

State of South Carolina
Workforce Innovation and Opportunity Act

Local Workforce Development Area Subsequent Designation Petition

This Petition must be used by any entity requesting subsequent designation as a Local Workforce Development Area pursuant to Public Law 113-128, the Workforce Innovation and Opportunity Act (WIOA).

Section I. Petitioning Jurisdiction(s)

- A. Designation as a Workforce Development Area is requested for the following county(ies).

Cherokee County

Spartanburg County

Union County

- B. Specify the name of the proposed Workforce Development Area.

Upstate Workforce Area

- C. List the names of the chief elected officials (CEOs) representing the units of general local government on whose behalf this petition is being submitted.

<u>County</u>	<u>Name</u>
Cherokee County	Timothy F. Spencer
Spartanburg County	A. Manning Lynch
Union County	Phillip G. Russell

D. List the name, title, mailing address, telephone number, fax number and e-mail address of the primary contact person regarding this petition.

Name:	Ann Angermeier
Title:	Executive Director/CEO
Mailing Address:	PO Box 5666
	Spartanburg, SC 29304
Telephone Number:	864-596-2028
Fax Number:	None
E-Mail Address:	ann@upstatewb.org

Section II. Consortium Agreement

If the local area includes more than one unit of general local government, the chief elected officials must negotiate a consortium agreement in order to establish a workforce development area to deliver WIOA funded services. Such agreement must be included as an attachment to this subsequent designation petition.

Agreement is Attachment C

Section III. Existing Workforce Area

A. In the tables below, provide the final WIOA performance data for each of the last two (2) consecutive years.

Program Year 2021 (July 1, 2021 – June 30, 2022)							
Performance Measure		Employment Rate Q2	Employment Rate Q4	Median Earnings	Credential Rate	Measurable Skill Gains	Overall Program Score
Title I Adult	Goal	78.7%	76.5%	\$6,429	65.5%	50.5%	112.5%
	Actual	76.4%	75.9%	\$6,551	69.7%	79.8%	
	% of Goal	97.1%	99.2%	101.9%	106.4%	158.0%	
Title I DW	Goal	81.6%	78.5%	\$7,400	60.5%	48.5%	130.1%
	Actual	86.5%	93.9%	\$11,177	66.7%	79.3%	
	% of Goal	106.0%	119.6%	151.0%	110.2%	163.5%	
Title I Youth	Goal	79.0%	72.5%	\$2,252	72.0%	35.5%	140.9%
	Actual	79.3%	89.6%	\$4,071	66.7%	73.6%	
	% of Goal	100.4%	123.6%	180.8%	92.6%	207.3%	
Overall Indicator Score		101.2%	114.1%	144.6%	103.1%	176.3%	

Program Year 2020 (July 1, 2020 – June 30, 2021)							
Performance Measure		Employment Rate Q2	Employment Rate Q4	Median Earnings	Credential Rate	Measurable Skill Gains	Overall Program Score
Title I Adult	Goal	78.2%	76.0%	\$6,379	65.0%	49.5%	108.2%
	Actual	73.4%	76.3%	\$5,594	71.0%	74.1%	
	% of Goal	93.9%	100.4%	87.7%	109.2%	149.7%	
Title I DW	Goal	81.1%	78.0%	\$7,400	60.0%	48.0%	117.9%
	Actual	80.0%	74.3%	\$13,762	40.9%	68.0%	
	% of Goal	98.6%	95.3%	186.0%	68.2%	141.7%	
Title I Youth	Goal	78.5%	72.0%	\$2,252	71.5%	35.0%	108.2%
	Actual	73.4%	81.4%	\$2,420	79.7%	40.5%	
	% of Goal	93.5%	113.1%	107.5%	111.5%	115.7%	
Overall Indicator Score		95.3%	102.9%	127.0%	96.3%	135.7%	

For each measure, the US Department of Labor defines performance as follows:

- Meets performance =
 - Individual Indicator Score—50% of goal for each individual measure
 - Overall Indicator Score—90% of goal for overall individual measure
 - Overall Program Score—90% of goal for overall program performance
- Does not meet performance =
 - Individual Indicator Score—less than 50% of goal for an individual measure
 - Overall Indicator Score—less than 90% of overall individual measure
 - Overall Program Score—less than 90% of overall program performance

If any measure was not met in either program year, address the reasons, corrective action measures taken, and current status.

All measures were met or exceeded.

B. Address fiscal integrity regarding funds provided under WIOA.

Has the Secretary made a formal determination, during either of the last 2 consecutive years, that WIOA funds provided to the area were misexpended due to willful disregard of the requirements of the provision involved, gross negligence, or failure to comply with accepted standards of administration? **No. Everything is in good fiscal order.**

Section IV. Local Board Information

Using Attachment A, provide a list of local board members, to include composition categories and contact information.

Section V. Grant Recipient/Fiscal Agent

Using Attachment B, designate the grant recipient/fiscal agent for the area. Signature of the lead official is required. Signatures of each chief elected official are also required. The use of electronic signatures is permissible.

Section VI. Public Comment

Attach documentation that public input was solicited and provide all comments received.

Section VII. Assurances and Signatures

A. Assurances

The chief elected officials (CEOs) making this designation request assure the following:

- That they have been duly authorized to participate by and on behalf of the governing bodies of the counties specified and documentation of this authorization can be provided;
- Compliance with the requirements of the Act, all federal regulations implementing the Act, any revisions or amendments thereto, state issued instructions, and any and all applicable federal, state or local rules and regulations; and,
- Acceptance of the liability for any misuse of grant funds.

B. Signatures—The use of electronic signatures is permissible.

I/We, the undersigned chief elected official(s) of the petitioning county(ies), do hereby submit this formal designation petition under the conditions delineated herein and with the assurances specified herein.

<u>County</u>	<u>Signature</u>	<u>Date</u>
<u>Cherokee County</u>	_____	_____
<u>Spartanburg County</u>	_____	_____
<u>Union County</u>	_____	_____

Submit Petition to WorkforceSupport@dew.sc.gov by 5:00 p.m., April 30, 2023.

Attachment A

WIOA Local Workforce Development Board Membership

Total Seats 21 Seats

Seats Occupied 19

Seats Vacant 2

Business (per Section 107(b)(2)(A))

No.	County Represented	Term	Committee	Name	Affiliation and Title	Contact Phone and Email	Mailing Address
1	Spartanburg	07/01/2021 to 06/30/2024	Executive	Ballard, Wade	Ford & Harrison LLP, Attorney	864-699-1127 wballard@fordharrison.com	100 Dunbar Street, Suite 300 Spartanburg, SC 29306
2	Spartanburg	07/01/2020 to 06/30/2023	One Stop	Vacant	Private Sector (has been nominated)		
3	Spartanburg	06/20/2022 to 06/30/2025	One Stop Executive Nominating (Chair)	Faucett, Robert (Robbie)	Chesapeake Bank, Corporate & Business Development	864-580-9444 robertfaucett@bellsouth.net	166 Kelly Farm Road Moore, SC 29369
4	Spartanburg	06/20/2022 to 06/30/2025	One Stop	Guzzo, Elizabeth (Betty)	LBG Associates, President	864-592-1309 guzzo1309@charter.net	156 Lake Bowen Drive Inman, SC 29349
5	Union	08/05/2021 to 06/30/2023	One Stop	Harter, Cathy	Kemper Corporation, President	864-424-9894 cathy@kemperstraps.com	100 Times Boulevard Union, SC 29379
6	Cherokee	07/01/2022 to 06/30/2024	Youth	Hill, Robyn	Wells Fargo Campus Program Manager	864-492-2405 robyn.hill@wellsfargo.com	143 Fairway Drive Gaffney, SC 29341
7	Spartanburg	06/20/2022 to 06/30/2025	One Stop	Horton, Judy	Horton Consulting President	864-680-9385 judy@discoveryouraha.com	PO Box 1057 Drayton, SC 29333
8	Spartanburg	07/01/2020 to 06/30/2023	Executive (Chair)	Jacobs, Craig	Spencer/Hines Properties, Commercial Broker	864-266-1561 cjacobs@spencerhines.com	380 South Pine Street Spartanburg, SC 29302
9	Spartanburg	07/01/2021 to 06/30/2023	Youth	Kirkland, Jerome	BASF Site Manager	864-278-1452 jerome.kirkland@basf.com	230 Old Converse Road Spartanburg, SC 29307
10	Spartanburg	06/20/2022 to 06/30/2025	Executive (Vice Chair) One Stop	Littlejohn, Marion	Bosch Security Systems, LLC, VP of Human Resources	870-733-2438 marion.littlejohn@us.bosch.com	140 Caliber Ridge Drive Greer, SC 29361
11	Spartanburg	07/01/2021 to 06/30/2024	One Stop (Chair)	Norris, Nathan	Highland Baking Company - Director of Diversity and Inclusion	847-257-5737 nnorris@highlandbaking.com	2001 Asheville Highway Spartanburg, SC 29303

Not Less Than 20% (per Section 107(b)(2)(B))

No.	Years/County Represented	Term	Committee	Name	Affiliation and Title	Contact Phone and Email	Address
1	Spartanburg	07/01/2020 to 06/30/2023	Youth	Brasington Jr., William (Bill)	Adult Learning Center, Inc., Executive Director	864-562-4104 bbrasington@adult-learning.org	145 North Church Street Box #82 Spartanburg, SC 29306
2	Spartanburg	10/18/2021 to 06/30/2023	Youth	Cleapoor, Josh	CWA Local 3716 President	864-384-4254 josh.cleapoor@gmail.com	531 Kingston Street Spartanburg, SC 29303
3	Spartanburg	07/01/2021 to 06/30/2023	Youth	Kirkland, Jerome	BASF Site Manager - Apprenticeships	864-278-1452 jerome.kirkland@basf.com	230 Old Converse Road Spartanburg, SC 29307
4	Spartanburg	06/20/2022 to 06/30/2025	Youth	Pressley, Cherie	Regional Center for Educational Support, Workforce Advisor	864-503-5370 cpressley@uscupstate.edu	800 University Way Spartanburg, SC 29303
5	Cherokee	07/01/2020 to 06/30/2023	Disabilities	Vacant	Pending Nomination		

Education & Training (per Section 107(b)(2)(C))

No.	Years/County Represented	Term	Committee	Name	Affiliation and Title	Contact Phone and Email	Address
1	Spartanburg	07/01/2020 to 06/30/2023	Youth (Chair)	Black, Erin	Spartanburg County Adult Education, Director	864-596-4428 eblack@spart7.org	1475 Skylyn Drive Spartanburg, SC 29307
2	Union	01/08/2021 to 06/30/2023	Youth Nominating	Coffer, Jay	Spartanburg Community College - Department Chair of Advanced Manufacturing	864-592-4933 cofferj@scsc.edu	PO Box 4386 Spartanburg, SC 29305

Governmental, Economic, and Community Development (per Section 107(b)(2)(D))							
No.	County Represented	Term	Committee	Name	Affiliation and Title	Contact Phone and Email	Address
1	Cherokee	07/01/2021 to 06/30/2024	One Stop Nominating	Cook, James (Jim)	Cherokee County Development Board, Executive Director	864-206-2804 cookj@scsc.edu	101 Campus Drive Gaffney, SC 29341
2	Spartanburg	07/01/2020 to 06/30/2023	Executive Disabilities (Chair)	Thomas, Jennie	S. C. Vocational Rehabilitation, Area Administrator	864-249-8030 jthomas@scvrd.state.sc.us	The Bryant Center 180 Groce Road Lyman, SC 29365
3	Spartanburg	06/20/2022 to 6/30/2025	Disabilities	Brock-Trail, Anne	SC Department of Employment and Workforce, Business Consultant	864-764-1992 atrail@dew.sc.gov	PO Box 1250 Spartanburg, SC 29304

Denote multiple representation with an asterisk (*).

Total Number of Seats Filled	19
Number of Seats Filled Representing Business	10
Percentage of Seats Filled Representing Business	52%
Number of Individuals Filled Representing Not Less than 20%	4 of 19
Percentage of Seats Filled Representing Not Less than 20%	21%
Number of Seats Filled Representing Education & Training	2
Number of Seats Filled Representing Gov't, Economic & Comm. Dev.	3

Yellow to be nominated and appointed

The Upstate Local Workforce Development Area
Designation of Grant Recipient/Fiscal Agent

The Chief Elected Officials of the The Upstate Local Workforce Development Area hereby designate Spartanburg County

as the grant recipient and fiscal agent pursuant to the Workforce Innovation and Opportunity Act (WIOA).

While WIOA permits the local Chief Elected Officials (CEOs) to designate an entity to serve on their behalf as grant recipient and fiscal agent, the CEOs understand that this designation does not relieve them of their liability for any misuse of grant funds. The use of electronic signatures is permissible.

Table with 3 columns: County, Authorized Signature, Date. Rows include Cherokee County, Spartanburg County, and Union County.

As the authorized signatory official of Spartanburg County, I accept the responsibilities as WIOA grant recipient and fiscal agent for The Upstate Workforce Development Area.

B. Cole Alverson, Administrator
Name and Title Signature Date

CONSORTIUM AND ADMINISTRATIVE AGREEMENT BETWEEN
THE UPSTATE WORKFORCE DEVELOPMENT BOARD AND THE CHIEF
ELECTED OFFICIALS OF CHEROKEE, SPARTANBURG, AND UNION
COUNTIES

WHEREAS, the Workforce Innovation and Opportunity Act signed into law on July 22, 2014 (Public Law 113-128) replaces the Workforce Investment Act of 1998 beginning July 1, 2015, the Governor of the State of South Carolina is required to designate Workforce Development Areas, and

WHEREAS, each Area must have a local Workforce Board appointed by Chief Elected Officials in accordance with the WIOA and state criteria,

1. Purpose. The Upstate Workforce Development Board, a workforce development planning entity, will implement and carry out the provisions of the Workforce Innovation and Opportunity Act for Cherokee, Spartanburg, and Union Counties.
2. Designation of Workforce Area. The workforce area will consist of Cherokee, Spartanburg, and Union Counties.
3. Grant Recipient. All funds allocated by the Governor to any of the Counties, under the Workforce Innovation and Opportunity Act, shall be paid to the Spartanburg County, Treasurer, as the fiscal agent of the grant recipient, Spartanburg County, and disbursed as provided in Attachment A to this agreement.
4. Administration. The Workforce Innovation and Opportunity Act in Section 107(d)(12)(B)(i)(I) requires that the Consortium Counties, through their Chief Elected Officials, shall serve as the local grant recipient for, and shall be liable for any misuse of the grant funds allocated to the local area under Sections 128 and 133. Fiscal responsibility will be allocated among the Consortium Counties based on the ratio of funds received each year through the Workforce Innovation and Opportunity Act. In accordance with 107(d)(12)(B)(i)(II), Spartanburg County will serve as Administrative Entity and grant sub-recipient and carry out the administrative provisions of WIOA legislation. However, the Consortium retains liability for use of the WIOA funds as required in Section 107(d)(12)(B). Spartanburg County shall disburse funds at the direction of the Upstate Workforce Development Board as required by the Act and carry out functions as described in Attachment A to this agreement.
5. Workforce Development Board. The total membership of the Upstate Workforce Development Board shall not exceed 21. Membership of the local board must be selected in accordance with the criteria established under the Workforce Innovation and Opportunity Act, Section 107. Distribution of appointments among three consortium members shall be as described in Attachment B to this agreement. Members who represent business, organizations, agencies, or other entities must be owners, chief executive operating officers, or other individuals with optimum policy making or hiring

authority. Membership to the Upstate Workforce Development Board shall be by appointment of the Chief Elected Official of each county.

6. Provisions of Services. The Upstate Workforce Development Board staff and the Administrative Entity as directed by the Upstate Workforce Development Board will competitively procure all program services under the Workforce Innovation and Opportunity Act. The procurement shall follow the requirements of the Federal, State, and County requirements. The program services to participants shall be rendered through a one stop operator and youth program grantees.
7. Cooperation. Each member of the Board shall promptly furnish to their respective Chief Local Elected Official any information requested which may relate to the purpose of this Agreement and the implementation of the Act. The government body of each county agrees to collaborate with the Board in carrying out its responsibilities under the Act.
8. Termination. Any County may withdraw from the Consortium by giving 60 calendars days' written notice prior to the end of the then existing program year.

CHEROKEE COUNTY

By: _____
Its: Chairman

Date: _____

SPARTANBURG COUNTY

By: _____
Its: Chairman

Date: _____

UNION COUNTY

By: _____
Its: Chairman

Date: _____

UPSTATE WORKFORCE INVESTMENT BOARD

By: _____
Its: Chairman

Date: _____

GRANT RECIPIENT, ADMINISTRATIVE ENTITY ROLES, WORKFORCE BOARD AND BOARD STAFF, AND CHIEF ELECTED OFFICIALS ROLES AND RESPONSIBILITIES

I. Role of Grant Recipient – Spartanburg County Government

- A. Receipt and accountability for all Workforce Innovation and Opportunity Act funds;
- B. Establishment and maintenance of a financial management system;
- C. Designation of a Department within Spartanburg County to encompass the Upstate Workforce Development Board Executive Director and staff;
- D. Provision of Board Staff as selected by the Upstate Workforce Development Board, but meeting the personnel requirements of Spartanburg County;
- E. Establishment and maintenance of procurement and contracting system;
- F. Processing payment and reimbursements authorized by duly enacted board approved policies;
- G. Engaging and selecting an auditor to audit all funds as required by the Act.

II. Role Of Administrative Entity through the Board staff – Spartanburg County Government

- A. Support activities of the Upstate Workforce Development Board and carry out policy directives, including:
 - 1. Providing monthly programmatic and financial reports;
 - 2. Staying abreast of and keeping Board apprised of federal and state policy directives and pending changes;
 - 3. Providing information regarding anticipated and pending legislation;
 - 4. Scheduling and staffing all board and committee meetings as directed;
 - 5. Preparation and dissemination of minutes and related material;
 - 6. Providing support in development and submission of annual reports;
 - 7. Providing recommendations to promote performance and to ensure compliance;
 - 8. Ensuring compliance with federal, state, and local directives;
 - 9. Maintain a list of eligible training providers with performance and cost information as required by the Workforce Innovation and Opportunity Act;
 - 10. Outreach and recruitment for the Upstate Workforce Development Board and its contractors;
 - 11. Attending federal, state and local meetings, conferences and training as needed.
- B. Provide oversight of the day to day operation of the workforce development system and ensure that all activities comply with the provisions of the Act, Upstate Workforce Development Board policies and directives, federal, state and county regulations, to include:
 - 1. Implementing Board workforce system policies and directives;
 - 2. Maintaining a management information system;
 - 3. Implementing customer grievance procedures, as established by the Board and Governor;
 - 4. Implementing Board approved procedures to ensure appropriate conduct and performance of programs and services;
 - 5. Conducting monitoring and providing technical assistance to promote and enhance optimal performance;
 - 6. Providing technical assistance to service providers as required;
 - 7. Monitoring and reporting as required to the WORKFORCE DEVELOPMENT BOARD, Chief Elected Officials, state, county, and US Department of Labor.

- C. Utilization of contracting system which includes:
1. Implementation of a Board and Spartanburg County approved system for the award and monitoring of contracts with eligible service providers, said contracts containing acceptable standards for ensuring accountability;
 2. Entrance into Board approved written contracts with service providers which establish clear goals and obligations in unambiguous terms;
 3. Acting with due diligence to monitor the implementation of the contracts, including carrying out appropriate monitoring activities (programmatic, EO and financial) at regular intervals;
 4. Taking prompt and appropriate corrective action upon notice of violations of the Act or the implementing regulations;
 5. Ensuring that all contracts for services are competitively procured and approved by the Board;
 6. Implementing contract type, terms, and specifications as approved by the Board.

III. Role of Planning Entity – Upstate Workforce Development Board

- A. The Upstate Workforce Development Board will approve the policies and provide oversight of activities for its workforce development area.
- B. The Upstate Workforce Development Board shall be responsible for:
1. Developing the local workforce development plan and conducting oversight of the One Stop system, youth activities and other workforce development activities;
 2. Regional planning for workforce development per section 108 of the Workforce Innovation and Opportunity Act;
 3. Selecting One Stop Operator(s) with the agreement of the Chief Elected Official;
 4. Selecting eligible youth service providers and identifying eligible providers of adult and dislocated worker training services and ensure a list of eligible providers, with performance and cost information, is maintained;
 5. Developing a budget for the purpose of carrying out Board activities, subject to the approval of the Chief Elected Officials;
 6. Approval of Board Staff budget;
 7. Negotiating and reaching agreement on local performance measures with the Governor;
 8. Coordinating workforce development activities with economic development strategies and developing employer linkages;
 9. Promoting private sector involvement in the local workforce development system through effective connecting, brokering, and coaching activities;
 10. Performance Evaluation of the Executive Director.

IV. Development of Strategic Plan

The Upstate Workforce Development Board shall develop and routinely update a Strategic Plan pursuant to the Act which must be developed in conjunction with and approved by the Chief Elected Officials. This plan will be prepared as described in section 108 of the Act. The plan must include the following unless otherwise instructed by the State Workforce Development Board, the Governor and the US Department of Labor:

- A. An identification of the workforce needs of business, job seekers, and workers in the local area;
- B. An identification of current and projected employment opportunities and job skills necessary to obtain such opportunities;

Attachment C

- C. A description of the One Stop delivery system to be established or designated in the local area;
- D. A description of the local levels of performance negotiated with the Governor and Chief Elected Officials to be used for measuring the performance of the local fiscal agent, eligible providers, and the local One Stop delivery;
- E. A description and assessment of the type and availability of adult and dislocated worker employment and training activities in the local area, including a description of the local individual training account (ITA) and the procedures for use;
- F. A description of how the local board will coordinate local activities with strategic rapid response activities;
- G. A description and assessment of the type and availability of youth activities in the local area, including an identification of successful providers of such activities;
- H. A description of the process used by the local board to provide opportunity for public comment;
- I. An identification of the fiscal agent or entity responsible for disbursement of grant funds;
- J. A description of the competitive process to be used to award grants and contracts;
- K. A description of the criteria to be used by the Governor and the local board to prioritize services;
- L. Other requirements dictated by the federal regulations not yet issued and state requirements, per instruction from the Governor and/or State Administrative Entity.

V. Role of the Chief Elected Official (including roles listed above)

- A. Membership of the Upstate Workforce Development Board shall be by appointment of the Chief Elected official of each county.
- B. Receive notice to participate on the committee to select the OneStop Operator(s). If the Chief Elected Office cannot make this committee meeting, a copy of the selected operator will be sent for information and approval unless the CEO elects to delegate this responsibility to the Workforce Development Board.
- C. Receive notice to participate on the finance committee to approve the Upstate Workforce Development Board's annual budget for the purpose of carrying out board activities. If the Chief Elected Office cannot make this committee meeting, a copy of the annual budget will be sent for information and approval unless the CEO elects to delegate this responsibility to the Workforce Development Board.
- D. Provide input and approval of the strategic local workforce area plan.
- E. Approve and sign the required consortium agreement and partner Memorandum of Understanding.
- F. Other responsibilities that may be a requirement in the Act and Regulations.

Upstate Workforce Investment Board
20 members minimum with 21 members maximum

Cherokee	Spartanburg	Union	
Members	3	16	2