



**Executive Committee Meeting
Tuesday, November 30, 2021 at 11:00 a.m.**

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AGENDA

- I. Welcome and Opening Remarks Mr. Thomas Freeland, SWDB Chair
- II. Approval of Minutes from September 14, 2021*Mr. Freeland
- III. Waiver of State Specific Requirements* Ms. Abby Linden
- IV. SWDB Funding Recommendation*Ms. Nina Staggars
- V. Committee Activity Reports Committee Chairs
- VI. Other Business/Adjourn.....Mr. Freeland

*Denotes voting item

**Governor’s State Workforce Development Board
September 14, 2021 Executive Committee Meeting Minutes**

MEMBERS PRESENT:

Mr. Thomas Freeland
Mr. Pat Michaels
Mr. Jay Holloway
Dr. Tim Hardee
Mr. Warren Snead
Mr. Dan Ellzey
Mr. Charles Brave, Jr.
Ms. Valerie Richardson
Dr. Mike Mikota

MEMBERS EXCUSED:

Mr. John Uprichard

Welcome and Opening Remarks Mr. Thomas Freeland, SWDB Chair
Mr. Thomas Freeland, SWDB Chair, called the meeting to order at 11:00 a.m. A quorum was present.

Approval of Minutes from June 9, 2021* Mr. Freeland
Mr. Charles Brave made a motion to approve the June 9, 2021, meeting minutes. Ms. Val Richardson seconded the motion and the Committee unanimously approved the minutes.

Committee Activity Reports..... Committee Chairs
Committee Chairs shared 1st quarter committee activity reports, highlighting progress toward completion of PY’20 priorities and action items and new priorities for PY’21.

Board Governance Committee

Mr. Pat Michaels provided an update on two outstanding PY’20 priorities, distribution of SWDB Ambassador Tools and creation of the WIOA Productivity Dashboard. With regard to the first priority, Mr. Michaels explained that all Board members will receive a name badge and virtual meeting backgrounds, and that approximately 35% of SWDB members requested optional materials such as business cards or printed materials. He also shared that the Board Governance Committee reviewed a prototype of the Dashboard and provided feedback to staff. DEW will publish the Dashboard by the end of 2021. The Committee is assessing its functions to ensure ongoing relevancy and expects to revise its charter and identify PY’21 priorities during the 2nd quarter.

Collaboration and Partnership Committee

Ms. Valerie Richardson highlighted efforts to train COVID-displaced workers, including DEW’s partnership with Coursera to provide no-cost professional development opportunities to UI claimants; Project GED, which encourages and incentivizes UI claimants to earn a GED; and free short-term training through the Technical College System. She also explained strategic communication efforts to educate and inform claimants about training opportunities and open jobs. In PY’21, the Committee will continue its efforts to expand work-based learning and support development of stackable credentials and career pathways.

*Denotes voting item

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SC Works Management Committee

Mr. Warren Snead reported on the statewide deployment of a virtual job platform and the soft skills analysis, which resulted in the identification of six essential soft skills: communication, digital literacy, problem solving, professionalism, teamwork, and time management. He also shared the Committee’s PY’21 priorities, which include the development of a virtual SC Works Center and overseeing the implementation of SC Works Certification, development of a center secret shopper program, and launch of the SC Works staff learning management system.

Committee on Workforce Innovation

The Committee on Workforce Innovation was formally established in August 2021. Mr. Jay Holloway provided a list of Committee functions to include:

- Use data to understand and plan for workforce trends
- Identify strategies deployed by other states that drive strong employment outcomes for job seekers and employers
- Incentivize innovation and proven strategies in the SC Works system
- Provide recommendations to facilitate improved access to and resiliency of the workforce system

In PY’21, the Committee will accomplish the following priorities:

- Create LMI training for existing board members as well as inclusion in the New Member Orientation
- Distribute relevant publications for awareness and strategic planning
- Provide opportunities for showcasing local innovation by developing criteria for identifying promising practices; showcasing promising practices on the SC Works website, at SWDB meetings, and through webinars and other forums
- Conduct an economic and workforce analysis with emphasis on rural areas of the state

Other Business/Adjourn.....Mr. Freeland

Mr. Freeland reminded those in attendance of the September 30, 2021, State Workforce Development Board meeting and welcomed all to attend in person. He highlighted the upcoming Workforce Symposium and encouraged members to register for the event. The Committee did not discuss any other business. The meeting adjourned at 11:37 a.m.

STATE INSTRUCTION NUMBER XX-XX

To: Local Workforce Area Signatory Officials
Local Workforce Area Board Chairs
Local Workforce Area Administrators

Subject: Requesting a Waiver of State Specific Requirements

Issuance Date: December XX, 2021

Effective Date: December XX, 2021

Purpose: To provide guidance on requesting Local Workforce Development Area (LWDA) waivers of state specific requirements.

Background: The Workforce Innovation and Opportunity Act (WIOA) is designed to help job seekers secure the employment, education, training, and support services necessary to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. WIOA, and its implementing regulations, establish federal requirements for WIOA programs, and allows states to set additional requirements as needed to reach state goals for WIOA programs. LWDAs are encouraged to develop promising and innovative practices or initiatives to achieve these goals; however, state specific requirements may limit a LWDA's ability to implement a new practice or initiative. In such a situation, the Department of Employment and Workforce (DEW) may consider a waiver of a state specific requirement. In addition to exploring available flexibilities to facilitate the achievement of LWDA goals, waivers of state specific requirements are a tool DEW may use for reducing barriers to WIOA implementation of innovative programming options.

Policy: In an effort to spur promising and/or innovative practices by local areas, LWDAs may submit a request for a waiver of a state specific requirement that may be a barrier to implementation. Once a LWDA has set local goals and identified barriers to implementing state requirements, including corresponding state policy that may impede achievement of those goals, LWDAs are encouraged to reach out to DEW Workforce Support to discuss plans for a waiver request. This allows the LWDA to share its goals and ideas for innovation with DEW, and provides the opportunity to explore any existing flexibilities and waiver options.

Innovative practices or initiatives may be identified by the following criteria:

- Lead entity is a Local Workforce Development Board (LWDB) or LWDB's service provider.
- Initiative is, or will be, implemented in partnership with other education, workforce, economic development, social service, or non-profit entities.
- Initiative focuses on creating talent pipelines in high-growth, high-demand industries.
- Initiative targets priority populations and/or underserved communities.
- Initiative met or exceeded target outcomes or is on track to do so.
- LWDB is willing to assist other LWDBs or entities to implement the promising practice.

Requests for a waiver must be in writing and must include the following elements, as applicable:

- Detailed description of the nature of the project/initiative to be developed
- State specific requirement that the LWDA would like waived
- Actions the LWDA has undertaken to remove local laws and/or policy barriers, if any
- LWDB strategic goals relevant to the project/initiative to be developed
- Projected programmatic outcomes resulting from implementation of the waiver
- Alignment with state policy priorities, such as supporting employer engagement, connecting education and training strategies, supporting work-based learning, or improving job and career results
- Individuals, groups, or populations affected by the waiver
- LWDA plans for monitoring waiver implementation, including collection of waiver outcome information

The waiver request must include the completed "LWDA Waiver of State Requirement(s) Request Cover Sheet," with appropriate attachments. LWDA's may submit waiver requests as part of their Local Plan or as a separate request; ultimately an approved waiver constitutes a modification of the Local Plan regardless of how it is submitted. The waiver request must include documentation demonstrating that the LWDB and Chief Elected Official(s) (CEO) are aware of the waiver request and the project/initiative. LWDA's must submit requests for waivers of state specific requirements to WorkforceSupport@dew.sc.gov.

NOTE: A LWDA must meet all state specific requirements even though a waiver request has been submitted until the LWDA has received an approval letter, outlining the waiver terms. Depending on the nature of the waiver request and the needs of the initiative, a waiver request may be approved retroactively.

LWDA waiver requests will be reviewed within 90 days of receipt of submission of the waiver request. Waiver review will be expedited when possible. Upon approval of a waiver request, DEW will send an approval letter identifying the effective date and the duration of the waiver.

NOTE: Waiver requests submitted in the fourth quarter for the current program year **will not** be approved.

While an approved waiver is ongoing, LWDA's should regularly assess whether the waiver is successfully achieving LWDA goals. LWDA's must report specifically on waiver impact and outcomes. DEW will consider outcome information as part of the criteria for granting renewal of a waiver, if requested.

Authority for Waiver Approval

Waivers approved by DEW are only granted for state specific requirements issued in State Instructions. Waiver approval cannot be granted for any requirements governed by federal or state laws and regulations, including federal performance measures. Furthermore, DEW will obtain approval authority from the State Workforce Development Board (SWDB), annually, before approving any waiver requests submitted within each program year. The appropriate SWDB subcommittee will be updated upon approval or denial of a LWDA waiver request.

Action: Please ensure that all appropriate staff receive and understand this policy.

Inquiries: Questions may be directed to PolnPro@dew.sc.gov.

Kevin Cummings, Assistant Executive Director
Technical Services, Policies, and Reporting

Attachment: LWDA Waiver of State Specific Requirement(s) Request Cover Sheet

LWDA Waiver of State Requirement(s) Request Cover Sheet

Local Workforce Development Area (LWDA)	Date Submitted
Requirement(s) to be waived	
Relevant State Instruction(s)	Requested Waiver Period

Brief description of the LWDA’s Initiative, including how the state requirement is inhibiting the initiative:

Program Elements Checklist

Attached	N/A	Program Element
<input type="checkbox"/>	<input type="checkbox"/>	Detailed description of the LWDA’s initiative to be developed
<input type="checkbox"/>	<input type="checkbox"/>	State specific requirement(s) that the LWDA would like waived
<input type="checkbox"/>	<input type="checkbox"/>	LWDA’s actions taken to remove barriers to the initiative
<input type="checkbox"/>	<input type="checkbox"/>	Relevant LWDB strategic goals
<input type="checkbox"/>	<input type="checkbox"/>	Alignment with state policy priorities
<input type="checkbox"/>	<input type="checkbox"/>	Individuals, groups, or populations affected by the waiver
<input type="checkbox"/>	<input type="checkbox"/>	Description of how the LWDA intends to monitor waiver implementation

*If any element is not relevant to the LWDA’s initiative, the check box for “Not Applicable” should be selected.

Additional Requirements Checklist

- If approved, Local Plan will be modified in accordance with State Instruction 15-16, Change 2.
- Documentation of CEO and LWDB awareness of the LWDA’s proposed initiative is attached.

Please submit this form, with attachments and documentation, to WorkforceSupport@dew.sc.gov upon completion.