

Certifications

Federal regulations require the local workforce investment boards to be certified at least every two years. Without certification, a board cannot be the recipient of WIOA funds, cannot select training and service providers, cannot establish policy for the one-stop center system, and cannot provide oversight. The board literally would have no function it was allowed to perform. It could meet, but make no decisions.

Since inception of the federal Workforce Investment Act of 1998, Iowa has provided conditional certifications to regions that did not have all vacant seats on their regional boards filled by the June 30 deadline. This conditional certification allowed those regions to obligate program funds in support of participant training, and to continue operating even though they were not in compliance with US Department of Labor policy.

According to DOL, there was no provision in WIA and is no provision in the new WIOA legislation for conditional certifications.

This could create problems for those regions who have not been able to fill all board vacancies. Some regions have a long history of having full boards, and have done a good job of tracking attendance and promptly filling vacancies.

Other regions have had difficulty achieving full certification.

For example:

- Five regions had conditional certifications in SFY14.
- Three regions had to have two conditional certifications in FY14.
- All current conditional certifications will end on Dec. 31, 2014.
- Two regions are still not fully certified.
- Some regions have had conditional certifications each of the three previous fiscal years. Two regions have only had one in the period, but one had five, and another six.

Understanding the policy requiring certification leads to some questions we encourage the local boards to consider (distribute handout).

Issues for the regional boards to consider:

1. Grandfathering. The DOL has told us that if a board is grandfathered under WIOA, it would not have to meet the WIOA membership requirements outlined in Section 101(b). It could maintain its current composition.
2. If the current board composition cannot meet membership requirements, and therefore cannot be certified, is a grandfathered board the best choice for your region?
3. Do you have the right members on your regional board if quorums are a problem?
4. Do you have members who have missed multiple meetings, but who are still listed as members in good standing?
5. Do you have someone tracking attendance at board meetings?
6. Are you acting promptly to fill board vacancies as they occur?
7. Has your board ever been unable to approve motions, budgets, minutes, agendas or other business because of a lack of quorum?
8. Would it be easier to find members and achieve certification with a different board structure or geography?
9. If you are a region with multiple conditional certifications, how are you looking for people to serve on your board? Who have you engaged to help you find members?