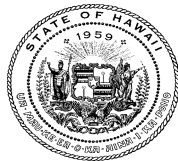


JOSH GREEN, M.D.
GOVERNOR

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**

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**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. 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.

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 OrderChair 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*

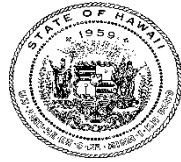
VI. Next Meeting

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

Reasonable accommodations for people with disabilities are available upon request. Requests for accommodations should be submitted via email to 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.



STATE OF HAWAII

KA MOKU'ĀINA O HAWAII DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

KA 'OIHANA PONO LIMAHANA

WORKFORCE DEVELOPMENT COUNCIL

830 PUNCHBOWL STREET, ROOM 317
HONOLULU, HAWAII 96813

<http://labor.hawaii.gov/labor> Phone: (808) 586-8815 / Fax: (808) 586-8822

Email: dlir.workforce.council@hawaii.gov

WORKFORCE DEVELOPMENT COUNCIL

Special Projects Committee Written Summary

Date: June 30, 2025

Time: 3:00 p.m. – 4:30 p.m.

Location: Zoom & 830 Punchbowl Street, Room 317, Honolulu, HI 96813

I. Call to Order and Roll Call

[Timestamp: 00:00:33 – 00:06:07]

Chair Keith DeMello called the meeting to order at 3:01 p.m. and welcomed attendees to the Special Projects Committee meeting of the Workforce Development Council. He acknowledged Vice Chair Dion Dizon and noted that the meeting was being held in accordance with Hawai'i's Sunshine Law, with participation available remotely via Zoom and in person at 830 Punchbowl Street, Room 317, Honolulu.

Chair DeMello invited participants to introduce themselves for the record. Introductions were provided verbally and supplemented by the Zoom attendance list.

WDC Committee Members Present:

- Keith DeMello, Chair- Special Projects Committee, Workforce Development Council
- Dion Dizon, Vice Chair – UH West O'ahu Center for Labor Education and Research (CLEAR)
- Thomas Chock – DBEDT Creative Industries Division
- David Rodriguez – Hawai'i Department of Labor and Industrial Relations, DLIR Director's Office

- Jade Rojas-Letisi – Executive Assistant, Economic Development, County of Maui Office of the Mayor
- Nalani Brun-Director, Office of Economic Development

WDC Staff Present:

- Bennette Misalucha – Executive Director, Workforce Development Council
- Angela Chock – Hele Imua Intern, Workforce Development Council
- Kelly Quitevis – Staff, Workforce Development Council

Presenters:

- Caroline Witherspoon – President & CEO, Becker Communications
- Jocelyn Collado – Vice President, Becker Communications

Guests and Additional Attendees:

- Julie Radke – Fiscal Office, DLIR
- Carey Price – Program Specialist, DLIR Director’s Office
- Maricar Pilotin-Freitas – Executive Director, Workforce Development Division
- Nicolette Van Der Lee – Program Manager, UH Community Colleges, Good Job Hawaii
- Chavonnie Ramos – Public Information Officer, DLIR Director’s Office
- Ariel Nault – Fiscal Office, DLIR
- Leinaala Nakamura – City & County of Honolulu, Dep. of Community Services, Work Hawaii Administrator
- Ray Solaris – Director of Career Services, Goodwill Industries
- Kevin Aki Jr. – Workforce Innovation and Opportunity Act Specialist, County of Hawai‘i, Research and Development
- Lynn Araki-Administrative Services Officer, II, DLIR- ASO
- Lee Williams-Naeole, American Jobs Center

II. Presentation: Public Awareness Campaign Overview

[Timestamp: 00:06:07 – 00:41:32]

Presented by: Caroline Witherspoon and Jocelyn Collado, Becker Communications

Chair Keith DeMello introduced the second agenda item: a presentation by Becker Communications outlining the statewide public relations campaign designed to increase awareness and utilization of Hawai'i's American Job Centers (AJCs). The campaign is funded using unexpended Program Year 2022 WIOA funds.

Caroline Witherspoon and Jocelyn Collado led the presentation, beginning with a summary of a statewide omnibus survey conducted by Anthology Research. The survey revealed that 81% of Hawai'i residents had never heard of AJC Hawai'i, and even among active job seekers, 72% were unaware of the services. However, of those who had used AJC services, 65% indicated they would be very likely to use them again, showing a need to bridge the awareness gap.

Key points from the survey findings included:

- Awareness is higher on O'ahu compared to the neighbor islands.
- Males, Caucasians, college graduates, and those under 50 had higher awareness and usage rates.

Based on the findings, Becker developed a multi-channel campaign titled "If I Can, You Can" featuring:

- Television & Streaming Ads: Two TV spots highlighting AJC services, featuring local personalities including Passion Santos, Augie T, and Lanai.
- Radio Ads: Localized versions for each county.
- Social media & Digital Ads: Google Search and YouTube ads, Facebook/Instagram posts, and influencer partnerships.
- Out-of-Home Ads: Bus wraps and community flyers.
- Culturally Relevant Outreach: Materials were translated into multiple languages (e.g., Tagalog, Ilocano, Korean), and radio spots were adapted for multilingual platforms (e.g., KNDI).
- Community Engagement: Partnerships with churches, nonprofits, and cultural centers; social media content; and outreach at job fairs and schools.

The presentation included TV and radio spots.

Discussion and Q&A Highlights:

- Chair DeMello inquired about metrics for campaign success. Caroline Witherspoon shared that while a post-campaign survey was not currently budgeted, engagement metrics (clicks, impressions, QR code scans) and site traffic will be used to assess impact.
- Bennette Misalucha suggested adding a survey question at AJC intake to ask how clients heard about the center. Kevin Aki Jr. confirmed this could be easily implemented.
- Keith DeMello and Jocelyn Collado discussed tagging partner organizations and AJCs on social media to expand reach.
- Chavonnie Ramos raised the need for the Stevens Amendment disclaimer on print and digital outreach materials and offered to provide the boilerplate language. Becker Communications confirmed they would incorporate it.
- Council members, including Dion Dizon, David Rodriguez, and Jade Rojas-Letisi, provided positive feedback on the campaign's tone, cultural fit, and media diversity. Counties confirmed willingness to share campaign content through their own communications channels.

Chair DeMello thanked Becker Communications for their work and noted the committee's appreciation for the campaign's thoughtful design and local resonance. The Becker team was invited to stay for the remainder of the meeting or depart as needed.

III. Committee Discussion: 2026 Legislative Topics

[Timestamp: 00:41:33 – 00:59:20]

Chair Keith DeMello opened the discussion on potential legislative priorities for the 2026 session. He began by summarizing the committee's recent legislative activities, noting that he and Tui Scanlan had been authorized to submit testimony on behalf of the Council when aligned with its general sentiment. In the 2024 session, they submitted testimony on seven measures, including governor's messages and Senate Bill 742, which established a government working group for workforce data integration.

Chair DeMello identified four strategic areas for improvement in preparation for the next session:

- Move legislative planning timeline up
- Develop proactive bill language and testimony strategies

- Engage in coalition-building with business and labor partners
- Create a consistent timeline with milestones for internal review and stakeholder vetting

He invited committee members to propose issues for consideration and mentioned key workforce-related topics that emerged in the past session:

- Training and internship program funding
- Barriers to employment such as childcare and cost of living
- Workforce development proposals tied to economic diversification and defense sector employment
- A resolution to establish a Workforce Excellence Award program (introduced by Sen. Stanley Chang)

Discussion Highlights:

- **Special Session Possibility:** Bennette Misalucha noted that a potential special session could address pending governor's appointments to the WDC.
- **Sunshine Law Cautions:** Bennette clarified acceptable interactions under the Sunshine Law and emphasized caution when continuing legislative coordination outside of meetings.
- **Timeline Recommendations:** Dion Dizon proposed aligning the legislative report with a survey in fall to gather stakeholder input before session. Bennette agreed to consult with OIP on how to implement this legally.
- **Housekeeping Measures:** Bennette mentioned needed revisions to bylaws to ensure consistency with HRS, which the committee could pursue with legislative sponsorship.
- **Collaboration Opportunities:** David Rodriguez explained DLIR's internal timeline to gather division legislative ideas after the July 9 veto deadline, with outreach planned around July 20.
- **Data Integration Working Group:** Chair DeMello suggested inviting the group to present their year-end report to either the Special Projects Committee or the full WDC.

Chair DeMello closed by encouraging members to submit additional legislative suggestions beyond the meeting and stated that the next committee meeting would revisit

housekeeping items and develop a preliminary list of potential bills or priorities to recommend to the full Council.

IV. Executive Director's Report

[Timestamp: 00:59:20 – 01:05:47]

Executive Director Bennette Misalucha delivered an update on the implementation of the 2024–2028 Workforce Development State Unified Plan. She acknowledged that some information may have been shared during the recent WDC Quarterly Board Meeting but reiterated key highlights to ensure all participants were informed.

A. Unified Plan Implementation

- The upcoming Workforce Synergy Summit is scheduled for July 9 at Honolulu Community College (8:00 AM – 12:00 PM).
- Hawai'i has received grant support from the National Governors Association to develop a long-term vision, referred to as Hawai'i's Generational Commitment (North Star Statement), to be launched at the summit.
- Following the summit, the Council will host a Future of Work Conference in September, and a progress report will be submitted to DLIR leadership, the Governor, and the Legislature. The formal modification of the plan is due to the U.S. Department of Labor in March or April 2026.

B. Roles and Responsibilities of WDC and WDD

- A workgroup has been meeting regularly throughout 2024 to clarify the division of roles between the Workforce Development Council and the Workforce Development Division.
- The Memorandum of Understanding (MOU) outlining these roles is now expected to be completed in Q3 of 2025.

C. Operational Highlights and Forthcoming Projects

- Website updates are underway, including the addition of WDC member photos and bios, expected to launch in the coming week.
- Beginning in Q3, the Council will focus on organizational planning, working with committee chairs to ensure alignment and relevance.
- Planning is also underway for budget and board retreat activities scheduled for September–October.

- The Council is assuming local board responsibilities for Kauaʻi, which currently lacks a local board. Technical assistance has been requested from the U.S. Department of Labor to support this transition.

D. WIOA Unexpended Funds & Upcoming Events

- A successful fiscal training was held the previous Thursday and Friday with participation from over 40 representatives across workforce boards.
- An upcoming webinar with the Strada Foundation is scheduled for July.
- The Future of Work Conference will be held on September 24, 2025.
- The WDC will soon launch a call for nominations for Workforce Development Heroes, with honorees to be recognized at the Future of Work Conference. Forms and deadlines will be announced in the coming weeks.

Bennette concluded her report and opened the floor for questions. Chair Keith DeMello thanked her for the comprehensive update.

V. Announcements and Constituent Comments

[Timestamp: 01:05:47 – 01:06:44]

Chair Keith DeMello opened the floor for public announcements or comments.

VI. Next Meeting

[Timestamp: 01:06:44 – 01:07:02]

Chair DeMello announced that the next Special Projects Committee meeting is scheduled for September 29, 2025, at 1:30 PM, to be held via Zoom and in person at the Department of Labor and Industrial Relations (DLIR), 830 Punchbowl Street, Room 310, Honolulu, Hawaiʻi.

VII. Adjournment

[Timestamp: 01:07:02]

With no further business, Chair Keith DeMello adjourned the meeting at 4:08 PM.

WORKFORCE DEVELOPMENT COUNCIL
2025 PROPOSED BY-LAWS CHANGE

As part of our governance responsibilities, the Workforce Development Council (WDC) is proposing amendments to its by-laws to ensure the State of Hawai'i remains in full compliance with the federal Workforce Innovation and Opportunity Act (WIOA).

WIOA requires that the Governor establish by-laws that, at a minimum, address specific provisions such as the nomination process, vacancies, use of technology, and active member participation.

Attached for your review are the draft amendments, which include proposed new language, to be inserted under Article III to clarify Council composition, establish a nomination pool and process, set timelines , and address participation and other membership conditions.

The intent of these changes is to:

- Align the WDC's by-laws with WIOA §101(b) and 20 CFR §679.110;
- Provide greater clarity and transparency in membership and appointment processes; and
- Incorporate best practices used in other states, while preserving the Governor's authority for final appointments.

We would greatly appreciate your legal review of the proposed verbiage to ensure consistency with Hawai'i statutes, including HRS Chapter 202 and Chapter 92, as well as to confirm compliance with WIOA.

Respectfully Yours,

Keith DeMello
Chair, Special Projects Committee

Dion Dizon
Vice-Chair, Special Projects Committee

BACKGROUND:

Code of Federal Regulations (CFR)

A. § 679.110 What is the State Workforce Development Board?

The Governor must establish by-laws that at a minimum address:

- (1) The nomination process used by the Governor to select the State WDB chair and members;
- (2) The term limitations and how the term appointments will be staggered to ensure only a portion of membership expire in a given year;
- (3) The process to notify the Governor of a WDB member vacancy to ensure a prompt nominee;
- (4) The proxy and alternative designee process that will be used when a WDB member is unable to attend a meeting and assigns a designee as per the following requirements:
 - (i) If the alternative designee is a business representative, he or she must have optimum policymaking hiring authority.
 - (ii) Other alternative designees must have demonstrated experience and expertise and optimum policy-making authority.
- (5) The use of technology, such as phone and Web-based meetings, that must be used to promote WDB member participation;
- (6) The process to ensure members actively participate in convening the workforce development system's stakeholders, brokering relationships with a diverse range of employers, and leveraging support for workforce development activities; and
- (7) Other conditions governing appointment or membership on the State WDB as deemed appropriate by the Governor.

B. GAP ANALYSIS

Please refer to the above WIOA provisions in the CFR for the gap analysis grid provided below.

Hawai'i Workforce Development Council By-Laws Alignment with WIOA

WIOA Requirement	Current By-Laws (Feb 2024)	Gap / Issue	Proposed Amendments
1. Nomination process for Chair and members	Art. IV, Sec. 4.1: Governor appoints Chairperson	Appointment authority covered, but no process for receiving nominations from	Governor (through WDC) solicits nominations from business, labor, education sectors. Provides for instances when business sector organizations may be

WIOA Requirement	Current By-Laws (Feb 2024)	Gap / Issue	Proposed Amendments
	Art. III, Sec. 3.1: Governor appoints members for staggered terms.	business orgs, labor orgs, etc..	non-existent. Nominations must be written with qualifications documented. A pool of potential board members must be maintained.
2. Term limitations & staggering	Art. III, Sec. 3.1: Four-year staggered terms; limit of two consecutive terms	Fully addressed.	No change needed.
3. Process to notify Governor of vacancies	Art. III, Sec. 3.3: Member may resign by written notice to Governor & Chair Art. III, Sec. 3.4: in cases where member is no longer eligible, Chair/Executive Committee may review eligibility.	Does not specify formal notification to Governor by Chair.	Proposed Art III. Sec 3.8 Chair must notify Governor in writing within 10 business days.
4. Proxy & designee process	Article V, Sec. 5.3: Other than ex-officio, Proxy/absentee voting prohibited. Art. V, Sec. 5.6: Ex-officio members may designate designees with 1-week notice.	Fully addressed	No change needed.

WIOA Requirement	Current By-Laws (Feb 2024)	Gap / Issue	Proposed Amendments
5. Use of technology to promote participation	Art. V, Sec. 5.1: Meetings governed by Sunshine Law & WIOA.	Missing: a mandate to use technology Silent on requiring tech to promote participation.	Proposed Art V, Sec 5.2 Council must provide teleconference, videoconference, or web-based platforms. Attendance via technology = official attendance.
6. Ensure members actively participate in convening stakeholders, brokering employer relationships, leveraging support	Art. V, Sec. 5.2: Members lose seat if absent from 3 consecutive meetings without valid excuse and where the board failed to constitute quorum necessary to transact board business	Addresses attendance, but not broader participation duties as provided in 20 CFR § 679.110.	Proposed Art III, Sec. 3.5 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.
7. Other conditions governing membership	Art. VII, Sec. 7.1–7.2: Ethics, conflicts of interest, no compensation, reimbursements.	This section reference ethics and conflicts of interest but it does not explicitly state that Council members must comply with these requirements.	Proposed Art. VII, Section 7.1 All Council members shall comply with applicable state and federal ethics and conflict of interest laws, including 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 membership on the Council.

C. 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 by 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.

D. 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.

E. 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.

F. PROPOSED AMENDMENTS ON 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.

Special Projects Committee

October 21, 2025



WORKFORCEDEVELOPMENT

COUNCIL

WDC EXECUTIVE DIRECTOR'S REPORT

- Continuing the Implementation of the Workforce Development Unified Plan/Pillar Catalyst teams
- Modification of the Plan Due March 2026
- Update on the operational transition of Workforce Development Council
- Committee Work/ Making Them Relevant
- Convening on Important Workforce Issues of the Day

FUTURE OF WORK CONFERENCE

September 24, 2025

- more than 330 attendees
- Focus on workforce development in the counties
- Two keynote speakers: Dr Patrick Sullivan and Dr. Seth Colby
- Workforce Heroes awards



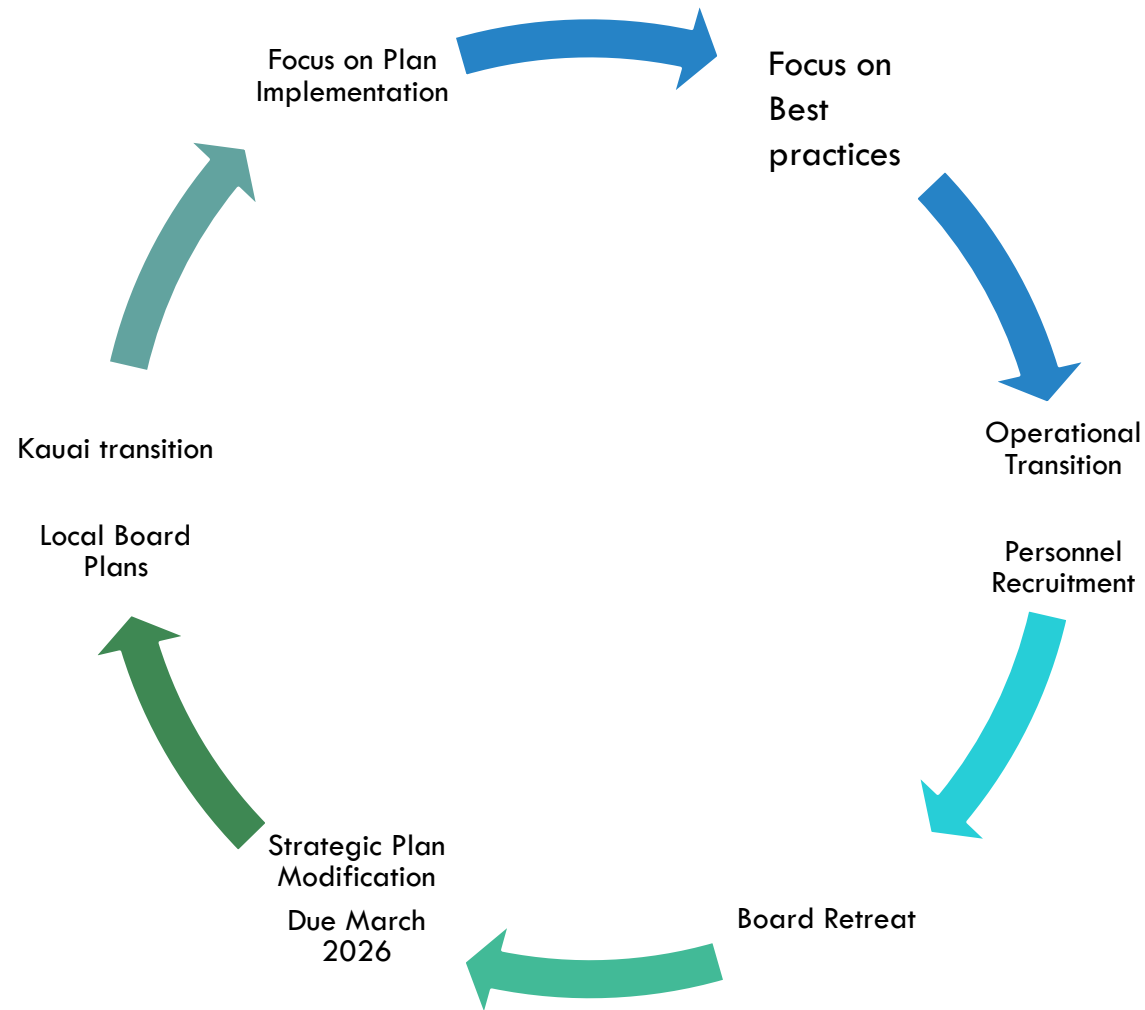
Staffing
2 vacancies



Transition
Plan-
Ongoing work



UPDATE ON ORGANIZATIONAL TRANSITION



FOCUS FOR

4TH Q -2025

1ST Q- 2026

MAHALO!