

**Southeast Arkansas Workforce Development Board  
and  
Southeast Arkansas Economic Development District, Inc.**

**Southeast Arkansas Workforce Development Area  
Board Administrative Services Agreement**

The Workforce Innovation and Opportunity Act of 2014 (WIOA), enacted by the Congress of the United States and signed into Law by the President of the United States has prescribed a unified workforce investment system that increases the employment, retention, and earning of participants, and increases the attainment of recognized post-secondary credentials by participants and as a result improves the quality of the workforce, reduces welfare dependency, increases economic self-sufficiency, meets the skill requirement of employers and enhances the productivity of the Nation.

In accordance with WIOA, the Southeast Arkansas Workforce Development Board (SEAWDB) whose service area includes the Counties of Arkansas, Ashley, Bradley, Cleveland, Chicot, Desha, Drew, Grant, Jefferson, and Lincoln, was established to provide policy guidance for, and exercise oversight with respect to, activities under the employment and training program for this workforce development area in partnership with the general local governments within its Local Workforce Development Area. To carry out these activities, the SEAWDB has selected Southeast Arkansas Economic Development District, Inc. (SEAEDD) to serve as the Administrative Services Entity/Staff for the Southeast Arkansas Workforce Development Area.

WIOA Section 107(f), states that the Local Workforce Development Boards have the authority to hire a director and other staff to assist in carrying out the functions of the Local Workforce Development Board. The Local Workforce Development Board must establish and apply a set of qualifications for the position of director that ensures the individual selected has the requisite knowledge, skills and abilities to meet the identified benchmarks and to assist in carrying out the functions of the Local Workforce Development Board. The Local Workforce Development Board director and staff must be subject to the limitations on the payment of salary and bonuses described in WIOA Section 194(15). The Local Workforce Development Board staff may only assist the Local Workforce Development Board in fulfilling the required functions described in WIOA Section 107(d).

**Workforce Development Board Role/Responsibilities:**

The functions of the Local Workforce Development Board:

- (a) Develop and submit a 4-year local plan for the local area, in partnership with the chief elected official and consistent with WIOA sec. 108;
- (b) If the local area is part of a planning region that includes other local areas, develop and submit a regional plan in collaboration with other local areas. If the local area is part of a planning region, the local plan must be submitted as a part of the regional plan;
- (c) Conduct workforce research and regional labor market analysis to include:
  - (1) Analyses and regular updates of economic conditions, needed knowledge and skills, workforce, and workforce development (including education and training) activities to include an analysis of the

strengths and weaknesses (including the capacity to provide) of such services to address the identified education and skill needs of the workforce and the employment needs of employers;

(2) Assistance to the Governor in developing the statewide workforce and labor market information system under the Wagner-Peyser Act for the region; and

(3) Other research, data collection, and analysis related to the workforce needs of the regional economy as the WDB, after receiving input from a wide array of stakeholders, determines to be necessary to carry out its functions;

(d) Convene local workforce development system stakeholders to assist in the development of the local plan under § 679.550 and in identifying non-Federal expertise and resources to leverage support for workforce development activities. Such stakeholders may assist the Local WDB and standing committees in carrying out convening, brokering, and leveraging functions at the direction of the Local WDB;

(e) Lead efforts to engage with a diverse range of employers and other entities in the region in order to:

(1) Promote business representation (particularly representatives with optimum policy-making or hiring authority from employers whose employment opportunities reflect existing and emerging employment opportunities in the region) on the Local WDB;

(2) Develop effective linkages (including the use of intermediaries) with employers in the region to support employer utilization of the local workforce development system and to support local workforce investment activities;

(3) Ensure that workforce investment activities meet the needs of employers and support economic growth in the region by enhancing communication, coordination, and collaboration among employers, economic development entities, and service providers; and

(4) Develop and implement proven or promising strategies for meeting the employment and skill needs of workers and employers (such as the establishment of industry and sector partnerships), that provide the skilled workforce needed by employers in the region, and that expand employment and career advancement opportunities for workforce development system participants in in-demand industry sectors or occupations;

(f) With representatives of secondary and postsecondary education programs, lead efforts to develop and implement career pathways within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment;

(g) Lead efforts in the local area to identify and promote proven and promising strategies and initiatives for meeting the needs of employers, workers and job seekers, and identify and disseminate information on proven and promising practices carried out in other local areas for meeting such needs;

(h) Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, and workers and job seekers, by:

(1) Facilitating connections among the intake and case management information systems of the one-stop partner programs to support a comprehensive workforce development system in the local area;

(2) Facilitating access to services provided through the system involved, including access in remote areas;

(3) Identifying strategies for better meeting the needs of individuals with barriers to employment, including strategies that augment traditional service delivery, and increase access to services and programs of the one-stop delivery system, such as improving digital literacy skills; and

(4) Leveraging resources and capacity within the local workforce development system, including resources and capacity for services for individuals with barriers to employment;

(i) In partnership with the chief elected official for the local area:

- (1) Conduct oversight of youth workforce investment activities authorized under sec. 129(c), adult and dislocated worker employment and training activities under WIOA secs. 134(c) and (d), and the entire one-stop delivery system in the local area;
  - (2) Ensure the appropriate use and management of the funds provided under WIOA subtitle B for the youth, adult, and dislocated worker activities and one-stop delivery system in the local area; and
  - (3) Ensure the appropriate use management, and investment of funds to maximize performance outcomes under WIOA sec. 116;
- (j) Negotiate and reach agreement on local performance indicators with the chief elected official and the Governor;
- (k) Negotiate with CEO and required partners on the methods for funding the infrastructure costs of one-stop centers in the local area in accordance with § 678.715 of this chapter or must notify the Governor if they fail to reach agreement at the local level and will use a State infrastructure funding mechanism;
- (l) Select the following providers in the local area, and where appropriate terminate such providers in accordance with 2 CFR part 200:
- (1) Providers of youth workforce investment activities through competitive grants or contracts based on the recommendations of the youth standing committee (if such a committee is established); however, if the Local WDB determines there is an insufficient number of eligible training providers in a local area, the Local WDB may award contracts on a sole-source basis as per the provisions at WIOA sec. 123(b);
  - (2) Providers of training services consistent with the criteria and information requirements established by the Governor and WIOA sec. 122;
  - (3) Providers of career services through the award of contracts, if the one-stop operator does not provide such services; and
  - (4) One-stop operators in accordance with §§ 678.600 through 678.635 of this chapter;
- (m) In accordance with WIOA sec. 107(d)(10)(E) work with the State to ensure there are sufficient numbers and types of providers of career services and services serving the local area and providing the services in a manner that maximizes consumer choice, as well as providing opportunities that lead to competitive integrated employment for individuals with disabilities;
- (n) Coordinate activities with education and training providers in the local area, including:
- (1) Reviewing applications to provide adult education and literacy activities under WIOA title II for the local area to determine whether such applications are consistent with the local plan;
  - (2) Making recommendations to the eligible agency to promote alignment with such plan; and
  - (3) Replicating and implementing cooperative agreements to enhance the provision of services to individuals with disabilities and other individuals, such as cross training of staff, technical assistance, use and sharing of information, cooperative efforts with employers, and other efforts at cooperation, collaboration, and coordination;
- (o) Develop a budget for the activities of the Local WDB, with approval of the chief elected official and consistent with the local plan and the duties of the Local WDB;
- (p) Assess, on an annual basis, the physical and programmatic accessibility of all one-stop centers in the local area, in accordance with WIOA sec. 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*); and
- (q) Certification of one-stop centers in accordance with § 678.800 of this chapter.

### Administrative Services Entity/Staff of Board Role/Responsibilities:

Southeast Arkansas Economic Development District will serve in the role of Staff of the Board. In this capacity, administrative services will be performed in alignment with the aforementioned functions of the Local Workforce Development Board as described WIOA Section 107(d).

#### Contractor:

SEAEDD shall be authorized to sign agreement(s), on behalf of the SEAWDB, with the State of Arkansas/Arkansas Division of Workforce Services or any other entity or persons for the operation and administration of Workforce Development Programs in the Southeast Arkansas Workforce Development Area.

#### Responsibilities:

SEAEDD, as authorized as the SEAWDB Administrative Services Entity, shall be responsible for administering the activities and operations of the Southeast Arkansas Workforce Development Board including the oversight activities of the Arkansas Workforce Centers/American Job Centers located within the geographic service area of the board. Additional responsibilities include the implementation of the provisions of all Plan(s) developed by the SEAWDB. These responsibilities shall be in conformance with the terms and conditions of any funding agreements, any written State policies governing the operation of the Arkansas Workforce Centers/American Job Centers, and all other applicable Federal and State requirements. Board Staff shall be authorized to act on behalf of the SEAWDB and will serve as representatives of the board, with necessary and regular consultation, support, and directives from the Chairman of the Board and other members of the Board. The primary responsibility in this function is to provide policy guidance and perform policy-related tasks through coordination, execution and implementation.

#### Staffing:

For staffing the Workforce Development Board and operating the Arkansas Workforce Centers within the SEAWDA: Board staff shall consist of the employees of SEAEDD including: the Director of the Southeast Arkansas Workforce Development Board, and other administrative, managerial, support, clerical and program personnel as determined necessary by the Director. The Director shall be selected, supervised, evaluated and terminated when necessary by the Executive Director of the SEAEDD, in conjunction with the SEAWDB Chairman and/or their designee.

All SEAEDD staff assigned to work in a "board staff" capacity shall remain employees of SEAEDD subject to the personnel rules and procedures of the organization.

There may be instances where staff of SEAEDD may operate in dual roles; including board staff carrying out administrative services duties and fiscal agent staff carrying out fiscal duties as described in the Southeast Arkansas Workforce Development Area's Fiscal Agent Agreement. To ensure there is a proper separation of duties and functions and to ensure that staff duties of the various SEAEDD personnel are delineated, staff will document and allocate time on bi-monthly timesheets using codes established by SEAEDD accounting, which can be found in the SEAEDD Financial Procedures Manual. The comprehensive Workforce Development Budget for each program year will include at minimum, two separate line items to delineate costs for each role.

#### Functions, Powers and Duties:

The functions, powers and duties of SEAEDD, as the administrative entity, shall include, but are not limited to:

1. Staffing and assisting the Southeast Arkansas Workforce Development Board in the preparation and development of all Plans and other employment and training reports and grant applications; and
2. Submission of all final plans or modifications of plans for approval to the SEAWDB, Chief Elected Officials of Southeast Arkansas, the Governor of Arkansas or his/her designee, United States Department of Labor and/or other appropriate individuals; and

3. Preparation of reports concerning the Arkansas Workforce Centers' and Workforce Development Programs' operations and expenditures as prescribed by the Secretary of the U.S. Department of Labor and regulations promulgated by the State; and
4. Administration of the day-to-day operations of the Southeast Arkansas Workforce Development Board and Arkansas Centers; and
5. Identification and collecting all program and fiscal data necessary for managing the program; and
6. Developing and issuing requests for proposals/qualifications/quotes for workforce development systems and services as required by law. Excluding any requests that would present a conflict of interest; and
7. Managing the appeals process for any grievances or complaints submitted by workforce system stakeholders
8. Procuring, executing, administering and monitoring contracts for WIOA programs and services consistent with WIOA requirements, regulations, and State directives. Excluding any contracts that would present a conflict of interest; and
9. Providing training and technical assistance to WIOA program operators; and
10. Providing regular monitoring, reports, audits and analysis of contractor progress and program performance to the SEAWDB and Chief Elected Officials; and
11. Maintaining an inventory of WIOA resources and seeking additional resources, including the preparation of proposals for grant funds, consistent with the priorities of the Board; and
12. Coordinating with other stakeholders and other WIOA administrative entities, as necessary, for participation in regional planning efforts related to workforce development; and
13. Providing logistical and technical support and assistance at all SEAWDB meetings and activities; and
14. Providing the Board with transparent information to carry out oversight, including SEAEDD and all other program operators final audit reports and evaluation reports, prepared by third party consultant firms, CPA firms or other contracted firms.

Such other functions, duties and powers as are necessary to fulfill its obligations under this agreement, agreements with the State of Arkansas, The United States Department of Labor, any Memorandum of Understandings, contracts, and any other agreements entered into for the purpose of operating the Southeast Arkansas Workforce Development Board, Arkansas Workforce Centers and the Workforce Development Programs in the Southeast Arkansas Workforce Development Area.

### Agreement

The purpose of this agreement is to adhere to 20 CFR 679.430, that requires the SEAWDB to enter into an agreement with SEAEDD to clarify its responsibilities and requirements as Local Workforce Development Board Administrative Services Entity/Staff, as previously stated.

It is agreed that no modification, amendment or alteration of the terms or conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith. Any amendment or change to this Agreement, shall be maintained by the Board Staff and shall be available for review by the Arkansas Department of Workforce Services and U. S. Department of Labor. Should any part of this Agreement be invalidated or otherwise rendered unenforceable, the remainder of the Agreement shall remain in full force and effect. Nothing contained herein shall be construed in a manner that limits the authority of the Southeast Arkansas Workforce Development Board.

This Agreement and any amendments hereto shall be effective between and among each unit of local government adopting this Agreement as of the date of the signing by the SEAWDB Chairman and SEAEDD Executive Director, pursuant to the Governor's designation of the aforementioned 10 counties, for execution of activities authorized by WIOA. This Agreement becomes effective upon acceptance by all parties for execution of activities authorized by WIOA and shall remain in force until such time as the Southeast Arkansas Workforce Development Boards Chairman or SEAEDD Executive Director calls for a modification, amendment, alteration of the terms or conditions contained herein.

In the event a dispute arises concerning issues or decisions between the SEAWDB and the SEAEDD, it shall be settled through mutual discussion and negotiation. The SEAWDB shall have the final determination on any unsettled conflict or outstanding issue by a simple majority vote of the SEAWDB as a body. In the event there is a dispute among the Southeast Arkansas Workforce Development Boards, it shall be settled through mutual discussion and negotiation of the CEOs as a body. If the dispute is not settled through those means, the matter shall be referred to the CEO Executive Committee for resolution by simple majority vote of the Executive Committee, whose decision shall be final and binding on the CEOs.


A newly appointed SEAEDD Executive Director or a newly elected SEAWDB Chairman shall submit an addendum acknowledging that he or she has read, understands, and will comply with this Agreement, and reserves the option to request negotiations to amend the Agreement at any time during the Chairman's tenure of office.

The SEAWDB Chairman and the SEAEDD Executive Director executing this Agreement are properly authorized to do so.

Authorized Signatures:

This agreement shall be effective 11-18-20, and is entered into by and on the behalf of:

  
James Wilson, Chairman of Southeast Arkansas Workforce Development Board 11-18-20  
Date

  
Patricia Hargrove, Executive Director of Southeast Arkansas Economic Development District, Inc. 11/18/2020  
Date

*Original Agreement Signed on 6-19-19.*

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**ADDENDUM OF ACKNOWLEDGEMENT**

The newly elected SEAWDB Chairman acknowledges that he has read, understands, and will comply with this Agreement, and reserves the option to request negotiations to amend the Agreement at any time during the SEAWDB Chairman's tenure of office.

This Agreement and any amendments hereto shall be effective between and among each unit of local government adopting this Agreement as of the date of the signing by the SEAWDB Chairman and SEAEDD Executive Director, pursuant to the Governor's designation of the aforementioned 10 counties, for execution of activities authorized by WIOA. This Agreement becomes effective upon acceptance by all parties for execution of activities authorized by WIOA and shall remain in force until such time as the SEAWDB Chair or SEAEDD Executive Director calls for a modification, amendment, alteration of the terms or conditions contained herein.

The SEAWDB Chair executing this Agreement is properly authorized to do so.

Authorized Signatures:

This addendum of acknowledgement shall be effective August 12, 2021, and is entered into by and on the behalf of:



Andrew Wargo III, SEAWDB Chair