



**LEHIGH VALLEY WORKFORCE DEVELOPMENT BOARD, INC.**

**DECEMBER 1, 2015  
MINUTES**

The Lehigh Valley Workforce Development Board, Inc. (LVWDB) met on Tuesday, December 1, 2015 at 7:30am at LVWDB, 555 Union Boulevard, Allentown.

Board Members present: Lehigh County Executive Tom Muller, Paul Anthony, Stephen Bailey, Ann Bieber, Anthony Biondi, Don Cunningham, Luke Cunningham, Pastor Phillip Davis, Dan Farrell, Vito Gallo, Fidel Gonzalez, Kelly Gould, Laurie Hackett, Laura Haffner, Sara Hailstone, Jim Harbaugh, Connie Hood, Ellen Kingsley, Janice Komisor, Alexander Lemheney, John MacDonald, Timothy Mulligan, Thea Phalon, Gregg Potter, James Reilley, Deborah Roberson, Dr. Joseph Roy, Sharon Scheirer, Melinda Stumpf, and Larry Wiersch. Guests present: Carol Halper representing Congressmen Charlie Dent, Bill Royer representing Representative Ryan Mackenzie, Michael Dee representing Representative Daniel McNeill, Kurt Derr representing Senator Lisa Boscola and April Niver representing Congressman Matt Cartwright. Staff present: Nancy Dischinat, Gina Kormanik, Marie Beacher, William Bartle, Cindy Evans, Lillian Rodriguez and PA CareerLink® staff.

Luke Cunningham welcomed all to the December 1, 2015 LVWDB meeting and assumed the role of Chair on behalf of Patricia Hartwell.

Vito Gallo introduced State Representative Peter Schweyer as a special guest who discussed efforts to re-open the Civil Service Testing Center at PA CareerLink® Lehigh Valley. Representative Schweyer also provided an update on state budget negotiations.

**ACTION REQUIRED ITEMS**

*Minutes*

Vice Chair Luke Cunningham asked for a motion to approve the September 8, 2015 minutes. Ellen Kingsley motioned, seconded by Melinda Stumpf, all approved the September 8, 2015 minutes as presented.

*Finance Committee Report*

John MacDonald reviewed the Finance Committee reports including the Projected Funding Sources Summary, Statement of Projected Revenue for the period of July 1, 2015 to June 30, 2016; Statement of Financial Position and Statement of Activities as of July 31, 2015, Accrued Expenses vs. Spending Plan by Account for the period ended July 31, 2015, and Projected Program Year 2014 Revenues and Spending Plan by Funding Source for the period of July 1, 2015 to June 30, 2016.

***ACTION: Stephen Bailey motioned, Gregg Potter seconded, all approved the Finance Committee Reports as presented.***

Financial and Single Audit Report

John MacDonald introduced Dave Marakovits and Jeff Dobeck of Buckno Lisicky and Company who presented the Financial and Single Audit Reports, approved by the LVWDB Finance and Executive Governance Committees. It was reported that this was a clean audit with no findings and no material weaknesses.

***ACTION: Larry Wiersch motioned, Alexander Lemheney seconded, all approved the Financial and Single Audit Reports as presented.***

Administrative Purchasing Policies and Procedures

John MacDonald reviewed the revisions to the Administrative Purchasing Policies and Procedures Office Procedure Number 2-Section III (B only) to be in alignment with, and to follow the new methods of procurement provided for under Unified Code 2 of the Code of Federal Regulations, as recommended by the US Department of Labor and Industry and the PA Department of Labor and Industry.

The procedures on pages 1 through 5 are being eliminated because the new Code of Federal Regulations has reduced the administrative burden on non-federal entities receiving federal dollars. The new procurement standards allow for a new threshold of procurement for micro purchases not exceeding \$3,000.

Under the Small Business Purchases category, LVWDB will secure two quotes for all purchases between a range of \$3,000 and \$150,000. The \$150,000 is the current Federal simplified acquisition threshold. Previously we were using a \$10,000 threshold which required a Request for Proposal Process. Purchases of \$150,000 will be publicly advertised with a formal Request for Bid or Proposals. Our Sole Source Purchasing process did not change as notified earlier.

***ACTION: Anthony Biondi motioned, Ellen Kingsley seconded, all approved the revisions to the Administrative Purchasing Policies and Procedures as presented.***

Lehigh Valley Workforce Development Board, Inc. By-Laws

William Bartle reviewed the following Material Changes to LVWDB By-Laws.

***Purpose***

*To update the LVWDB By-Laws to ensure compliance and alignment with the Workforce Innovations and Opportunity Act of 2014 (WIOA).*

*All references to the Workforce Investment Act (WIA) have been deleted and the term Workforce Investment Board has been changed to the Workforce Development Board. We have also removed the specific name of the authorizing federal legislation from the By-Laws to ensure a longer shelf life. Material changes for board discussion and approval include:*

*Article I: Name, Functions and Activities*

***Name***

• *WIOA refers to local boards as workforce development boards, therefore we have identified the name of the organization as the **Lehigh Valley Workforce Investment Board, Inc.**, “doing business as” **Lehigh Valley Workforce Development Board, Inc.** and abbreviated as LVWDB throughout the By-Laws.*

***Purpose***

• *We have adopted the WIOA purposes.*

### *Article III: Board of Directors*

#### ***Qualification of Board Directors***

- *Removed the requirement that board directors be U.S. citizens.*
- *Added requirement that Board Directors or their businesses must be located in the Lehigh Valley.*

#### ***Qualifications and Selection***

- *References to the Board Directors appointment process has been deleted. It is the Chief Elected Official (CEO) responsibility to select and appoint Board Directors as outlined in their agreement.*
- *Directors cannot make appointments to the board but can make recommendations to the Chief Elected Officials.*

#### ***Directors and Terms of Office Clarified***

- *Included new minimum number of Directors required under WIOA.*
- *Required labor representatives increased to a minimum of three.*
- *Specified that CEOs appoint all Board Directors.*
- *Directors may be re-appointed to their seats indefinitely at the pleasure of the CEO.*
- *In the event of a delay in the appointment process, Directors shall continue to serve in the category and seat to which they were appointed until either they or a new Director is appointed to their seat.*

#### ***Organization***

- *If no Board officers are available to run a Board meeting, a committee chair will officiate in the absence of all officers.*
- *All mandatory Directors as required by WIOA have a vote.*
- *Removed the ability for Directors to vote outside a regularly called public meeting to be in compliance with Sunshine Laws.*
- *We have also added the flexibility for Directors who cannot attend the public meeting in person to call in and vote over the phone.*

#### ***Vacancies***

- *Board Directors do not have the authority to remove Board Directors.*
- *Only the CEO may appoint or remove Board Directors.*

#### ***Quorum***

- *A quorum, once seated, is considered in place for the balance of that meeting. This prevents a quorum from being lost so that business cannot be completed if one Director leaves the meeting.*

#### ***Committees***

- *Eliminated “ex officio” to allow Board Chair to vote at committee meetings.*
- *Removed resolution requirement to create ad hoc and standing committees.*
- *Board Chair may appoint ad hoc committees as needed.*
- *Establishing a new standing committee requires a Board vote.*
- *Youth Council is now a Youth Committee of the Board.*

#### ***Conflict of Interest***

- *We have shortened the references in this section to those required by WIOA statute.*
- *The law requires a Code of Conduct which will include much of the language outlined in the existing By-Laws.*

*Article IV: Meetings, Notice*

***Special Meetings***

- *Special meeting can be called by the Chair or by a petition signed by a minimum of one-third (1/3) of the LVWDB Directors.*
- *Allow notification of special meetings by mail, or technology based notices such as email, telephone, text or fax.*

*Article V: Officers*

- *Added the responsibility for the Secretary/Treasurer to serve as Finance Committee Chair.*

***ACTION: Ellen Kingsley motioned, Vito Gallo seconded, all approved the changes to the LVWDB By-Laws as presented.***

*Subsidized Youth Work Experience*

Ellen Kingsley presented the Subsidized Youth Work Experience Policy as follows.

**SUBSIDIZED YOUTH WORK EXPERIENCE POLICY**

**OUT-OF-SCHOOL YOUTH**

The Lehigh Valley Workforce **Development** Board, Inc. (LVWDB) may provide **Out-of-School Youth** a subsidized work experience at a wage of **\$8.00 an hour**, as outlined in their Individual Employment and Career Pathways Plans. Subsidized work experience will not preclude participation in Individual Training Account (ITA) or On-the-Job Training (OJT) services.

Out-of-school youth may be provided one (1) subsidized work experience totaling up to 520 hours, and must show a clear pathway to a high priority occupation.

**IN-SCHOOL YOUTH**

The Lehigh Valley Workforce **Development** Board, Inc. (LVWDB) may provide **In-School Youth** a subsidized work experience at a wage of **\$7.25 an hour**, as outlined in their Individual Employment and Career Pathways Plans. Subsidized work experience will not preclude participation in Individual Training Account (ITA) or On-the-Job Training (OJT) services.

In-school youth may be provided no more than (2) subsidized work experiences totaling up to 420 hours, and must show a clear pathway to a high priority occupation.

***ACTION: Kelly Gould motioned, Don Cunningham motioned, all approved the Subsidized Youth Work Experience Policy as presented.***

*Committee Reports*

Larry Wiersch presented the November 12, 2015 Business and Economic Development Committee meeting report such as: new committee focus on workforce intelligence, skills needs and career pathways, environmental scan, labor market data, *Bridging the Workforce Gap* study, and committee member recruitment efforts.

Vito Gallo presented the November 13, 2015 Public Policy Committee report including state budget update, engaging public officials, pending legislation, upcoming legislative staff orientation, legislative visits, and quarterly County Executives meetings.

Executive Director's Report

Nancy Dischinat presented the Executive Director's report including:

- CDL Transportation Roundtable, October 27, 2015
- Civil Service Testing Center
- U.S. Department of Labor Customer Centered Design Challenge, ServiceTown
- Forks and Palmer Township Manufacturing and Industrial Business meetings
- Office of Vocational Rehabilitation Job Fair
- Jobs Tree in Allentown and Bethlehem
- Micro-Credentials
- Education and Talent Supply Council, reviewed by Don Cunningham
- Workforce Forecast
- Allentown School District Re-Engagement Center with Communities in Schools
- Pending Request for Proposals
- Allentown Employment and Training Center
- Air Products donation of \$10,000 for STEM Programs
- Bethlehem Employment and Training Center at the Bethlehem Hispanic Center supported by \$50,000 from Northampton County
- Wells Fargo donation of \$1,000 from 2015 Community Connection Program
- Society for Human Resource Management, Lehigh Valley donation of \$1,000
- Marketing and print media with Lehigh Valley Economic Development Corporation, Lehigh Valley and Berks County NEXT magazine, Network Magazine
- Golden Ticket for Career Services
- Jobs and Employment for Veterans
- Live Advent Calendar Door Opening on December 23, 2015 at the Goundie House
- Pennsylvania Association of Career and Technical Administrators Conference
- Sands Casino job openings
- PA Workforce Development Board
- A Conversation and Book Signing for Elmer D. Gates
- Linking Employment Activities Pre-Release (LINK) Project

Meeting adjourned at 8:55 a.m.