

DAVID Y. IGE
GOVERNOR
SHAN S. TSUTSUI
LIEUTENANT GOVERNOR



LESLIE WILKINS
CHAIRPERSON
ALLICYN C.H. TASAKA
EXECUTIVE DIRECTOR

STATE OF HAWAII
WORKFORCE DEVELOPMENT COUNCIL
830 Punchbowl Street, Suite 417, Honolulu, Hawaii 96813
Phone: (808) 586-8630 Web: <http://labor.hawaii.gov/wdc/>

Workforce Development Council's Executive Committee
August 10, 2017
1:00 p.m. – 3:00 p.m.
Keeliokalani Building
830 Punchbowl Street, Room 416 Conference Room
Honolulu, Hawaii 96813

MINUTES

Members Present:

Leslie Wilkins, Chair Board
Alan Hayashi, Vice Chair Board
Scott Murakami, Chair, Data Management & Technology Committee
Shannon Okinaka, Chair, Finance Committee
Edward Richardson, Chair, Veterans & Military Affairs Committee
Glen Kaneshige, Co-Chair, Employer Engagement Committee
Ian Kitajima, Chair, Youth Services Committee
Sean Knox, Vice Chair, Sector Strategies & Career Pathways

Guest:

Doris Dvonch, Deputy Attorney General

Staff:

Kim Saito, Fiscal Officer
Allicyn Tasaka, Executive Director
Reed Fujimoto, Accountant IV

I. Chair Leslie Wilkins called the meeting order at 1:00 p.m.

II. Chair's Report and Updates

Chair Wilkins announced new leadership roles at the committee levels as follows:

Winona Whitman to serve as Vice Chair of the Youth Services committee and will work with Chair Ian Kitajima.

Glen Kaneshige will serve as Co-Chair with Barry Taniguchi for the Employer Engagement committee.

Jim Tollefson will be the Vice Chair of the Military and Veteran's Affairs committee with Chair

Edward Richardson.

The Chair of the Performance Measures and Accountability committee remains vacant and under recruitment. Vice Chair Marian Tsuji will lead the committee during this interim.

Congratulations to Sean Knox who will be serving on the Career and Technical Education (CTE) Advisory Council to represent the Workforce Development Council (WDC). Sean replaces Carl Hinson and joins Sunshine Topping and Leslie Wilkins on the CTE Advisory Council.

The staff has been conducting orientations for board members since July and to date 13 members have participated, including committee chairs Sunshine Topping, Ian Kitajima, Shannon Okinaka and Glen Kaneshige. Vice Chair Sean Knox also went through the orientation session. More orientations will be scheduled in September and October. Members acknowledged that the orientation was helpful to them.

The Statewide Federal On-Site Monitoring will be conducted August 21- 25, 2017 in each county. The scope of the monitoring will be focused on the One Stop Operators and procurement process by each county, the status of the American Job Centers, policies and procedures that have been put in place, and how well service is being delivered to clients, and how the partners are collaborating. They have included a meeting with Adult Education and Vocational Rehabilitation on each island. It is a very extensive and thorough monitoring. The Federal team will be attending the WIOA Core and Mandatory Partners meeting on August 23 to provide an opportunity for the partners and monitor team to communicate.

In regards to the local areas and their progress, most have faced a multiply challenges with their procurement of the One Stop Operator with the exception of Oahu.

OAHU: Oahu's Work Hawaii was awarded as the One Stop Operator and adult, dislocated worker and youth service provider. Appropriate firewalls have been put into place. They are working with the Workforce Development Division to figure out the current offices they occupy in Waipahu and the Honolulu downtown office. They plan to close the Waianae and Hauula offices. They are in discussions with Unemployment Insurance to have them represented at the American Job Center. Policies and procedures are being drafted. Oahu is the furthest along and progressing well.

MAUI: A Request for Proposal (RFP) was issued for a One Stop Operator but unfortunately no bids were received. Efforts were made to reach out to potential bidders to inform them of the RFP prior to its issue. The Maui Workforce Development Board (WDB) met to consider their options after seeking guidance from Federal representatives and informing WDC staff. After consideration of the options, the Maui WDB decided to procure by sole source the One Stop Operator and selected the County of Maui on an interim basis. They are in conversations with the core and mandatory partners to develop the Memorandum of Understanding and sharing infrastructure costs and resources. The adult, dislocated worker and youth services are continuing without interruption.

HAWAII COUNTY: The second RFP for a One Stop Operator, adult, dislocated worker was issued and received one response. They are reviewing the proposal and figuring out options if the bidder is not eligible. The MOU for core partners which does not include infrastructure costs has been drafted and under review by their Corporation Counsel.

KAUAI: The county has not issued an RFP, they do not have a One Stop Operator, their Board is not yet certified, and they have been without a youth service provider for well over a year resulting in no services for their community. The service provider for adult and dislocated workers are in place.

At the last Executive Committee meeting, it was identified there are concerns that Kauai WDB may not have the capacity to move forward to meet the Federal mandates of the WIOA law and the members agreed that aggressive action must be taken for technical assistance to help them meet their targets and deadlines. Chair Wilkins acknowledged that the WDC staff has spent many hours in conversations to provide technical assistance to the Kauai staff. Chair Wilkins and Vice Chair Hayashi have had two separate conversations each with Mayor Bernard Carvalho on the matter. The Mayor acknowledged the situation and reassured the Chair and Vice Chair that it would be taken care of. A letter was sent to Mayor Bernard Carvalho in June. WDC will be sending another letter to Mayor Carvalho documenting conversations, deadlines still unmet and informing him of the upcoming Federal monitoring visit to Kauai.

Vice Chair Hayashi expressed his frustration with the situation on Kauai. He was very concerned that the mandates were not being met so he inquired with the Chair and WDC staff what had been done to help Kauai's Director of Economic Development and their Executive Director. He is reassured that the WDC staff has done everything they could to provide technical assistance and guidance so they would become compliant. He is comfortable that WDC sends the second letter to Mayor Carvalho.

Shannon Okinaka agreed that a lot of work by the staff to help remedy the issues with Kauai. She inquired if non-compliance puts the State at risk with funding and staff informed her that indeed continued funding would be at risk. If this continues, are we at the point to consider decertifying them, become a single state entity or combine neighbor islands as she is looking at the broader issues and not just Kauai. Chair Wilkins agreed that non-compliance would put the formulaic funding at risk and there are options to fold Kauai under another administrative entity or another county or directly under the State. We will look to the Federal government for their recommendations after they see first-hand the situation and we should rely on them for guidance and next steps. We should start to plan for that to take action as a Board.

Vice Chair Hayashi said in response to Shannon's comments that we should look at influencers so that in the future bad behavior is not allowed to happen without recourse and not impact the service and American Job Centers. Chair Wilkins expressed that it seems unfair when one entity gets disproportional amount of technical assistance without showing any progress in accepting that responsibility and trying to improve.

Scott Murakami asked if we have considered what the possible long-term effects would look like and that's what we should start focusing on. Chair Wilkins said that if options mentioned allowed for an interim basis to build capacity with people capable to effectively operate the American Job Center and work with the local board. Chair Wilkins agreed that an outline of contingency plans for Kauai is a good next step.

Edward Richardson suggested that the Kauai County Managing Director should be informed and brought into the loop. He recommends that the Federal team meet with the Mayor and have a candid discussion with him.

Alan Hayashi made a motion to have the staff of the Workforce Development Council (WDC) in consultation with the Deputy Attorney General to develop a draft contingency plan to address Kauai's non-compliance issues to meet the mandates and deadlines for the Workforce Innovation and Opportunity Act (WIOA). Ian Kitajima seconded the motion. The motion was approved with 8 ayes, no abstentions, and none voting no. (8 voting members were present.)

III. Approval of Minutes

Sean Knox made a motion to approve the minutes from the June 28, 2017 minutes. The motion was seconded by Alan Hayashi. The motion was approved with 8 ayes, no abstentions, and none voting no. (8 voting members were present.)

IV. Review Revisions to 2008/2009 Bylaws

Committee will take each article and section of the bylaws and vote on each revision separately.

ARTICLE I -DEFINITIONS

Section 1: Amend definition of abbreviation CFR means Code of Federal Regulations.

Section 2: Amend definition of abbreviation USC means United States Code.

Section 3: Amend Council means the State of Hawaii Workforce Development Council which is a State Board.

Delete current Section 3, 4 and 5.

Motion was made by Alan Hayashi to accept the amendments and deletion of current Section 3,4 and 5 in Article I. The motion was seconded by Sean Knox. The motion was approved with 8 ayes, no abstentions, and none voting no. (8 voting members were present.)

ARTICLE II – PURPOSE

Amend Section 1 and Section 2 clarify that bylaws are not actual law but are a tool to guide the State Board. Bylaws do not make new laws as the State Board is bound by the State and Federal statutory regulations.

Delete of current Section 3.

Motion was made by Alan Hayashi to accept the amendments and deletion of current Section 3 in Article II. The motion was seconded by Scott Murakami. The motion was approved with 8 ayes, no abstentions, and none voting no. (8 voting members were present.)

ARTICLE III – MEMBERSHIP, CHAIRPERSON AND VICE-CHAIRPERSON DUTIES, AND COMMITTEES

Membership

Amend Section 1 – A, B, C, D, E, and F to align the membership criteria with State law under Hawaii Revised Statutes (HRS) Section 202-1.

Motion was made by Alan Hayashi to accept the amendments in Article III Section 1. The motion was seconded by Sean Knox. The motion was approved with 8 ayes, no abstentions, and none voting no. (8 voting members were present.)

Chairperson

Amend Section 2 to align the appointment and responsibilities of the Chairperson with HRS Section 202-1. In Section 2 –B, amend the wording to “The Chairperson, or his or her designee, shall serve as the spokesperson for the Council.”

Motion was made by Alan Hayashi to accept the amendments in Article III Section 2 and Section 2-B to clarify that the Chairperson or designee shall serve as the spokesperson for the Council. The motion was seconded by Sean Knox. The motion was approved with 8 ayes, no abstentions, and none voting no. (8 voting members were present.)

Vice-Chairperson

Amend Section 3 so the election of the Vice-Chairperson’s term is two years and he or she may serve another term upon Council’s approval.

Motion was made by Ian Kitajima to accept the amendments in Section 3 to serve two years and may serve another term upon approval by the Council. The motion was seconded by Scott Murakami. The motion was approved with 8 ayes, no abstentions, and none voting no. (8 voting members were present.)

Committees

Amend Section 4 so standing committees may be established with the concurrence of the Council and created under Article III, Section 4-A and the committee chairperson and vice-chairpersons are appointed from the Council membership by the Council Chairperson.

Motion was made by Shannon Okinaka to accept the amendments for Section 4 to clarify the standing committee process of appointing committee Chairpersons and Vice-Chairpersons. The motion was seconded by Alan Hayashi. The motion was approved with 8 ayes, no abstentions, and none voting no. (8 voting members were present.)

NOTE: Sean Knox left the meeting at 2:30 p.m. and further votes reflect the absence of his vote. He provided a report for the Sector Strategies and Career Pathways committee which is stated under Board Committee Updates.

Executive Committee

Amend Section 5 regarding the composition of the Executive Committee, when they can convene, and identifies it is responsible for personnel and Council governance matters.

Motion was made by Alan Hayashi to accept the amendments clarifying the composition, when it can convene and also is responsible for personnel and Council governance matters. The motion was seconded by Ian Kitajima. The motion was approved with 7 ayes, no abstentions, and none voting no. (7 voting members were present.)

ARTICLE IV – MEETINGS, ATTENDANCE, VOTING, AND QUORUM

Meetings

Amend Section 1-A to clarify that HRS Chapter 92 governs the Council’s meetings. Chapter 92-2.5 governs permitted interactions of Council members. 29 USC Chapter 3111(g) of WIOA is the Sunshine provisions applicable to the Council. Section 1-B shall endeavor to meet quarterly. Section 1-C allows the Chairperson to call meetings of the Council as considered necessary. Delete Section 1-D, E, F, G as they are redundant.

Motion was made by Alan Hayashi to accept the amendments to list citations covering Council meeting, permitted interactions of Council members, Council will endeavor to meet quarterly, and Chairperson shall call meetings of the Council as considered necessary, and to delete Section I-D, E, F, G as they are redundant. The motion was seconded by Shannon Okinaka. The motion was approved with 7 ayes, no abstentions, and none voting no. (7 voting members were present.)

Attendance

Amend Section 2 so that the Council will abide by HRS Chapter 92-15.5 for when a Council member fails to attend three consecutive meetings without valid excuse where the Council failed to constitute quorum necessary to transact Council business.

Motion made by Alan Hayashi to accept amendments that the Council will address unexcused members who fail to attend three consecutive meetings where the Council failed to constitute quorum to transact Council business. The motion was seconded by Scott Murakami. The motion was approved with 7 ayes, no abstentions, and none voting no. (7 voting members were present.)

Voting

Amend Section 3 to state that proxy and/or absentee voting is not permitted.

Motion was made by Alan Hayashi to accept that proxy and absentee voting is not permitted. The motion was seconded by Ian Kitajima. The motion was approved with 7 ayes, no abstentions, and none voting no. (7 voting members were present.)

Amend Section 4 to list ex-officio members or their designees may each cast one vote.

Motion was made by Alan Hayashi to accept that the list of ex-officio members or their designees may each cast one vote. The motion was seconded by Ian Kitajima. The motion was approved with 7 ayes, no abstentions, and none voting no. (7 voting members were present.)

Amend Section 5 so that Council member appointed by the Governor may each cast one vote.

Motion was made by Alan Hayashi to accept that Council members appointed by the Governor may each cast one vote. The motion was seconded by Ian Kitajima. The motion was approved with 7 ayes, no abstentions, and none voting no. (7 voting members were present.)

Amend Section 6 to state that ex-officio members wishing to designate a designee for attending a Council meeting and vote should submit written notice to the Council staff no later than one week prior to the Council meeting.

Motion was made by Alan Hayashi to accept that ex-officio wishing to designate a designee to attend a meeting and vote on their behalf should submit the notice in writing to the Council staff not more than one week prior to the Council meeting. The motion was seconded by Ian Kitajima. The motion was approved with 7 ayes, no abstentions, and none voting no. (7 voting members were present.)

Quorum

Amend Section 7 to conform with HRS Chapter 202 that until such time the Council has 41 members, 16 Council members shall constitute a quorum to do business, and the concurrence of at least 16 Council members shall be necessary to make any action of the Council valid.

Motion was made by Alan Hayashi to accept the definition of quorum under HRS Chapter 202 for Council meetings. The motion was seconded by Shannon Okinaka. The motion was approved with 7 ayes, no abstentions, and none voting no. (7 voting members were present.)

ARTICLE V – CONFLICTS OF INTEREST

Amend Article V regarding which Federal and State statutes govern conflicts of interest and codes of conduct for Council members.

Motion was made by Alan Hayashi to accept the Federal and State laws which govern conflicts of interest and codes of conduct for Council members. The motion was seconded by Shannon Okinaka. The motion was approved with 7 ayes, no abstentions, and none voting no. (7 voting members were present.)

ARTICLE VI – EXPENSES AND COMPENSATION

Amend Section 1 to conform with State law that Council members serve without compensation but shall be reimbursed for travel expenses for Council business.

Motion was made by Alan Hayashi to accept that Council members are ruled under State law to serve without compensation but shall be reimbursed for travel expenses to perform the duties for Council business. The motion was seconded by Shannon Okinaka. The motion was approved with 7 ayes, no abstentions, and none voting no. (7 voting members were present.)

ARTICLE VII – RULES OF ORDER

Amend Section 1 to cover rules of order and Robert's Rules of Order to the extent permitted by Federal and State laws.

Motion was made by Alan Hayashi to accept that to the extent permitted by Federal and State laws, shall apply to rules of order and Robert's Rules of Order. The motion was seconded by Ian Kitajima. The motion was approved with 7 ayes, no abstentions, and none voting no. (7 voting members were present.)

ARTICLE VIII – AMENDMENTS

Amend Section 1 to clarify that amendments to the bylaws can be made at any Council meeting with the concurrence of quorum and that 30 days written notice is given to each Council member.

Motion was made by Alan Hayashi to accept that amendments to bylaws are permitted with 30 days written notice to each Council member and that a quorum is present to vote on the amendment. The motion was seconded by Edward Richardson. The motion was approved with 7 ayes, no abstentions, and none voting no. (7 voting members were present.)

ARTICLE IX -BYLAWS GOVERNANCE

Add a new Article IX to clarify the bylaws shall be interpreted and applied consistent with HRS Chapter 202 and the Federal Workforce Innovation and Opportunity Act (WIOA).

Motion was made by Alan Hayashi to accept the new Article IX clarifying that Federal and State laws govern the bylaws. The motion was seconded by Shannon Okinaka. The motion was approved with 7 ayes, no abstentions, and none voting no. (7 voting members were present.)

ARTICLE X – EFFECTIVE DATE

Amend Section 1 to clarify that upon Council action the bylaws will become effective on that date and shall be reviewed every two years.

Motion was made by Alan Hayashi to accept when the bylaws become effective and shall be reviewed by the Council every two years. The motion was seconded by Shannon Okinaka. The motion was approved with 7 ayes, no abstentions, and none voting no. (7 voting members were present.)

Chair Wilkins called for the adoption of the amended bylaws to be recommend to the full Council in its entirety at the September 14, 2017 meeting.

Motion was made by Alan Hayashi to recommend the amended bylaws in its entirety for adoption by the full Council at the September 14, 2017 meeting. The motion was seconded by Scott Murakami. The motion was approved with 7 ayes, no abstentions, and none voting no. (7 voting members were present.)

V. Review and Discuss WDC Budget

Committee Chair Shannon Okinaka reviewed budget as of May 2017. She expressed general concern of county's not being able to spend the allocated funds for programs.

- Received \$5.9M federal funds for PY17
- Received \$462K general funds for PY17
- General funds are an important commitment from the State.

State funds distribution recommendations:

- Focus on industry led sector partnerships - \$15K for counties as proposed by the Chamber. Counties will contract with economic development boards in their areas to convene the partnerships meetings.
- Probably no charges for Nepris at this time
- \$100K for employer and business engagement and outreach

The budget will be reported to the Council.

VI. Board Committee Updates from Meetings between June 2017 and August 2017

A. Data Management & Technology Committee

Committee Chair Scott Murakami reported the committee met on July 17 and 18, 2017 for a presentation on a program called Workforce Connect which is being presented as a

common intake solution. The presenters came from the Information Technology Support Center which is administratively run by the National Association of State Workforce Agencies. The committee is looking for a seamless system that will allow a person people looking for employment assistance from any location and get referred to the appropriate agency through the WIOA core partners. They have three modules: single sign on capability; integrated registration system; and workforce profile dashboard. The estimated cost is \$631,754 to incorporate the core partners and is within the amount of the Federal grant we received. Moving forward some concerns came up which included the cost and time constraint of the Federal Reemployment System Integration grant that the WDC was awarded. The second concern was the participation of the Unemployment Insurance (UI) group and whether they would be interested in integrating their system. The third was what the core partners' needs are and identifying what the needs are. The solutions for these are as follows: the WDC has received permission to re-budget the funds dependent on what the scope of the changes will be. In a follow up meeting held on July 26, 2017 with the core partners it became clear that UI's priority is with the security of their system and will most likely not be integrating with the system. This is okay for now because claimants who receive UI benefits must register on the State's HireNet system and their data is available through Wagner Peyser. The third thing that needs to be addressed was the needs of the core partners so another meeting was held in August and agreed to identify questions they need to ask clients during the intake portion of their service. This is need to build an algorithm on the front end to have a common sign on system, then we can measure the accuracy of the process. Once this information is received we will be able to determine the scope of this project will be able to start moving forward with procuring a system that we want. Next step is start meeting with the Workforce Development Boards on each county to update them with what is going on with the system. Also guidance is being sought with the State's Chief Information Officer (CIO) so they know what WDC's plans are and to make sure that it aligns with the State's strategic initiatives and protocols they have set.

B. Sector Strategies & Career Pathways Committee

Committee Vice Chair Sean Knox reported that the committee met on August 4, 2017 and reviewed the mission and core values sector strategies and career pathways. A representative from the University of Hawaii's Career and Technical Education presented the statewide career pathways model which the committee approved. One big take away was the detailed chart which showed what groups provide services at the American Job Centers so we want to make sure that one of the core functions of the committee was to identify and address any redundancies in the services being provided to ensure that resources are efficient. The committee members agreed to meet on a quarterly basis. The next meeting will be held in November.

C. Military & Veteran's Affairs Committee

Committee Chair Edward Richardson reported that the committee met with the Transition Managers from the Air Force, Army and Navy. The military has a lot of technical skills that the State needs. Out of 3,000 people who annually separate from the military only 10% find jobs in Hawaii. Military personnel have two years prior to discharge can work for companies as an apprentice as long as there is no cost to the government. For example if an aircraft mechanic can work and get trained with Hawaiian Airlines and after separation from the military work for Hawaiian Airlines. The

committee is looking at these types of opportunities to improve military personnel's transition to civilian life. They don't feel accepted by the community. This is a sensitive issue. Recertification is another issue being looked into. Spouses of military who are nurses on the mainland who come here are told they need to be recertified before they can work. Similar situation with teachers and recertification. Hawaii is missing out on highly skilled workers that are needed here. At the next meeting we will have a presentation on vets and cyber security. The committee will meet on a monthly basis.

VII. Schedule Next Meeting

The next meeting will be held on Thursday, October 19, 2017 at 1:00 p.m. – 3:00 p.m.

VIII. Adjournment

Chair Wilkins adjourned the meeting at 3:30 p.m.