the eligibility of the WCCNM members annually.

B. Members will be appointed so as to assure that the WCCNM is staggered with one-third of the WCCNM, or as close to one third as possible, is appointed annually.

C. Any member replacing any out-going member during the latter's term will serve the remainder of the out-going member's term.

2.4 Removal

A. The CEOs will remove a WCCNM member if any of the following occurs:

- (i) documentation that a WCCNM member no longer holds the position or status for which they were appointed;
- (ii) documented conflict of interest;
- (iii) failure to meet the representation requirements provided in this Agreement;
- (iv) documented proof of fraud;
- (v) documented violation of the Code of Conduct; or

(vi) as provided in the WCCNM Bylaws.

B. The WCCNM will document the specific criteria and the process used to establish cause for removal of a WCCNM member.

Article III Functions of the WCCNM

3.1 General Powers. The WCCNM is a policy board serving on behalf of the CEOs for the Local Area. In carrying out its responsibilities, the WCCNM shall have planning and goal setting authority and provide oversight for the WIOA program.

3.2 Local Plan. The CEOs and WCCNM will develop a four-year comprehensive local plan (the “Local Plan”) consistent with the WIOA, and any regulations, and support the strategy described in the State Plan and be consistent with the State Plan adopted by the State Workforce Investment Board (the “State Plan”). The WCCNM will present a proposed Local Plan to the CEOs for their review and approval. Upon CEO approval the WCCNM will submit the Local Plan to the SAE.

The Local Plan will include the provisions as described in Article IV of this Agreement and will be consistent with the State Plan as articulated in WIOA Sec 102 and 106.

3.3 One-Stop Delivery System. The WCCNM will select the One-Stop Delivery System Operator or Operators (“Operator”), as described in Article V of this Agreement, for the Local Area. Before final selection of the Operator, the WCCNM will submit its recommended Operator to the CEOs for their agreement. The operation of the One-Stop Delivery System will be consistent with the State Plan in accordance with federal and state procurement policies.

3.4 Identification of Eligible Youth Service Providers. The WCCNM will identify eligible youth activity providers in the Local Area and contract with the youth services provided selected to provide youth services in accordance with federal and state procurement policies, based

on the recommendations of the Youth Council.

3.5 Identification of Eligible Adult Services Providers. The WCCNM will identify and certify eligible adult service providers in the Local Area and contract with the adult service provider select to provide adult services in accordance with federal and state procurement policies.

3.6 Local Performance Measures. The WCCNM and the CEOs will negotiate with the SAE to reach agreement on performance measures in the Local Area.

3.7 Employment Statistic System. The WCCNM will assist the SAE in developing a statewide employment statistic system.

3.8 Employer Linkages. The WCCNM will coordinate the workforce investment activities carried out in the Local Area under the WIOA with other economic development strategies and develop other employer linkages with such activities.

3.9 Connecting, Brokering and Coaching. The WCCNM will promote the participation of private sector employers in the State of New Mexico's workforce investment system and ensure the effective provision, through the system, of connecting, brokering, and coaching activities through intermediaries such as the One-Stop Operator in the Local Area or through other organizations to assist such employers in meeting hiring needs.

3.10 Reporting. The WCCNM will provide the CEOs with an annual audit in accordance with the State Auditors rules and regulations. A copy and verbal report will be provided to the CEOs. The chair of the WCCNM shall present a status report and update of the WIOA program to the CEOs on a semi-annual basis or when requested by the CEOs.

3.11 Budget. Prior to the ending of the fiscal, the WCCNM will develop a budget for the succeeding fiscal year for the purpose of carrying out the duties of the WCCNM and submit the budget to the CEOs for their approval.

3.12 Other Responsibilities. The WCCNM may adopt policies, as needed, to further the

purposes of this Agreement, and as assigned by the WIOA. All such policies will be submitted to the CEOs for their approval. The lead CEO, acting for the CEOs, may approve any policy for the CEOs.

**Article IV
The Local Plan**

As stated in WIOA Section 106 and 108, and 20 CFR 679.560, The Local Plan will include:

4.1 Economic and Workforce Analysis. A description of the WCCNM local areas' current economic and workforce conditions. WIOA § 108. To Include:

- A. Analysis of economic conditions including existing and emerging in-demand industry sectors and occupations;
- B. Analysis of employment needs of employers in existing and emerging in-demand industry sectors and occupations;
- C. Identification of knowledge and skills needed to meet the employment needs of the employers in the region, including employment needs in in-demand industry sectors and occupations;
- D. An analysis of the WCCNM area's workforce, including current labor force employment and unemployment data, information on labor market trends, and educational and skill levels of the workforce, including individuals with barriers to employment.

4.2 Analysis of Workforce Development Activities. An analysis of workforce development activities, including education and training, in the WCCNM's area. To include the strengths and weaknesses of workforce development activities and capacity to provide the workforce development activities to address the education and skill needs of the workforce, including individuals with barriers to employment, and the employment needs of employers.

4.3 Strategic Vision and Goals. The Local Plan must describe WCCNM's strategic

vision and goals. To Include:

- A. A description of WCCNM's strategic vision to support regional economic growth and self-sufficiency. This includes goals for preparing an educated and skilled workforce (including youth and individuals with barriers to employment), and goals relating to the performance accountability measures based on performance indicators.
- B. A description of WCCNM's overall strategy for working with the entities that carry out the core programs and required partners to align resources available to the local area, to achieve the strategic vision and goals.

4.4 Local Workforce System Structure. A description of WCCNM's structure of the local workforce system, to include:

- A. Local Board Area Profile. A geographical description of WCCNM's workforce development area, including the LWDA's major communities, major employers, training and educational institutions (technical and community colleges, universities, etc.), population, diversity of the population, and relevant growth trends.
- B. Local Board Structure. A full roster of local board membership, including the group each member represents, in **Attachment B**. Include a list of all standing committees, along with a description of the purpose of each committee.
- C. A description of WCCNM's workforce development system identifying programs that are included in the system; demonstrating alignment with regional economic, workforce and workforce development analysis. Additionally, **Attachment C** will include the following:

- (i) Information regarding WCCNM's one-stop business and career centers to include address and phone numbers;
- (ii) Indicate the one-stop operator for each site and whether it is a comprehensive or satellite center, and;
- (iii) A list of the one-stop partners physically located at each of the WCCNM one-stop business and career centers, and the services provided by these partners.

D. WCCNM's description on supporting the strategies identified in the State Plan and work with the entities carrying out core programs and other workforce development programs, including programs of study authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) to support service alignment.

4.5 Local Workforce Development System Alignment

WCCNM's description of the local workforce development system is aligned, to include the following.

- A. A description of how WCCNM coordinates between entities carrying out core programs to expand access to employment, training, education, and supportive services for eligible individuals, particularly eligible individuals with barriers to employment. § 102(2)(b)(iii)
- B. A description of how WCCNM works with entities carrying out core programs to facilitate the development of career pathways and co-enrollment, as appropriate, in core programs.
- C. A description of how WCCNM works with entities carrying out core programs to improve access to activities leading to a recognized postsecondary

credential.

4.6 Local Strategy Implementation

WCCNM's strategies and the implementation of initiatives to support those strategies relative to the following elements.

- A. A description of the WCCNM's strategies and services that are used to facilitate engagement of employers in workforce development programs, including small employers and employers in in-demand industry sectors and occupations.
- B. A description of the WCCNM's strategies and services that are used to support the local workforce development system that meets the needs of businesses in the local area.
- C. A description of WCCNM's strategies and services that are used to better coordinate workforce development programs and economic development.
- D. A description of WCCNM's strategies and services that are used to strengthen linkages between the one-stop delivery system and unemployment insurance programs.
- E. A description of how WCCNM will coordinate local workforce investment activities with regional economic development activities that are carried out in the local area and how the local board will promote entrepreneurial skills training and small business services.
- F. A description of how WCCNM will develop and implement training across systems for all core partners to ensure a unified approach to service delivery; including vocational rehabilitation.

4.7 One-Stop Delivery System - A description of WCCNM's one-stop delivery system in the local area, including:

A. A description of how WCCNM will ensure the continuous improvement of eligible providers through the system and how such providers will meet the employment needs of local employers, workers, and job seekers WIOA § 102(2)(c);

B. A description of how WCCNM will facilitate access to services provided through the one-stop delivery system, including in remote areas, through the use of technology and other means;

C. A description of entities within the one-stop delivery system, including one-stop operators and the one-stop partners, will comply with WIOA sec. 188 (Nondiscrimination), if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding the physical and programmatic accessibility of facilities, programs and services, technology, and materials for individuals with disabilities, including providing staff training and support for addressing the needs of individuals with disabilities

D. A description of the specific roles and resource contributions of the one-stop partners, to date. Please include your process for updating any cooperative agreements, resource sharing agreements, and memoranda of understanding relevant to the Workforce Innovation and Opportunity Act.

E. A description of how entities within the one-stop delivery system, including one-stop operators and the one-stop partners, will provide for the Accessibility for English Language Learners (ELL).

4.8 Service Implementation for Indicated Populations – A description of services to target populations, including:

A. Youth

- (i) A description and assessment of the type and availability of youth workforce investment activities in the local area including activities for youth with disabilities, and other barriers, such as homeless youth, foster and former foster youth, and/or expecting and parenting youth.
- (ii) Describe how the local board is working to fulfill specific Youth requirements, as laid out in the Workforce Innovation and Opportunity Act, including:
 - a) how the board is providing for the 14 required Youth service elements;
 - b) approach towards meeting the 20% work experience, including the use of Registered Apprenticeship as a service strategy;
 - c) must be 75 percent minimum Out of School Youth (OSY) minimum expenditure;
 - d) a description of changes in the youth provider's service delivery models;
 - e) a description of any changes in outreach activities around Youth; and
 - f) any changes in Youth case management approach, including the use of supportive services.

B. Adults and Dislocated Workers

- (i) A description and assessment of the type and availability of adult and dislocated worker employment and training activities in the local area, including any services targeted toward adult populations with barriers,

such as displaced homemakers, homeless adults, ex-offenders, single parents and pregnant women, and/or long-term unemployed.

C. Individuals with Disabilities

- (i) A description of how individuals with disabilities will be served through the WCCNM one-stop centers, including copies of executed cooperative agreements which define how all local service providers, including additional providers, will carry out the requirements for integration of and access to the entire set of services available in the local one-stop delivery system. This includes cooperative agreements (as defined in WIOA sec. 107(d)(11)(C)) between the WCCNM or other local entities described in WIOA sec. 101(a)(11)(B) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)(11)(B)) and the local office of a designated State agency or designated State unit administering programs carried out under title I of the Rehabilitation Act (29 U.S.C. 720 et seq.) (The Division of Vocational Rehabilitation within the NM Public Education Department and the Commission for the Blind) (other than sec. 112 or part C of that title (29 U.S.C. 732, 741) and subject to sec. 121(f)) in accordance with sec. 101(a)(11) of the Rehabilitation Act (29 U.S.C. 721(a)(11)) with respect to efforts that will enhance the provision of services to individuals with disabilities and to other individuals, such as cross training of staff, technical assistance, use and sharing of information and resources, cooperative efforts with employers, and other efforts at cooperation, collaboration, and coordination, such as improving or creating referral processes, joint enrollment and case management

D. Veterans

- (i) Describe WCCNM's strategic approach to serving Veterans to improve employment outcomes for this population, including priority of service efforts.

E. Migrant Seasonal Farm Workers

- (i) Describe WCCNM's approach to serving migrant seasonal farmworkers within its respective area to increase education and employment outcomes for this population.

F. Native Americans

- (i) Describe WCCNM's approach to serving Native Americans within its respective area to increase education and employment outcomes for this population.

G. Individuals with Low Income

- (i) Describe how the WCCNM will identify and work with low-income individuals, including any plans to coordinate locally with the Temporary Assistance for Needy Families (TANF) program to serve this population, as well as to serve TANF clients that have exhausted their benefits.

H. Older Individuals

- (i) Describe how the WCCNM will coordinate WIOA title I workforce investment activities with the Senior Community Service Employment Program (Title V of the Older Americans Act of 1965) to serve the employment needs of older individuals.

I. Individuals with Low Literacy Levels

- (i) Describe how the WCCNM will coordinate WIOA title I workforce investment activities with adult education and literacy activities under WIOA title II. Describe the joint planning processes that will enhance the provision of services to individuals with receiving adult education services, such as cross training of staff, technical assistance, sharing resources, sharing of information, cooperative efforts to improve or create referral processes, joint enrollment and case management. This description will include how the WCCNM will carry out the review of local applications submitted under title II consistent with WIOA Secs. 107(d)(11)(A) and (B)(i) and WIOA sec. 232.

4.9 Coordination of Services Across Programs – A description of how services are coordinated across programs, including:

- A. Wagner Peyser Services - Provide a description of plans, assurances, and strategies for maximizing coordination, improving service delivery, and avoiding duplication of Wagner-Peyser Act (29 U.S.C. 49 et seq.) services and other services provided through the one-stop delivery system WIOA § 108(6)(1)(12);
- B. Rapid Response Activities - A description of how the WCCNM will coordinate workforce investment activities carried out in the local area with statewide rapid response activities as described in § 134(a)(2)(A)
- C. Secondary and Postsecondary Education System –
 - (i) a description of how the WCCNM will coordinate relevant secondary and postsecondary education programs and activities with education and workforce investment activities to coordinate strategies, enhance services, and avoid duplication of services;

(ii) Describe how the WCCNM will work with entities carrying out core programs to improve access to activities leading to a recognized postsecondary credential.

D. Supportive Services- A description of how the WCCNM will coordinate WIOA title I workforce investment activities with the provision of transportation and other appropriate supportive services in the local area.

E. Follow-up Services - A description of the WCCNM's follow-up policy and procedures for each of the targeted groups in Section G.

F. Service Priorities - A description of the direction given by the Governor (NMDWS) and the WCCNM to the one-stop operator to ensure priority for adult career and training services will be given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient consistent with WIOA sec. 134(c)(3)(E) and §680.600 of the WIOA DOL Rule.

G. Outreach Efforts- A description of WCCNM's methods to coordinate outreach efforts across partner programs for shared customers and target populations.

H. Professional Development Activities – A description of how professional development activities will be coordinated across all partner programs staff.

I. Referrals – A description of the WCCNM will coordinate customer referrals across partner programs.

J. Partner Programs - A description other services (additional partners) provided in the one-stops to support the local workforce development system and customers.

4.10 Economic and Workforce Analysis - A description of the current the WCCNM's current economic and workforce conditions current description of the regional economy, and include the following:

- A. Identification of the entity responsible for the disbursement of grant funds described in WIOA sec. 107(d)(12)(B)(i)(III).
- B. A description of the competitive process that will be used to award the subgrants and contracts for WIOA title I activities. **Attachment A** will include all WCCNM's procurement policies and conflict of interest provisions.
- C. Attachment E will provide WCCNM's levels of performance negotiated with the NMDWS and chief elected official consistent with WIOA sec. 116(c).
- D. A description of the strategies to employ for the WCCNM to remain as a high-performing workforce development board.
- E. A description of training services outlined in WIOA sec. 134 will be provided in the use of individual training accounts, including, if contracts for training services will be used, how the contract will be coordinated with the use of individual training accounts, and how the WCCNM will ensure informed customer choice in the selection of training programs.
- F. A description of WCCNM's implementation of pay-for-performance contract strategy for certain elements and communications utilized to define expectation to service providers – *if the WCCNM chooses to implement this strategy*.
- G. A report on the local board's expected obligation and expenditure rates for the current PY.
- H. A description of a strategy to implement or transition to an integrated,

technology-enabled intake and case management information system for programs carried out under WIOA and by one-stop partners.

4.11 Assurances – The following table will be included as reference.

#	Assurance	Indicate Yes or No
1.	The LWDB obtained input into the development of the Local Plan and provided an opportunity for comment on the plan by representatives of local boards and chief elected officials, businesses, labor organizations, institutions of higher education, the entities responsible for planning or administrating the core programs and other programs included in the Plan, other primary stakeholders, and the general public, and the Local Plan is available and accessible to the general public.	
2.	The LWDB has established a policy identifying circumstances that may present a conflict of interest for a local board member, or the entity or class of officials that the member represents, and procedures to resolve such conflicts.	
3.	The LWDB has established a policy to provide to the public (including individuals with disabilities) access to meetings of local boards and local boards, and information regarding activities of local boards, such as data on board membership and minutes.	
4.	The LWDB has established fiscal control and fund accounting procedures necessary to ensure the proper accounting for funds paid to the local boards for adult, dislocated worker, and youth programs to carry out workforce investment activities under chapters 2 and 3 of subtitle B.	
5.	The Federal funds received to carry out a core program will not be expended for any purpose other than for activities authorized with respect to such funds under that core program.	
6.	Service providers have a referral process in place for directing Veterans with Significant Barriers to Employment (SBE) to DVOP services, when appropriate.	
7.	The LWDB has implemented a policy to ensure a process is in place for referring veterans with significant barriers to employment to career services provided by the JVSG program's Disabled Veterans' Outreach Program (DVOP) specialist.	
8.	The LWDB established procedures that set forth criteria to be used by chief elected officials for the	

	appointment of local workforce investment board members.	
9.	Priority of Service for covered persons is provided for each of the Title I programs; and	
10.	The LWDB has taken appropriate action to secure compliance with the Uniform Guidance at 2 CFR 200 and 2 CFR 2900 and WIOA 184(a)(3).	

4.12 **Attachments**

- A. Attachment A – An electronic copy of all WCCNM policies relevant to the implementation of WIOA.
- B. Attachment B – A full roster of local board membership, including the group each member represents. A list of all standing committees, along with a description of the purpose of each committee.
- C. Attachment C – A description of the one-stop centers in the Central Region, including address and phone numbers; the one-stop operator and or site manager for each site and whether it is a comprehensive or satellite center; a list of the one-stop partners physically located at each of the one-stop centers in the local board area and associated services provided by these partners.
- D. Attachment D - Copies of any draft or completed cooperative agreements, resource sharing agreements, and memoranda of understanding that may be relevant to the WIOA.
- E. The WCCNM local levels of performance negotiated with the NMDWS and chief elected official, to be used to measure the performance of the local area and to be used by the local board for measuring the performance of the local fiscal agent, eligible providers under WIOA title I subtitle B, and the one-stop delivery system in the local area, for current and previous PYs.

Article V
Establishment of One-Stop System and Partnerships

5.1 One-Stop Operators. Consistent with the State Plan, the WIOA and NMAC 11.2.5.12 (2018) the WCCNM, with approval of the CEOs, will designate and certify a One-Stop Operator or Operators for the Local Area (the “One-Stop Operator”) through a competitive selection process. The WCCNM will have the authority, with the agreement of the CEOs, to terminate and decertify the One-Stop Operator in accordance with the terms of the contract and/or for cause. In order for an entity to be eligible to receive funds made available under the WIOA to operate as a One-Stop Operator, the entity must be designated or certified as a One-Stop Operator. WIOA § 121(d) and NMAC 11.2.5.13 (2018).

A. Eligible Entities. A One-Stop Operator shall be an entity or consortium of entities, (including a consortium of that at minimum include three or more one-stop partners described in subsection (b)(1)) of demonstrated effectiveness, located in the Local Area. If the One-Stop Operator will be an entity, it will be designated in accordance with federal and state procurement policies. If the Operator will be a consortium, it will include three or more of the One-Stop Partners, two of which will be the adult and disabled worker service provider and the Wagner-Peyser Act provider. The third member will be selected by the WCCNM from the One-Stop Partners. Members of the consortium will select one of them to serve as lead. The Operating Agreement will describe how the lead will be determined, the specific role of the lead, and how the lead will encourage consensus among the consortium. The One-Stop Operator shall be designated or certified as a one stop partner. The One-Stop Operator shall be selected by a competitive process. The One-Stop Operator shall disclose of any potential conflicts of interest arising from the

relationship of the operators with training service providers.

B. Duties of the One-Stop Operator. The One-Stop Operator will have the following duties:

- (i) Facilitate the daily operations of the Workforce Connection Center by coordinating service delivery among partners and staff; Manage partner responsibilities as defined in MOUs;
- (ii) Facilitate Workforce Connection Center staff/partner development;
- (iii) Oversee and ensure performance and continuous quality improvement activities;
- (iv) Handle EEO responsibilities, customer complaints, and ensure accessibility as outlined in local, state and federal guidance;
- (v) Implement board policy;
- (vi) Facilitate the development of reports and presentations to LWDB focused on partnership engagement, workforce development operations, performance accountability, and continuous improvements and other reports as required;
- (vii) Coordinate the integration and collaboration of all Workforce Connection Center partners/staff to ensure a seamless and streamlined system for customers and businesses;
- (viii) Collaborate with LWDB, partners, and staff to ensure businesses and the public are aware of all services available through the career centers and information is provided for accessing these services;
- (ix) Assure the Workforce Connection Centers comply with all required customer support and information as required under local, state and federal

regulations;

(x) Collaborate with partners to facilitate and participate in special projects such as job fairs, business driven workshops, and be responsible for communicating employers' needs to the Workforce Connection Center partners;

(xi) Convene regular meetings of the Workforce Connection staff and partners as required by local, state and federal regulations, and;

(xii) Other duties as outlined by local, state and federal regulations for the One-Stop Operator.

C. Operator Agreement. The WCCNM will enter into an Operator Agreement with the One-Stop Operator. The Operator Agreement will describe in detail how the following will be accomplished and maintained:

(i) Community and Partnership Development

a) Establish and sustain relationships with WCCNM's American Job Center partners with a focus on creating opportunities to engage in shared planning, visioning, continuous improvement, and program outcomes and evaluation.

b) Ongoing identification and development of community partners to engage in workforce systems activities that lead to improvements in community awareness or engagement in workforce development strategies; and enhanced interest in organizations and businesses to use WCCNM's American Job Center services.

c) Support the implementation of continuous quality improvement

approaches and methodologies to enhance the system effectiveness. Examples include, but are not limited to: adoption of change principles to directly enhance flow of service delivery, improve customer, and staff satisfaction; increased administrative efficiencies or improved funding leverage, youth friendly and youth engaged approaches, and inclusion of individuals with disabilities across all programs.

- d) Identify and coordinate capacity building activities to improve the effectiveness and performance of partners working with and within the WCCNM's American Job Center; including youth services and programs for individuals with disabilities.
- e) Facilitate opportunities for shared learning and training.
- f) Promote the WCCNM's American Job Center programs broadly; educate local community, agencies, and organizations about the partners and programs available.
- g) Convene regular meetings of all partner agencies and organizations to support full engagement and share leadership in the organizing and developing of ongoing activities and processes; including youth services and programs for individuals with disabilities.
- h) Actively engage in opportunities to share leadership with all partners by creating opportunities to report, present, and share activities, such as through local board and committee meetings, community forums, and other appropriate settings.

- i) Provide for conflict management and dispute resolution when issues arise between partner organizations.

(ii) Implementation and Compliance

- a) Provide guidance and leadership to ensure WCCNM's American Job Center policies and procedures are clearly communicated and followed.
- b) Provide guidance and leadership to ensure compliance with all Federal regulations related to WIOA, state and local policies are implemented accordingly. Additionally, ensure provisions of the U. S. Department of Labor Statement 29 CFR 38 Implementation of Nondiscrimination and Equal Opportunity are understood and followed.
- c) Provide guidance and leadership to partners and staff to ensure full coordination of services across all programs are implemented effectively; with quality and assurances necessary to eliminate or minimize duplication.
- d) Provide guidance and leadership to partners and staff to ensure services and programs are accessible for people with disabilities; create opportunities to engage in learning about best practices and approaches to serve people with disabilities.
- e) Provide guidance and leadership to all partners and staff to ensure services and programs for youth follow best practices in youth engagement and positive youth development.
- f) Create a systemic process that supports partner ownership and

adoption of effective shared practices necessary to support customers and businesses, including but not limited to co-enrollment, common intake, referral, case management, client performance, and business services.

- g) Works collaboratively with WCCNM's American Job Center partners to develop a robust system of training to support staff and seeks opportunities for shared learning and training; Assures WCCNM's American Job Center partners receive training in all services available through the workforce system, including UI.

(iii) Business Services

- a) Coordinate with partner agencies/organizations on strategies to develop, offer, and deliver quality business services that assist specific businesses and industry sectors in overcoming the challenges of recruiting, retaining, and developing talent for the regional economy.
- b) Address immediate and long-term skilled workforce needs of in-demand industries and critical skill gaps within and across industries.
- c) Provide oversight for the job posting information from businesses to the statewide employment database and assist employers who prefer to enter data directly.
- d) Coordinate a process with WCCNM's American Job Center staff on best practices to support effective screening and recruiting of

candidates for job openings for area employers.

- e) Implement effective activities to respond to employers' requests including the coordination of activities such as interview space, job fairs, and other services available within the WCCNM's American Job Center.
- f) Coordinate with partners to organize and implement local Rapid Response services for workers who have or will be dislocated from their jobs due to a business or plant closure, a major employer downsizing, or natural disasters.
- g) Collaborate with system partners to facilitate and collectively participate in special projects such as job fairs, business driven workshops, and be responsible for communicating employers' needs to the WCCNM's American Job Center partners.

5.2 One-Stop Partners. Consistent with the State Plan, the WCCNM shall enter into a memorandum of understanding (MOU), with approval of the CEOs, with each One-Stop Partner for the Local Area (the "One-Stop Partner") concerning the operation of the One-Stop System and Partnerships consistent with the Act and 11.2.5.10 NMAC (2018).

A. Partner Memorandum of Understanding (MOU): The MOU is the functional tool, as well as the visionary plan for how the local boards and one-stop partners will work together to create and execute a unified service delivery system that meets the needs of their shared customers. The following additional requirements for MOUs apply:

- (i) Local boards may develop a single "umbrella" MOU that addresses overarching issues for the local board, chief elected officials, and required

one-stop partners as they relate to the local one-stop delivery system. Alternatively, they may choose to enter into a separate MOU with each individual partner, or group of partners;

(ii) Each required one-stop partner entering into the MOU development and negotiation process designates a specific individual with authority to commit financially and programmatically on behalf of the required partner. This individual may be staff from a state agency's central, regional, or local office or a local representative providing services for a state-level entity through a contract, grant, or similar agreement.

(iii) MOUs must identify and detail how each required partner will contribute its proportionate share of infrastructure costs for the one-stop system.

(iv) The local board must report failure to execute any MOU with a required one-stop partner to DWS. If DWS cannot assist the local board to resolve the impasse, the failure to resolve the impasse will be reported to the US Secretary of Labor and the head of any other agency with responsibility for oversight of the required partner's program. In lieu of individual MOUs, the WCCNM may develop, and enter into with all One-Stop Partners, an "umbrella" MOU. Each MOU, or the umbrella MOU, will contain provisions describing the following: (a) the services to be provided through the One-Stop Delivery System; (b) the functional organization, customer flow and service delivery; (c) methods for referral of individuals between the One-Stop Partners, for the appropriate services and activities; (d) the duration of the MOU and the procedure for amending

the MOU; and (e) such other provisions consistent 11.2.5.10 NMAC (2018).

5.3 ONE-STOP OPERATING COSTS: Consistent with the Act and NMAC 11.2.5.11 (2018) requires all one-stop partners to contribute to infrastructure funding, which includes both facility and shared costs needed to maintain operation of the one-stop delivery system. The WCCNM, with approval of the CEOs, will develop a One-Stop Operating budget and infrastructure funding consistent with the following:

- A. Contributions by required one-stop partners to the facility funding costs of a comprehensive workforce connection must be monetary.
- B. Contributions by both required and other partners for shared costs may be in cash, or in a fairly evaluated in-kind contribution. However, said contributions must demonstrate the contribution impacts and benefits all partners and the overall one-stop delivery system.
- C. Each local board is required to establish an MOU with each partner in that local area that includes how infrastructure funding will be allocated and contributed.
- D. DWS is responsible for providing ongoing technical assistance and written guidance describing the required workforce system partners, example tables, and funding structures to aid in the overall planning and development of the infrastructure finding agreements (IFAs). DWS is also responsible for advocacy and communication with state partner organizations and agencies as needed to support local board negotiations.
- E. If consensus cannot be reached when developing the IFA, local boards are required to notify DWS at least 60 days prior to the deadline set by DWS. DWS will then assume responsibility for reviewing negotiated costs and processes used

to determine the IFA, providing further guidance to local boards and the partners. The funding mechanism imposed by DWS is a last resort effort. The local board and the required partners are required to continue to negotiate in good faith to avoid a funding mechanism imposed by DWS.

5.4 WCCNM and CEO Oversight. Consistent with the State Plan, the WCCNM, in partnership with the CEOs, will conduct program monitoring and oversight with respect to the One-Stop Delivery System and the WIOA program in the WCCNM Local Area. The CEO will provide approval to Partner MOUs and One-Stop Operating Budget /IFA.

Article VI Miscellaneous

6.1 Sunshine Provision. The WCCNM shall make available to the public, on a regular basis through open meetings, information regarding the activities of the WCCNM, including information regarding: (a) the Local Plan prior to submission of the plan to the State of New Mexico; (b) membership of the WCCNM; (c) the designation and certification of One-Stop Operator; (d) the award of grants or contracts to eligible providers of youth activities; and (e) minutes of formal meetings of the WCCNM, upon proper request.

6.2 Code of Conduct. The WCCNM shall develop a code of conduct policy. At a minimum, such policy must provide for conflict of interests, prevention of fraud and abuse; nepotism, prohibited political activities and other related code of conduct issues. The code of conduct shall strive to instill the highest standards of honesty and integrity in handling federal monies with the objective of ~~ensuring~~ ~~insuring~~ the highest level of services to clients of the program and proper expenditure of funds pursuant to the WIOA, all regulations promulgated thereunder, and all other applicable laws or regulations. Any contract awarded to any WCCNM

member must be approved by the CEOs.

6.3 Non-Discrimination. No individual may be excluded from participation in, denied benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with, any program or activity of the WCCNM or CEOs because of race, color, religion, sex (except as otherwise permitted under Title IX of the Education Amendments of 1972), national origin, age, disability, or political affiliation or belief.

6.4 Cooperative Agreements. The WCCNM may enter into an agreement with another local area workforce investment board to pay or share the cost of educating, training, or placing individuals participating in programs assisted under WIOA. Such agreement must be approved by the CEOs providing guidance to the Local Area and will be described in the Local Plan as described in Article IV of this Agreement.

6.5 Amendment and Termination. This Agreement may be amended or terminated at any time by a majority vote of a quorum of the CEOs but always consistent with the State Plan and the WIOA. The CEOs shall provide the WCCNM with reasonable notice of any proposed and approved amendments or termination of this Agreement.

6.6 Duration. This Agreement must be ratified every four (4) years by the CEOs, unless terminated in accordance with Section 6.5 of this Agreement.

6.7 New CEO or chair. If a new CEO or chair of the WCCNM is elected, within 120 days of his or her election, such individual will submit to the WCCNM a written statement acknowledging that he or she:

- A. has read, understands and will comply with this Agreement; and
- B. reserves the option to request negotiations to amend this Agreement at any time during his or her tenure.

6.8 Counterparts. This Agreement may be executed in separate counterparts, each of

which, when so executed shall be an original, but all of such counterparts shall together constitute but one and the same instrument.

Notice Provided to WCCNM by the Chief Elected Officials on ~~December 10, 2018~~, February 28, 2022 ~~July 2, 2021~~.

Passed, Approved and Adopted by the Chief Elected Officials on ~~January 31, 2019~~ August 10, 2021 January 25, 2022

SIGNATURE PAGES FOLLOW

WORKFORCE CONNECTION OF CENTRAL NEW MEXICO
Partnership Agreement Signature Page

Chair, WCCNM

Date: _____

Lead CEO

Date: _____