

Executive Committee Meeting  
Thursday, May 20, 2021 1:30 PM Mountain

Zoom  
525 Camino De Los Marquez  
Suite 250  
Santa Fe, NM 87505

Rebecca Estrada:	Excused
Rudy Garcia:	Absent
Tomas Garcia:	Present
Vince Howell:	Present
Sean Medrano:	Present
Jolene Nelson	Present
Jon Paul Romero:	Present
Joseph Weathers:	Present

Present:6, Absent:2.

**Also in attendance: NALWDB Staff:** Lisa Ortiz - Executive Director, Barney Trujillo – Operations Manager, Deborah Wildenstein – Program Monitor, Amber Gomez – Project Specialist/Communications **Guests:** Veronica Alonzo - DWS, Christina Garcia-Tenorio – DWS, Margarito Aragon – DWS, Eric Vasquez – One-Stop Operator, Jessica Hudson– One-Stop Operator Assistant, Teresa Quintana – HELP NM, Evangeline Touchine – HELP NM, Rick Sandoval – Zlotnick Laws Sandoval, Camilla Jaquette – DWS, Julie Ann Pacheco - DWS

#### 1. Call Meeting to Order

Meeting was called to order at 1:30PM by Chairman Joseph Weathers.

#### 2. Roll Call and Determination of a Quorum

Roll call was made by NALWDB Project Specialist/Communications, Amber Gomez, who indicated that a quorum was present.

#### 3. Pledge of Allegiance

The pledge of allegiance was recited by all in attendance.

#### 4. Approval of Agenda

Motion to approve the agenda. This motion, made by Sean Medrano and seconded by Vince Howell, passed unanimously.

#### 5. Approval of Board Meeting Minutes

##### 5.1 Approval of April 22, 2021 Executive Committee Meeting Minutes

Motion to approve 4/22/21 Executive Committee Meeting Minutes. This motion, made by Jon Paul Romero and seconded by Vince Howell, passed unanimously.

Chairman Weathers asked if Vice Chair Romero could take over the meeting

#### 6. Action Items

##### 6.1 NM Department of Workforce Solutions MOU

Eric Vasquez informed the committee that in front of them is the NMDWS MOU, which is our standard American Job Center network MOU that we signed with all our partners. This is the one with the Department of Workforce Solutions. There's five attached signature pages for Wagner Peyser, Veterans Services, TAA, TANF and RESEA. We have 1/6 that were waiting on a final signature page for UI but this will take care of 5/6 of our needs with DWS.

Motion to approve the MOU for NM Department of Workforce Solutions. This Motion, made by Vince Howell and seconded by Jolene Nelson, passed unanimously by rollcall vote 5 Yays.

## 6.2 HELP NM MOU

Eric Vasquez stated that the MOU with HELP NM is for providing Title One services for adult dislocated workers and youth.

Vice Chair asked Mr. Vasquez if the term of the MOU is one year or if we could extend it to three years?

Mr. Vasquez stated that the MOU extends through June 30 2023.

Executive Director made a recommendation to approve the MOU

Motion to approve the MOU with HELP NM. This motion, made by Vince Howell and seconded by Jolene Nelson, passed unanimously by rollcall vote 5 Yays.

Veronica clarified that these MOUs are not between the service provider as the partner, it's between the board and the partner.

6.3 Revised Policies & Procedures approval: Financial Policy & Procedures; Policy 6 Procurement; Policy 9 Electronic Files; Policy 11 Co-Enrollment Policy; Policy 16 ITA; Policy 20 Supportive Services; Policy 23 OJT; Policy 24 Grievance

Vice Chair asked Madam Executive Director if she could go over the revisions for each policy.

Madam Executive Director stated that in December the New Mexico Department of Workforce Solutions prepared a grant auditing report for PY19 and a few of our policies needed some revisions. Policy number 6 Procurement was revised to comply with the NMAC rule 2.40.2. which is referenced on page eight. The other revision included the threshold levels on pages seven and eight. She made a recommendation for approval of policy number six procurement.

Motion to approve policy number 6 threshold levels. This motion, made by Vince Howell and seconded by Thomas Garcia, passed unanimously by rollcall vote 6 Yays.

The Financial Policies and Procedures Manual had the previous director listed on the organization structure. She stated that we updated the executive director, the financial specialist position (which is vacant), our fiscal agent, Finance Committee Chair Jon Paul Romero, and Rules Committee Chair Thomas Garcia. We also included the language from two 2 CFR 200.439 on the authorization and purchasing limits. In addition, the policy referenced on page 29 CFR 98.310 which is no longer in effect and was corrected.

Rick Sandoval advised that on item 2.a. on page 33 "OMB Circular A-133 Compliance Supplement" should be removed because it's a reference to the old standard. He suggested to

refer to general guidance instead. He also mentioned that this is also referenced on item 5. He informed Madam Executive Director that he will get her the exact language for that section.

Madam Executive director informed the committee that we also wanted to made it very clear for new hires that, terminations, changes to salary, and pay rates will be authorized by the department Director. This is referred to in our HR manual. There was also a slight revision to the processing of timesheets. This change included the process in which the timesheets are approved. The timesheets are to be approved within the Northern Board Office by the Director and sent over to the fiscal agents.

Vince Howell asked if we must make the correction to A-133 prior to approving the policy.

Madam Executive Director suggested that the committee approves with the recommendation of that change.

The final revision was made under meals and beverages while away from home company business. The NALWDB will reimburse employees the actual cost of the sited per diem rates refer to the travel reimbursement policy directive 1 revision 3. Madam Executive Director recommend the approval of the financial policies and procedures with the changes that Rick recommended.

Motion to approve the Financial Policy with the changes recommended by Rick Sandoval. This Motion, made by Vince Howell and seconded by Thomas Garcia, passed unanimously by rollcall vote 6 Yays.

Policy number 9 electronic files has been revised to include the recommendation of including a paragraph on legal status of electronic documents. Madam Executive Director recommend approval of this policy.

Motion to approve changes to policy number 9 electronic files. This motion, made by Vince Howell, seconded by Thomas Garcia and Jon Paul Romero, passed unanimously by rollcall vote 6Yays.

Policy number 11 Co-Enrollment was revised to update the reference WIA to WIOA. Madam Executive Director recommend approval.

Motion to approve the Co-Enrollment Policy. This Motion, made by Vince Howell and seconded by Thomas Garcia, passed unanimously by rollcall vote 6 Yays

Policy number 16. ITA did not include effective or approval day and does not correspond with NALWDB Policy 14 Demand Occupations on the annual occupational growth rate. Madam Executive Director stated that we inserted 7.7% annual job growth in the NALWDB area as a whole or in either of the two metropolitan statistical areas. She recommends approval of this policy.

Vince Howell asked how we came up with 7%?

Deborah Wildenstein informed Mr. Howell that the number is determined by researching statistics based on demand occupations in the State from the Department of Workforce Solutions Labor Market Information site.

Camilla Jaquette informed Mr. Howell that the 7% was determined by the Board. She clarified that the department basis they're information on statewide statistics, the board determined that they would invest in in demand occupations with at least 7.7% annual growth.

Veronica Alonzo stated that it should be in alignment with your occupation and demand policy. So, if you as a board want to revisit that percentage, you would revisit your occupation and demand policy.

Mr. Howell asked if the Board is going to have a discussion on whether this percentage is accurate for the annual job growth in the Northern area.

Mrs. Alonzo clarified that this is referencing the Boards Occupation and Demand Policy. At some point in time the Board implemented and approved that policy. To answer Mr. Howells question, the board is saying that in order to support individual training accounts, which is the ITA policy, the growth in those particular occupations must be at 7.7% or higher. For example, if the Board is supporting an occupational training in welding, the growth in that occupation needs to meet the 7.7% annual growth in the northern area.

Mr. Howell asked if there's been job growth in the past with that percentage.

Mrs. Alonzo stated that the board will need to do that research, because it is all driven and derived from the boards occupation and demand policy.

Deborah stated that our definition for occupations and demand includes projected occupations or occupations that provide a career path to employment which have a 7.7% or higher projected annual occupational growth rate, have average annual job openings of 10 or more, occupations demanded by employers based on written statements from at least three employers who regularly hire for such occupations, or go for five searches within a two week period will be required throughout the state of New Mexico. Additionally, they have to prove job search, LMI research, cite websites or newspaper articles showing the demand for the occupation or areas of growth identified by economic development initiatives. The 7.7% is something that the Board voted on in the past however they can revisit.

Mr. Howell asked if the board is going to be held to that standard?

Deborah stated yes and mentioned that this policy was prepared in 2019.

Mr. Howell inquired if the pandemic would affect that job growth?

Vice Chair Romero agreed that these are good questions and asked if State can look into the statistics and how they came up with the 7.7% annual job growth, because this might have been a number that happened before the pandemic.

Mrs. Alonzo stated that this is not a state percentage, this is a percentage that at one point in the time, the North decided on that percentage based on LMI data research that was done at the board level.

Vince Howell suggested that the Board revisits this percentage.

Jolene Nelson stated that she agrees with Mr. Howell. She asked if it's necessary to have a percentage in there, if not then she suggested that the board do research and revisit. She stated that if it's not necessary to have a percentage in there, and other factors can be used to

determine the growth that's what the board should decide on. She stated that by having a set percentage the board could put themselves in a position if the board can't reach that percentage.

Vince Howell stated that for example if there's a job growth in San Miguel County, it's very critical if it's not actually reaching the 7.7% threshold, because that means that they won't get funding.

Mrs. Alonzo clarified that it's not 7.7 % annual growth in a county, it's by training. Specifically in this policy right here, this is for individual training accounts to pay for classroom training for an individual to attend at a post-secondary institution. For example if you want to assist an individual with a teaching degree, the growth in that occupation needs to be at 7.7%.

Vince Howell expressed his concern of turning down individuals interested in certain training programs because the job growth in that occupation does not meet the 7.7% threshold.

Deborah informed him that there's other criteria that can deem an occupation to be an occupation in demand or training for an occupation in demand.

JD Chairman Weathers suggested that the committee passes this policy and revisits it during the next meeting to ensure that we have our policies up to date. He then asked Veronica, what her suggestion is?

Mrs. Alonzo agreed with Chairman Weathers that the committee should approve this policy and then revisit the Occupation and Demand Policy.

Motion to pass Policy 16 ITA. This motion, made by Chairman Weathers, seconded by Vince Howell, passed unanimously by rollcall vote 5 Yays

Vice Chair Romero suggest that we hold a work session have this as an agenda item for discussion.

Policy 20 supportive services did not include details on providing incentives, and the incentives included should be very clear and detailed. One of those included the activities goals amounts awarded to youth participants for successfully completing goals. Madam Executive Director mentioned that we added in assistance with equipment and services necessary to participate in remote direct services, online education and training, OJT, and other services and activities authorized under WIOA. Finally, under electronic equipment purchase, we've included some information with \$1 amounts. She recommended approval.

Motion to approve the revisions to Policy 20 supportive services. This motion, made by Vince Howell, seconded by Thomas Garcia, passed unanimously by rollcall vote 5 Yays

Policy 23 OJT was revised to update the Northern Boards address and included definitions to the reserved portion of the policy. Another revision included changing the reference WIA to WIOA.

Motion to approve the changes made to policy 23 OJT. This motion, made by Thomas Garcia, seconded by Vince Howell, passed unanimously by rollcall vote 5 Yays.

Policy 24 grievance referred to the Central Local Workforce Board, which has been revised to the Northern Board.

Motion to approve the revisions to policy number 24 the grievance policy. This motion, made by Thomas Garcia, seconded by Jolene Nelson, passed unanimously by rollcall vote 5 Yays.

## 7. New Business

### 7.1 NALWDB Board Retreat June 2021

Madam Executive Director informed the committee that we are planning our board retreat in June. She stated that the retreat will be held on June 24<sup>th</sup>-25<sup>th</sup> and will include a day and a half of training. We are looking at three possibilities for the location, Pendaries, El Monte Sagrado, and Buffalo Thunder. She added that all the locations are located in the North. Once we should have those quotes, we will make a final decision and let the board know.

## 8. Informational Reports

### 8.1 HELP NM Report

Teresa gave the committee a brief update. She stated that, they're working very closely with the Board and the State on a regular basis to ensure that HELP NM is staying within their budget and to make sure that everything that needs to be expended is expended prior to June 30<sup>th</sup>. She mentioned that they have some exciting new partnerships that have evolved.

Evangeline added that they have 116 new enrollments, and the staff has been working very hard. She stated that they have 26 enrollments for out of school youth and they projected 60. They're hoping to enroll more clients to reach that projected number. Starting Monday, May 24<sup>th</sup> they will begin enrolling clients for their summer youth academy. She stated that they are at 77% in enrollments for adult, dislocated worker, and for the youth program. Out of 500 adults and dislocated workers they have 358 enrolled right now. For youth they're goal is to enroll 210, currently they have 143 enrolled. Mrs. Touchine informed the committee that they're planning to have a training for their staff in June and they invited the board staff and DWS partners to participate.

### 8.2 Financial Report

Rick Sandoval gave a brief overview of the financial report. He stated, as we are getting closer to the end of the fiscal year and there are funds that will expire if not expended by the end of the year. Mr. Sandoval mentioned that under Admin he's projecting that the board is going to dip into the current program year money and fiscal year money. Under Adult they revised the projection with the input from HELP NM on what they anticipate extending through the end of the fiscal year. He informed the committee that it looks like the Adult is going to be over by about \$343,000. He stated that there's a request to transfer money from dislocated worker to adult to help cover this additional expenditure. He mentioned that Lisa is currently drafting that request. They are considering any new projections that come from HELP NM next week. He stated as of there's a deadline of June 6<sup>th</sup> there is a deadline to get the final projection in to make sure that the transfer request is sufficient. He stated that the Dislocated Worker funding has been a bit of a challenge to expand. However, the request to transfer from Dislocated worker to Adult will help. He stated that after that transfer, we're looking at about 2.2 million that will carry into next year. That'll be helpful in the board planning strategy with HELP NM

on how to get those funds expended next year. Finally, under Youth Expenditures, he stated that, we're anticipating that all of the expiring funds will be used up. They're keeping an eye on if HELP NM has some summer initiatives that will help use up some of that funding. DWS has indicated that if there is a commitment and a program in place that they will hold those funds so that the board can utilize them, and they won't revert back to the state.

Vince asked why there is excess in the Dislocated Worker funds? He stated that there were a lot of dislocated workers due to the pandemic.

Chairman Weathers asked Veronica Alonzo what the State's definition is as far as who qualifies as a Dislocated Worker.

Veronica stated that, the current State policy for determining eligibility for Dislocated Worker includes somebody that is receiving unemployment benefits. He added that they meet with the service provider to provide technical assistance in regard to the current policy and the definition of dislocated worker.

Teresa explained to Mr. Howell that unfortunately many people that were receiving unemployment, were not willing to enter into a training program for fear that they were going to lose their benefits. She stated that it's been quite a challenge to get individuals to come in and to try to enroll in these programs and then recognizing that they won't lose their benefits while participating. She mentioned that Evangeline and her team has been working very hard these last two months to focus on dislocated workers. Mrs. Quintana also mentioned that the job search requirements are now mandatory again, so that that's also bringing individuals into their doors.

Vince Howell expressed that many businesses have been informing the Department of Labor that they're struggling to hire employees because individuals want to stay on unemployment, because of the extended benefits. It's frustrating because the Board has excess Dislocated Worker funds that might be reverted.

Mrs. Quintana informed Mr. Howell that they're aware of the struggle businesses are having hiring people. She mentioned that they had a meeting with the mayor of Las Vegas last week regarding this concern. She stated that they know that businesses are shutting down because they do not have employees. She expressed that; they're also struggling because it's a challenge to enroll individuals that are dependent on their UI benefits. She's hopeful that with everything changing and New Mexico opening back up that the workforce will return.

Veronica stated that, in all the years that she's been in workforce with WIA and WIOA, the Dislocated Worker population is a very tough population to enroll. She added that very State, Workforce Board, and Service Provider struggles to expand those Dislocated Worker funds. The state does provide technical assistance and training about eligibility for a dislocated worker however, if they are not interested in training and don't see the benefits of upskilling, educating themselves, wanting to go into a different pathway, no matter how hard you try they're not going to enroll. As we move forward into this next program year, her hope is that the State can develop a strategic plan that involves working with each of the Boards and their Service Providers on how to increase enrollments for Dislocated Workers. This includes marketing strategies, what promotes best practices, and what we can do differently as a State to try to increase those Dislocated Worker expenditures. She added that individuals on unemployment is the biggest population that qualifies as a Dislocated Worker. However, there

are four categories under dislocated workers, those who are receiving unemployment, those who are spouses of veterans, and those who were layoff because the business closed and relocated out of the country. Her strategy moving forward into the next program year, is to create a Dislocated Worker Taskforce that will be in partnership with the boards and the service providers to ensure that everyone can do a better job at expending those funds.

Chairman Weathers asked if there will be any issues from the state with the Board submitting a request to transfer the Dislocated Worker funds to Adult.

Mrs. Alonzo informed Chairman Weathers that there's no concern; however, she informed him that when making those requests it's important to indicate the plan to serve Dislocated Workers with the remaining funds. She stated that the State has an understanding that those funds were not spent, and the money needs to be transferred to cover those adult individuals that were enrolled, but there needs to be a good plan as to how the Board plans on extending the remaining funds.

Chairman Weathers thanked Mrs. Evangeline for all the enrollments that they have now and the enrollees that they'll receive through the summer program. He stated that, one of the ways we make a difference in changing the mindset of individuals on unemployment is through our youth program. When we have a high enrollment in, in school and out of school youth, it teaches them that employment is not entitlement.

## 9. Public Comments

There were no public comments.

## 10. Next Meeting Date The Beginning of June

## 11. Adjournment

Motion to adjourn at 2:42PM. This motion, made by Chairman Weathers and seconded by Vince Howell, passed unanimously.

- An Executive Session may be called at any time during the meeting. Pursuant to New Mexico Open Meetings Act Section 10-15-1 (H) Subsections; (1) Meetings pertaining to issuance, suspension, renewal or revocation of a license, except that a hearing at which evidence is offered or rebutted shall be open. All final actions on the issuance, suspension, renewal or revocation of a license shall be taken at an open meeting; (2) Limited personnel matters; provided that for purposes of the Open Meetings Act, "limited personnel matters" means the discussion of hiring, promotion, demotion, dismissal, assignment or resignation of or the investigation or consideration of complaints or charges against any individual public employee; provided further that this paragraph is not to be construed as to exempt final actions on personnel from being taken at open public meetings, nor does it preclude an aggrieved public employee from demanding a public hearing. Judicial candidates interviewed by any commission shall have the right to demand an open interview; (3) Deliberations by a public body in connection with an administrative adjudicatory proceedings For purposes of this paragraph, "administrative adjudicatory proceeding" means a proceeding brought by or against a person before a public body in which individual legal rights, duties or privileges are required by law to be determined by the public body after an opportunity for a trial-type hearing. Except as otherwise provided in this section, the actual administrative adjudicatory proceeding at which evidence is offered or rebutted and any final action taken as a result of the proceeding shall occur in an open meeting;

(4) The discussion of personally identifiable information about any individual student, unless the student or the student's parent or guardian requests otherwise; (5) Meetings for the discussion of bargaining strategy preliminary to collective bargaining negotiations between the policymaking body and a bargaining unit representing the employees of that policymaking body and collective bargaining sessions at which the policymaking body and the representatives of the collective bargaining unit are present; (6) that portion of meetings at which a decision concerning purchases in an amount exceeding two thousand five hundred dollars (\$2,500) that can be made only from one source is discussed and that portion of meetings at which the contents of competitive sealed proposals solicited pursuant to the Procurement Code are discussed during the contract negotiation process. (7) Meetings subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become participant; (8) Meetings for the discussion of the purchase, acquisition or disposal of real property or water rights by the public body.