



## MINUTES

**December 21, 2017**

***Convened at Madera County Workforce Assistance Center - Conference Room  
2037 W. Cleveland Avenue, Madera, CA 93637  
(559) 662-4589***

- PRESENT:** Michelle Brunetti, Brett Frazier, Mike Fursman, Laura Gutile, David Hernandez, Bobby Kahn, Wendy Lomeli, Mike Lopez, Deborah Martinez, Nichole Mosqueda, Chuck Riojas, David Salter, Les Taylor, Kimberly Thomas, Elizabeth Wisener
- ABSENT:** Jorge DeNava, Gabriel Gil, Claudia Habib, Exchille Mendoza, Terry Nichols, Ivan Otamendi, Robert Poythress, Cindy Vail, Ruben Zarate
- GUEST:**
- OTHERS:** Elaine Craig, Gail, Lopez, Jessica Roche, Maiknue Vang, Nicki Martin

### **1.0 Call to Order**

*Meeting called to order by Chair Brett Frazier at 3:09 p.m.*

#### **1.1 Pledge of Allegiance**

### **2.0 Additions to the Agenda**

*None.*

### **3.0 Public Comment**

*None.*

### **4.0 Introductions and Recognitions**

*None.*

### **5.0 Adoption of Board Agenda**

*Bobby Kahn moved to adopt the agenda, seconded by Les Taylor.*

*Vote: Approved – unanimous*

*Yes: Michelle Brunetti, Brett Frazier, Mike Fursman, Laura Gutile, David Hernandez, Bobby Kahn, Wendy Lomeli, Mike Lopez, Deborah Martinez, Nichole Mosqueda, Chuck Riojas, David Salter, Les Taylor, Kimberly Thomas, Elizabeth Wisener*

### **6.0 Consent Calendar**

- 6.1 Consideration of the ratification of the Workforce Development Board (WDB) meeting minutes – August 17, 2017.**
- 6.2 Consideration of the ratification of the Executive Committee meeting minutes – September 26, 2017.**
- 6.3 Consideration of the approval of the Executive Committee meeting minutes – November 9, 2017.**

*Agenda items 6.1, 6.2 and 6.3 were discussed separately in order to ensure that a member who was present at those meeting could make the motions accordingly.*

*Les Taylor moved to approve, seconded by Brett Frazier.*

*Vote: Approved – unanimous*

*Yes: Michelle Brunetti, Brett Frazier, Mike Fursman, Laura Gutile, David Hernandez, Bobby Kahn, Wendy Lomeli, Mike Lopez, Deborah Martinez, Nichole Mosqueda, Chuck Riojas, David Salter, Les Taylor, Kimberly Thomas, Elizabeth Wisener*

- 6.4 Consideration of the ratification of the revised Incumbent Worker training policy to include a cap of \$2,500.**
- 6.5 Consideration of the ratification of the revised Selective Service policy to conform with recently published State guidance in EDD Directive WSD16-18.**
- 6.6 Consideration of the ratification of the revised Limited English Proficiency (LEP) policy to conform with the recently released State guidance in EDD Directive WDD17-13.**
- 6.7 Consideration of the ratification of the new Oversight and Monitoring of Nondiscrimination and EO Procedures policy to implement the new requirements issued by the State in EDD Directive WSD17-05.**
- 6.8 Consideration of the ratification of the new WIOA Youth Program Requirements policy.**
- 6.9 Consideration of the ratification to include Construction as an identified sector-in-demand for Madera County.**
- 6.10 Consideration of the ratification of the Memorandum of Understanding (MOU) Phase I with California Indian Manpower Consortium, Inc. (CIMC).**
- 6.11 Consideration of the ratification of the America's Job Center of California (AJCC) Baseline Certification Matrix conducted by the WDB ad-hoc certification committee.**

*Agenda items 6.4 to 6.11 were discussed as a group. The policies were taken to the Executive Committee for approval when the WDB was unable to meet due to a lack of a quorum. Staff wanted to ensure that the WDB had all the policy information and revisions for their consideration.*

*Les Taylor moved to approved, seconded by Brett Frazier.*

*Vote: Approved – unanimous*

*Yes: Michelle Brunetti, Brett Frazier, Mike Fursman, Laura Gutile, David Hernandez, Bobby Kahn, Wendy Lomeli, Mike Lopez, Deborah Martinez, Nichole Mosqueda, Chuck Riojas, David Salter, Les Taylor, Kimberly Thomas, Elizabeth Wisenerd*

## **7.0 Action Items**

- 7.1 Consideration of approval of the appointment of Robert Poythress, Private Sector, to the WDB Executive Committee.**

*Robert Poythress was asked to consider serve on the Executive Committee as a private sector member in order to bring the composition of the Committee into compliance. He indicated that he was able to sit on the Committee.*

*Bobby Kahn moved to approve, seconded by David Hernandez.*

*Vote: Approved – unanimous*

*Yes: Michelle Brunetti, Brett Frazier, Mike Fursman, Laura Gutile, David Hernandez, Bobby Kahn, Wendy Lomeli, Mike Lopez, Deborah Martinez, Nichole Mosqueda, Chuck Riojas, David Salter, Les Taylor, Kimberly Thomas, Elizabeth Wisener*

**7.2 Consideration of approval of the appointment of Nichole Mosqueda, Private Sector, to the WDB Executive Committee.**

*Nichole was also asked to sit on the Executive Committee as a private sector representative and indicated that she is able to do so.*

*David Salter moved to approved seconded by Chuck Riojas.*

*Vote: Approved – unanimous*

*Yes: Michelle Brunetti, Brett Frazier, Mike Fursman, Laura Gutile, David Hernandez, Bobby Kahn, Wendy Lomeli, Mike Lopez, Deborah Martinez, Nichole Mosqueda, Chuck Riojas, David Salter, Les Taylor, Kimberly Thomas, Elizabeth Wisener*

**7.3 Consideration of approval of a service contract with Sierra HR Partners for the HR Hotline.**

*The current HR Hotline contract and services were provided by California Employers Association (CEA). They have provided great service on the Hotline. A procurement for the hotline was done and Sierra HR was chosen to provide services in 2018. Another procurement will be done for the following year if the grant continues to be funded. The HR Hotline provides information on ADA and other HR issues to employers. They do not provide legal advice and will refer callers to an attorney if there are any legal issues. The service is provided in English and Spanish. Anyone can call in to the service. The number of callers has been steadily increasing since it was started. Staff thanked Les Taylor and CEA for their great work.*

*Chuck Riojas moved to approve, seconded by Nichole Mosqueda.*

*Vote: Approved – unanimous*

*Yes: Michelle Brunetti, Brett Frazier, Mike Fursman, Laura Gutile, David Hernandez, Bobby Kahn, Wendy Lomeli, Mike Lopez, Deborah Martinez, Nichole Mosqueda, Chuck Riojas, David Salter, Les Taylor, Kimberly Thomas, Elizabeth Wisener*

**7.4 Consideration of approval of the Rapid Response and Layoff Aversion Activities policy.**

*The Rapid Response policy is new. In the past, staff used Employment Development Department (EDD) directives for guidance and mandates. An EDD monitor asked for a local policy during a monitoring session and suggested that a local policy would be something to consider. The policy follows the EDD directive and mandates.*

*Chuck Riojas moved to approve, seconded by Laura Gutile.*

*Vote: Approved – unanimous*

*Yes: Michelle Brunetti, Brett Frazier, Mike Fursman, Laura Gutile, David Hernandez, Bobby Kahn, Wendy Lomeli, Mike Lopez, Deborah Martinez, Nichole Mosqueda, Chuck Riojas, David Salter, Les Taylor, Kimberly Thomas, Elizabeth Wisener*

**7.5 Consideration of approval of the WIOA revisions to the contract between the Chief Local Elected Official (CLEO), the WDB and the Madera County Workforce Investment Corporation.**

*The CLEO contract was provided with tracked changes to show the revisions to the document. Most of the revisions were to align the contract with the Workforce and Innovation Act (WIOA) and regulations. Some of the revisions were to clearly identify the roles and responsibilities of the Board of Supervisors, the WDB and the Workforce Investment Corporation for the local workforce area. If approved, the CLEO will also go to the Board of Supervisors for approval.*

*Mike Fursman moved to approve, seconded by Les Taylor.*

*Vote: Approved – unanimous*

*Yes: Michelle Brunetti, Brett Frazier, Mike Fursman, Laura Gutile, David Hernandez, Bobby Kahn, Wendy Lomeli, Mike Lopez, Deborah Martinez, Nichole Mosqueda, Chuck Riojas, David Salter, Les*

Taylor, Kimberly Thomas, Elizabeth Wisener

**7.6 Consideration of approval of transferring the non-profit 501c3 designation from the MCWIC to the WDB and the designation of the WDB Executive Committee as the non-profit Board.**

Staff are asking that the WDB become the legal entity and that the non-profit 501c3 be transferred from the MCWIC to the WDB. Staff have consulted with the attorney and have been advised that it is possible to do so. The WDB would become the legal entity. This request was brought on by a number of reasons. There are 2 boards that have to be managed and coordinated. Branding is also confusing and staff are at times not sure which board may be representative of events or documents. 2 boards can also be confusing to employers who receive information and documents from 1 board but receive contracts and other documents for signature and approval from the other board. The MCWIC is the subrecipient for funding from the State and is employer of record for staff. The MCWIC came to be as a result of the separation from the Madera County Office of Education. The original board was comprised of the members of the WDB Executive Committee. These meetings would take place simultaneously by opening as one and closing and going into the next. Eventually, a monitor advised staff that the 2 boards and its memberships had to be separated in order to maintain its financial integrity due to WIOA and a mandated a firewall between the service provider and the administration. The MCWIC is now comprised of non-WDB members. Under WIOA, the Workforce Boards have the responsibility of overseeing the local workforce areas and has the responsibility of procuring and/or terminating providers or services. The termination of the youth services contract was an example of an instance where the roles and responsibilities of the 2 boards was not immediately clear. The Attorney was consulted in order to ensure that the process was handled correctly and went to the appropriate board for resolution. The firewall issue has since been mitigated with the procurement of the One Stop Operator. Staff would suggest that since there is no longer a firewall issue, the WDB could become the non-profit with the Executive Committee acting as the corporate board. Staff would apply to Secretary of the State for the new corporation name change. WDB Directors would be covered by D&O insurance, EPLI insurance as well as general liability. Consultations with the attorney would also be available as needed. Legal counsel is available to come to a meeting and discuss and provide input and answers. The transfer has been discussed with the MCWIC and they are aware. It is possible that most of the MCWIC members could come onto the WDB if they so desired since they are mostly private sector. Staff would like to have legal counsel start the process to transfer the 501c3 status to the WDB. The WDB indicated that they would like to have the attorney present at a meeting to further discuss the topic. The process could take up to a year to finalize. A possible new name of the Corporation would be the Workforce Development Board of Madera County, Inc.

Mike Fursman moved to have staff consult with legal counsel to begin the process to transfer the 501c3 status to the Workforce Development of Madera County, seconded by Laura Gutile.

Vote: Approved – unanimous

Yes: Michelle Brunetti, Brett Frazier, Mike Fursman, Laura Gutile, David Hernandez, Bobby Kahn, Wendy Lomeli, Mike Lopez, Deborah Martinez, Nichole Mosqueda, Chuck Riojas, David Salter, Les Taylor, Kimberly Thomas, Elizabeth Wisener

**7.7 Consideration of approval of a name for the WDB Business Newsletter to include Business Sense, The Business Messenger, Workforce Journal and Workforce Update.**

The business newsletter is an employer based newsletter. Staff use Constant Contact to send to employers on a quarterly basis. Staff are asking the WDB for some input and ideas as to the name of the newsletter. Some ideas are provided but new names and ideas were welcomed. Discussion held as to the placement and the look for the logo. The WDB asked that the "newsletter" somehow be incorporated into the logo. The Board wanted to see a logo that would incorporate Workforce and News. Staff will work on creating "Workforce News" and providing the finished product to the Board.

Laura Gutile moved to approve Workforce News, seconded by Les Taylor.

Vote: Approved – unanimous

Yes: Michelle Brunetti, Brett Frazier, Mike Fursman, Laura Gutile, David Hernandez, Bobby Kahn, Wendy Lomeli, Mike Lopez, Deborah Martinez, Nichole Mosqueda, Chuck Riojas, David Salter, Les Taylor, Kimberly Thomas, Elizabeth Wisener

## **8.0 Information Items**

### **8.1 MCWIC Update**

*Information provided within the agenda packet.*

### **8.2 Financial and Program Activity Update**

*Information provided within the agenda packet. Staff would like the WDB to provide input as to what and how they would like to see the financial and program activity information. The information was reviewed and the WDB asked regarding what the "other" category item represented. Staff clarified that the other category included items for medical training related expenses that the State system does not categorize within their system and so is not identified within the reports. Staff will gather information for this category and share with the Board in future.*

### **8.3 Grants/Projects Update**

*Information provided within the agenda packet.*

### **8.4 Discussion related to the Basic Skills Deficient policy**

*Staff are discovering that basic skills deficiency is becoming an issue with some customers. All customers are assessed with the TABE assessment. The TABE is an academic assessment. Workforce makes sure to vet all customers in order to provide employers with the most job-ready and qualified job seekers possible, however, some customers are testing below 9<sup>th</sup> grade level even though some have graduated with a high school diploma. Workforce staff requested that the 9<sup>th</sup> grade level standard be lowered to 6<sup>th</sup> grade level in order to help more customers but Managers disagreed and denied the request. Managers are concerned that lowering the grade level would be a disservice to the employers as well as could place some customers who may be basic skills deficient in situations that may prove challenging. The WDB considered the information and agreed that lowering the grade level standard would not be acceptable. Staff noted that some customers may score low on the TABE but receive acceptable scores for their desired field of interest according to the WorkKeys assessment and that they are considering also testing customers under the Fit category. WorkKeys assesses a customer's work-ability level. WDB members provided information and input as to what other assessments could be used as well.*

### **8.5 Discussion related to right-to-work local policy**

*Information provided within agenda packet.*

### **8.6 Potential WDB initiatives as discussed at the WDB Strategic Planning Session and the Local Plan**

*Information provided within agenda packet.*

### **8.7 Discussion related to WDB Board Governance; WDB Job Description; WDB Board Agreement**

*Information provided within agenda packet.*

### **8.8 WDB & MCWAC Website and Logo Redesign Update**

*Information provided within the agenda packet.*

### **8.9 2018 WDB Meeting Dates**

*Information provided within the agenda packet.*

## **9.0 Written Communication**

## **10.0 Open Discussion/Reports/Information**

### **10.1 Committee Members**

### **10.2 Staff**

**11.0 Next Meeting**

*February 15, 2018*

**12.0 Adjournment**

*Meeting adjourned after agenda item 8.4 at 4:19 due to loss of a quorum.*