

**State Workforce Investment Board (SWIB)
 August 17, 2012
 Frances Perkins Conference Room
 Maine Department of Labor
 Augusta Maine**

Topic	Introduction of State Workforce Investment Board Members and Guests; Approval of the Minutes	
	<p>Fred Webber, SWIB Chair, called the meeting to order at 9:10 AM.</p> <p>Present: Thomas Martin, Barbara Woodlee, John Leavitt, Tracey Cooley, Deb Neuman, Tom Davis, Amy Volk, Wayne Holmquist, Mel Clarrage, Steve Pound, Laura Boyett, Pete Johnson, Bob Carmichael, Scott Good, Gail Senese, Fred Webber, Gerard Salvo, Liz Ray, Peter Paré, Ed McKersie, Craig Larrabee, Kevin Healey, Renee Kelly, Bill Burney, Mark Adams, Gary McGrane, Don Berry, Joanne Harris, Carolyn Lockwood, John Butera. Susan Corbett and Dan Muth attended by telephone. They are listed as present.</p> <p>Absent with notice: Governor Paul LePage (provided proxy through his designee for votes), Meg Harvey (provided proxy for votes), Chip Roche (provided proxy for votes), and Terry Young (provided proxy for votes).</p> <p>Absent without notice: Garrett Mason</p> <p>Guests: Robert Winglass, Jeanne Paquette, Shawn Lagasse, Eloise Vitelli, Ryan Pelletier, Phil Dionne, Jeff Sneddon, Mike Bourret, Jim Trundy, Heather Stott, Bethany Campbell, Jim Dowling, Rick Snow, Richard Fifield, Joanna Russell (by telephone)</p> <p>Staff: Garret Oswald, Peaches Bass, Richard Freund</p>	
Discussion	Board members, guests, and staff introduced themselves.	
Conclusion	Barbara Woodlee moved to accept the April 6, 2012 meeting minutes. Ed McKersie seconded the motion. The minutes were approved unanimously.	
Action Items: The minutes of the April 6, 2012 meeting will be posted on the SWIB website.	Person responsible: Peaches Bass	Deadline: Immediately

Topic	Chair's Report
Discussion	Chair Fred Webber reported on the National Governors' Association Forum in Seattle.

Topic	Workshare Program		
Discussion	<p>In response to a request from Bill Burney, Laura Boyett, Director of the Bureau of Unemployment Compensation, presented an overview of the Workshare program. The program went into effect on March 1, 2012 as a layoff aversion program. In lieu of laying off employees, an employer may reduce the hours of its employees and those employees can receive unemployment insurance benefits in compensation for the wage reduction due to decreased work hours. Gerard Salvo suggested that Laura connect with the Maine chapters of the Society for Human Resource Management (SHRM) to spread the word on the program. Scott Good asked if Workshare includes assistance in “getting back on track” to employers who have to reduce their workforces. Laura replied, “No.” Gary McGrane asked if employers who outsource their labor are eligible for Workshare. Laura replied that there is no prohibition of employers who shift their workforce to foreign countries.</p>		
<p>Action Items: Laura Boyett will give Garret Oswald an information sheet for dissemination to the SWIB members.</p>	<p>Person responsible: Laura Boyett</p>	<p>Deadline: As soon as possible</p>	

Topic	Approval of Revised By-Laws		
Discussion	<p>Peaches Bass briefly described the process used by the By-Laws Work Group to revise the by-laws. She explained that the revisions were necessary due to the statutory changes effected by LD 1874. Barbara Woodlee and Mark Adams, two of the Work Group members, agreed that it was a thorough process. Tom Davis and others pointed out typos and small errors that didn’t affect content of the by-laws. Tom, Steve Pound, Bob Carmichael, Mark Adams, and others expressed concerns and opinions regarding the proposed terms for removal of a SWIB member for unethical, obstructive, and disruptive behavior. Several others felt that the wording on attendance requirements was redundant.</p> <p>TOM DAVIS MOVED TO REMOVE “DISRUPTIVE BEHAVIOR” FROM THE REVISED BY-LAWS. GARY MCGRANE SECONDED THE MOTION.</p> <p>Peaches noted the contested language and suggested removing those references as they appear in Article III, Section 4, so the section would read, “If a Board member fails to attend more than two meetings, or otherwise fails to contribute to the work of the SWIB over a 12-month period, the Chair of the SWIB, in consultation with the Commissioner of the Maine Department of Labor, may remove the member from the SWIB.” She read a suggested revision to Article VI, Section 4.k so it would read, “If a Statutory Committee member fails to attend more than two meetings, or otherwise fails to contribute to the work of the SWIB over a 12-month period, the Chair of the Committee, in consultation with the Chair of the SWIB, may remove the member from the Committee.”</p>		

TOM DAVIS WITHDREW HIS MOTION. KEVIN HEALEY MOVED THAT THE BY-LAWS BE AMENDED TO REFLECT PEACHES' SUGGESTED LANGUAGE. ROB CARMICHAEL SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

Renee Kelly then asked for clarification on the voting privileges of the Program Policy Committee members. Garret explained that Program Policy Committee members each have a vote. The Chair of the Program Policy Committee aggregates their votes and must vote on behalf of the full Program Policy Committee with a vote that reflects the majority wishes of the Committee members. Garret Oswald offered the following language to present this more clearly in Article VI, Section 3.g: “**Meetings** Meetings shall be called as frequently as is needed. Meetings shall be conducted according to the same decision-making procedures as the SWIB. A quorum for taking action shall be 50% of appointed Program Policy Committee members. Program Policy Committee members will be represented by the vote of the Program Policy Committee Chair in actions taken by the SWIB.”

RENEE KELLY MOVED TO ADOPT GARRET'S SUGGESTION FOR THE BY-LAWS. TRACEY COOLEY SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

Regarding Article VI, Section 2, “Executive Committee,” Steve Pound asked, “Who is the Vice-Chair of the SWIB?” Fred Webber responded that the Vice-Chair is Kevin Healey. Garret Oswald added that the Governor appointed Mr. Healey as the Vice-Chair and it was to be announced during the SWIB meeting. Steve asked, “What is the authority of the Executive Committee?” Garret referred him to Article VI, Section 2c. Concerns were raised regarding what constituted “time sensitive” and “urgent” business and Kevin Healey offered that the intention is that all “normal business” should go before the full SWIB. Garret suggested changing the proposed by-laws to read, “**Authority** The Executive Committee has the authority to schedule full SWIB meetings, and other meetings necessary to make decisions of a time sensitive nature or urgent nature in all matters except such as are restricted by statute or these bylaws to the full SWIB. Normal business will be conducted at the quarterly SWIB meetings. The Executive Committee will survey the membership to gather feedback to take action between meetings.”

KEVIN HEALEY MOVED TO ADOPT THE LANGUAGE PRESENTED BY GARRET. SCOTT GOOD SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

Gary McGrane suggested that Article VI, Section 2.c should include the full list of required partners listed in the Workforce Investment Act, Title I, subtitle B, chapter 3, section 121 rather than just the statutory citation. It was the consensus of the Board to add the full list to the by-laws. It was further agreed that this change didn't require a motion and vote.

	<p>TOM DAVIS MOVED THAT THE VOTE ON THE APPROVAL OF THE BY-LAWS BE TAKEN BY WRITTEN BALLOT. STEVE POUND SECONDED THE MOTION. THE MOTION WAS DEFEATED BY A VOTE OF 16-3.</p> <p>Fred Webber called for a 10 minute break to allow the staff to make the various revisions and present an updated version of the by-laws for a vote after the break.</p>	
Conclusion	<p>Mel Clarrage moved to approve the by-laws with all the corrections and revisions proposed and accepted before the break. Ed McKersie seconded the motion. The motion was accepted by a vote of 21-1</p>	
Action Items:	Person responsible:	Deadline:
<p>The by-laws will be revised as per the votes of the SWIB and posted to the SWIB's website.</p>	<p>Peaches Bass</p>	<p>August 27, 2012</p>

Topic	Commission on Disability and Employment
Discussion	<p>On behalf of the Commission on Disability and Employment, Mel Clarrage presented a recommendation to the SWIB, "ALL employment and training programs that receive state or federal funding shall be compelled to collect and report data on persons with DISCLOSED and documented disabilities. This data is to include applicants, completion rates, and, most importantly, OUTCOMES to employment." Mel explained that the recommendation is based on the premise that, with a workforce participation rate of only 40%, people with disabilities must be insured "that taxpayer funded programs lead the way in documenting efforts and success in reaching and serving members of the disability community." Liz Ray asked Mel to clarify the definition of "disability" in this context, and he responded that the data he is referring to would be demographic in nature, not personal, and would not compromise confidentiality. Renee Kelly expressed concern that some programs may not be set up to track this kind of information. Carolyn Lockwood and Mel both emphasized that this information is based on voluntary disclosure of a disability. Craig Larrabee suggested changing the wording from "...shall be compelled to collect and report..." to "...shall collect..." with the notion in mind that all programs that receive public funding ought to be tracking information on participants with disabilities. Mel added that, in fact, these programs ought to be tracking data reflecting the people represented by all of the SWIB's committees: age, gender, veterans status, disability.</p>
Conclusion	<p>With a general consensus that the SWIB is interested in better data collection related to certain populations, Chair Fred Webber referred the matter to the</p>

	Program Policy Committee to craft better language and then bring the recommendation back to the SWIB for consideration.	
Action Items: The Program Policy Committee will refine the language on the recommendation for the SWIB’s reconsideration.	Persons responsible: Mel Clarrage, Peter Paré	Deadline: October 26, 2012

Topic	WIA State Plan	
Discussion	<p>Garret Oswald detailed the process using the Work Groups, particularly the Strategic Plan Work Group, in drafting the state’s WIA Five Year Strategic Plan. He described outreach to the eight Chamber of Commerce Regions. Garret, Jeanne Paquette, Dana Connors, Steve Wallace, and Richard Freund met with a total of 39 Chamber executives, with 38 voicing support in the proposed role of the Chambers in convening and facilitating the businesses in their areas. Fred Webber said that he was excited by the support expressed by his colleagues around the country for Maine’s proposal. He also emphasized that this plan is going to the Governor and its outcome is up to him. Tom Davis said that the unanimous opinion of the County Commissioners is that this plan “is not the way to go.” Gary McGrane agreed with Tom and added that the plan goes too far in helping businesses and not enough in helping dislocated workers, the disadvantaged, and the disabled.</p> <p>GARY MCGRANE MOVED THAT THE SWIB APPROVE THE PLAN BY A SECRET BALLOT. DON BERRY SECONDED THE MOTION. THE MOTION WAS DEFEATED BY A VOTE OF 14-5.</p> <p>Ed McKersie pointed out that the SWIB had been charged by the Governor to go in a specific direction to draft the plan whether we agreed with it or not. He said that the SWIB’s obligation is to deliver what the Governor asked for. Ed added that he wanted to see an “up or down” vote on the document.</p>	
Conclusion	Ed McKersie moved to approve the draft of the WIA State Plan and recommend its approval to the Governor. Mel Clarrage seconded the motion. The motion passed 17-4, with 1 recusal.	
Action Item: The Plan will be posted on the SWIB website for a period of public comment from August 18 to September 2, 2012. The Plan	Persons responsible: Garret Oswald, Fred Webber	Deadline: August 17, 2012

will then be sent to the Governor, along with the public comments, for his approval and submission to the US Department of Labor.		
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Topic	Adjourn
Discussion	Chair Fred Webber asked if anyone was opposed to adjourning the meeting.
Conclusion	Hearing no objections, the Chair adjourned the meeting at 11:30 AM.

