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### WIOA BULLETIN NO. 04-15 Change 3

**TO:** WIOA Partners

**FROM:** Bennette Misalucha, Executive Director  
Hawaii Workforce Development Council

A handwritten signature in blue ink that reads "Bennette Misalucha".

**SUBJECT:** Appointment of Local Workforce Development Board Members and Certification of Local Workforce Development Boards

### PURPOSE

This bulletin supersedes WIOA Bulletin No. 04-15 Change 2, dated September 3, 2025. It clarifies the term limits for Local Workforce Development Board (LWDB or Local Board) members and sets forth requirements for local boards to reflect these provisions in their by-laws in accordance with federal governance standards as required by 29 CFR part 679. Additionally, it outlines the criteria for LWDB appointments, and the biennial certification process required under the Workforce Innovation and Opportunity Act (WIOA).

### BACKGROUND

Under the WIOA, the Governor, in partnership with the Workforce Development Council (WDC), is required to establish the criteria for appointments of LWDB members and to certify each LWDB every two years. The LWDBs set policies and serve as a strategic convener of partnerships between the Chief Local Elected Official (CLEO) and local workforce, education and economic agencies. Local Board members must actively engage and collaborate with both required and additional public and private partners to ensure continuous improvement and alignment of employment, training, and education programs. Through strategic innovation and coordinated efforts, the LWDB is responsible for advancing economic growth and fostering a comprehensive, effective, and job-driven workforce development system.

## **POLICY**

As required by WIOA § 107(b)(1) and 20 CFR 679.310, the Governor, in partnership with WDC, shall establish criteria for the appointments of a WIOA-compliant Local Board by the CLEO. The LWDB is responsible for performing the functions outlined in WIOA §107(d) & 20 CFR 679.300, and for implementing WIOA programs and activities at the local level.

### **A. MEMBERSHIP AND COMPOSITION**

The criteria for appointment of LWDB members shall conform with WIOA §107(b)(2) and 20 CFR 679.320 as summarized in Local Workforce Development Board Membership Requirements, Attachment 1. All board members must have "optimum policy-making authority" (20 CFR 679.340), meaning they are authorized to speak and act on behalf of the entity they represent and possess the authority to commit that entity to a chosen course of action.

- A formal nomination and appointment process must be established (20 CFR 679.320(g)). Business representatives must be appointed from individuals nominated by local business organizations or business trade associations, not their own employer. Similarly, labor representatives must be appointed from individuals nominated by local labor federations.
- Where multiple entities are eligible for representation, such as adult education and literacy providers under Title II or institutions of higher education offering workforce activities, the CLEO must solicit nominations from each respective group when appointing members.
- An individual may represent multiple entities if they meet all eligibility criteria for each required category of representation.
- The Chairperson must be elected from among the business representatives on the Local Board as required by WIOA § 107(b)(3) and 20 CFR 679.330.
- All required LWDB members must have voting privileges. The CLEO may convey voting privileges to non-required members.
- A member appointed to represent a business, workforce, or other category who changes their affiliation must notify the LWDB Chairperson. The CLEO must ensure that the LWDB's composition remains compliant with the requirements of 20 CFR 679.320.

### **B. OPERATING BY-LAWS**

As required by 20 CFR 679.310(g), the CLEO must establish by-laws consistent with State policy for LWDB membership that at a minimum address:

- The nomination process used to select the LWDB Chair and members;
- The term limitations and how the term appointments will be staggered to ensure only a portion of membership expire in a given year;

- The procedure to promptly notify the CLEO of a board member vacancy or change in employment status affecting category of membership, to ensure a nominee is promptly selected to fill the vacancy;
- The proxy and alternative designee process that will be used when a LWDB member is unable to attend a meeting and assigns a designee as per the requirements of 20 CFR 679.110(d)(4);
- The use of technology, such as phone and Web-based meetings, that will be used to promote LWDB member participation;
- The process to ensure LWDB 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
- A description of any other conditions governing appointment or membership on the LWDB as deemed appropriate by the CLEO.

Local Board members shall be limited to eight years of consecutive service, and local board by-laws shall include provisions for board service in accordance with the governance requirements outlined in 20 CFR 679.310(g). These provisions align with State board governance and promote effective board rotation, leadership development, and sound succession planning to support the development and continuous improvement of the workforce development system in the State.

## C. CERTIFICATION

Local Boards must be certified every two years by the Governor (WIOA § 107(c)(2)(A) and 20 CFR 679.350).

### **PROCEDURES**

The CLEO submits the LWDB Membership Certification Request (Attachment 3) to the Governor by March 31 of each even-numbered year.

### **INQUIRIES**

Inquiries regarding this Bulletin may be directed to WDC Executive Director Bennette Misalucha at [bennette.e.misalucha@hawaii.gov](mailto:bennette.e.misalucha@hawaii.gov).

### **ATTACHMENTS**

- 1- Local Workforce Development Board Membership Requirement
- 2- Nomination Form
- 3- Local Workforce Development Board Membership Certification Request