



SPECIAL EXECUTIVE COMMITTEE MEETING AGENDA PACKET

Thursday, November 9, 2023
9:00 a.m. - 10:30 a.m.

344 Salinas Street, Suites 205 & 206
Salinas, CA 93901

Documents related to agenda items that are distributed to the WDB less than 72 hours prior to the meeting shall be available for public inspection at 344 Salinas Street, Suite 101, Salinas, CA or visit our website at www.montereycountywdb.org. Documents distributed to the WDB at the meeting by County staff will be available at the meeting; documents distributed to the WDB by members of the public shall be made available after the meeting. This WIOA Title I financially assisted program or activity is an equal opportunity employer/program and auxiliary aids and services are available upon request to individuals with disabilities.

ALTERNATE AGENDA FORMATS: If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals with a disability requiring a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may make these requests to the Secretary to the WDB at (831) 796-6434. TTY/CRS: Dial 711.

NOTICE TO THE PUBLIC

Members of the public who wish to address the Committee should identify themselves and state their name for the record. You should complete a blue Comment Card located near the door, prior to making comments, and hand it to the designated Workforce Development Board staff member.

Copies of the agenda have been placed on the table near the door for your convenience.

The procedure for this meeting is as follows:

- The Committee Secretary will verify quorum; the Chair will read the opening remarks.
- Members of the public wishing to make a comment on an item that is not on the agenda will be given two (2) minutes each to comment.
- Workforce Development Board staff and/or Committee Members will present recommendations for each action item on the agenda.
- Board members may ask questions of Workforce Development Board Staff and other Committee Members.
- Members of the public wishing to make a comment on an agenda item will be given two (2) minutes each to comment.
- The Committee may take action on any item designated as an action item.
- Workforce Development Board Executive Committee members may only discuss items listed on the Agenda pursuant to the "Brown Act." With respect to non-agenda items raised by the public, Workforce Development Board Executive Committee members may calendar them for a future meeting, may briefly respond, or may request clarification from the member of the public but, to remain in compliance with the Brown Act, they may not address non-agenda items raised by the public in a substantive or in-depth manner.



344 Salinas Street, Suite 101
Salinas, CA 93901

(831) 796-6434
www.montereycountywdb.org

WDB Members:

Erik Cushman,
WDB & Executive Chair

Paula Calvetti
Margaret D'Arrigo
Cesar Lara
Cindy Merzon

Monterey County Workforce Development Board Special Executive Committee Meeting

America's Job Center of California, 344 Salinas Street
Suites 205 & 206, Salinas, CA 93901

Thursday, November 9, 2023; 9:00 a.m.

AGENDA

CALL TO ORDER/ROLL CALL:	Erik Cushman, <i>Chair</i>
CHANGES TO AGENDA:	
PUBLIC COMMENT: <i>(Limited to 2 minutes per person)</i>	
CONSENT CALENDAR:	Erik Cushman
1. ACTION: Consider approval of minutes from the Monterey County Workforce Development Board (MCWDB) Executive Committee meeting on October 19, 2023.	Erik Cushman
DISCUSSION OR REVIEW OF BUSINESS CALENDAR ACTION ITEMS:	Erik Cushman
1. ACTION: Consider and approve the appointment of Denise Dorsey, representing the State of California's Department of Rehabilitation, to the MCWDB for a three-year term, and that the MCWDB forward the appointment to the Board of Supervisors for final approval.	Erik Cushman
2. Update on fiscal staffing and status of payments; introduction of Anne Brereton, Deputy County Counsel; and recap of meeting with Auditor-Controller's Office.	Chris Donnelly
3. Update on MCWDB's annual Community Builder Awards.	Chris Donnelly
4. Update on the Monterey County Works roll out.	Chris Donnelly
5. Update on the status of recruitment of private sector, community college, State of California Employment Development Department, and Department of Rehabilitation members.	Erik Cushman
6. Update on Workforce Innovation and Opportunity Act (WIOA) program, fiscal, and procurement monitoring by the State of California's Employment Development Department (EDD).	Chris Donnelly
7. Update on the Regional Equity and Recovery Partnerships (RERP) grant program.	Chris Donnelly
8. Update on the High Road Construction Careers tri-county pre-apprenticeship program.	Ron Chesshire Mark Gonzalez
9. Update on WIOA Adult, Dislocated Worker, and Youth programs.	Melineh Kocharian Pearl Sanchez Charlotte Johnson
10. Update on CaliforniansForAll (CA4ALL) Youth Job Corps programs and November Request for Application (RFA).	Chris Donnelly
11. Board member Code of Conduct and Conflict of Interest policy signoffs.	Elizabeth Kaylor
12. Discussion of items for Board meeting on November 16, 2023.	Erik Cushman
ANNOUNCEMENTS:	Erik Cushman
ADJOURNMENT	Erik Cushman
SUBCOMMITTEE MEETINGS: Executive: 12/21/2023	WDB MEETING: November 16, 2023

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UNADOPTED MINUTES

**Monterey County Workforce Development Board
Executive Committee Meeting**

America's Job Center of California, 344 Salinas Street
Suites 205 & 206, Salinas, CA 93901

Thursday, October 19, 2023

Members Present: Erik Cushman (Chair), Margaret D'Arrigo, Cesar Lara, and Cindy Merzon

Members Absent: Paula Calvetti

Staff Present: Christopher Donnelly, Elizabeth Kaylor, Jerry Hernandez, Vanessa Kor, Jose Alvarado, and Flor Galvan

Public Comment: None

Call to Order/Introductions: Erik Cushman called the meeting to order at 9:06 a.m. and asked for introductions. A quorum was established.

Changes to Agenda: None

CONSENT CALENDAR:

1. **Action:** Consider approval of minutes from the Workforce Development Board (WDB) Executive Committee meeting on September 21, 2023.

A motion was made by Cesar Lara to approve the minutes for the Executive Committee meeting on September 21, 2023, seconded by Cindy Merzon. Motion passed.

Discussion or Review of Business Calendar Action Items:

1. **Action:** Consider and approve a Facilities Use Agreement with the Monterey Peninsula Unified School District.
A motion was made by Cesar Lara to approve the Facilities Use Agreement, seconded by Cindy Merzon. Motion Passed.
2. Executive Director Christopher Donnelly introduced the recently hired Accountant II, Jose Alvarado. He advised that the Finance Manager I has accepted a position with another department; therefore, the position is vacant and recruitment for a replacement is currently pending. He advised that Jose is learning the fiscal processes and the use three software systems and is working with the County of Monterey Auditor-Controller's Office to process outstanding accounts payable.
3. Executive Director Christopher Donnelly provided an update on the upcoming Retreat that had been scheduled for October 25, 2023. The Committee decided that the Retreat should be postponed to February 2024, as recruitment of new members to the Board is pending.
4. Management Analyst Vanessa Kor provided the Committee with an update on the 4th Annual Community Builders Awards Ceremony.
5. Executive Director Christopher Donnelly reported that the PowerPoint presentation for the Board of Supervisors that was previously scheduled for October has been changed to a possible date of late November or December 2023. The PowerPoint will incorporate details about the Winter Grant collaboration with the State Parks as well as information about Green Cadre and Food Insecurity. The PowerPoint will also include information about programs and services and board composition.
6. The Committee discussed recruitment of private sector members to correspond with our board composition requirements and industry sectors.
7. Executive Director Christopher Donnelly provided an update and changes to the website. The brand roll-out will be released October 31, 2023, to all staff.
8. Chair Erik Cushman advised that new recruits will be invited to participate on committees closely related to their work experience. Discussion was held about changing the meeting schedule to quarterly instead of monthly. WDB staff and Chair of the committee will collaborate to create agendas for committee meetings.

9. Management Analyst Jerry Hernandez provided the committee with an update on business services activities.
10. Management Analyst Vanessa Kor provided an overview of WIOA performance and the negotiations process for all WIOA programs for program year 2023-24.
11. Equus Adult and Dislocated Worker Project Director Melineh Kocharian provided an update on the Adult and Dislocated Worker programs, and Equus Youth Project Director Charlotte Johnson and Turning Point Youth Program Director Pearl Sanchez provided verbal updates on Youth Program services and activities.

Adjournment: Mr. Erik Cushman adjourned the meeting at 10:51 a.m.



EXECUTIVE COMMITTEE: 11/9/2023
AGENDA ITEM: 1

MEMORANDUM

TO: Workforce Development Board Executive Committee

FROM: Christopher Donnelly

SUBJECT: Appointment of Denise Dorsey

DATE: November 9, 2023

RECOMMENDATION:

It is recommended that the Executive Committee approve the appointment of Denise Dorsey, representing State of California Department of Rehabilitation (DOR), for a three-year term, and that the Workforce Development Board forwards the appointment to the Board of Supervisors for final approval.

SUMMARY:

The WDB bylaws state that the term of membership for all WDB members shall be three years. The three-year term limit was enacted with the approval of the original WDB bylaws by the Board of Supervisors on June 23, 2015.

ATTACHMENTS:

Denise Dorsey's membership application



344 Salinas Street, Suite 101 | Salinas, CA 93901

Monterey County Workforce Development Board (WDB) Membership Application

Name: Denise Dorsey Date Submitted: 10/27/2023
Title: District Administrator
Business/Organization Name: Department of Rehabilitation

Representation

Please select from one of the following categories that you represent: (*Federal Register Section 679.320*)

- | | |
|--|--|
| <input type="checkbox"/> Business | <input type="checkbox"/> Local Educational Entity |
| <input type="checkbox"/> Labor Organization | <input type="checkbox"/> Community-Based Organization |
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Wagner-Peyser |
| <input checked="" type="checkbox"/> Rehabilitation | <input type="checkbox"/> Chief Elected Official/Board of Supervisors |

Contact Information

Business/Organization Name: Department of Rehabilitation
City: Salinas State: California Zip code: 93901
Phone: [REDACTED] Fax: [REDACTED]
Mobile: [REDACTED]
Email address: [REDACTED]
Website address: www.dor.ca.gov
Business license number: [REDACTED]
City of residence: [REDACTED]

Business Related Questions

Please answer the following questions and attach any additional pages, if necessary:

1. Number of current employees: [REDACTED]
2. Number of years with current business/organization: [REDACTED]
3. Number of years in business in Monterey County: [REDACTED]
4. Please describe the nature of your business and your position: [REDACTED]

5. Please list your current chamber and association memberships, the duration of each membership and the positions you currently hold:

6. Please list any professional award(s) or recognition you have received within the last 5 years:

7. As a member of your business with optimum policy authority, please describe your responsibilities within your organization:

Monterey County WDB Related Questions

Please answer the following questions and attach any additional pages, if necessary:

1. What do you hope to contribute from your participation on the Monterey County WDB
I plan on providing resources and information related to employment and trainings for people with disabilities
2. What experience in the areas of fundraising, budget analysis, workforce policy development, youth services, knowledge of the labor market, and community involvement or linkages with educational agencies do you bring to the Monterey County WDB, as applicable?
I have been with DOR since 2011 and I will bring insight, ideas, and resources for people with disabilities in Monterey County
3. Membership on the Monterey County WDB requires that each member attend a full WDB meeting every two months, attend training sessions for board members and become an advocate for workforce development. The time commitment for these activities ranges from a minimum of 4 to 10 hours per month. Can you make that time commitment? Yes ☒ No ☐
4. Membership on the Monterey County WDB requires that each member serves on a sub-committee. The time commitment for this activity ranges from a minimum of 3 to 4 hours per month. Can you make that time commitment? Yes ☒ No ☐
5. Why do you wish to serve on the Monterey County WDB? (Describe in 100 words or less)
I would love to serve on this board to reestablish the connection with rehabilitation services in the Monterey County area. I also bring resources that can be helpful to other board members and their agencies.

Signature and Acknowledgement

I, the undersigned, certify that the information on this application is true and correct to the best of my knowledge and that, if appointed to serve, I will do so to the best of my ability and in the best interest of Monterey County and its citizens.

Signature: _____

Date: 10/27/2023

Update on Fiscal Staffing and Status of Payments; Introduction of Anne Brereton, Deputy County Counsel; and Recap of Meeting with Auditor-Controller's Office

Executive Director Christopher Donnelly will provide the Committee with (1) an update on fiscal staffing and status of payments; (2) an introduction to Anne Brereton, Deputy County Counsel and MCWDB's assigned attorney; and (3) a recap of the meeting with Auditor-Controller's Office.

Update on the 4th Annual Community Builders Awards Ceremony

Executive Director Chris Donnelly will provide an update on the upcoming 4th Annual Community Builders Awards ceremony taking place on Thursday, December 7, 2023, at the Salinas Career Center.

Attachments:

- A. Sponsorship Flyer
- B. Sponsorship Selection Form



WANT TO MAKE A DIFFERENCE?

HELP US RECOGNIZE THIS YEAR'S OUTSTANDING WIOA PARTICIPANTS, BUSINESSES, AND PARTNERS AT THE

4th Annual Community Builders Awards Ceremony

DECEMBER 7, 2023
12:00PM - 2:00PM
SALINAS CAREER CENTER

BRONZE

\$125

Organization's Name in Program

SILVER

\$250

Organization's Logo in Program

GOLD

\$500

Organization's Logo in Program and Website; Award Category Presenter

SPONSORSHIP SUBMISSION DEADLINE
NOVEMBER 30, 2023



4th Annual Community Builders Awards Ceremony Sponsorship Selection

Event Date – December 7, 2023
Event Time – 12:00pm-2:00pm
Event Location – Salinas Career Center

SPONSOR INFORMATION

Name: _____ **Email:** _____
Organization: _____
Phone 1: _____ **Phone 2:** _____

SPONSORSHIP INFORMATION

Sponsorship Level:

- | | |
|---|--------------|
| <input type="checkbox"/> Bronze – Organization's Name in Program | \$125 |
| <input type="checkbox"/> Silver – Organization's Logo in Program | \$250 |
| <input type="checkbox"/> Gold – Organization's Logo in Program and Website; Award Category Presenter | \$500 |
| <input type="checkbox"/> Other – _____ | _____ |

PAYMENT INSTRUCTIONS

Please make checks payable to:

ATTN: Vanessa Kor
Central Coast Regional Workforce Partnership Inc
344 Salinas Street, Suite 101
Salinas, CA 93901

SPONSORSHIP SUBMISSION DEADLINE
Friday, November 30, 2023

Update on the Roll out of Monterey County Works

Executive Director Christopher Donnelly will provide an update on the roll out of Monterey County Works, a new approach to the workforce development board's career and business services marketing.

Review the Workforce Development Board (WDB) Membership Composition and Discuss Recruitment of Members

It is recommended that the Executive Committee review the WDB's membership composition and discuss recruitment of three members from the private sector within the WDB's priority industry sectors, one from the State of California Employment Development Department for Wagner-Peyser, one from a local community college, and one from the Department of Rehabilitation.

Below is a breakdown of the current local WDB membership composition as of September 1, 2023.

WDB Member Representation	Minimum Required #'s Based on WIOA	Current #'s	Vacancies
Business member 51% majority = 11	11	8	3
Local Educational Entity	1	0	1
Labor Organization 20% = 5	5	5	0
Community Based Organization = 1	1	1	0
Economic Development Agency = 1	1	1	0
Wagner-Peyser Agency = 1	1	0	1
Rehabilitation Agency = 1	1	0	1
Other membership determined by the Board of Supervisors to be appropriate	0	1	0
Total # of WDB Members	21	16	6

**Update on Workforce Innovation and Opportunity Act (WIOA) Program, Fiscal
and Procurement Monitoring by the State of California's
Employment Development Department (EDD)**

Executive Director Christopher Donnelly will provide a verbal report on the recent annual WIOA monitoring completed by EDD.

Update on the Regional Equity and Recovery Partnerships (RERP) Grant Program

The MCWDB received \$1,150,000 through the Regional Equity and Recovery Partnerships (RERP) grant in March 2023 on behalf of the North Central Coast Regional Planning Unit (RPU), comprised of the local workforce development boards of the counties of Monterey (MCWDB), Santa Cruz (SCCWDB), and San Benito (SBCWDB), to provide workforce development and training services through October 2025.

The allocation was distributed between the three WDBs as follows:

Goals	MCWDB	SCCWDB	SBCWDB	Totals
# Enrolled	49	49	23	121
# Trained	42	32	16	90
Funds	\$633,430	\$347,900	\$168,670	\$1,150,000

The target population to be served includes:

- English language learners
- Homeless and housing insecure
- Immigrants
- Justice-involved individuals
- Veterans
- People with disabilities
- Out-of-school youth
- First generation college students
- Low-income households
- Dislocated workers

In October 2023, an agreement between the MCWDB and Cabrillo, Gavilan, Hartnell, and Monterey Peninsula Community College Districts was fully executed to provide cohort training programs to eligible RERP participants in topic areas of:

- Community Health Worker
- Culinary Arts
- Forestry Management
- Information Technology
- Medical Assisting
- Phlebotomy
- Welding / Mechatronics

To date, the MCWDB has enrolled approximately 20 participants into at least one of the training programs listed above.

Update on High Road Construction Careers Tri-County Pre-Apprenticeship Program

California's High Road Construction Careers program prioritizes partnerships that link local building and construction trades councils to workforce boards, community colleges, and community-based organizations, creating structured pathways to state-certified apprenticeships in a variety of crafts with a standard core curriculum and critical supportive services. These efforts build systems and policies that directly advance the State Plan goals of equity (access to skills and economic opportunity) and job quality (connections to careers with decent wages and benefits).

Through various State funding sources (e.g., Greenhouse Gas Reduction Fund, Road Repair & Accountability Act/SB 1, and CA Clean Energy Jobs Act/Prop 39), the California Workforce Development Board has been investing millions of dollars in pre-apprenticeship partnerships across California.

Ron Chesshire, Apprenticeship Coordinator, Monterey/Santa Cruz Counties Building and Construction Trades Council and associate Mark Gonzalez will provide the Committee with a verbal update on the program.

Update on WIOA Adult, Dislocated Worker, and Youth Programs' Activities and Services

ADULT AND DISLOCATED WORKER PROGRAM

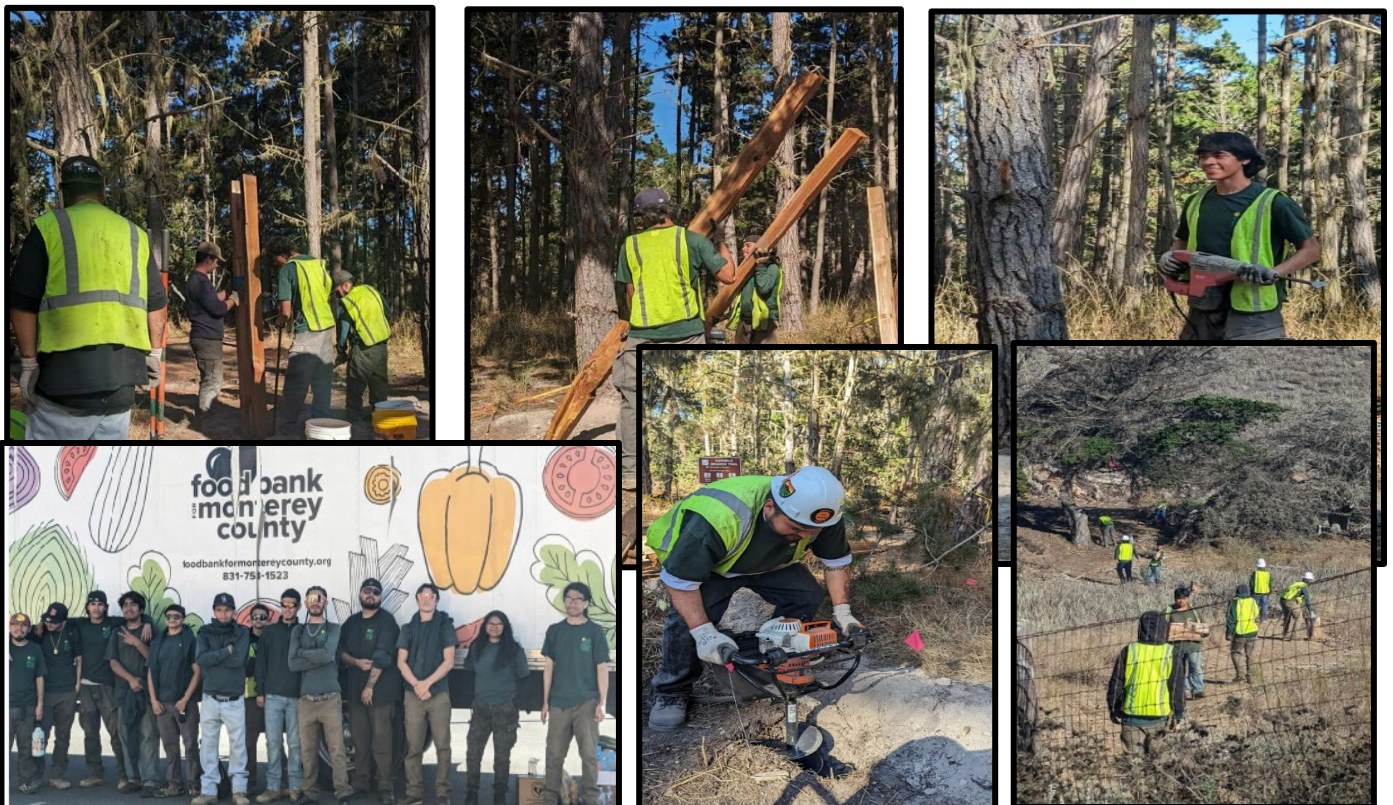
There are 13 participants currently in training in the High Road Construction Careers building trades pre-apprenticeship program. Once they have completed their training, they will be provided with career services and assisted with job placement.

Equus has enrolled two more participants in the Winter Storm grant and continues to interview others for possible selection for the program. Participants continue to work on revitalizing and mitigating hazards in Monterey County State Parks.

Approximately 37 participants have been enrolled for the new Community Health Worker (CHW) cohort to begin next week. Most are incumbent workers but will be earning higher wages after completion of the course and receiving their CHW certificate. The goal for those who are not currently working is to gain employment with self-sufficiency wages.

Equus has enrolled approximately 133 Adults and 14 Dislocated Workers.

YOUTH PROGRAMS



Green CADRE – The Climate cohort was divided into two groups, with one group working at Andrew Molera Park eradicating invasive plants, and the other group at Point Lobos, building a split rail fence near the entry of Point Lobos Natural Reserve. The fence is being built to stop visitors from creating “social trails” that were intruding on preserve land not intended for humans. Other projects include cutting down eucalyptus and dead trees to prevent fires. The community engagement projects included food distribution with the Food Bank for Monterey County, distributing fruits and vegetables in Soledad at the Catholic Church, participating in the beach clean-up in Marina State Beach, and working in the rehabilitation garden at Pueblo del Mar.

Food Insecurity CADRE – This Cadre is a wonderful team of young adults who have been serving those in need at Dorothy’s Kitchen and have been working at the Food Bank for Monterey County in the gardens and harvesting peppers. In collaboration with Resource Conservation District of Monterey County, the cohort planted fruit trees including pomegranates and figs at the Santa Rita Park in Salinas. The Cadre also went to the Landfill in Gonzalez to prepare the area for a future garden and worked with Organic Farms to plant onions and kale. At Our Lady of Refuge Catholic Church, participants distributed food, and in Pueblo del Mar, they planted seeds for beets, lettuce, and beans harvested onions and tomatoes, as well as composting.



CNA CADRE – Eleven Certified Nursing Assistant (CNA) participants started their program on October 23, 2023. All participants attended the orientation at Central Coast College, with 100% participation to date.

Future Community Engagement Projects:

- **Department of Social Services** has requested Green CADRE to assist with personal protective equipment (PPE) distribution for South County residents.
- **City of Monterey** has requested Green CADRE's assistance with Urban Forestry and environmental projects. Updates will be provided.
- The Green CADRE Climate and Food Insecurity cohorts will be participating in the South County Business Expo in Soledad on November 9, where they will be collecting canned food for the food drive and assisting residents to sign up for CalFresh benefits.

**Update on CaliforniansForAll (CA4ALL) Youth Job Corps Programs and
November Request for Application (RFA)**

Executive Director Christopher Donnelly will provide the Committee with an update on the Monterey County Workforce Development Board's CA4ALL Youth Job Corps Programs and the November Request for Application (RFA).

Discuss Board Member Code of Conduct and Conflict of Interest Policies

Management Analyst Elizabeth Kaylor will discuss the required policy sign-off acknowledging the Code of Conduct and Conflict of Interest policies that apply to Board members.

CODE OF CONDUCT POLICY

EXECUTIVE SUMMARY

The MCWDB adopts a Code of Conduct to assure that all appointed Board members conduct themselves in a manner that will instill public confidence and trust in the fair operation and integrity of the Monterey County Workforce Development Board.

PROCEDURAL GUIDANCE

1. General Norms and Expectations.

- A. Board members will work for the common good of the Monterey County Workforce Development Board (MCWDB) and not for personal interest.
- B. Board members will serve as a model of leadership and civility to the community.
- C. Board members will assure fair and equal treatment of all persons, claims, and transactions coming before the MCWDB and its various committees.

2. General Conduct.

Board Members shall:

- A. Make the public feel welcome and not be partial, prejudiced, or disrespectful toward the staff, Board members, or the public.
- B. Treat each other, staff, and members of the public with dignity, courtesy, and respect, valuing all opinions and being tolerant of new and different ideas while encouraging creativity and innovation.
- C. Agree that inappropriate behavior is derogatory and damages the perception of the Workforce Development Board (WDB).
- D. Avoid negative comments that could offend Board members, Board staff, Service Providers, or the public during public meetings, on social media, through electronic communications, in the news media, and at all other times.
- E. Follow through on commitments and be accountable to each other, including the commitment to start and end meetings on time, work from an agenda, and be present, attentive, and prepared.
- F. Keep comments clear, concise, and on-topic to maximize opportunities for all to express themselves.
- G. Continuously strive to improve how members work as a team.
- H. Place clear and realistic demands on staff resources and time when requesting action.
- I. At all times comply with all state and locally mandated ethics and reporting requirements.
- J. Project a positive image of the WDB when dealing with third parties (e.g., other public agencies, organizations, and the media).
- K. Show tolerance and respect for other parties' opinions and issues and, if necessary, agree to disagree.
- L. Provide only non-confidential, non-privileged background information to the media. Officials shall not discuss or go "off the record" to discuss confidential or privileged information pertaining to

closed sessions or attorney-client privileged or attorney work product communications, including personnel, litigation, or real property negotiations.

3. Conduct During Meetings.

The Chair shall:

- A. Allow an equal opportunity for all members to speak, without allowing the conversation to be dominated by one or more members.
- B. Acknowledge members who have not had an opportunity to speak on an item.
- C. Acknowledge and allow WDB staff and Service Providers the opportunity to speak if they have informed the Board Chair of their desire to speak.

Board members shall:

- A. Treat each other and everyone with courtesy and refrain from inappropriate behavior and derogatory comments.
- B. Inform the Board Chair of their desire to speak and be acknowledged by the Chair before speaking.
- C. Work together to preserve order and decorum during meetings.
- D. Attempt to build consensus on an item through an opportunity for dialogue, but when this is not possible, the majority vote shall prevail and the majority shall show respect for the opinion of the minority, and vice versa.
- E. Support the direction taken by the WDB once a vote is taken on an issue.

4. Workforce Development Board and Staff.

Board members shall:

- A. Speak directly to the WDB Executive Director on issues and concerns, for the WDB Executive Director to address or delegate the matter to appropriate staff.
- B. Treat staff professionally and refrain from publicly criticizing individual employees or employee groups during public meetings, on social media, or in the news media involving pending matters.
- C. Avoid involvement in personnel issues, including hiring, firing, promoting, disciplining, and other personnel matters.
- D. Channel questions for staff to the Executive Director who will then review and assign the question(s) to WDB staff as necessary.

5. WDB Compliance with General Norms and Expectations.

- A. Enforcement. The Board Chair shall have the primary responsibility for enforcing WDB meeting decorum, and committee chairs shall have the primary responsibility for enforcing decorum during the committee meetings over which they preside. Additionally, any WDB member may, at any time, call for a point of order to request the timely enforcement of the rules of decorum. A point of order is to be given precedence over any other motion or discussion.
- B. WDB members who intentionally and repeatedly fail to observe proper conduct may be reprimanded or formally censured by the WDB's Executive Committee and may lose committee assignments or other privileges (such as payment for training or attendance at conferences) afforded to WDB members. Serious infractions of the Code of Conduct could lead to other sanctions as deemed appropriate by the WDB and the Monterey County Board of Supervisors.

INQUIRIES

If you have questions, please contact staff at (831) 796-6434. TTY/CRS: Dial 711.

CHRIS DONNELLY, Executive Director
Monterey County Workforce Development Board

CONFLICT OF INTEREST POLICY

EXECUTIVE SUMMARY

Grantees and subrecipients funded under the Workforce Innovation and Opportunity Act (WIOA) of 2014 must implement conflict of interest policies and procedures as provided in WIOA law, regulations and guidance; federal Office of Management and Budget (OMB) Circulars; state regulations; and state WIOA policies. The MCWDB Bylaws provide that MCWDB board members shall comply with applicable government ethics laws, including but not limited to the Political Reform Act, Government Code section 18100 et seq. and California Government Code section 1090 et seq.

The MCWDB adopts this Conflict of Interest policy to ensure that its board members and employees who are entrusted with oversight of WIOA funds will not personally or professionally benefit from the award, administration, or expenditure of such funds and that they otherwise comply with applicable ethics laws. The MCWDB further adopts this Conflict of Interest policy to ensure that board members and employees conduct themselves in a professional manner that safeguards WIOA system integrity and engenders public confidence in the MCWDB.

Every MCWDB board member and employee is expected to read and comply with this policy.

REFERENCES

WIOA –29 U.S.C. section 3122 (h) – Local Board Conflict of Interest; 20 C.F.R. section 683.200 California Fair Political Practices Commission (FPPC) regulations, 2 Cal. Code of Regulations section 18000 et seq.; Workforce Services Information Notice (WSIN) 15-17, Subject: Conflict of Interest Code Requirements for Local Boards (November 17, 2015); the Political Reform Act, Government Code section 18100 et seq.; and Government Code section 1090 et seq.

BACKGROUND

MCWDB board members are selected based on their personal expertise in education, employment, employer services, training, and/or youth services. MCWDB board members and employees also have professional and/or personal associations which further WIOA goals. This expertise and associations, while valuable to the MCWDB, can lead to unfairness or self-dealing or the appearance of the same. This policy is intended to ensure that board members and employees can utilize their unique expertise and professional associations to achieve WIOA goals, while maintaining legal compliance.

PROCEDURAL GUIDANCE

Definitions:

1. **Conflict of Interest** – A conflict of interest exists if it is reasonably foreseeable that the outcome of participating in a governmental decision will have a material impact on a MCWDB board member's or employee's economic interest, which is distinguishable from benefit to the public generally.
2. **Immediate Family** – Immediate Family consists of an individual's parents (including step-parents), spouse, domestic partner, children (including step-children), siblings, grandchildren, grandparents, and any relative by marriage (an "in-law").
3. **Meeting** – All meetings of the Monterey County Workforce Development Board and its subcommittees.
4. **Organization** – A for-profit or not-for-profit entity. An entity can be a partnership, association, trust, estate, joint stock company, insurance company, or corporation, whether domestic or foreign, or a sole proprietor. Organization does not include government entities.

PROHIBITED CONDUCT:

- **Financial Benefit:** A MCWDB board member or employee cannot cast a vote, cannot discuss, and cannot otherwise participate in a MCWDB decision where the MCWDB's decision could provide financial benefit to the board member or employee. No MCWDB board member or employee can have a personal financial interest in any MCWDB contract or decision as further explained below.
 - This prohibition applies to the selection of service providers, to selection of WIOA grantees and operators, to selection of physical premises and locations for MCWDB activities, and to all other MCWDB decisions which financially benefit or could financially benefit the MCWDB board member or employee.
 - This prohibition applies to decisions that financially benefit or could financially benefit a MCWDB board member's or employee's economic interests, including real property, investments, and other sources of income.
 - This prohibition applies where a MCWDB decision provides or could provide financial benefit to the immediate family of the MCWDB board member or employee.
 - This prohibition applies when a MCWDB decision provides or could provide financial benefit to an organization or the employee of an organization that the MCWDB member or employee represents.
 - This prohibition applies to MCWDB contracts and agreements of any nature, include contracts for grants or donations to the MCWDB.
 - This prohibition does not prevent a MCWDB board member from fulfilling his/her duty to speak on behalf of the constituencies that he or she is specifically appointed to represent, e.g., labor, business, education, etc., so long as a MCWDB decision does not have a unique effect on the MCWDB board member's interests.

It is the responsibility of each MCWDB board member and employee to identify and disclose when financial benefit, as described above, is present or possible. Before public discussions take place at a MCWDB meeting, the board member or employee must disclose that fact and shall recuse him or herself from voting, as required by law. The minutes of the meeting shall reflect the disclosure and recusal. The MCWDB member or employee shall depart the meeting during the time in which the MCWDB decision is discussed.

Identification and disclosure of financial benefit, as described above, may also be made through written correspondence to the Chair, as soon as practicable. MCWDB employees shall identify and disclose financial benefit, as described above, as soon as practicable to the Executive Director of the MCWDB.

- **Gratuities:** MCWDB board members and employees cannot solicit and cannot accept professional favors, gratuities, free services, discounts, or anything of monetary or professional value from an individual or entity conducting business with the MCWDB or participating in MCWDB activities.
 - This prohibition applies to things of monetary and professional value offered by MCWDB awardees or potential awardees, offered by MCWDB service providers or suppliers, offered by any party or potential party to a MCWDB agreement, offered by WIOA or other MCWDB program participants, and offered by recipients and potential recipients of MCWDB services.
 - This prohibition does not apply where a gift to a MCWDB member or employee is unsolicited and is of nominal value worth \$50.00 or less.

Where a MCWDB Board member or employee is offered a thing of monetary or professional value, as described, he or she shall decline to accept, or, if already delivered, shall arrange to return the item to the donor. Further, he or she shall advise either the Chair or the MCWDB Executive Director of the offer and his/her rejection of the offer.

- **Other Organization Leadership:** MCWDB board members and employees shall not seek to serve on boards of directors, advisory boards, or other leadership positions of organizations which are existing MCWDB sub-grantees or subrecipients or contractors, as those terms are defined under the WIOA.

If MCWDB board members and employees currently serve in such capacities in other organizations, and if such organizations seek to become MCWDB service providers, grantees, or similar, they shall disclose that relationship to the Chair or to the MCWDB Executive Director as soon as practicable.

Further, MCWDB board members and employees who serve on boards of directors, advisory boards, or other leadership positions of organizations which seek to become MCWDB service providers, grantees, or similar, shall not cast a vote, shall not discuss, and shall not otherwise participate in a MCWDB decision concerning these organizations.

- **Information Access:** MCWDB board members and employees may become, in the course of performing their duties, aware of information which is not yet available to the public at large. Such information shall be utilized by MCWDB board members and employees for official MCWDB purposes only. Where information is not yet available to the public at large, MCWDB board members and employees shall not use such information for their personal or professional gain.
 - This prohibition applies to the use of such information for the personal or professional gain of the immediate family of the MCWDB board member or employee.
 - This prohibition applies to the use of such information for the benefit of any organization that the MCWDB member or employee represents and to any organization on which the MCWDB member or employee serves on the board of directors, advisory boards, or other leadership position.

MCWDB board members and employees shall not divulge such information in advance of the time decided by the MCWDB for its release.

- **Provision of Services:** MCWDB board members and employees shall not directly participate in either the decision to provide, or in the actual provision of, MCWDB services, programs and benefits to their immediate family or to members and employees of organizations which the MCWDB employee represents. MCWDB board members and employees shall advise the Executive Director of the MCWDB promptly, if these circumstances are present so that another MCWDB member or employee can make the determination to provide, or provide the MCWDB service.

Where an MCWDB board member or employee has a personal relationship with an actual or potential recipient of MCWDB services, even if that relationship is not one of immediate family or association with an organization which the member or employee represents, he or she shall disclose the same to the Chair and/or to the Executive Director. The Chair and Executive Director will determine whether the decision to provide or actual provision of MCWDB services to that individual should be made by another person, in order to preserve the integrity of MCWDB in the public eye.

Examples of prohibited conduct include, but are not limited to, determining eligibility for MCWDB services and making referrals to employers for possible employment.

- **Accountability:** MCWDB board members and employees shall conduct themselves in an honest, open and transparent manner, including handling perceived and actual conflicts of interest as specified in this policy.
- **Legal Compliance:** MCWDB board members and employees shall be knowledgeable about and shall comply with applicable WIOA laws and regulations. To familiarize themselves with the laws governing ethics in government, MCWDB board members and employees shall take the ethics training specified in Government Code section 53234 et. seq. at least every two years.
- **Public Speaking:** Because there is interest in MCWDB activities, MCWDB board members and employees are encouraged to act in a public relations capacity for the MCWDB. In public speaking engagements, MCWDB board members and employees may describe and explain actions already taken by the MCWDB, and may describe generally the possibility of future MCWDB activities.

MCWDB board members and employees shall not promise any particular MCWDB decision or shall not assert their personal ability to deliver a particular MCWDB decision.

- **Sharing Information:** MCWDB board members and employees are encouraged to share information with the community about MCWDB activities in a manner that ensures fair and equal access by all. For example, access to information regarding the MCWDB's procurements for services shall be available at the same time and in the same manner to all potential bidders. Information shall not be individually provided to individual potential bidders because it could lead to that bidder's unfair advantage over others seeking to provide services.

Most documents reflecting the MCWDB's activities are public and subject to disclosure under the California Public Records Act. Because that law imposes specific disclosure requirements and provides for exemptions from disclosure, requests for MCWDB information received by MCWDB members and employees shall be directed to the Chair, who will disclose requested MCWDB records in accordance with the law, as guided by the advice of counsel.

MCWDB board members and employees shall not reveal attorney-client privileged communications, personnel information, or other confidential or legally protected information to the public.

- **Disclosure of Associations:** MCWDB board members and employees have professional and personal associations that yield significant benefit to the MCWDB. When these associations raise the possibility of unfairness or conflict of interest in connection with a particular MCWDB activity or decision, MCWDB board members and employees shall take the initiative and shall disclose their association at a regularly convened, public MCWDB meeting or committee meeting. Minutes of MCWDB or committee meetings shall reflect such disclosures. If disclosure at a regularly scheduled MCWDB or committee meeting is not practicable, such disclosures should be made in writing, as soon as possible, to the Chair.

If a MCWDB board member or employee is in doubt about whether his or her association poses a fairness or conflict of interest issue, they shall err on the side of disclosure.

Disclosure of associations does not prohibit a MCWDB member from voting or participating in other, unrelated MCWDB business and decisions.

- **Sanctions:** Where MCWDB board members violate this policy, disciplinary action may be imposed, up to and including termination of board membership. The MCWDB Executive Committee shall evaluate possible violations on a case-by-case basis and shall recommend to the full MCWDB, if and what penalties, sanctions or other disciplinary actions are appropriate. Discipline, if any, shall be implemented by a majority vote of the MCWDB at a meeting at which a quorum is present.

Where MCWDB employees violate this policy, the question of discipline, if any, shall be referred to the Monterey County Human Resources Department for appropriate action

INQUIRIES

If you have questions please contact staff at (831) 796-6434. TTY/CRS: Dial 711.

CHRIS DONNELLY, Executive Director
Monterey County Workforce Development Board

MONTEREY COUNTY WORKFORCE DEVELOPMENT BOARD

*Board Member Conflict of Interest and Code of Conduct
Policy Acknowledgment Form*

I, _____, a member of the Monterey County Workforce Development Board (MCWDB), hereby attest and affirm that I have read and understand the following two (2) policies approved by the MCWDB on January 20, 2022: #2022-01, Code of Conduct Policy and #2022-02, Conflict of Interest Policy.

I further promise to carry out my responsibilities relating to upholding the Code of Conduct and Conflict of Interest policies during my term as a member of the MCWDB.

Board Member:

Print Name

Date

Signature

Discuss Agenda Items in Preparation for the November 16, 2023 Meeting

Workforce development board (WDB) staff and Committee members will discuss agenda items for the upcoming full board meeting on November 16, 2023.