

**Nevada Department of Employment, Training and Rehabilitation
Employment Security Division
Workforce Programs**

**Workforce Innovation and Opportunity Act (WIOA)
State Compliance Policy (SCP)**

Policy Number: 1.0

Originating Office: Department of Employment, Training and Rehabilitation (DETR); Workforce Programs

Subject: Membership of Local Workforce Development Boards (LWDB)

Approved: Ratified Governor's Workforce Development Board (GWDB) Executive Committee March 18, 2026; July 2015 replacing Workforce Investment Act (WIA); Approved GWDB Executive Committee June 21, 2018; Ratified GWDB July 17, 2018

Purpose: To transmit guidance to the chief elected official(s) (CEO) of Local Workforce Development Areas (local areas) regarding state policy on criteria for LWDBs.

State Imposed Requirements: This directive may contain some state-imposed requirements. These requirements are printed in ***bold, italicized*** type.

Authorities/References: Workforce Innovation and Opportunity Act P.L. 113-128; 20 CFR §§ 679.300-679.430; 20 CFR § 681.100; Nevada Revised Statutes Chapter 241; Nevada SCPs

ACTION REQUIRED: Upon issuance bring this guidance to the attention of GWDB, LWDB members and any other concerned parties. Any LWDB policies, procedures, and or contracts affected by this guidance are required to be updated accordingly.

Background: WIOA Sec. 107(b)(1) requires the Governor, in partnership with the GWDB, to establish criteria for use by CEOs in the local area for appointments of members of the local board. Under WIOA, the LWDB, in partnership with the CEOs, are responsible for establishing policy and overseeing workforce programs for a workforce development area.

Policy and Procedure

The Governor establishes criteria for use by CEOs in appointing members of LWDBs, in accordance with Section 107(b)(2) of WIOA. CEOs serve as the appointing authority for LWDB members, and they must develop a process for soliciting nominations and selecting members. Representatives from private businesses or other entities must have optimum policy making or hiring authority within the employer community and the organizations they represent. The Chair of each LWDB must come from the business community. An individual may represent more than one entity if they meet all required criteria.

Required Members of the LWDB (WIOA Sec. 107 and [20 CFR § 679.320](#))

Members of the LWDB must be selected by the CEOs consistent with criteria established under WIOA Sec. 107(b)(1) and criteria established by the Governor. Such selection must also meet the established requirements of WIOA Sec. 107(b)(2) and [20 CFR § 679.320 \(a\)](#).

A majority of LWDB members must represent businesses in the local area, including at least two representatives of small businesses as defined by the U.S. Small Business Administration. Each business representative must be an owner, chief executive officer, chief operating officer, or another individual with optimum policymaking or hiring authority, and must provide employment opportunities in in-demand industry sectors or occupations.

The LWDB must also include at least one eligible provider administering adult education and literacy activities under WIOA Title II, and at least one representative from an institution of higher education providing workforce investment activities, including community colleges. When multiple eligible providers or institutions exist, nominations must be solicited from those entities.

Labor representation must include two or more representatives of labor organizations where such organizations exist. Where they do not, representatives must be selected from other employee groups. The LWDB must include at least one representative of a joint labor-management or union-affiliated registered apprenticeship program, or, if none exists, a representative of a non-union registered apprenticeship program.

The LWDB must also include at least one representative from economic and community development entities, the State employment service office under the [Wagner-Peyser Act](#), and programs carried out under Title I of the [Rehabilitation Act of 1973](#) (excluding section 112 or part C). Additional members may include representatives of education and training entities, governmental or community development organizations, philanthropic organizations, or other individuals deemed appropriate by the CEOs.

Local Board Operations

A quorum consists of a simple majority (51%) of members, excluding vacancies. LWDB members who no longer hold the position or status that made them eligible must resign or be removed immediately by the CEOs. Vacancies must be filled within a reasonable timeframe, not to exceed 120 days. Reappointments must also occur within 120 days of term expiration. Any LWDB action taken after the 120-day period is void unless a waiver has been approved in advance by the Office of Workforce Innovation (OWINN). Waiver requests must be submitted in writing to the Governor's Workforce Development Board: 1 State of Nevada Way Las Vegas, NV 89119

Members must be removed by the CEOs if they violate conflict-of-interest rules, fail to meet representation requirements, or engage in fraud or abuse. Additional removal criteria may be included in LWDB bylaws.

LWDBs must comply with WIOA Section 107, State Board policy, and [SCP 4.6](#) regarding conflict of interest. Any conflict must be declared, and the member must abstain from voting on the affected item. LWDBs must conduct business openly as required by WIOA Section 107(e), NRS Chapter 241, and the [Nevada Open Meeting Law Manual](#). This includes making agendas, supporting

materials, and required public information available electronically and at public meetings.

Information that must be made publicly available includes the Local Plan and modifications, LWDB membership lists, one-stop operator selections, grant or contract awards to eligible providers, meeting minutes, and LWDB bylaws.

This includes [20 CFR § 679.390](#):

- (1) Information about the Local Plan, or modification to the Local Plan, before submission of the plan;
- (2) List and affiliation of LWDB members;
- (3) Selection and certification of one-stop operators;
- (4) Award of grants or contracts to eligible providers of workforce investment activities including providers of youth workforce investment activities;
- (5) Minutes of formal meetings of the LWDB; and
- (6) LWDB by-laws, consistent with [20 CFR § 679.310\(g\)](#).

Standing Committees

Standing committees may be established by the LWDB to provide information and assist the LWDB in carrying out its responsibilities under WIOA Sec. 107. Standing committees must be chaired by a member of the LWDB, may include other members of the LWDB, and may include other individuals appointed by the LWDB who are not members of the LWDB and who have demonstrated experience and expertise in accordance with [20 CFR § 679.340\(b\)](#) and as determined by the LWDB. Standing committees may include each of the following [20 CFR § 679.360](#):

- (1) A standing committee to provide information and assist with operational and other issues relating to the one-stop delivery system, which may include representatives of the one-stop partners;
- (2) A standing committee to provide information and to assist with planning, operational, and other issues relating to the provision of services to youth, which must include community-based organizations with a demonstrated record of success in serving eligible youth; and
- (3) A standing committee to provide information and to assist with operational and other issues relating to the provision of services to individuals with disabilities, including issues relating to compliance with WIOA Sec. 188, if applicable, and applicable provisions of the [Americans with Disabilities Act of 1990 \(42 U.S.C. 12101 et seq.\)](#) regarding providing programmatic and physical access to the services, programs, and activities of the one-stop delivery system, as well as appropriate training for staff on providing supports for or accommodations to, and finding employment opportunities for, individuals with disabilities.

The LWDB may designate other standing committees in addition to those specified above.

LWDB may designate an entity in existence as of the date of the enactment of WIOA, such as an effective youth council, to serve as a standing committee as long as the entity meets the requirements of WIOA Sec.107(b)(4). (Reference SCP 2.3 Youth Standing Committee and [20 CFR § 681.100](#))