

JOSH GREEN, M.D.  
GOVERNOR

SYLVIA LUKE  
LIEUTENANT GOVERNOR



JADE T. BUTAY  
DIRECTOR

WILLIAM G. KUNSTMAN  
DEPUTY DIRECTOR

BENNETTE MISALUCHA  
EXECUTIVE DIRECTOR

**STATE OF HAWAII  
KA MOKU'ĀINA O HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
KA 'OIHANA PONO LIMAHANA**

830 PUNCHBOWL STREET, ROOM 317  
HONOLULU, HAWAII 96813  
<https://labor.hawaii.gov/wdc/>  
Phone: (808) 586-8815 / Fax: (808) 586-8822  
Email: [dlir.workforce.council@hawaii.gov](mailto:dlir.workforce.council@hawaii.gov)

**HAWAII WORKFORCE DEVELOPMENT COUNCIL  
SPECIAL PROJECTS COMMITTEE MEETING**

**AGENDA**

**Date:** October 21, 2025  
**Time:** 10:30 am – 12 noon  
**In-Person Meeting Location:** Princess Ruth Ke'elikolani Building  
830 Punchbowl Street, Room 317  
Honolulu, Hawaii 96813  
**Virtual Participation:** Virtual Videoconference Meeting – Zoom Meeting (Link below)  
Join Zoom Meeting

<https://us06web.zoom.us/j/83682417856?pwd=fCVFx8aoQmzkmFhbFDjE2B7L4qRePK.1>

Meeting ID: 836 8241 7856

Passcode: 044934

**Agenda:** The agenda was posted to the State electronic calendars as required by §92-7(b), Hawai'i Revised Statutes ("HRS")

**Board Meeting Materials:** Meeting materials are available for review at  
<https://labor.hawaii.gov/wdc/meeting-docs/>

Individuals may submit written testimony by hard copy mail or hand delivery to: Attn: Workforce Development Council, 830 Punchbowl Street, Suite 317, Honolulu, HI 96813 or by email at [DLIR.Workforce.Council@hawaii.gov](mailto:DLIR.Workforce.Council@hawaii.gov). We request submission of testimony at least 24 hours prior to the meeting to ensure that it can be distributed to the Board members. Any written testimony submitted after such time will be retained as part of the record and distributed to members as soon as practicable, but we cannot ensure members will receive it in sufficient time to review prior to any decision-making.

**Internet Access:**

To view the meeting and provide live oral testimony, please use the link at the top of the agenda. You will be asked to enter your name. The Board requests that you enter your full name, but you may use a pseudonym or other identifier if you wish to remain anonymous. You will also be asked for an email address. You may fill in this field with any entry in an email format, e.g., [\\*\\*\\*\\*\\*@\\*\\*\\*mail.com](mailto:*****@***mail.com).

Your microphone will be automatically muted, and video will be turned off. When the Chairperson asks for public testimony, you may click the Raise Hand button found on your Zoom screen to indicate that you wish to testify about an agenda item. You will individually be enabled to unmute your microphone, turn on your video if you choose to, and testify. When recognized by the Chairperson, please unmute your microphone and turn on your video if you choose to before speaking and mute your microphone and turn off your video after you finish speaking

### **Phone Access:**

If you do not have internet access, you may get audio-only access by calling the Zoom Phone Number listed at the top on the agenda. Upon dialing the number, you will be prompted to enter the Meeting ID which is also listed at the top of the agenda. After entering the Meeting ID, you will be asked to wait to be admitted into the meeting. When the Chairperson asks for public testimony, you may indicate you want to testify by entering “\*” and then “9” on your phone’s keypad. After entering “\*” and then “9”, a voice prompt will let you know that the host of the meeting has been notified. When recognized by the Chairperson, you may unmute yourself by pressing “\*” and then “6” on your phone. A voice prompt will let you know that you are unmuted. Once you are finished speaking, please enter “\*” and then “6” again to mute yourself.

For both internet and phone access, when testifying, you will be asked to identify yourself and the organization, if any, that you represent. Each testifier will be limited to five minutes of testimony per agenda item. Pursuant to section 92-3.7(e), HRS, the Board may remove or block any person who willfully disrupts or compromises the conduct of the meeting.

If connection to the meeting is lost for more than 30 minutes, the meeting will be continued on a specified date and time. This information will be provided on the Council’s website [at https://labor.hawaii.gov/wdc/meeting-docs/](https://labor.hawaii.gov/wdc/meeting-docs/).

Instructions to attend State of Hawaii virtual board meetings may be found online at <https://labor.hawaii.gov/wp-content/uploads/2025/01/State-of-Hawaii-Virtual-Board-Attendee-Instructions.pdf>.

### Vision Statement

The Workforce Development Council’s vision is that all employers have competitively skilled employees and all residents seeking work or advancement have sustainable employment and self-sufficiency.

### Mission Statement

It is the intent of the Workforce Development Council to support and guide the implementation of the Unified State Plan through active collaboration and regional sensitivity for the purpose of aligning, coordinating, and integrating workforce services to meet the needs of employers and residents in order to foster a robust economy.

- I. Call to Order .....Chair Keith DeMello
- II. Approval of Minutes of June 30, 2025
- III. Legislative Plans for 2026 Legislative Session

*For the 2026 Legislative Session, the Special Projects Committee will review and refine its legislative engagement protocols based on lessons learned from the past two years. The goal is to ensure timely coordination, consistent communication, and clear roles in advancing workforce priorities aligned with the State Unified Plan. This includes strengthening collaboration with legislative partners and improving internal tracking of proposed measures and testimony processes.*

#### IV. By-laws Changes

*The Committee will review and vet the proposed By-laws changes and make recommendations to the Executive Committee. These revisions are designed to align the Council's nomination and appointment processes for the Chair and members with the requirements of the Workforce Innovation and Opportunity Act (WIOA) and relevant provisions of the Hawai'i Revised Statutes. The goal is to ensure consistency, transparency, and compliance in leadership appointments and Council membership.*

##### A. PROPOSED AMENDMENTS ON ARTICLE III – “MEMBERSHIP”

Section 3.1. Except for ex-officio members or their designees, Council members are appointed by the Governor for up to four-year staggered terms, with a limit of two consecutive terms (eight consecutive years), pursuant to HRS § 202-1 and HRS § 26-34. **The Council encourages allowing new voices and a broad range of perspectives to be represented.**

*Rationale: The current law and practice limit members to two consecutive four-year terms, but it is unclear whether an individual who has completed eight consecutive years may return to serve additional terms after a period of absence. However, we can add the last sentence to emphasize that one of the goals of the Council is to promote the healthy turnover of membership, allow new voices and perspectives to be represented by asking members to consider this goal if they are nominated for an additional term.*

Section 3.2. A member of each house of the legislature appointed by the appropriate presiding officer of each house shall be appointed to two-year terms beginning in January of odd-numbered years pursuant to HRS § 202-1.

##### (INSERT NEW SECTION)

**Section 3.3. The Council shall assist the Governor by maintaining a standing pool of potential nominees for Council membership. Business representatives shall be selected from individuals nominated by statewide or regional business organizations and trade associations. Labor representatives shall be selected from individuals nominated by recognized state labor organizations.**

##### (INSERT NEW SECTION)

**Section 3.4 Nominations must be submitted in writing, with documentation of the nominee's qualifications under WIOA. The WDC Executive Committee shall review nominations for completeness, verify compliance with WIOA and State requirements, and forward recommendations to the Governor. The Governor retains sole appointment authority.**

*Rationale: Here are the reasons:*

*a. Federal Compliance: WIOA (§101(b)) and 20 CFR §679.110 require that the Governor's by-laws address the nomination process; current by-laws do not.*

*b. Transparency & Continuity: A standing pool of vetted nominees ensures timely appointments, prevents vacancies, and provides clarity on how candidates are identified.*

*c. Best Practice: States like Delaware, Alaska, and Oregon specify that the Governor shall appoint from a standing list of potential members nominated by state business organizations, or trade or labor organizations, with boards helping review for compliance before names go to the Governor.*

**(INSERT NEW SECTION)**

**Section 3.5** In cases where an individual applies directly to the Governor or the Council for membership, staff shall acknowledge receipt and advise the applicant that, under WIOA, nominations must come through recognized organizations such as business associations, trade groups, labor federations, educational institutions, or community-based organizations. Individuals may only be considered for appointment upon formal nomination through the proper channel, and all appointments remain at the sole discretion of the Governor.

*Rationale: This provision is necessary to clarify how applications for Council membership are handled. WIOA requires that nominations come through recognized business, labor, education, or community organizations, not directly from individuals.*

**(INSERT NEW SECTION)**

**Section 3.6** Council members shall actively engage in convening workforce system stakeholders, brokering relationships with a diverse range of employers, and leveraging public and private resources to support workforce development activities in Hawai'i.

*Rationale: The current by-laws only address attendance and do not clearly define broader participation responsibilities beyond meeting presence. Adding this provision establishes clear expectations for member engagement and aligns Hawai'i's Workforce Development Council with federal regulations and national best practice.*

~~Section 3.3.~~ **(NOW Section 3.7)** Any member of the Council may resign at any time by giving written notice to the Governor and Chairperson.

~~Section 3.4~~ **(NOW Section 3.8)** . If it comes to the Chairperson's attention, either by written notification from the Council member or otherwise, that a Council member may no longer be eligible for Council membership, the Chairperson may convene an Executive Committee meeting to review that Council member's eligibility and determine the course of action.

**(INSERT NEW SECTION)**

**Section 3.9** Upon a vacancy due to resignation, removal, death, or ineligibility, the Chairperson shall notify the Governor in writing within ten (10) business days of the vacancy.

*Rationale: The current by-laws did not specify a formal requirement for the Chair to notify the Governor of vacancies or establish a timeline for filling those vacancies, creating risks of prolonged gaps in representation and noncompliance with WIOA.*

~~Section 3.5.~~ **(NOW Section 3.10).** The Executive Director of the Council and Workforce Development Division Administrator are not members of the Council.

**B. PROPOSED AMENDMENTS ON ARTICLE V: " MEETINGS, ATTENDANCE, VOTING AND QUORUM"**

**Section 5.1.** HRS Chapter 92 and 29 USC § 3111(g) of WIOA govern the Council's meetings. The Council shall endeavor to meet quarterly. The Chairperson may convene the Council as necessary.

**Section 5.2.** Under HRS § 92-15.5, except for ex-officio members or their designees, the term of a Council member shall expire upon the failure of the Council member, without valid excuse, to attend three consecutive meetings duly noticed to all Council members and where the Council failed to constitute quorum necessary to transact Council business. The Chairperson shall determine if the absence of the Council member is excusable. The expiration of the Council member's term shall be effective immediately after the third consecutive unattended meeting and unexcused absence.

**(INSERT NEW SECTION)**

**Section 5.3.** The Council shall provide teleconferencing, videoconferencing, and web-based platforms to

**promote participation, consistent with the State Sunshine Law. Participation by such means constitutes official attendance.**

*Rationale: Explicitly allows tele- and web-based participation. While Hawai'i's Sunshine Law governs meetings, this clarifies that remote participation counts as official attendance.*

~~Section 5.3.~~ **(NOW SECTION 5.4)** Other than designees of ex-officio members, proxy and/or absentee voting is not permitted.

~~Section 5.4.~~ **(NOW SECTION 5.5)** Other than designees of ex-officio members, proxy and/or absentee voting is not permitted. Section 5.4. The following ex-officio members or their designees may each cast one vote:

- Governor, State of Hawaii
- Mayor, City & County of Honolulu
- Mayor, County of Hawaii
- Mayor, County of Kauai
- Mayor, County of Maui
- Director, Department of Business, Economic Development and Tourism
- Administrator, Division of Vocational Rehabilitation, Department of Human Services
- Director, Department of Labor & Industrial Relations
- Superintendent, Department of Education
- President, University of Hawaii
- Chair, County of Hawaii Workforce Development Board
- Chair, County of Kauai Workforce Development Board
- Chair, County of Maui Workforce Development Board
- Chair, Oahu Workforce Development Board
- Member, House of Representatives – State Legislature
- Member, Senate – State Legislature

~~Section 5.5.~~ **(NOW SECTION 5.6)** The following Council members appointed by the Governor may each cast one vote:

- The representatives from the private sector, including nonprofit organizations and businesses in the State, appointed from individuals nominated by state business organizations and business trade associations.
- The representatives from labor organizations and workforce training organizations.

~~Section 5.6.~~ **(NOW SECTION 5.7)** Ex-officio members wishing to designate a designee for purposes of attending a Council meeting and voting at such meeting should submit written notice to Council staff no later than one week before the Council meeting that the designee wishes to attend.

~~Section 5.7.~~ **(NOW SECTION 5.8)** Under HRS § 92-15 and HRS § 202-1, 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.

#### C. PROPOSED AMENDMENTS ON ARTICLE VI: "COMMITTEES"

Section 6.3. The following are standing committees of the Council:

- Executive Committee
- Employer Engagement Committee
- ~~• Military and Veterans Affairs Committee~~
- ~~• Performance Management and Technology Committee~~ **Performance Management and Finance Committee**
- Sector Strategies & Career Pathways Committee

- Youth Services Committee
- Special Projects Committee

*Rationale: This amendment is being added as part of the Council's restructuring of committees. The Technology and Performance Management Committee will be refocused to emphasize performance management and fiscal oversight of WIOA programs, and thus, will be renamed Performance Management and Finance Committee. The technology function is envisioned to operate as a working group. In the same vein, the Military and Veteran Affairs Committee is being eliminated. There are duplicative efforts in the community, particularly with the Chamber of Commerce and the Department of Business, Economic Development and Tourism. While there are worthwhile initiatives to pursue, these can be more effectively addressed through task forces or working groups.*

#### D. PROPOSED AMENDMENTS : ARTICLE VIII: "MISCELLANEOUS"

~~Section 7.1. 20 CFR § 683.200 governs conflicts of interest and codes of conduct under Federal law for Council members. Article XIV of the Hawaii State Constitution and HRS Chapter 84 governs conflicts of interest and ethics under State law for Council members.~~

**Section 7.1 All members of the Council shall comply with applicable state and federal ethics and conflict of interest laws, including, but not limited to, Article XIV of the Hawai'i State Constitution, Hawai'i Revised Statutes Chapter 84, 2 CFR 200.318, and 20 CFR § 683.200. Compliance with these provisions is a condition of appointment and continued service on the Council.**

*Rationale: To ensure full compliance and accountability, the by-laws should clearly and affirmatively state the ethical obligations applicable to each member.*

Section 7.2. Council members shall serve without compensation but shall be reimbursed for necessary travel expenses for the performance of their duties to the extent permitted by law.

#### (INSERT NEW SECTION)

**Section 7.3 In alignment with Hawai'i Revised Statutes (HRS) Chapter 202 and best practices for nonprofit and public boards, the Council shall conduct an annual performance review of the Executive Director. The review shall be coordinated by the Executive Committee and completed within the first quarter of each fiscal year. The review process shall include input from Council members and, where appropriate, relevant partners, stakeholders, and the public. A written summary of the evaluation shall be presented to the full Council and maintained as part of the Council's records.**

*Rationale: While HRS Chapter 202 provides for the role and authority of the Executive Director, it does not stipulate an explicit requirement for annual performance evaluations. Codifying this practice in the bylaws strengthens accountability, transparency, and governance. A consistent review process ensures that the Executive Director's performance is measured against statutory obligations and the Council's priorities, while also providing constructive feedback to support professional growth. This practice is recognized as a governance best practice, aligning the Council's oversight responsibilities with its mission and ensuring the effectiveness of leadership.*

~~Section 7.3.~~ **(NOW SECTION 7.4)** To the extent permitted by law, Robert's Rules of Order, newly revised, or applicable statutes shall apply in situations not covered by these bylaws.

~~Section 7.4.~~ **(NOW SECTION 7.5)** The bylaws may be amended at any Council meeting with the concurrence of at least a quorum of Council members.

~~Section 7.5.~~ **(NOW SECTION 7.6)** To the extent that any section in the bylaws is held invalid, the invalidity does not affect the other sections in the bylaws which can be given effect without the invalid section, and

to this end the invalid section of the bylaws is severable.

~~Section 7.6:~~ **(NOW SECTION 7.7)** The bylaws are effective upon Council concurrence of at least a quorum of Council members.

~~Section 7.7:~~ **(NOW SECTION 7.8)** The bylaws were duly approved by the Council on ~~February 15, 2024,~~  
**November 19, 2025.**

*Rationale: November 19 is the next board meeting, where we anticipate that these By-laws will be considered and voted upon.*

V. Executive Director's Report

- a. *Update on the 2024-2028 State Unified Plan Implementation*
  1. *Plans for Pillar Teams*
  2. *Next Steps for Pillar Initiatives*
- b. *A report on the Future Work Conference held September 24, 2025, and the Generational Commitment or State Unified Plan North Star*
- c. *Focus for the fourth quarter*
  1. *Operational transition*
  2. *Personnel Recruitment*
  3. *Board Retreat*
  4. *Strategic Plan Modification*
  5. *Local Board Plans*
  6. *Kauai Transition*

VI. Next Meeting

Tentatively scheduled for January 21, 2026, at 1:30 p.m.

Virtual Videoconferencing Meeting via Zoom and in-person at 830 Punchbowl Street, Room 317, Honolulu, HI 96813

VII. Adjournment

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Reasonable accommodations for people with disabilities are available upon request. Requests for accommodations should be submitted via email to [Bennette.E.Misalucha@hawaii.gov](mailto:Bennette.E.Misalucha@hawaii.gov) or by calling Bennette Misalucha at (808) 586- 3018 (voice) as soon as possible. Such requests should include a detailed description of the accommodation needed. In addition, please include a way for Bennette Misalucha to contact the requester if more information is needed to fulfill the request. Last minute requests will be accepted but may not be possible to accommodate. Upon request, this notice is available in alternate formats.