

Memorandum of Understanding
Between
The
County Commissioners of Caroline County,
Dorchester County Council,
Kent County Board of County Commissioners,
Queen Anne’s County Board of County Commissioners,
Talbot County Council
And
The Upper Shore Workforce Investment Board
July 1, 2017

I. Background and Executive Summary

A. The Workforce Innovation and Opportunity Act of July 22, 2014, Public Law 113—128, authorizes the expenditure of Federal Funds to support employment, job-related training (occupational skills/job readiness) and career services (skills assessment, career counseling etc.) to specific eligibility groups: Adult, Youth and Dislocated Workers residing in Workforce Development Areas. The five counties comprising the Upper Shore of Maryland, i.e. Caroline, Dorchester, Kent, Queen Anne’s and Talbot, form the Upper Shore Workforce Development Area.

B. The Workforce Innovation and Opportunity Act Section 121 (e) (1) (A) specifies that each area that receives funding “at a minimum, shall make each of the programs, services and activities...accessible at not less than one physical center in each local area of the State; and (B) may also make programs, services and activities...available through a network of affiliated sites that can provide one or more of the programs, services, and activities to individuals and through a network of eligible one stop partners”.

The Upper Shore Workforce Investment Board, is the Workforce Development Board for the Upper Shore area. Per Section 107 (b) (2) of the Act, each Workforce Development Board will have representative members made up of county government, local business, educational entities, labor and community-based organizations and economic development representatives. All Workforce Development Boards have three partner categories, as listed:

- (1) The County Councils and Commissions of each of the five counties are the authorizing partners of the Upper Shore Workforce Investment Board. The overarching objective of the Upper Shore Workforce Investment Board is to interact regularly with the Chief Elected Officials, seek their guidance, keep them informed and work with their agencies to ensure county residents receive the maximum support available under Workforce Innovation and Opportunity Act to enable them to participate fully in the workforce.
- (2) Additionally, there are 19 operational partners identified by the Workforce Innovation and Opportunity Act who provide the job training and other assistance under the Workforce Innovation and Opportunity Act. The County Councils and Commissions, the Upper Shore Workforce Investment Board, and the Operational Partners enter into Memoranda of Understanding centered on the delivery of services in each county.

- (3) An administrative entity provides the financial, human resources and logistical infrastructure essential to Upper Shore Workforce Investment Board's effective and efficient function. In the Upper Shore Workforce Development Area, Chesapeake College is the contracted administrative partner and Fiscal Agent.

II. Role of County Councils and Commissions

- A. The five fundamental Workforce Innovation and Opportunity Act -related responsibilities of the County Councils and Commissions are: (1) to consider/approve the Workforce Development Area's Workforce Innovation and Opportunity Act Plan, which is then forwarded to the Governor; (2) consider, comment on, and sign the Memoranda of Understanding for One Stop Operations, (3) appoint the county representatives to the Upper Shore Workforce Investment Board, (4) permit Upper Shore Workforce Investment Board operational partners to provide Workforce Innovation And Opportunity Act services to its qualifying county residents, and (5) provide the Upper Shore Workforce Investment Board with the direction, advice and support it requires to implement and manage the Workforce Innovation and Opportunity Act system in the local Workforce Development Area.
- B. In addition, because each county's employment profile is unique, the Workforce Innovation and Opportunity Act envisions county government experts helping the Upper Shore Workforce Investment Board and its operational partners to design a service delivery model responsive to each county's job seekers and employers. Moreover, any in-kind support from county governments will enhance the delivery of Workforce Innovation and Opportunity Act programs to their county beneficiaries.

III. Role of the Upper Shore Workforce Investment Board

- A. The Upper Shore Workforce Investment Board will designate and certify the operating partners to deliver training and services in accordance and as specified by the Workforce Innovation and Opportunity Act law.
- B. The Upper Shore Workforce Investment Board will develop by-laws that will reflect the intent of this agreement and govern its functions.
- C. The Upper Shore Workforce Investment Board will hold regularly scheduled meetings to perform its mandated functions.
- D. The Upper Shore Workforce Investment Board will comply with Sunshine Provisions.
- E. The Upper Shore Workforce Investment Board acknowledges that disputes between it and the County Councils and Commissions shall be resolved as expeditiously as possible by (1) concurrence, or (2) through negotiations between a special committee of the Upper Shore Workforce Investment Board and the County Councils and Commissions, or (3) as otherwise agreed.
- F. The Upper Shore Workforce Investment Board will develop and submit a Workforce Innovation and Opportunity Act Plan for approval to the County Councils and Commissions of the five counties and thereafter forward the Plan to the Governor.
- G. The Upper Shore Workforce Investment Board will develop and submit a Memoranda of Understanding for approval to each of the County Councils and Commissions of the

- five counties, which will become part of the Workforce Innovation and Opportunity Act Plan forwarded to the Governor.
- H. The Upper Shore Workforce Investment Board will negotiate performance goals with the Governor.
 - I. The Upper Shore Workforce Investment Board and its staff will respond to any questions or concerns, or provide special presentations as the County Councils and Commissions may require.
 - J. The Upper Shore Workforce Investment Board will acquire and maintain Director's and Officer's Insurance.
 - K. The Upper Shore Workforce Investment Board will notify the County Councils and Commissions of audit exceptions and/or disallowed costs.
 - L. The Upper Shore Workforce Investment Board will take action with the County Councils and Commissions to resolve audit exceptions and/or disallowed costs.

IV. Termination of Agreement

Each party retains the right to terminate the agreement, with or without cause, by giving all other parties sixty (60) days prior written notice. Notice must be made to the addresses listed on each individual signature page.

V. Extract & Summary of Workforce Innovation and Opportunity Act Regulations

A. Section 679.310

"The County Councils and Commissions must establish by-laws consistent with Federal and State policies for local Workforce Development Board membership that at a minimum address:"

- (1) County Councils and Commission's appointment of private sector members.
- (2) Term for Upper Shore Workforce Investment Board member is three years.
- (3) Upper Shore Workforce Investment Board president notifies the County Councils and Commissions when a vacancy has occurred.
- (4) Upper Shore Workforce Investment Board is a Public Board and thus an absent member cannot send a proxy or designee.
- (5) Upper Shore Workforce Investment Board permits members to be present by phone if a quorum is physically present.
- (6) Upper Shore Workforce Investment Board ensures active participation of its stakeholders, brokering relations with a diverse range of employers and leveraging support for Workforce Development Board activities.

B. Section 679.320

Defines the required Workforce Development Board members:

- (1) Selected using criteria under the Federal Law and Gubernatorial guidance.
- (2) Majority of Workforce Development Board members must be from the local area's Private Sector. A maximum for each county in the local Area is three.
- (3) At least 20% of the Workforce Development Board must be composed of union representatives.
- (4) The 20 % may include one or more community-based organizations.

- (5) In addition, the Workforce Development Board must include:
- A representative of Adult Education.
 - A representative from an institution of higher learning: Chesapeake College.
 - In the case that Chesapeake College is the Adult Education provider, one member will represent both the College and Adult Education.
 - A representative of economic development efforts in the Workforce Development Area.
 - A representative of Title III, Wagner-Peyser Act, of the Workforce Innovation and Opportunity Act.
 - A representative from the Maryland Division of Rehabilitation Services.
 - A representative of Temporary Assistance for Needy Families.

County Councils and Commissions must establish a formal nomination and appointment process consistent with Federal and Maryland law, regulations and practices.

- (1) Local business organizations nominate representatives for appointment.
- (2) Local labor federations nominate representatives for appointment.
- (3) If qualified, a member may represent more than one sector.
- (4) All members vote.

C. Section 679.330 requires the Board Chair be elected by the Board from among the Private Sector representatives.

D. Section.679.340 defines qualifications for Board Members:


- (1) A representative with optimum policy-making authority is an individual who can reasonably be expected to speak affirmatively on behalf of the entity he or she represents, and to commit that entity to a chosen course of action.
- (2) A representative with demonstrated experience and expertise means an individual who the Upper Shore Workforce Investment Board recognizes for valuable contributions in education or workforce development related fields.

[Balance of page left intentionally blank. Signature pages follow.]

Signature Page
Upper Shore Work Force Investment Board

Attest:
Board

Upper Shore Workforce Investment


Daniel P. McDermott
Executive Director


George N. Weeks, III
President


Address for Upper Shore Workforce Investment Board

PO Box 8
Wye Mills, MD 21679

Signature Page
Caroline County


Attest:

County Commissioners of
Caroline County, Maryland


Jennifer M. Farina
Administrative Coordinator


Daniel J. Franklin, President

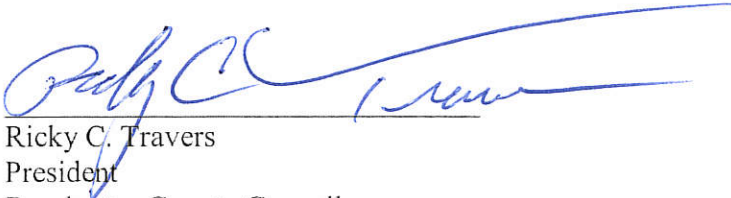
Approved for Legal Sufficiency:


Heather L. Price, County Attorney

Address for County Commissioners of Caroline County:

109 Market Street
Room 123
Denton, MD 21629

Signature Page
Dorchester County



Ricky C. Travers
President
Dorchester County Council

Address for Dorchester County Council:

PO Box 26
Cambridge, MD 21613

Signature Page
Kent County

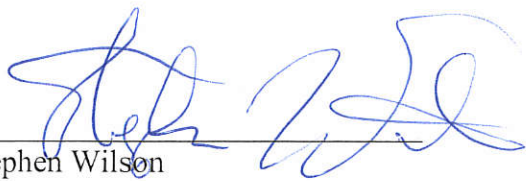
 04/04/17

William W. Pickrum
President
Kent County
Board of County Commissioners

Address for Kent County Board of County Commissioners

400 High Street
Chestertown, MD 21620

Signature Page
Queen Anne's County




Stephen Wilson
President
Queen Anne's County
Board of County Commissioners

Address for Queen Anne's County Board of County Commissioners

107 North Liberty Street
Centreville, MD 21617

Signature Page
Talbot County



Jennifer L. Williams
President
Talbot County Council

Address for Talbot County Council

11 North Washington Street
Easton, MD 21601