



## NEW YORK STATE WORKFORCE DEVELOPMENT SYSTEM TECHNICAL ADVISORY

### Workforce Development System Technical Advisory #01-19.1

**TO:** Workforce Development Community

**DATE:** March 2, 2010

**SUBJECT:** Governance Issues for Local Workforce Investment Boards

***Purpose:***

To provide guidance to local workforce investment areas on issues relating to the mandates, obligations and governance role of its local board.

This advisory rescinds and replaces WDS Technical Advisory #01-19, *Governance Issues for Local Workforce Investment Boards*, dated June 28, 2001.

***Background:***

During the first year of WIA implementation, each local board was responsible for developing and instituting its own policies, procedures and by-laws. As this process moved forward, questions arose on a variety of topics such as quorum definition, business membership issues, open meetings requirements, and the like. The New York State Department of Labor, in its role of providing technical assistance and oversight, has developed the attached document in response to questions from the local areas. In doing so, it is important to cite the applicable federal and state laws, and ensure that there is uniformity in implementing these policies throughout New York State. The document has been organized in a question and answer format for ease of use.

***Action:***

Local area workforce development professionals should read the attachment and compare it with local area policies and by-laws to ensure that the area is in conformance with the referenced laws and New York State policy. Changes to local policies, procedures and by-laws should occur as appropriate. For additional information, a link has been provided in the *References* section to the Local Board Appointment Criteria which are posted on the NYSDOL website.

***Inquiries:***

Questions regarding this Technical Advisory should be directed to your state representative.

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***References:***

Workforce Investment Act of 1998 (WIA) Sections 117(e) and 117(g)  
WIA Final Rule 661.307  
General Construction Law Section 41  
NYS Laws of 2000 Chapter 289  
Open Meetings Law (Public Officers Law (POL), Article 7)  
NYS Not-for-Profit Corporation Law Article 6 and Article 7  
<http://www.labor.state.ny.us/workforcenypartners/lbcriteria.shtm>

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***Attachments:***

A. Guidance on Governance Issues for Local Workforce Investment Boards