

State Workforce Development Board Meeting Tuesday, June 28, 2022, at 11:00 a.m.

Physical Access (option for members only) S.C. Department of Employment and Workforce C. Lem Harper Building 631 Hampton Street, Columbia, SC 29201

Virtual Access Join on your computer or mobile app <u>Click here to join the meeting</u>

Or call in (audio only) +1 803-400-6195 Phone Conference ID: 772 811 155#

AGENDA

I.	Welcome and Opening Remarks Mr	r. Thomas Freeland, SWDB Chair
II.	Approval of Minutes from March 29, 2022*	Mr. Freeland
III.	Revised SWDB Bylaws*	Mr. Pat Michaels
IV.	Director's Report	Director Dan Ellzey
V.	SC's Cybersecurity Economy and Workforce	Mr. Brian Shea, Simon Everett
VI.	Other Business/Adjourn	Mr. Freeland

Governor's State Workforce Development Board March 29, 2022 State Workforce Development Board Meeting Minutes

MEMBERS PRESENT:

Mr. Thomas Freeland
Mr. Dan Ellzey
Col. Craig Currey
Dr. Windsor Sherrill
Mr. Archie Maddox
Mr. Pat Michaels
Mr. Jay Holloway
Mr. Mike King
Ms. Felicia Johnson

Mr. John Uprichard Mr. Gregory Clark Mr. Cliff Bourke, Jr. Ms. Valerie Richardson Mr. Warren Snead Mr. Charles Brave, Jr. Mr. Gregory Tinnell Mr. Michael Sexton Mr. H. Perry Shuping

MEMBERS EXCUSED:

Sen. Ross Turner Rep. Joe Daning

Approval of Minutes from December 14, 2021*Mr. Freeland Mr. Charles Brave, Jr. motioned to approve the December 14, 2021, meeting minutes, seconded by Mr. Greg Clark, and unanimously approved by the State Workforce Development Board.

DEW Director's Report....... Mr. Dan Ellzey Mr. Dan Ellzey, Executive Director, SC Department of Employment and Workforce, delivered a presentation on the status of Unemployment Insurance claims, South Carolina employment levels, and reemployment initiatives. His presentation covered the following points:

- For the week ending March 19, 2022, 1,577 individuals filed initial claims. The UI Trust Fund has a balance of more than \$1.2B. The preliminary Unemployment Rate for February 2022 is 3.5%, the lowest rate since the pandemic. As of March 25, 2022, there are more than 112,800 jobs posted in SCWOS, which is approximately 40,000 more than prepandemic.
- There are two lawsuits against the agency for the calculation of the weekly benefit amount. A federal court issued a motion to dismiss one of the lawsuits. The other is pending in state court.
- South Carolina's Labor Force Participation Rate is 57.2%, which is slightly lower than the pre-pandemic rate and significantly lower than the national rate. DEW has convened the South Carolina Labor Force Participation (LFP) Taskforce to evaluate SC's labor force participation, research how to engage the sideliners and ensure the State will have the labor to meet business demand. The SC Council on Competitiveness is assisting DEW in this effort.
- The largest industries in terms of employment are Trade, Transportation & Utilities, Government, and Professional and Business Services. Leisure and Hospitality employment has decreased since the pandemic from 12.5% to 11.7%. Manufacturing employment has remained consistent at 11.7% pre-pandemic and 11.6% post-pandemic.
- Rural engagement is a priority of the agency and the SWDB. The following programs support rural engagement:

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- Deployment of the Career Coach to rural areas
- Referral of UI claimants to employment or relevant training through the Workforce Reemployment Assistance Program (WRAP)
- Outreach to small businesses through weekly messaging about SC Works services
- Analysis of the rural workforce conducted by the USC Darla Moore School of Business
- South Carolina will highlight the State's workforce development activities for job seekers, employers and workforce professionals during Workforce Development Month in September 2022.

Mr. Pelissier discussed the challenge of providing excellent and evolving services that meet the changing needs of the workforce. He commented that other states are experiencing the same declines in WIOA funding and that Councils of Government are experiencing similar changes in the distribution of funds in other programs. The affiliation between the COGs and Workforce Development Boards provides a strong foundation to explore new things and ideas to meet the challenges every area is facing. Local areas are in the early stages of discussing opportunities to work together to combine resources and identify areas of strength where one COG might serve another, but there are existing examples where collaboration is occurring successfully:

- Several COGs partner with Catawba to administer the revolving loan funds program for small businesses and entrepreneurs.
- The Appalachian COG provides GIS and statistical data support to other areas.

To continue these discussions is a natural outgrowth of existing collaboration. A risk of collaboration through regionalism is local staff losing knowledge about the needs of their region and the relationships that have been established. Other aspects of regionalism to consider are control over service delivery, allocation of funding, differences in policy or board priority, and a system for monitoring, evaluating, and adjusting. Mr. Pelissier reiterated that the network and trust between Workforce Directors and COG Directors are in place for progress and success as it relates to regionalism.

Mr. Pelissier provided examples of how local areas are providing excellent services to meet the demand of the workforce:

• Upper Savannah is using LWDA Resiliency Grant funds to focus on the foster care and homeless populations.

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- Catawba holds joint South Carolina/North Carolina job fairs with bordering areas.
- WorkLink is working with Lutheran Services to assist Afghan refugees that have been resettled in the WorkLink area.

Mr. Ellzey explained that there has been a 42% reduction in local WIOA funding since 2010. He emphasized that the agency did not propose consolidation of local areas for many reasons, including the potential loss of staff knowledge about a local area. The concept of regionalism is a far better way to achieve system cost-efficiency. The agency is committed to supporting the local areas in this process.

Recognition of Board Members......**Mr. Freeland** Chairman Freeland recognized the resignations of past board members:

- Dr. Joseph "Joe" Patton, a US Army Veteran, was appointed to the Board in 2007 and served faithfully until his passing in December 2021. During his tenure on the Board, he was the CEO of GLEAMNS Human Resources Commission, Inc. in Greenwood, South Carolina. He was also an active member of several other Boards and commissions, including the Upper Savannah Workforce Development Board. In 2015, Dr. Patton received the Order of the Palmetto Award, our State's highest civilian honor, for his outstanding service as a community, civic, and business leader. Dr. Patton will be remembered as a passionate and dedicated public servant.
- Mr. John Durst was appointed to the Board in February 2020 and resigned in January 2022. He served as the President & CEO of the SC Restaurant & Lodging Association. In the early months of the pandemic, Mr. Durst was instrumental in launching the Governor's Palmetto Priority Program – an effort to increase safe, healthy, and enjoyable dining experiences during the pandemic and, in turn, get hospitality workers back on the job.

AMENDED

BYLAWS

STATE WORKFORCE DEVELOPMENT BOARD STATE OF SOUTH CAROLINA

ARTICLE I: ESTABLISHMENT

- 1.1 <u>NAME:</u> In accordance with the Workforce Innovation and Opportunity Act (WIOA), and applicable Federal Regulations, the name of this organization shall be the State Workforce Development Board (State Board or SWDB).
- 1.2 **PROVISIONS OF ESTABLISHMENT:** The State Board was established in accordance with WIOA section 101, et al.
- **1.3 AREA SERVED:** The area to be served by the State Board is the geographical and political jurisdiction of the State of South Carolina.
- **1.4 STATE ADMINISTRATIVE AGENCY:** The State Administrative Agency designated by the Governor to administer WIOA title 1 is the South Carolina Department of Employment and Workforce (DEW).

ARTICLE II: PURPOSE AND AUTHORITY

- 2.1 <u>PURPOSE:</u> The State Board shall provide advice to the Governor and direction to DEW on workforce development issues affecting the State, particularly those pertaining to the implementation of WIOA.
- 2.2 <u>AUTHORITY:</u> The State Board shall perform all functions mandated by WIOA and perform such other duties as directed by the Governor, <u>In no event shall the State Board</u> operate programs or provide services to eligible participants.
- 2.3 <u>DUTIES: As required by WIOA section 101(d), the State Board shall oversee the</u> following duties, and other duties as directed by the Governor:
 - A. Development, implementation, and modification of the state plan;
 - B. Review of statewide policies, programs, and recommendations on actions that should be taken by the State to align workforce development programs to support a comprehensive and streamlined workforce development system, including the review and provision of comments on the State Plans, if any, for programs and activities of SC Works partners that are not core programs;
 - C. Development and continuous improvement of the workforce development system, including
 - identification of barriers and means for removing barriers to better coordinate, align, and avoid duplication among the programs and activities carried out through the system;
 - 2. development of strategies to support the use of career pathways for the purpose of providing individuals, including low-skilled adults, youth, and individuals with barriers to employment, including individuals with disabilities, with

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workforce investment activities, education, and supportive services to enter or retain employment;

- 3. development of strategies for providing effective outreach to and improved access for individuals and employers who could benefit from services provided through the workforce development system;
- 4. development and expansion of strategies for meeting the needs of employers, workers, and jobseekers, particularly through industry or sector partnerships related to in-demand industry sectors and occupations;
- 5. identification of regions, including planning regions, for the purposes of section 106(a), and the designation of local areas under section 106, after consultation with local boards and chief elected officials;
- 6. development and continuous improvement of the SC Works delivery system in local areas, including providing assistance to local boards, SC Works operators, SC Works partners, and providers with planning and delivering services, including training services and supportive services, to support effective delivery of services to workers, jobseekers, and employers; and
- 7. development of strategies to support staff training and awareness across the workforce development system and its programs;
- D. Development and updating of comprehensive State performance accountability measures to assess core program effectiveness under WIOA section 116(b);
- E. Identification and dissemination of information on best practices, including best practices for
 - effective operation of SC Works centers, relating to the use of business outreach, partnerships, and service delivery strategies, including strategies for serving individuals with barriers to employment;
 - 2. development of effective local boards, which may include information on factors that contribute to enabling local boards to exceed negotiated levels of performance, sustain fiscal integrity, and achieve other measures of effectiveness; and
 - effective training programs that respond to real-time labor market analysis, that effectively use direct assessment and prior learning assessment to measure an individual's prior knowledge, skills, competencies, and experiences, and that evaluate such skills, and competencies for adaptability, to support efficient placement into employment or career pathways;
- F. <u>D</u>evelopment and review of statewide policies affecting the coordinated provision of services through the <u>SC Works system</u>, as described in WIOA section 121(e), including the development of
 - objective criteria and procedures for use by local boards in assessing the effectiveness, physical and programmatic accessibility, and continuous improvement of SC Works centers;
 - guidance for the allocation of SC Works center infrastructure funds under WIOA section 121(h); and
 - 3. policies relating to the appropriate roles and contributions of entities carrying out SC Works <u>partner</u> programs within the SC Works delivery system, including approaches to facilitating equitable and efficient cost allocation in such system;
- G. Development of strategies for technological improvements to facilitate access to and improve the quality of services and activities provided through the SC Works delivery system, including such improvements to –

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- 1. enhance digital literacy skills (as defined in section 202 of the Museum and Library Services Act 20 U.S.C. 9101]; referred to in this Act as "digital literacy skills");
- accelerate the acquisition of skills and recognized postsecondary credentials by participants;
- 3. strengthen the professional development of providers and workforce professionals; and
- 4. ensure such technology is accessible to individuals with disabilities and individuals residing in remote areas;
- H. Development of strategies for aligning technology and data systems across SC+ Works system partner programs to enhance service delivery and improve efficiencies in reporting on performance accountability measures, including the design and implementation of common intake, data collection, case management information, and performance accountability measurement and reporting processes and the incorporation of local input into such design and implementation to improve coordination of services across SC Works partner programs;
- Awareness of <u>allocation</u> formulas used for the distribution of funds to local areas for adult and youth workforce investment activities, as permitted under WIOA sec. 128(b)(3) and 133(b)(3), and knowledge of program funding levels for each local workforce development area;
- J. Preparation of the annual reports described in <u>WIOA section 116(d)</u>, paragraphs (1) and (2).
- K. Development of the statewide workforce and labor market information system described in section 15(e) of the Wagner-Peyser Act (29 U.S.C. 491-2(e)); and
- L. Development of such other policies as may promote statewide objectives for, and enhance the performance of, the workforce development system in the State.
- 2.4 **OTHER DUTIES:** In accordance with guidance from United States Department of Labor (DOL) and state policies, the SWDB may hear, participate in, and render decisions regarding dispute resolutions and/or appeals made to the State Board, <u>In such cases, the</u> <u>SWDB Chair will designate the Executive Committee or an Ad Hoc Committee of at least</u> three SWDB members to hear the appeal, <u>The committee will hear the appeal and issue a</u> written decision within 60 business days from receipt of a written appeal.

ARTICLE III: MEMBERSHIP

3.1 <u>COMPOSITION AND APPOINTMENT:</u> The State Board shall be composed of members as outlined in <u>WIOA</u> section 101(b) of The SWDB shall consist of members who are individuals with optimum policy-making authority within the organizations, agencies, or entities they represent. The members of the board shall represent diverse regions and populations of South Carolina, including urban, rural, and suburban areas.

The State Workforce Development Board must consist of the following voting members:

- A. the Governor;
- B. a member of each chamber of the State legislature (to the extent consistent with state law), appointed by the appropriate presiding officers of such chamber; and
- C. members appointed by the Governor, which must include:
 - a majority of representatives of businesses or organizations in South Carolina who

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 (i) are the owner or chief executive officer for the business or organization, or is an executive with the business or organization with optimum policymaking or hiring authority, and also may be members of a local board;

- (ii) represent businesses, or organizations representing businesses, that provide employment and training opportunities that include high-quality, workrelevant training and development in in-demand industry sectors or occupations in the state; and
- (iii)are appointed from a list of potential members nominated by state business organizations and business trade associations; and
- (iv)at a minimum, one member representing small businesses as defined by the U.S. Small Business Administration.
- not less than 20 percent who are representatives of the workforce within South Carolina, which:
 - (i) shall include two or more representatives of labor organizations, who have been nominated by state labor federations;
 - (ii) shall include one representative, who shall be a member of a labor organization or a training director, from a joint labor-management apprenticeship program, or if no such program exists, a representative of a registered apprenticeship program in the State;
 - (iii)may include one or more representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive, integrated employment for individuals with disabilities; and
 - (iv)may include one or more representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that service out-of-school youth; and
- 3. the balance of the members shall include representatives of government who:
 - (i) shall include the lead state officials with primary responsibility for the core programs; and
 - 1. the adult, dislocated worker, and youth program authorized under-WIOA title I and the Wagner-Peyser Act;
 - 2. the Adult Education and Family Literacy Act (AEFLA) program authorized under WIOA title II; and
 - 3. the State Vocational Rehabilitation (VR) program authorized under the Rehabilitation Act of 1973, as amended by WIOA title IV.

(ii) shall include two or more chief elected officials representing both cities and counties, where appropriate; and

- (iii)other representatives and officials as the Governor may designate, such as, but not limited to,
 - the state agency officials from agencies that are SC Works partners that are not core programs;
 - State agency officials responsible for economic development or juvenile justice programs in South Carolina;
 - 3. individuals who represent an Indian tribe or tribal organization, as such terms are defined in <u>WIOA</u> section 166(b); and

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- 4. State agency officials responsible for education programs in the State, including chief executive officers of community colleges and other institutions of higher education.
- **3.2** <u>**TERM LIMITS:**</u> Members of the SWDB serve for a term of years as provided below. Service shall be defined as beginning at the time of appointment and ending upon resignation or removal from the board. Term limits shall be effective July 1, 2015.
 - A. Three year term with the option for reappointment for one consecutive three year term, by the presiding officer of either the House or Senate:
 - 1. State Legislators and Chief Elected Officials
 - 2. "Other" Representatives as the Governor may designate¹
 - B. Four year term with the option for reappointment by the Governor for one consecutive four year term;
 - 1. Representatives of Business
 - 2. Representatives of Labor
 - 3. Representatives of Community-Based Organizations

Board members may be reappointed for a third term after a break in service. A break in service shall be defined as at least 12 consecutive calendar months after resignation or removal. Persons removed from the board pursuant to 3.3C or 3.3D below are not eligible for reappointment.

Exception: The Board Chair serves for a period of time as requested by the Governor after which time he/she may be appointed to the Board as a member according to the term limits provided above.

3.2 <u>**TERMINATION OF MEMBERSHIP:** Membership may be terminated for one or more of the following reasons:</u>

- A. Failure to continue to meet the requirements of the membership category of which the qualifications were the basis for his/her initial appointment. A status change includes retirement, change in membership category, and/or affiliation. When this occurs, the Board member must provide written notification to the Governor of his/her status change. At a minimum, notification shall include: the Board member's name, membership category, and affiliation. A copy of the notification shall be delivered to DEW.
- B. Resignation of a Board Member. A Board member may resign from the SWDB atany point during his/her term. When this occurs, the Board Member must provide written notification to the Governor of his/her decision to resign. The resignation will take effect upon delivery of the notification to the <u>Governor</u>. At a minimum, the notification shall include: the <u>board member's name</u>, <u>membership category</u>, and affiliation. A copy of the notification shall be delivered to DEW.

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¹ As provided in WIOA section 101(b)(1)(C)(iii)(II), the SWDB may include such other representatives and officials as the Governor may designate, such as: State agency officials from agencies that are SC Works partners, state agency officials responsible for economic development or juvenile justice programs, individuals who represent an Indian tribe or tribal organization, and state agency officials responsible for education programs, including chief executive officers of community colleges and other institutions of higher education.

- C. Failure to comply with attendance as outlined in Section <u>6.1</u> of these Bylaws, or the SWDB Attendance Policy.
- D. Failure to represent the SWDB in a manner deemed appropriate by the Governor or the Board Chair.

Board membership may also be terminated without cause at the sole discretion of the Governor.

ARTICLE IV: ORGANIZATION

4.1 <u>CHAIR:</u> The Chair of the State Board shall be a business representative appointed by the Governor. The term of office shall be subject to the Board Member term limits as described in Section 3.2.

The Board Chair's duties include, but are not limited to the following:

- A. Prepare the agenda and preside over all regular and special meetings of the State Board and Executive Committee.
- B. Assign State Board members to standing and ad hoc committees of the State Board.
- C. Establish such work groups as shall be deemed necessary and appropriate <u>Work</u> group members are not required to be members of the State Board.
- D. Serve as an Ex-Officio member of all committees of the State Board.
- E. Sign all documents requiring the signature of the State Board Chair.
- F. Delegate authority and responsibility as needed.

4.2 <u>VICE-CHAIR</u>: The Vice-Chair shall be appointed by the Chair and perform the duties of the Chair in the event of the Chair's absence or disability. <u>The term of office shall be subject</u> to the term limits as described in Section 3.2.

The Vice-Chair's duties include, but are not limited to the following:

- A. Preside at regular and special State Board meetings in the absence of the Chair.
- B. At the direction of the Chair, sign all documents requiring the signature of the Chair when the Chair is unable to do so because of illness or any other emergency which, in the opinion of the State Board, prevents the Chair from performing such functions of the office.
- C. Perform such other duties as may be from time to time assigned by the Chair or by the State Board.

The Vice-Chair does not automatically ascend to the Chair position at the resignation or <u>termination of the Chair</u>.

4.3 EXECUTIVE COMMITTEE: The Executive Committee shall consist of the Chair and Vice-Chair of the State Board, the Governor, Committee Chairs, and other members appointed by the Board Chair. The State Board Chair shall serve as Chair of the Executive Committee without voting privilege except in the case of a tie vote. The Executive Committee shall take no action contrary to the policies established by the State Board.

Whenever necessary, due to time constraints or extenuating circumstances, the Executive Committee shall have authority to act on behalf of the SWDB. When this occurs, all actions

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of the Executive Committee are final and do not require approval of the SWDB. The SWDB will receive a summary of the actions taken at the next regularly scheduled meeting, including the circumstances that required the Executive Committee to act on behalf of the SWDB.

- 4.4 STANDING AND AD HOC COMMITTEES: The State Board Chair shall establish such standing committees, ad hoc committees, and work groups/taskforces as shall be deemed necessary and appropriate for carrying out the functions of the State Board. Work group and taskforce members are not required to be members of the State Board.
- **4.5. BOARD ENGAGEMENT:** To ensure active participation of board members, the Chair assigns each member to at least one committee. Committees are tasked with carrying out specific functions as identified by the Committee Chair and members of the committee, with advice and approval of the Executive Committee. Committee functions include, but are not limited to, WIOA implementation. Committee functions are outlined in Committee Charters, which may be amended, from time to time, by the Executive Committee.

ARTICLE V: MEETINGS

5.1 SCHEDULE OF MEETINGS:

- A. The State Board shall meet a minimum of four (4) times per year. Additional meetings may be called at any time by the Chair or upon written request of not less than a simple majority of the State Board members.
- B. Committees shall meet a minimum of four (4) times per year. Additional meetings may be called at any time by the Committee Chair.

5.2 NOTICE OF MEETINGS:

- A. Written notice of State Board meetings shall be given to each State Board member, by email, not less than seven (7) days prior to the meeting. The notice must include the meeting location and the date and time of the meeting.
- <u>State Board members may attend any committee meeting</u>. However, voting is restricted to committee members only.

5.3 QUORUM:

- A. A simple majority of the members appointed to the State Board shall constitute aquorum for the purpose of transacting business at State Board meetings. In the absence of a quorum, all voting items may be decided via electronic vote or deferred until a subsequent meeting. Electronic vote will be done by email or other survey means after prior discussion in a board meeting.
- B. Three (3) committee members shall constitute a quorum for committee meetings. Committee action may be taken by those members present at any regularly scheduled or special committee meeting called by the Chair.
- 5.4 RULES OF ORDER: Robert's Rules of Order shall govern how State Board and committee meetings are conducted, except as modified by statute, rule, or the SWDB Bylaws.

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- 5.5 ORDER OF BUSINESS/AGENDA: The order of business for meetings shall be determined by the Chair and published to members prior to the meeting via email or other electronic means.
- 5.6 MINUTES: Formal minutes of all State Board meetings (regular and called) shall be required and be available for review. Such minutes become part of the public record and therefore need to be reviewed and approved by the full Board or committee at the next scheduled meeting.

At a minimum, these minutes shall include:

- A. The date, time, and place of the meeting.
- B. The members recorded as either present or absent.
- C. The substance of all matters proposed, discussed or decided and, at the request of any member, a record of any votes taken.
- D. Any other information that any Board member requests be included or reflected in the minutes.

The minutes do not have to describe the nature of the discussion preceding any given action.

Meeting minutes approved by the State Board will be kept on file by DEW for at least three (3) years and posted on the SC Works website.

5.7 PROCEEDINGS AND REPORTS: Written record of committee proceedings shall be maintained and appropriate reports will be provided at State Board meetings. The recommendations of a committee must be approved by a majority of the State Board, before being submitted for the Governor's consideration or for official release to organizations outside of the State Board. The State Board will receive a copy of all final reports that are submitted to the Governor.

ARTICLE VI: ATTENDANCE

ATTENDANCE: Regular attendance at SWDB and committee meetings is expected of each board member. Participation in Board meetings may be accomplished either in-person or remotely. A member shall notify the Board Chair or staff at least 24 hours in advance of a meeting if the member is unable to attend. In an emergency, the member shall contact the Board Chair or staff as reasonably possible. Failure to notify shall be recorded in the minutes as an unexcused absence.

A member who has two (2) unexcused absences from either a SWDB or committee meeting may receive a letter from the Chair encouraging more consistent attendance. A Board member who has three (3) unexcused absences from either a SWDB or committee meeting will have their attendance and participation reviewed by the Executive Committee. The Executive Committee may recommend to the Governor's Office that a member who has failed to regularly attend SWDB and committee meetings be removed from the Board.

6.2 ALTERNATIVE DESIGNEE PROCESS: To encourage board member engagement and meeting attendance, the use of alternative designees shall not be permitted. Formatted: Indent: Left: 0"

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<u>SCHEDULE OF MEETINGS</u>: The State Board shall meet a minimum of four (4) times per year. Additional meetings may be called at any time by the Chair or upon written request of not less than a simple majority of the State Board members.

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NOTICE OF MEETINGS: Written notice of each meeting of the State Board stating the location, date and hour of the meeting shall be given to each State Board member, by email, not less than seven (7) days prior to the meeting. State Board meetings shall be open to the public, except when the State Board convenes in executive session in accordance with the Freedom of Information Act.

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QUORUM: A simple majority of the members appointed to the State Board shall constitute a quorum for the purpose of transacting business. In the absence of a quorum, all voting items <u>may</u> be decided via electronic vote or deferred until a subsequent meeting. Electronic vote will be done by email or other survey means after prior discussion in a board meeting.

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Commented [SN12]: Created a new Article for attendance and the alternative designee process. There are no substantive changes to either section.

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Exception: The Governor is permitted to appoint a designee, who shall be a representative of the Governor's office, to attend SWDB meetings on his/her behalf. The Governor's designee shall have voting authority and be permitted to vote on behalf of the Governor.

ARTICLE VII: VOTING

7.1 VOTING AND VOTING AUTHORITY: Votes shall be cast only by State Board members, Each voting member shall have one (1) vote. A member may vote in person or electronically at the time a vote is called, provided an electronic means of voting has been approved by the SWDB, Electronic vote will be done by email or other survey means. A roll-call vote may be called by any voting member of the State Board. No votes shall be taken by secret ballot, There are no provisions for voting by proxy, alternates, or representatives of a State Board member. Persons representing State Board members and other visitors may participate in discussion only upon recognition by the Board Chair, but may not motion for a vote or vote on a matter.

Exception: The Governor's designee, as permitted by Section, <u>6.2</u>, shall have voting authority and be permitted to vote on behalf of the Governor.

2.2 CONFLICT OF INTEREST: If a member has a conflict of interest, he or she shall not cast a vote or participate in discussion prior to a vote on any matter relating to that interest, or otherwise use his or her influence to the member's benefit, that of a family member, the entity he or she represents, an individual with whom he or she is associated, or a business with which he or she is associated. Disclosure of a board member's conflict of interest must be presented in writing to the State Board Chair and be recorded in the written minutes of a SWDB and/or committee meeting. The board member will be excused from any votes, discussions, or other actions on a matter on which the potential conflict of interest exists, and the minutes will be noted. Additionally, each member will read and sign the SWDB Conflict of Interest Policy, which outlines the SWDB's approach to identifying and evaluating potential conflicts of interest and assisting members in addressing conflict of interest, as prescribed by the State Ethics Law (S.C. Code Ann. § 8-13-100, et al.).

ARTICLE VIII: TRANSPARENCY

8.1 TRANSPARENCY: In accordance with the Freedom of Information Act and the WIOA Sunshine Provision, State Board meetings, including committee meetings, shall be open to the public, except when the Board or a committee convenes in executive session, Additionally, the State Board shall make available to the public, on a regular basis through open meetings, information regarding the activities of the State Board, including information regarding the State Plan prior to submission of the plan, information regarding membership, and, minutes of formal meetings of the State Board, upon request.

ARTICLE **IX**: SUPPORT STAFF

9.1 STAFF: The State Board shall have designated staff <u>from</u> within <u>DEW</u> to support the activities of the State Board. The <u>number of staff providing support to the board</u>, shall be commensurate with the functions and activities of the State Board. The State Board may also obtain the services of such other professional, technical, and clerical personnel as may be necessary to carry out its functions.

Deleted: 5.6. <u>RULES OF ORDER:</u> Robert's Rules of Order shall govern how State Board and committee meetings are conducted, except, as modified by Statue, Rule, or these Bylaws.

5.7. ORDER OF BUSINESS/AGENDA: The order of business for meetings shall be determined by the Chair and published to members prior to the meeting via email or other electronic means. ¶

5.8. <u>MINUTES</u>: Formal minutes of all State Board meetings (regular and called) shall be required and be available for review. Such minutes become part of the public record and therefore need to be reviewed and approved by the full Board at the next scheduled meeting.

At a minimum, these minutes shall include:

The date, time, and place the meeting.

The members recorded as either present or absent.¶ The substance of all matters proposed, discussed or decided and, at the request of any member, a record, by any individual member, of any votes taken.¶ Any other information that any Board member requests be included or reflected in the minutes.¶

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ARTICLE X: COMPENSATION		Deleted: I
<u>10.1</u> <u>COMPENSATION:</u> No compensation shall be paid to members of the State Board except		Deleted: 9
that official travel costs and other expenses of members will be reimbursed at a rate equal		
to that authorized by the State of South Carolina for its employees. Members who are		Deleted:
compensated for expenses by public sources other than the State Board shall not receive		
compensation from the State Board.		
ARTICLE XI: AMENDMENT OF BYLAWS		Deleted: ¶
<u>11,1</u> AMENDMENT: The SWDB Bylaws may be amended or repealed by a two-thirds (2/3)		Formatted: Indent: Left: 0", Hanging: 0.5"
vote of those members present at a State Board meeting, provided there is a quorum and	\sim	Formatted: No underline
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AMENDED

BYLAWS

STATE WORKFORCE DEVELOPMENT BOARD STATE OF SOUTH CAROLINA

ARTICLE I: ESTABLISHMENT

- **1.1** <u>NAME:</u> In accordance with the Workforce Innovation and Opportunity Act (WIOA), and applicable Federal Regulations, the name of this organization shall be the State Workforce Development Board (State Board or SWDB).
- **1.2 PROVISIONS OF ESTABLISHMENT:** The State Board was established in accordance with WIOA section 101, et al.
- **1.3** <u>AREA SERVED:</u> The area to be served by the State Board is the geographical and political jurisdiction of the State of South Carolina.
- **1.4 STATE ADMINISTRATIVE AGENCY:** The State Administrative Agency designated by the Governor to administer WIOA title I is the South Carolina Department of Employment and Workforce (DEW).

ARTICLE II: PURPOSE AND AUTHORITY

- **2.1** <u>**PURPOSE:**</u> The State Board shall provide advice to the Governor and direction to DEW on workforce development issues affecting the State, particularly those pertaining to the implementation of WIOA.
- **2.2** <u>AUTHORITY</u>: The State Board shall perform all functions mandated by WIOA and perform such other duties as directed by the Governor. In no event shall the State Board operate programs or provide services to eligible participants.
- **2.3 <u>DUTIES</u>: As required by WIOA section 101(d), the State Board shall oversee the following duties, and other duties as directed by the Governor:</u>**
 - A. Development, implementation, and modification of the state plan;
 - B. Review of statewide policies, programs, and recommendations on actions that should be taken by the State to align workforce development programs to support a comprehensive and streamlined workforce development system, including the review and provision of comments on the State Plans, if any, for programs and activities of SC Works partners that are not core programs;
 - C. Development and continuous improvement of the workforce development system, including
 - 1. identification of barriers and means for removing barriers to better coordinate, align, and avoid duplication among the programs and activities carried out through the system;
 - 2. development of strategies to support the use of career pathways for the purpose of providing individuals, including low-skilled adults, youth, and individuals with barriers to employment, including individuals with disabilities, with

workforce investment activities, education, and supportive services to enter or retain employment;

- 3. development of strategies for providing effective outreach to and improved access for individuals and employers who could benefit from services provided through the workforce development system;
- 4. development and expansion of strategies for meeting the needs of employers, workers, and jobseekers, particularly through industry or sector partnerships related to in-demand industry sectors and occupations;
- 5. identification of regions, including planning regions, for the purposes of section 106(a), and the designation of local areas under section 106, after consultation with local boards and chief elected officials;
- 6. development and continuous improvement of the SC Works delivery system in local areas, including providing assistance to local boards, SC Works operators, SC Works partners, and providers with planning and delivering services, including training services and supportive services, to support effective delivery of services to workers, jobseekers, and employers; and
- 7. development of strategies to support staff training and awareness across the workforce development system and its programs;
- D. Development and updating of comprehensive State performance accountability measures to assess core program effectiveness under WIOA section 116(b);
- E. Identification and dissemination of information on best practices, including best practices for
 - 1. effective operation of SC Works centers, relating to the use of business outreach, partnerships, and service delivery strategies, including strategies for serving individuals with barriers to employment;
 - 2. development of effective local boards, which may include information on factors that contribute to enabling local boards to exceed negotiated levels of performance, sustain fiscal integrity, and achieve other measures of effectiveness; and
 - 3. effective training programs that respond to real-time labor market analysis, that effectively use direct assessment and prior learning assessment to measure an individual's prior knowledge, skills, competencies, and experiences, and that evaluate such skills and competencies for adaptability, to support efficient placement into employment or career pathways;
- F. Development and review of statewide policies affecting the coordinated provision of services through the SC Works system, as described in WIOA section 121(e), including the development of
 - 1. objective criteria and procedures for use by local boards in assessing the effectiveness, physical and programmatic accessibility, and continuous improvement of SC Works centers;
 - 2. guidance for the allocation of SC Works center infrastructure funds under WIOA section 121(h); and
 - 3. policies relating to the appropriate roles and contributions of entities carrying out SC Works partner programs within the SC Works delivery system, including approaches to facilitating equitable and efficient cost allocation in such system;
- G. Development of strategies for technological improvements to facilitate access to and improve the quality of services and activities provided through the SC Works delivery system, including such improvements to –

- 1. enhance digital literacy skills (as defined in section 202 of the Museum and Library Services Act [20 U.S.C. 9101]; referred to in this Act as "digital literacy skills");
- 2. accelerate the acquisition of skills and recognized postsecondary credentials by participants;
- 3. strengthen the professional development of providers and workforce professionals; and
- 4. ensure such technology is accessible to individuals with disabilities and individuals residing in remote areas;
- H. Development of strategies for aligning technology and data systems across SC Works system partner programs to enhance service delivery and improve efficiencies in reporting on performance accountability measures, including the design and implementation of common intake, data collection, case management information, and performance accountability measurement and reporting processes and the incorporation of local input into such design and implementation to improve coordination of services across SC Works partner programs;
- Awareness of allocation formulas used for the distribution of funds to local areas for adult and youth workforce investment activities, as permitted under WIOA sec. 128(b)(3) and 133(b)(3), and knowledge of program funding levels for each local workforce development area;
- J. Preparation of the annual reports described in WIOA section 116(d), paragraphs (1) and (2).
- K. Development of the statewide workforce and labor market information system described in section 15(e) of the Wagner-Peyser Act (29 U.S.C. 491-2(e)); and
- L. Development of such other policies as may promote statewide objectives for, and enhance the performance of, the workforce development system in the State.
- 2.4 <u>OTHER DUTIES:</u> In accordance with guidance from United States Department of Labor (DOL) and state policies, the SWDB may hear, participate in, and render decisions regarding dispute resolutions and/or appeals made to the State Board. In such cases, the SWDB Chair will designate the Executive Committee or an Ad Hoc Committee of at least three SWDB members to hear the appeal. The committee will hear the appeal and issue a written decision within 60 business days from receipt of a written appeal.

ARTICLE III: MEMBERSHIP

3.1 <u>COMPOSITION AND APPOINTMENT</u>: The State Board shall be composed of members as outlined in WIOA section 101(b). The SWDB shall consist of members who are individuals with optimum policy-making authority within the organizations, agencies, or entities they represent. The members of the board shall represent diverse regions and populations of South Carolina, including urban, rural, and suburban areas.

The State Workforce Development Board must consist of the following voting members:

- A. the Governor;
- B. a member of each chamber of the State legislature (to the extent consistent with state law), appointed by the appropriate presiding officers of such chamber; and
- C. members appointed by the Governor, which must include:
 - 1. a majority of representatives of businesses or organizations in South Carolina who

- (i) are the owner or chief executive officer for the business or organization, or is an executive with the business or organization with optimum policymaking or hiring authority, and also may be members of a local board;
- (ii) represent businesses, or organizations representing businesses, that provide employment and training opportunities that include high-quality, workrelevant training and development in in-demand industry sectors or occupations in the state; and
- (iii)are appointed from a list of potential members nominated by state business organizations and business trade associations; and
- (iv)at a minimum, one member representing small businesses as defined by the U.S. Small Business Administration.
- 2. not less than 20 percent who are representatives of the workforce within South Carolina, which:
 - (i) shall include two or more representatives of labor organizations, who have been nominated by state labor federations;
 - (ii) shall include one representative, who shall be a member of a labor organization or a training director, from a joint labor-management apprenticeship program, or if no such program exists, a representative of a registered apprenticeship program in the State;
 - (iii)may include one or more representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive, integrated employment for individuals with disabilities; and
 - (iv)may include one or more representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that service out-of-school youth; and
- 3. the balance of the members shall include representatives of government who:
 - (i) shall include the lead state officials with primary responsibility for the core programs; and
 - 1. the adult, dislocated worker, and youth program authorized under WIOA title I and the Wagner-Peyser Act;
 - 2. the Adult Education and Family Literacy Act (AEFLA) program authorized under WIOA title II; and
 - 3. the State Vocational Rehabilitation (VR) program authorized under the Rehabilitation Act of 1973, as amended by WIOA title IV;
 - (ii) shall include two or more chief elected officials representing both cities and counties, where appropriate; and
 - (iii)other representatives and officials as the Governor may designate, such as, but not limited to,
 - 1. the state agency officials from agencies that are SC Works partners that are not core programs;
 - 2. State agency officials responsible for economic development or juvenile justice programs in South Carolina;
 - 3. individuals who represent an Indian tribe or tribal organization, as such terms are defined in WIOA section 166(b); and

- 4. State agency officials responsible for education programs in the State, including chief executive officers of community colleges and other institutions of higher education.
- **3.2 <u>TERM LIMITS</u>:** Members of the SWDB serve for a term of years as provided below. Service shall be defined as beginning at the time of appointment and ending upon resignation or removal from the board. Term limits shall be effective July 1, 2015.
 - A. Three year term with the option for reappointment for one consecutive three year term, by the presiding officer of either the House or Senate:
 - 1. State Legislators and Chief Elected Officials
 - 2. "Other" Representatives as the Governor may designate¹
 - B. Four year term with the option for reappointment by the Governor for one consecutive four year term:
 - 1. Representatives of Business
 - 2. Representatives of Labor
 - 3. Representatives of Community-Based Organizations

Board members may be reappointed for a third term after a break in service. A break in service shall be defined as at least 12 consecutive calendar months after resignation or removal. Persons removed from the board pursuant to 3.3C or 3.3D below are not eligible for reappointment.

Exception: The Board Chair serves for a period of time as requested by the Governor after which time he/she may be appointed to the Board as a member according to the term limits provided above.

- **3.3** <u>**TERMINATION OF MEMBERSHIP:**</u> Membership <u>may</u> be terminated for one or more of the following reasons:
 - A. Failure to continue to meet the requirements of the membership category of which the qualifications were the basis for his/her initial appointment. A status change includes retirement, change in membership category, and/or affiliation. When this occurs, the Board member must provide written notification to the Governor of his/her status change. At a minimum, notification shall include: the Board member's name, membership category, and affiliation. A copy of the notification shall be delivered to DEW.
 - B. Resignation of a Board Member. A Board member may resign from the SWDB at any point during his/her term. When this occurs, the Board Member must provide written notification to the Governor of his/her decision to resign. The resignation will take effect upon delivery of the notification to the Governor. At a minimum, the notification shall include: the board member's name, membership category, and affiliation. A copy of the notification shall be delivered to DEW.

¹ As provided in WIOA section 101(b)(1)(C)(iii)(II), the SWDB may include such other representatives and officials as the Governor may designate, such as: State agency officials from agencies that are SC Works partners, state agency officials responsible for economic development or juvenile justice programs, individuals who represent an Indian tribe or tribal organization, and state agency officials responsible for education programs, including chief executive officers of community colleges and other institutions of higher education.

- C. Failure to comply with attendance as outlined in Section 6.1 of these Bylaws, or the SWDB Attendance Policy.
- D. Failure to represent the SWDB in a manner deemed appropriate by the Governor or the Board Chair.

Board membership may also be terminated without cause at the sole discretion of the Governor.

ARTICLE IV: ORGANIZATION

4.1 <u>**CHAIR:**</u> The Chair of the State Board shall be a business representative appointed by the Governor. The term of office shall be subject to the Board Member term limits as described in Section 3.2.

The Board Chair's duties include, but are not limited to the following:

- A. Prepare the agenda and preside over all regular and special meetings of the State Board and Executive Committee.
- B. Assign State Board members to standing and ad hoc committees of the State Board.
- C. Establish such work groups as shall be deemed necessary and appropriate. Work group members are not required to be members of the State Board.
- D. Serve as an Ex-Officio member of all committees of the State Board.
- E. Sign all documents requiring the signature of the State Board Chair.
- F. Delegate authority and responsibility as needed.
- **4.2** <u>VICE-CHAIR</u>: The Vice-Chair shall be appointed by the Chair and perform the duties of the Chair in the event of the Chair's absence or disability. The term of office shall be subject to the term limits as described in Section 3.2.

The Vice-Chair's duties include, but are not limited to the following:

- A. Preside at regular and special State Board meetings in the absence of the Chair.
- B. At the direction of the Chair, sign all documents requiring the signature of the Chair when the Chair is unable to do so because of illness or any other emergency which, in the opinion of the State Board, prevents the Chair from performing such functions of the office.
- C. Perform such other duties as may be from time to time assigned by the Chair or by the State Board.

The Vice-Chair does not automatically ascend to the Chair position at the resignation or termination of the Chair.

4.3 EXECUTIVE COMMITTEE: The Executive Committee shall consist of the Chair and Vice-Chair of the State Board, the Governor, Committee Chairs, and other members appointed by the Board Chair. The State Board Chair shall serve as Chair of the Executive Committee without voting privilege except in the case of a tie vote. The Executive Committee shall take no action contrary to the policies established by the State Board.

Whenever necessary, due to time constraints or extenuating circumstances, the Executive Committee shall have authority to act on behalf of the SWDB. When this occurs, all actions

of the Executive Committee are final and do not require approval of the SWDB. The SWDB will receive a summary of the actions taken at the next regularly scheduled meeting, including the circumstances that required the Executive Committee to act on behalf of the SWDB.

- 4.4 <u>STANDING AND AD HOC COMMITTEES:</u> The State Board Chair shall establish such standing committees, ad hoc committees, and work groups/taskforces as shall be deemed necessary and appropriate for carrying out the functions of the State Board. Work group and taskforce members are not required to be members of the State Board.
- **4.5. BOARD ENGAGEMENT:** To ensure active participation of board members, the Chair assigns each member to at least one committee. Committees are tasked with carrying out specific functions as identified by the Committee Chair and members of the committee, with advice and approval of the Executive Committee. Committee functions include, but are not limited to, WIOA implementation. Committee functions are outlined in Committee Charters, which may be amended, from time to time, by the Executive Committee.

ARTICLE V: MEETINGS

5.1 <u>SCHEDULE OF MEETINGS:</u>

- A. The State Board shall meet a minimum of four (4) times per year. Additional meetings may be called at any time by the Chair or upon written request of not less than a simple majority of the State Board members.
- B. Committees shall meet a minimum of four (4) times per year. Additional meetings may be called at any time by the Committee Chair.

5.2 <u>NOTICE OF MEETINGS:</u>

- A. Written notice of State Board meetings shall be given to each State Board member, by email, not less than seven (7) days prior to the meeting. The notice must include the meeting location and the date and time of the meeting.
- B. Notice of committee meetings shall be made available to all State Board members. State Board members may attend any committee meeting. However, voting is restricted to committee members only.

5.3 **QUORUM:**

- A. A simple majority of the members appointed to the State Board shall constitute a quorum for the purpose of transacting business at State Board meetings. In the absence of a quorum, all voting items <u>may</u> be decided via electronic vote or deferred until a subsequent meeting. Electronic vote will be done by email or other survey means after prior discussion in a board meeting.
- B. Three (3) committee members shall constitute a quorum for committee meetings. Committee action may be taken by those members present at any regularly scheduled or special committee meeting called by the Chair.
- 5.4 <u>**RULES OF ORDER:</u>** Robert's Rules of Order shall govern how State Board and committee meetings are conducted, except as modified by statute, rule, or the SWDB Bylaws.</u>

- 5.5 <u>ORDER OF BUSINESS/AGENDA</u>: The order of business for meetings shall be determined by the Chair and published to members prior to the meeting via email or other electronic means.
- **5.6** <u>MINUTES:</u> Formal minutes of all State Board meetings (regular and called) shall be required and be available for review. Such minutes become part of the public record and therefore need to be reviewed and approved by the full Board or committee at the next scheduled meeting.

At a minimum, these minutes shall include:

- A. The date, time, and place of the meeting.
- B. The members recorded as either present or absent.
- C. The substance of all matters proposed, discussed or decided and, at the request of any member, a record of any votes taken.
- D. Any other information that any Board member requests be included or reflected in the minutes.

The minutes do not have to describe the nature of the discussion preceding any given action.

Meeting minutes approved by the State Board will be kept on file by DEW for at least three (3) years and posted on the SC Works website.

5.7 <u>PROCEEDINGS AND REPORTS</u>: Written record of committee proceedings shall be maintained and appropriate reports will be provided at State Board meetings. The recommendations of a committee must be approved by a majority of the State Board, before being submitted for the Governor's consideration or for official release to organizations outside of the State Board. The State Board will receive a copy of all final reports that are submitted to the Governor.

ARTICLE VI: ATTENDANCE

6.1 <u>ATTENDANCE:</u> Regular attendance at SWDB and committee meetings is expected of each board member. Participation in Board meetings may be accomplished either in-person or remotely. A member shall notify the Board Chair or staff at least 24 hours in advance of a meeting if the member is unable to attend. In an emergency, the member shall contact the Board Chair or staff as reasonably possible. Failure to notify shall be recorded in the minutes as an unexcused absence.

A member who has two (2) unexcused absences from either a SWDB or committee meeting may receive a letter from the Chair encouraging more consistent attendance. A Board member who has three (3) unexcused absences from either a SWDB or committee meeting will have their attendance and participation reviewed by the Executive Committee. The Executive Committee may recommend to the Governor's Office that a member who has failed to regularly attend SWDB and committee meetings be removed from the Board.

6.2 <u>ALTERNATIVE DESIGNEE PROCESS</u>: To encourage board member engagement and meeting attendance, the use of alternative designees shall not be permitted.

Exception: The Governor is permitted to appoint a designee, who shall be a representative of the Governor's office, to attend SWDB meetings on his/her behalf. The Governor's designee shall have voting authority and be permitted to vote on behalf of the Governor.

ARTICLE VII: VOTING

7.1 <u>VOTING AND VOTING AUTHORITY</u>: Votes shall be cast only by State Board members. Each voting member shall have one (1) vote. A member may vote in person or electronically at the time a vote is called, provided an electronic means of voting has been approved by the SWDB. Electronic vote will be done by email or other survey means. A roll-call vote may be called by any voting member of the State Board. No votes shall be taken by secret ballot. There are no provisions for voting by proxy, alternates, or representatives of a State Board member. Persons representing State Board members and other visitors may participate in discussion only upon recognition by the Board Chair, but may not motion for a vote or vote on a matter.

Exception: The Governor's designee, as permitted by Section 6.2, shall have voting authority and be permitted to vote on behalf of the Governor.

7.2 <u>CONFLICT OF INTEREST:</u> If a member has a conflict of interest, he or she shall not cast a vote or participate in discussion prior to a vote on any matter relating to that interest, or otherwise use his or her influence to the member's benefit, that of a family member, the entity he or she represents, an individual with whom he or she is associated, or a business with which he or she is associated. Disclosure of a board member's conflict of interest must be presented in writing to the State Board Chair and be recorded in the written minutes of a SWDB and/or committee meeting. The board member will be excused from any votes, discussions, or other actions on a matter on which the potential conflict of interest exists, and the minutes will be noted. Additionally, each member will read and sign the SWDB Conflict of Interest Policy, which outlines the SWDB's approach to identifying and evaluating potential conflicts of interest and assisting members in addressing conflict of interest, as prescribed by the State Ethics Law (S.C. Code Ann. § 8-13-100, et al.).

ARTICLE VIII: TRANSPARENCY

8.1 <u>**TRANSPARENCY:**</u> In accordance with the Freedom of Information Act and the WIOA Sunshine Provision, State Board meetings, including committee meetings, shall be open to the public, except when the Board or a committee convenes in executive session. Additionally, the State Board shall make available to the public, on a regular basis through open meetings, information regarding the activities of the State Board, including information regarding the State Plan prior to submission of the plan, information regarding membership, and, minutes of formal meetings of the State Board, upon request.

ARTICLE IX: SUPPORT STAFF

9.1 <u>STAFF:</u> The State Board shall have designated staff from within DEW to support the activities of the State Board. The number of staff providing support to the board shall be commensurate with the functions and activities of the State Board. The State Board may also obtain the services of such other professional, technical, and clerical personnel as may be necessary to carry out its functions.

ARTICLE X: COMPENSATION

10.1 <u>**COMPENSATION:**</u> No compensation shall be paid to members of the State Board except that official travel costs and other expenses of members will be reimbursed at a rate equal to that authorized by the State of South Carolina for its employees. Members who are compensated for expenses by public sources other than the State Board shall not receive compensation from the State Board.

ARTICLE XI: AMENDMENT OF BYLAWS

11.1 <u>AMENDMENT:</u> The SWDB Bylaws may be amended or repealed by a two-thirds (2/3) vote of those members present at a State Board meeting, provided there is a quorum and notice of proposed action has been presented in writing to State Board members 10 days prior to the vote.

Amended and approved by the SWDB on INSERT DATE

State Workforce Development Board

SOUTH CAROLINA DEPARTMENT OF Employment and Workforce

Executive Director Dan Ellzey

June 28, 2022

UNEMPLOYMENT INSURANCE: Initial Claims

- 100,000 90.000 80.000 70.000 60,000 50.000 40,000 30.000 20.000 10,000 0 APT-21 May 21 140-22 1.eb.22 11120 LUS20 Septo Oct20 Nor20 Dec20 121-21 ceb.21 Mar-21 which were serve out would be at 2009-2011
- One initial claim equals one job loss

- 989,271 initial claims processed between March 15, 2020, and June 18, 2022
- Paid out \$6.6 billion since the pandemic began
 - 2020: \$4.8 billion
 - 2021: \$1.8 billion
- Currently averaging approximately 2,100 initial claims per week



UI TRUST FUND OVERVIEW



- Balance is nearly <u>\$1.4 billion</u> (\$836.4 million from CARES Act money)
- 2021
 - No tax increase.
 - No solvency surcharge.
- 2022
 - No tax increase (six rate classes receive a slight decrease.)
 - No solvency surcharge.

EMPLOYMENT SITUATION

Month	Employed ¹	Unemployed ¹	Unemployment Rate
February 2020	2,249,353	67,120	2.9%
April 2020	2,042,032 (-207,321)	268,537 (+201,417)	11.6% (+8.7 percentage pts)
May 2022 (preliminary)	2,322,089	79,162	3.3%
NET CHANGE (May 2022 vs February 2020)	+72,736	+12,042	+0.4 percentage pts

April 2020 – May 2022	Jobs Posted: June 24 ²
280,057 Return to Work	115,000+

Location	Unemployment Rate
United States	3.6%
Georgia	3.0%
North Carolina	3.4%

- Household Survey: Nationally, there is a monthly Current Population Survey of about 60,000 households conducted by the Census Bureau for the Bureau of Labor Statistics (BLS) to determine employment status of the civilian population. This information, along with other inputs, are used by DEW to operate the Local Area Unemployment Statistics program, which estimates the number of individuals employed and those not employed, but actively seeking employment for statewide and a variety of substate geographies.
- 2. Jobs posted in SC Works Online Services Database.

SC WORKS EMPLOYER SERVICES PERFORMANCE

	Program Year 2	Program Year 2020		
	Numerator/Denominator	Rate	Numerator/ Denominator	Rate
Employer Penetration Rate	13,181 / 142,721	9.2%	13,295 / 150,076	8.9%

- The number of businesses engaged is tabulated across WIOA partners (DEW, LWDAs, Adult Education, Vocational Rehabilitation, and Commission for the Blind.
- There are a multitude of services that can be provided to businesses, but the most frequent services provided in PY '20 were:
 - 11,789, businesses received Recruitment Services (job orders, candidate referrals, job fairs, and hiring events.)
 - 1,779 businesses received Information and Support Services (referral to another partner such as ApprenticeshipSC or information about a program such as Work Opportunity Tax Credit WOTC.)
 - **1**,406 Untapped Labor Pool information (encouraging businesses to hire non-traditional workers such as ex-offenders, individuals with disabilities, and others.)
- With a strong economy and businesses needing access to workforce services there is renewed emphasis on Employer Services.



LWDA BUSINESS SERVICES TEAMS

- Each local area has a Business Service Team (BST).
 - The lead for each team is selected by the local board.
- The Business Services Leads organize the LWDAs employer engagement across partners.
- Meeting scheduled for June 29th for LWDA Business Services Team Leads to meet and share promising practices for business engagement.
- Each LWDA will be developing Business Engagement Plans, describing:
 - How the BST Lead is selected and evaluated.
 - How business service events are planned, scheduled, and staffed.
 - The BST meeting schedule, employer engagement planning, and scheduling.
 - The specific industries that will be prioritized and strategies to engage employers and job seekers for the in-demand occupations.
 - How employer satisfaction is gauged.

DEW BUSINESS ENGAGEMENT

- Convened Business Consultants (from local areas) to review goals for outreach activity and to train on available employer services.
- Small Employer Outreach.
 - 30,605 small businesses (less than 50 employees) contacted via SUITS (employer tax system) in last 2 months regarding SC Works services.
 - Those that seek assistance will be referred for additional services.
- Enhanced Referrals.
 - 476 employers statewide currently participating.
 - Actively market the program to employers to increase number.
 - Messages via SCWOS and SUITS to employers.
- Training options in lieu of layoff.
- Recent presentations to South Carolina Chamber of Commerce Manufacturing Committee and South Carolina Restaurant and Lodging Association.
- Recall Taskforce.
- One County Pilot to be renamed.

THE CHALLENGE

• Year-over-year reductions in WIOA funds require more cost-efficient service models.

WIOA Funding Stream	Local Area Program Year Allocations				
	PY 2011	PY 2019	PY 2020	PY 2021	PY 2022 (Actual)
Adult	\$ 12,462,551	\$ 9,650,888	\$ 8,777,407	\$ 7,956,995	\$ 7,219,124
Dislocated Worker	\$ 15,542,852	\$ 10,463,698	\$ 9,988,261	\$ 9,053,164	\$ 8,245,791
Youth	\$ 13,220,260	\$ 10,001,228	\$ 9,095,259	\$ 8,236,582	\$ 7,495,762
TOTAL	\$ 41,225,663	\$ 30,115,814	\$ 27,860,927	\$ 25,246,741	\$ 22,960,677

• Maintaining the traditional SC Works infrastructure is no longer economically feasible and LWDAs have been actively exploring and implementing cross-area cost-saving measures.

REGIONALISM: LWDA CROSS-AREA SERVICE MODELS

LWDAs	"Back Office" Positions	Service Provider Positions	Projected Annual Cost Savings
Greenville/Upstate	SCWOS Coordinator	Business Services Lead 2 Business Consultants Operations Manager Director 2 Accountants	Greenville - \$248,320 yr Upstate - \$248,320 yr
Trident/Lowcountry/Waccamaw		Same service provider in all three areas – sharing one manager	Actual amount saved TBD but eliminates two management positions.
Midlands/Lower Savannah	SCWOS Coordinator		Midlands - \$18,000 yr Lower Savannah – TBD but more than half of a full-time position.
Catawba/Midlands		Two accountants **Initiated in PY '20	Midlands - \$73,000 year/\$122,000 saved in the last two years. Catawba - \$88,000 year/\$132,000 saved in the last two years.

Other cost efficiencies include:

- Lower Savannah and Lowcountry will be sharing a Rural Business Engagement person to perform Business Services activities in three Lower Savannah Counties (Allendale, Bamberg and Barnwell) and three Lowcountry Counties (Colleton, Hampton and Jasper).
- PeeDee and Upper Savannah share a H-1B Rural Healthcare Grant.

LWDAs will continue to explore cost-sharing options into PY '22.

Thank You

Any Questions?



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South Carolina's Cyber Ecosystem State Workforce Development Board 28 June 2022 context: 2021-22 statewide cyber ecosystem study

project overview // purpose

this initiative is aimed at accomplishing three connected goals

align ecosystem organizations to ensure resources and initiatives are optimized

augment

state and regional capacity to create a secure and vibrant cyberspace for residents, business, and the public sector

attract

investors, executives, and professionals to catalyze economic growth and develop a world-class workforce



project overview // approach

DUTREACH

- in-depth discussions with SC stakeholders in each pillar
- 80+ individuals

RESEARCH

- SC ecosystem orgs, initiatives, data
- ecosystem posture in other SE region states

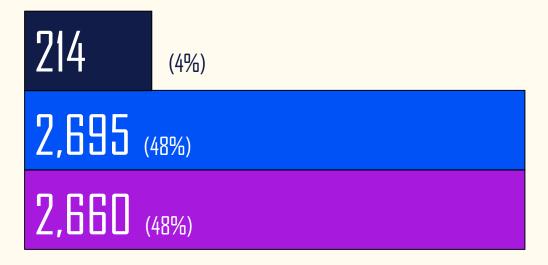
SURVEY

- perspectives, insights from 225+ stakeholders
- data on cyber companies, workforce

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SC cyber workforce overview

cybersecurity professionals in SC



at *pure-play cyber* companies

at diversified cyber companies

at *non-cyber* companies/orgs *incl. military, healthcare, education, Cl, etc.*

5,569 total



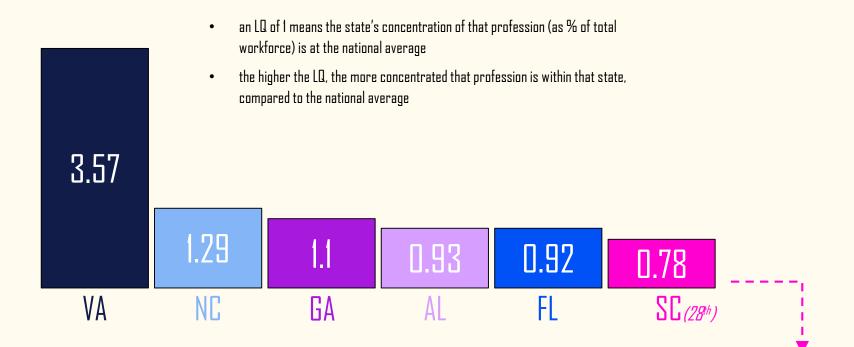
cybersecurity professionals defined

22 %	11-3020	computer and information systems managers
	15-1211	computer systems analysts
29 %	15-1212	information security analysts
	15-1221	computer and information research scientists
	15-1231	computer network support specialists
	15-1232	computer user support specialists
	15-1241	computer network architects
29%	15-1244	network and computer systems administrators
	15-1245	database administrators and architects
	15-1256	software developers and software quality assurance analysts and testers
	15-1299	computer occupations, all others
	17-2061	computer hardware engineers
simon everett an analytic design firm	25-1021	computer science teachers, postsecondary

7

cyber worker location quotient

the location quotient (LQ) for a SOC shows us the concentration of that profession within a state, relative to the national average



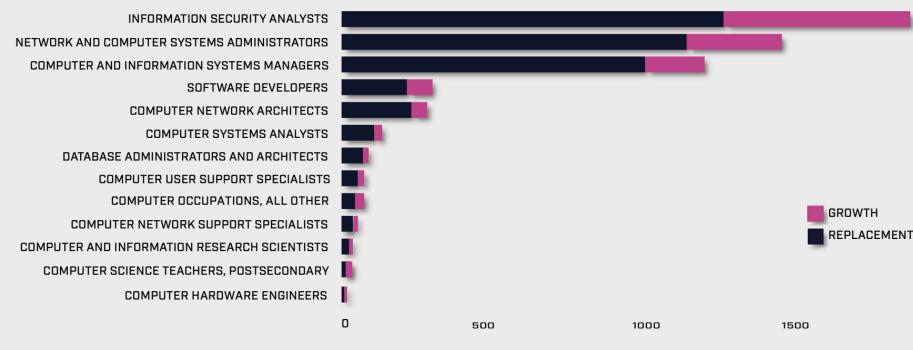
in a region rich with DoD assets that drive the cybersecurity industry, SC faces an uphill battle

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cyber worker 10-year demand

FIGURE 5: 10-YEAR DEMAND FOR CYBERSECURITY WORKERS

OCCUPATION



10 YEAR LABOR DEMAND



2000

cyber worker wages

FIGURE 3: ANNUAL MEDIAN WAGES FOR CYBERSECURITY-RELATED OCCUPATIONS

OCCUPATION

SOUTH CAROLINA, ALL OCCUPATIONS

\$36,100

ANNUAL MEDIAN WAGE (2020 USD)



cyber worker unemployment

FIGURE 4: UNEMPLOYMENT RATES FOR CYBERSECURITY-RELATED OCCUPATIONS

OCCUPATION

SOUTH CAROLINA, ALL OCCUPATIONS

UNEMPLOYMENT RATE



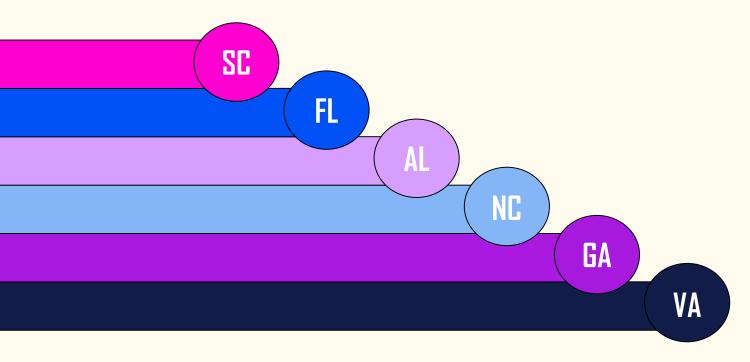
regional comparative analysis

comparative analysis // benchmark states

comparing cybersecurity ecosystems enables us to challenge biases, identify relative strengths and

es, and prioritize growth initiatives

as SC stakeholders talked about their perceptions of SC's cyber competitiveness, they consistently mentioned the same group of southeastern states:

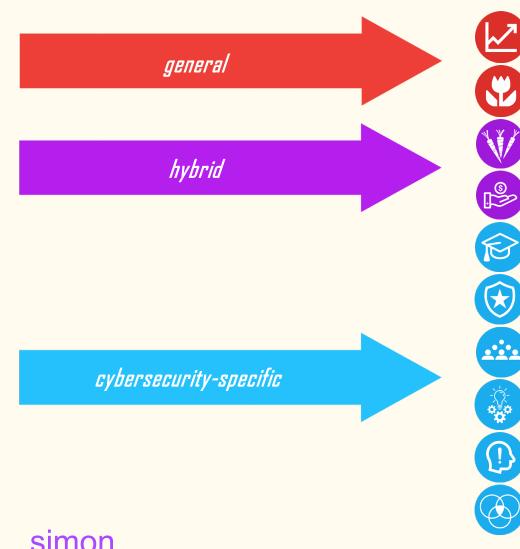


comparative analysis // factors of

compotition

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- economic growth
- 2 quality of life
- 3 incentives
- 4 investment
- 5 education
- 6 defense partnerships
- 7 workforce development
- 8 innovation
- 9 posture & readiness
- 10 specialization & brand

14

factor 7: workforce development

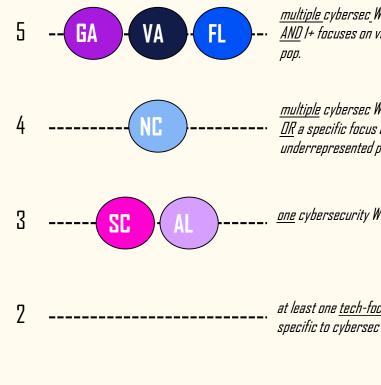
cybersecurity-specific

key questions

- Does the state have robust workforce development programs that provide multiple pathways to employment in the cybersecurity industry?
- Are workforce development programs located in multiple regions of the state?
- Are there programs geared specifically towards veterans and other populations that provide differentiating skills or diversity to the cybersecurity workforce?

factor 7: workforce development

cybersecurity-specific



<u>multiple</u> cybersec_WD programs in <u>multiple</u> regions <u>AND</u> I+ focuses on veterans or underrepresented pop.

<u>multiple</u> cybersec WD programs in <u>multiple</u> regions <u>DR</u> a specific focus on veterans or underrepresented pop.

<u>one</u> cybersecurity WD program in a <u>single</u> location

at least one <u>tech-focused</u> WD program, none specific to cybersec

no WD programs relevant to the tech industry

- a few SC workforce development programs have a technology focus, with some (SC Codes, Develop Carolina) being cyberadjacent
- Charleston Defense Contractors Association, in collaboration with Apprenticeship Carolina, includes two cybersecurity tracks within a larger defense-oriented program
- FL: houses three WD programs through NSA's CyberSkills2Work initiative, hosted at separate universities; all include perks for separating servicemembers, veterans, and first responders; one includes a focused cohort for women, people of color, and people with disabilities seeking to change careers

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statewide cyber initiatives



ABOUT - FACILITY - SERVICES - PARTNERS NEWS - CONTACT -



statewide cyber initiatives



ABOUT US V EDUCATION + CAREERS V OUTREACH + RESOURCES V RESEARCH + GRANTS V

WELCOME TO CYBER FLORIDA IN CYBERSECURITY EDUCATION

statewide cyber initiatives

A Commonwealth of Virginia Website





Garnering the expertise of leaders in cyber

recommendations

recommendations: phase 1 actions

career pathway map	•	make it easy for everyone to find their on-ramp map to state assets/programs to promote SC growth
add cyber to WD portfolios	•	readySC, Apprenticeship Carolina, EZone, etc. need top-cover (or legislation) to add cyber focus
increase SkillBridge participation	•	separating servicemembers' last 180 days, in industry need to enlist more companies and commanders
centralized cyber work opps PMD	•	inefficiency and/or competitiveness across one-offs if we're going to promote cyber, let's build an engine
don't just feed the commercial hubs	•	common concern voiced by stakeholders across SC reassure legacy industries; this is help, not displacement

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4th Quarter SWDB Progress Report

April – June 2022

Board Development Committee

- The Board Development Committee reviewed responses from the SWDB Satisfaction and Board Development Survey and collaborated with the National Governors Association to compile practices from other states. The Committee recommends the following action based on the findings:
 - Utilize task forces and workgroups as a method of completing the work of the board and engaging additional state and local stakeholders
 - Allow board members to revisit committee assignments that align with their skills and interests
 - Issue notice of committee and SWDB meetings 7 days in advance
 - Use the SWDB portal for pre-meeting materials
 - Provide quarterly progress reports to the board
 - Ensure onboarding and orientation material includes a comprehensive overview of the role and responsibility of the SWDB
 - Convert in-person orientation to video orientation to improve access to orientation materials
 - o Include Legislative Affairs updates in board meetings, as applicable
 - Coordinate Diversity, Equity, and Inclusion training in the new program year
 - Solicit board member accomplishments for recognition routinely
- The Committee conducted a routine review of the SWDB Bylaws and recommends revisions to remove duplication and bring the bylaws into alignment with current operations of the SWDB. Key revisions include:
 - Article IV Organization, now combines sections from Officers (original Article V) and Committees (original Article VII) to provide a more holistic overview of the leadership and structure of the SWDB.
 - Article V Meetings, changed from Meetings and Attendance to Meetings and combines sections related to SWDB meetings (original Article V) and committee meetings (original Article VII) to remove duplication. Additionally, Article V now requires committees to meet at least once each quarter.
 - Article VI Attendance, changed from Voting to Attendance, which addresses the expectation of regular meeting attendance as well as the Alternative Designee Process.
 - Article VII Voting, changed from Committees to Voting, which includes rules related to voting, voting authority, and conflict of interest.
 - Article VIII Transparency, combines requirements of the Freedom of Information Act and WIOA Sunshine Provisions, which are currently under Article V, Meetings.
- The Committee reviewed progress toward completion of PY'21 priorities and identified activity that will carry over into PY'22.
 - Completed activity:

- Delivered ethics training
- Deployed the SWDB survey and reviewed responses
- Compiled SWDB development practices from other states
- Revised the SWDB bylaws
- Activity that will carry over into PY'22:
 - Review/revise SWDB policies
 - Provide diversity, equity, and inclusion training to board members
- Overall meeting attendance continues to be strong, with an average attendance rate of 84% for 4th quarter committee meetings.

Collaboration and Partnership Committee

- The Collaboration and Partnership Committee is evaluating its charter to assess ongoing relevancy of committee functions.
 - The Committee will convene for a work session over the summer to review functions, past deliverables, and proposed future deliverables.
 - Following the work session, the Committee will agree on new priorities or make a recommendation to the chair to sunset the committee.
- The Committee reviewed progress toward completion of PY'21 priorities and identified activity that will carry over into PY'22.
 - Completed activity:
 - Analyzed Title I work-based learning activity
 - Analyzed funding for work-based learning
 - Added work-based learning to the productivity dashboard
 - Formed a cross-agency work-based learning work group to identify strategies for expanding the utilization of WBL
 - Activity that will carry over into PY'22:
 - Deploy stackable credentials and pathways to the workforce system
- The Work-Based Learning Work Group had its inaugural meeting on Tuesday, June 7, 2022, and several opportunities were identified, including:
 - o Strategic collaboration among partners to avoid duplication of efforts
 - Universal terminology and cross-program guidance to facilitate work-based learning outreach
 - Flowchart of how funding can be used to support work-based learning

SC Works Management Committee

- The SC Works Management Committee received an interim PY'21 productivity and performance update, which included the status of negotiated federal performance measures as well as state fiscal performance measures.
 - Key indicators of productivity through March 31, 2022:

- There were 5,111 participants in the Adult, Dislocated Worker, and Youth programs, of which 46% of participants are in training.
- 12% or 606 participants have received at least one soft skills activity. The number of participants provided soft skills has increased, with 140 more participants having been provided instruction through the 3rd quarter, compared to the total number of participants provided instruction in PY'20.
- Statewide expenditures indicate a reasonable average cost per participant of \$3,626.
- The state is on track to meet the 30% Participant Cost Rate and the 70% Fund Utilization Rate.
- Federal performance measures:
 - Eleven (11) local areas are meeting PY'21 negotiated levels of performance.
 - All three (3) areas that did not meet negotiated performance measures in PY'20 are now meeting the PY'21 negotiated measures.
- State fiscal performance measures
 - Seven (7) local areas are trending below the expected Fund Utilization Rate (FUR).
 - Six (6) areas are trending below the expected level for Participant Cost Rate.
 - The two (2) local areas that did not meet fiscal performance measures in PY'20 are trending below the expected rate this year.
- The Committee reviewed progress toward completion of PY'21 priorities and identified activity that will carry over into PY'22.
 - Completed activity:
 - Reviewed and revised the SC Works Certification Standards
 - Areas are required to submit documentation of certification by June 30, 2022.
 - Provided feedback on the Secret Shopper proposal
 - DEW is in the process of procuring a vendor to develop and implement the program.
 - Activity that will carry over into PY'22:
 - Implement the SC Works Virtual Engagement Center
 - Implement the SC Works Learning Management System

Committee on Workforce Innovation

- The Innovation Committee began a discussion about the use of virtual reality in workforce development. Virtual reality creates employer engagement opportunities and expands access to employment and training resources in underserved and rural communities.
 - There are several examples to draw from in other states:
 - Alabama and Arkansas are using virtual reality to familiarize potential workers with entrylevel skills.

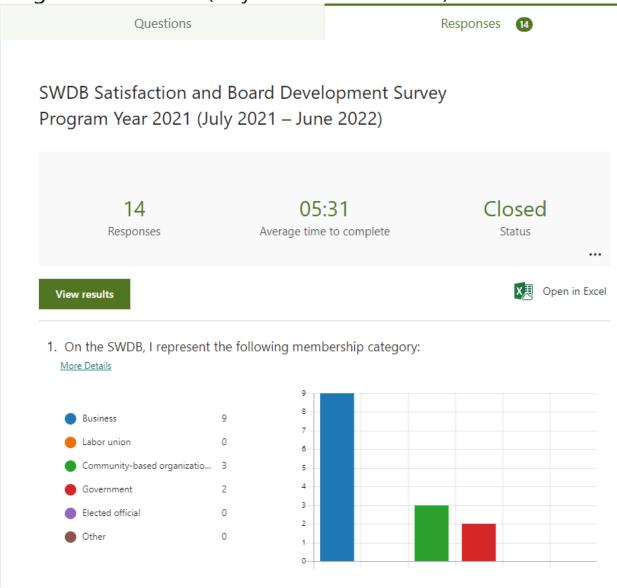
- A local area in Oregon has used virtual reality training to instruct healthcare workers on the proper use of PPE related to COVID-19.
- In South Carolina, the SWDB has supported the utilization of virtual reality through discretionary funding opportunities, with the most recent being the LWDA Resiliency Grant. The Upstate Workforce Area is among the local areas that has virtual reality capabilities and is currently using the technology for career exploration.
- The Innovation Committee will support the execution of a statewide inventory to fully understand the scope of virtual reality utilization across the state.
- The Committee reviewed progress toward completion of PY'21 priorities and identified activity that will carry over into PY'22.
 - Completed activity:
 - Added SWDB members to the Trends publication distribution list to ensure access to relevant Labor Market Information
 - Activity that will carry over into PY'22:
 - Complete the economic and workforce analysis
 - Create LMI training for board members

Executive Committee

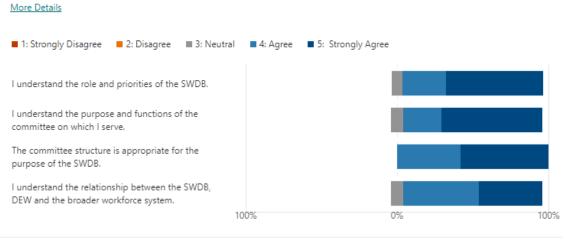
- SWDB Bylaws
 - $\circ~$ The Executive Committee unanimously approved the recommended revisions to the SWDB Bylaws.

Upcoming Meetings

	1 st Quarter (July 1 – September 30, 2022)				
Tuesday, August 23	11:00 a.m.	Board Development			
Wednesday, August 24	11:00 a.m.	Workforce Innovation			
Thursday, August 25	2:00 p.m.	Collaboration & Partnership			
Tuesday, August 30	11:00 a.m.	SC Works Management			
Wednesday, September 7	11:00 a.m.	Executive			
Wednesday, September 28	11:00 a.m.	State Workforce Development Board			



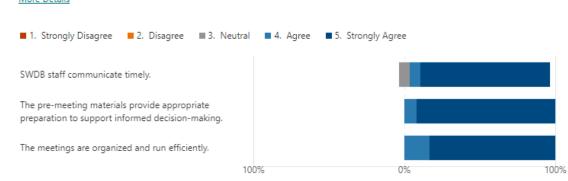
2. Role, Purpose and Priorities of the SWDB



3. Participation and Engagement More Details

1. Strongly Disagree 2. Disagree 3. Neutral 4. Agree 5. Strongly Agree In the past year, I attended a majority of committee and SWDB meetings. In the past year, I contributed to the work of my committee. There is at least one other SWDB member I would feel comfortable calling to discuss a question or concern. 100%

4. Operation/Management of the SWDB More Details

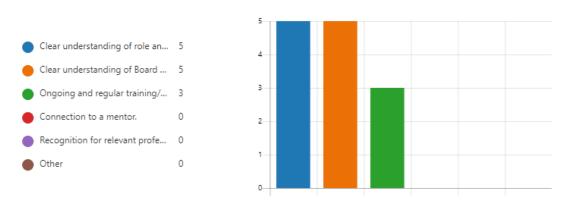


5. During the past year, I participated in one or more of the following events/activities:



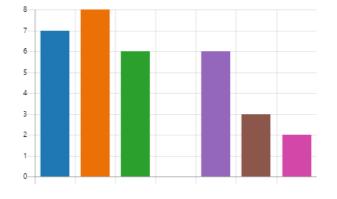


6. What support do you need to be a more effective and engaged SWDB member? More Details



 In what areas are you interested in receiving training/professional development as it relates to your membership on the SWDB? <u>More Details</u>

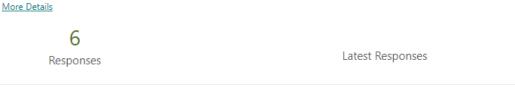




8. In your opinion, what is the best way to recognize the contributions and achievements of board members?



9. In what ways can the overall operation/management of the SWDB be improved?



10. If you serve on other boards, please share practices you have observed or implemented concerning board member engagement, recognition, operations, onboarding and professional development, which could benefit the SWDB:



11. Please share any other ideas, areas of concern, or general comments:



Latest Responses "Overall, well run and efficient. I think much will be gained with unde...

Written Responses:

8. In your opinion, what is the best way to recognize the contributions and achievements of board members?

13 Responses

ID↑	Name	Language	Responses
1	anonymous	English (United States)	["Acknowledge board member achievement(s) as part of committee or board meetings", "Present outgoing members with Certificate of Appreciation", "Nomination/award of high- performing board members"]
2	anonymous	English (United States)	["Acknowledge board member achievement(s) as part of committee or board meetings"]
3	anonymous	English (United States)	["Acknowledge board member achievement(s) as part of committee or board meetings", "Present outgoing members with Certificate of Appreciation", "Nomination/award of high- performing board members"]
4	anonymous	English (United States)	["Acknowledge board member achievement(s) as part of committee or board meetings", "Present outgoing members with Certificate of Appreciation"]
5	anonymous	English (United States)	["Present outgoing members with Certificate of Appreciation","Acknowledge board member achievement(s) as part of committee or board meetings"]
6	anonymous	English (United States)	["Acknowledge board member achievement(s) as part of committee or board meetings"]
7	anonymous	English (United States)	["Present outgoing members with Certificate of Appreciation"]

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Question 8: Continued:

8	anonymous	English (United States)	["Present outgoing members with Certificate of Appreciation", "Acknowledge board member achievement(s) as part of committee or board meetings"]
9	anonymous	English (United States)	["Acknowledge board member achievement(s) as part of committee or board meetings", "Present outgoing members with Certificate of Appreciation"]
10	anonymous	English (United States)	["Present outgoing members with Certificate of Appreciation"]
11	anonymous	English (United States)	["Acknowledge board member achievement(s) as part of committee or board meetings"]
12	anonymous	English (United States)	["Acknowledge board member achievement(s) as part of committee or board meetings"]
13	anonymous	English (United States)	["Acknowledge board member achievement(s) as part of committee or board meetings"]

9. In what ways can the overall operation/management of the SWDB be improved?

6 Responses

ID↑	Name	Language	Responses
1	anonymous	English (United States)	With the change of the innovations committee and new members, it would be good to review the different committees, who heads them, and go over their purposes.
2	anonymous	English (United States)	Operation/management of the SWDB can be improved if all members have a clearer understanding of what board members should be doing to improve the workforce system.
3	anonymous	English (United States)	I believe the SWDB does a great job and would not change anything.
4	anonymous	English (United States)	Great job moving the Board through the COVID-19 Pandemic. Hopefully we can transition back to in-person meetings to improve connections with other Board members.
5	anonymous	English (United States)	N/A Working well
6	anonymous	English (United States)	Quarterly progress reports.

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10. If you serve on other boards, please share practices you have observed or implemented concerning board member engagement, recognition, operations, onboarding and professional development, which could benefit the SWDB:

4 Responses

ID↑	Name	Language	Responses
1	anonymous	English (United States)	My board does a 2-3 hours onboarding that explains what a board member does and what is expected of her/him at a Board meeting. This is done annually when the new board class comes on the board before its first board meeting.
2	anonymous	English (United States)	I serve on no other boards.
3	anonymous	English (United States)	Board involvement in strategic planning for the organization
4	anonymous	English (United States)	N/A

- 11. Please share any other ideas, areas of concern, or general comments:
- 5 Responses

ID↑	Name	Language	Responses
1	anonymous	English (United States)	Nina does a great job organizing things and answering questions. So does Michelle.
2	anonymous	English (United States)	two related suggestions: 1. Provide meeting preparatory material one-week prior to the board or committee meeting 2. Transition most information provided from email and attachments to SharePoint by providing link asking board members to use the SharePoint site to access information needed to to prepare for board and committee meetings
3	anonymous	English (United States)	I have no other concerns.
4	anonymous	English (United States)	The staff is very helpful in support of board efforts. They are a wonderful team.
5	anonymous	English (United States)	Overall, well run and efficient. I think much will be gained with understanding roles and responsibilities once all meetings go "in person".

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