



MAYAGÜEZ- LAS MARIÁS WORKFORCE DEVELOPMENT LOCAL BOARD

Date of approval: June 7th, 2022

Effective Date: June 7th, 2022

Addressed to: Local Workforce Development System – Mayaguez – Las Marías Local Workforce Development Area

SUBJECT: PUBLIC POLICY TO COMPLY WITH THE REQUIREMENT OF TRANSPARENCY AND DISCLOSURE OF THE ACTIVITIES OF THE MAYAGUEZ-LAS MARIAS WORKFORCE DEVELOPMENT LOCAL BOARD

I. INTRODUCTION

The Mayagüez - Las Marías Local Workforce Development Area (Local Area) was designated by the Governor of Puerto Rico to serve as a jurisdiction for the administration of activities aimed at workforce development and the execution of funds for the Adult, Dislocated Worker, and Youth Programs, as delegated by the State, as established in the Workforce Innovation and Opportunity Act (WIOA), enacted on July 22, 2014.

Under Section 107 of the WIOA, the Local Workforce Development Board (Local Board) is created, which, in coordination with the Board of Mayors, shares the responsibility of establishing public policy and developing other activities as stipulated in the WIOA.

Sections 101(g) and 107(e) of the aforementioned law establish the requirements for transparency and disclosure of the matters of the Local Boards. Similarly, they establish the minimum requirements and the information that must be accessible to the public electronically.

II. LEGAL BASIS

- Workforce Innovation and Opportunity Act (WIOA), Sections 101(g) and 107(e);
- 20 CFR 679.390 Part VI Statewide and Local Governance of the Workforce Development System Under Title I of the Workforce Innovation and Opportunity Act, Subparts A, B, C;
- Circular Letter DDEC-WIOA-01-2021: Requirement of Transparency and Disclosure of the Activities of the Local Boards under the Workforce Innovation and Opportunity Act issued by the State Board on April 8, 2021;
- Public Law 110-325 of January 1, 2009, as amended, known as the "Americans with Disabilities Act" (ADA);
- Law No. 229 of 2003, as amended, known as the "Law to Guarantee Access to Information for Persons with Disabilities";
- Accessibility Guide of Law 229-2003 for Web Pages of Government Agencies of Puerto Rico, Annex 1;
- Public Law 101-106, Section 511, "Steven's Amendment";

III. BACKGROUND

Sections 101(g) and 107(e) of the Workforce Innovation and Opportunity Act (WIOA) establish the requirements for publicity, transparency, and openness in the disclosure of matters of the Local Boards. The "Sunshine Provision," as described in the WIOA, establishes the minimum disclosure requirements, as well as the information that must be accessible to the general public electronically. Additionally, it requires allowing access to meetings, of a public nature, upon request by citizens. The "Sunshine Provision" requires states and subrecipients of WIOA funds to publish electronically and make accessible to the public the documents, information, and determinations of the Local Boards.

This public policy is adopted pursuant to public policy DDEC-WIOA-01-2021, adopted by the State Workforce Development Board on April 8, 2021, and known as the Guide on the Responsibility of the Local Boards to comply with the requirement of transparency and disclosure ("Sunshine Provision") of the activities of the Local Boards under the Workforce Innovation and Opportunity Act.

IV. PUBLIC POLICY

The Local Board is obligated to make its activities available to the general public periodically. This includes public meetings and all information inherent to the activities of the Local Board. They will be available through electronic means, particularly on a website. This website will include accessible formats for persons with disabilities, as required by the ADA. For the purposes of this policy, and in accordance with federal law, social networks are not considered repositories. However, they will continue to be used as an informal mechanism for disseminating information, directing the general public to regulatory information sources. Accordingly, the following criteria and parameters are adopted:

A. Information Disclosure: Minimum Requirements

1. General Information of the Local Board
 - a. Mission and Vision;
 - b. Name of Contact Person;
 - c. Phone number;
 - d. Email address;
 - e. Physical and postal address;
 - f. Service hours

2. Approved Regulations
 - a. Public Policies and procedures established by the Local Board;
 - i. Public Policies and procedures must be published in both Spanish and English;
 - b. Complaint Procedure;
 - c. Regulations of the Local Board.

3. Information about Local Board Members
 - a. List of members and positions they hold on the Board;
 - b. Area or entities they represent;
 - c. Affiliation to entities or associations;
 - d. Term of appointment and expiration date.

4. Work Committees, in accordance with DDEC-WIOA-04-20
 - a. Purpose or description of each committee;
 - b. Members of these committees.

5. Public Meetings of the Local Board - Meetings where official matters inherent to the Local Board are discussed will be public. This includes the invitation and minutes. Invitations must be published on the website one week in advance. At a minimum, they will include: the date, time, place, and topics to be discussed at the formal meeting so that any interested citizen can attend or participate. The Local Board is obligated to provide the minutes of its formal meetings upon request.

Exceptions to this requirement include meetings where topics such as, but not limited to, the following are discussed:

- a. Executive sessions or meetings related to the internal management of the Local Board or its staff that will not impact external entities;
- b. Security matters;
- c. Information whose disclosure is prohibited by statute;
- d. Training for Local Board staff;
- e. Trade secrets or commercial and financial information of businesses;
- f. Confidential information obtained from an individual;
- g. Discussion of information collected for law enforcement agencies;
- h. Confidential or privileged information;
- i. Information whose premature disclosure would harm the execution of a task or measure;
- j. Matters that directly affect the rights of an individual.

In case the meetings are held electronically, the Board must notify it, as well as the platform and link through which the public can access the meeting.

6. Minutes

- a. Minutes must be available on the Local Board's website and available to the public upon request. Minutes will be made available on the website within fifteen (15) calendar days following approval by the Local Board. The Local Board may publish supplementary documents used in the meeting if they are relevant for a better understanding or interpretation of the minutes;
- b. The Local Board will notify the State Board when the minutes are published on the website, on the same day they are disclosed. The notification will be sent to the following email address: juntaestatalwioa@ddec.pr.gov

7. Information about the Four-Year Local Plan and Work Specifications. This includes:

- a. Draft of the Local Plan, prior to approval for comments;
- b. Local Plan, once approved, including the approval date;
- c. Plan modifications (if applicable);
- d. Initiatives and services of general interest for participants and employers as established in the Local Plan;
- e. Work Specifications by Program Year.

8. Information related to the designation of the One-Stop Operator (CGU-AJC, for its Spanish Acronym), which includes:
 - a. Public notice to initiate the competitive selection process for a One-Stop Operator, as well as the submission guidelines and any matters related to the selection process (in Spanish and English);
 - b. Minutes of the meetings for the selection and certification of the CGU-AJC Operator;
 - c. Name of the individual or entity designated as the CGU-AJC Operator;
 - d. Physical address of the CGU-AJC;
 - e. Partners in the CGU-AJC (physical or technological representation)
 - i. Services they offer - Includes a detailed description of the services each partner offers;
 - f. Criteria (eligibility requirements) and conditions for receiving services from each partner;
 - g. Certification of the CGU-AJC Operator;
 - h. Surveys conducted by or for the CGU-AJC;
 - i. Notices about CGU-AJC operation days and hours.

9. Information related to the activities of the Local Board:
 - a. Official communications;
 - b. Calls for competitive processes for the purchase of goods or services;
 - c. Reports or studies conducted (or commissioned) by the Local Board;
 - d. Announcements of activities and their purpose;
 - e. Employment opportunities (calls);
 - f. Disclosure of available activities and services ("outreach");

10. Hyperlink to the State List of Eligible Training Providers

WIOA requires the state to publish the Eligible Training Providers List (ETPL). In this case, the Workforce Development Program will do the same by publishing the list on the website of the Department of Economic Development and Commerce (DDEC). The Local Board will provide access through its website by creating a link or hyperlink to the location of the ETPL on the DDEC website.

11. Information about the Youth Program - The Local Board will make available at least the following information regarding the delegation of funds or contracts to eligible providers for offering services related to the Youth Program:
 - a. Public notice for the start of the competitive selection process for service providers, as well as the submission guidelines;
 - b. Name of the individual or entity awarded the delegation of funds or contract;
 - c. Amount awarded;
 - d. Services for which funds or a contract were awarded;

12. Adult and Dislocated Worker Programs - The Local Board will make available information about the delegation of funds or contracts to eligible providers for training services, as well as training specifications and/or work specifications for providers. This includes:

- a. Public notice for the start of the competitive selection process for service providers, as well as the submission guidelines;
- b. Name of the individual or entity awarded the delegation of funds or contract;
- c. Amount awarded;
- d. Services for which funds or a contract were awarded.

13. The Local Board shall publish any other information of high interest, as well as opportunities or services provided under other federal funding sources from the federal Department of Labor.

B. Specifications of the Local Board Website

The State Workforce Development Board, in its WIOA-DDEC-01-2021 public policy, has established the mandatory publication or dissemination of, at minimum, the information contained in Section IV, Subsection A of this public policy.

This Local Board adopts the state public policy and sets forth the following parameters regarding the website, in order to fully comply with federal law, interpretive regulations, and state public policy, as follows:

1. Innovative Technology Utilization: The website design shall:
 - a. Be in beta format;
 - b. Allow for the digitalization of forms to be completed online;
 - c. Enable the sharing of information from the website to other users;
 - d. Include a link for automatic translation of content into English, if Spanish is the primary language;
 - i. Publish Public Policies and procedures in both languages;
 - e. Recognize images and/or characters on paper and convert them into digital data (OCR);
 - f. Utilize responsive web design to automatically adapt to any screen size, accessible from computers, tablets, and/or phones;
 - g. Feature help mechanisms and information search functionalities;
 - h. Organize information in an attractive, logical, and user-friendly design format;
 - i. Include a mechanism to track user visits or traffic to the page;
 - j. Allow publishing and accessing documents that can be filled out online;
 - k. Ensure that the background color of the page does not interfere with its content;
 - l. Display images and animations in HTML format;
 - m. Consistently name and present icons for easy access;
 - n. Use PDF format for documents to enable text copying rather than image only.
2. ADA Compliance: The website shall comply with Public Law 110-25, as amended, known as the "Americans with Disabilities Act" (ADA), and Law No. 229-2003, as amended, known as the "Law to Guarantee Access to Information for Persons with Disabilities," in addition to the

Accessibility Guidelines of Law 229 for Web Pages of Government Agencies of Puerto Rico.

3. Copyright Compliance: The website shall comply with Law 55-2012, known as the "Puerto Rico Moral Rights of Authors Law".
4. Legal References: The website shall include an icon providing access to all relevant state and federal laws, regulations, and public policies, including but not limited to:
 - a. Link to the WIOA Law in PDF format;
 - b. Current Four-Year State Plan in printable PDF format;
 - c. Four-Year Local Plan in printable PDF format;
 - d. Four-Year Regional Plan in printable PDF format.
5. The website must prominently feature the "American Job Center" branding, which unifies and identifies workforce development services. This is the designated name for the One-Stop Operator Center. Additionally, the Local Board's logo must be displayed on the website.
6. The website shall include the following paragraph:

" This website was funded by a grant awarded by the Employment and Training Administration (ETA) of the United States Department of Labor. The website was created by the grant recipient and does not necessarily reflect the official position of the United States Department of Labor. The Department of Labor makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites, including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This website is protected by copyright by the Mayagüez-Las Marías Local Workforce Development Board, who created it "

C. Social Media as Outreach Tools

The Local Board will continue to use social media platforms (Facebook, Twitter, Instagram, LinkedIn, and others) as a means to announce events and job opportunities, among other activities. Information shared on these platforms will include references to the One-Stop Center, American Job Center branding, and the Local Board's logo. However, the Local Board acknowledges that social media serves as an alternative mechanism for information dissemination and does not replace the Local Board's website.

Information shared on social media platforms must be free of spelling errors, and messages must solely relate to activities and services offered within the One-Stop Center system. Designated officials are responsible for responding to all inquiries arising from these posts and must be available to assist individuals via phone calls, emails, or in person, among other methods. Information posted on social media must be consistent with the content published on the website and should be kept up to date at all times.

Officials assigned to this responsibility may access the Local Board's official accounts on authorized social media platforms from assigned official equipment or devices. No official may use

the Local Board's official accounts to promote private interests, whether personal or on behalf of any other individual or entity.

The Executive Director of the Local Board is delegated to develop, adopt, and implement an administrative procedure regulating the use of property acquired with WIOA funds regarding access by Title 1-B officials to the Local Board's official accounts on authorized social media platforms.

V. PUBLIC COMMUNICATIONS: REQUIRED INFORMATION

In accordance with Public Law 116-94, known as the "Further Consolidated Appropriations Act 2020" Division A, Title V, Section 505, when issuing statements, press releases, requests for proposals, solicitations, and other documents describing projects or programs funded wholly or in part with federal funds, all non-federal entities receiving these funds shall clearly indicate:

1. The percentage of total program or project costs to be financed with federal funds;
2. The dollar amount of federal funds available for the project or program; and
3. The percentage and dollar amount of total project or program costs to be financed by non-governmental sources.

VI. AMENDMENTS TO PUBLIC POLICY

When policies or circular letters promulgated by the Workforce Development Program (PDL) or the corresponding federal agency necessitate amending the content of this policy, the Executive Committee of the Local Board may amend it to conform with the policies or guidelines promulgated.

VII. REQUIRED ACTION

Upon approval of this Public Policy, the Executive Director of the Local Board shall be responsible for notifying Local Area officials of its approval and establishing a training plan for its proper implementation. Similarly, the Executive Director of the Local Board shall notify the State Board of this process.

VIII. EFFECTIVE DATE

This Public Policy supersedes the one approved on August 20, 2019, and any other text incompatible with it, and shall take effect immediately upon approval by the members of the Mayagüez-Las Marías Local Workforce Development Board.

IX. APPROVAL

Signed and approved on June 7th, 2022 in Mayagüez, PR.



José A. Justiniano Rodríguez
President
Mayagüez-Las Marías Workforce Development Local Board

CERTIFICATE OF TRANSLATOR

Smile Again Learning Center, Corp., certifies that a fluent translator in English and Spanish translated this document, that the above is a true and correct translation of the original document provided, in our best judgment, the translated text truly reflects the content, meaning, and style of the original text and constitutes in every aspect a complete and accurate translation of the original document. This is to certify the correctness of the translation only. We do not make any claims or guarantees about the authenticity or content of the original document. Further, Smile Again Learning Center assumes no liability for the way in which the translation is used by the customer or any third party, including end-users of the translation. Any translation into another language shall be deemed as reference and the original version shall prevail in any case. A copy of the translation is attached to this certification.

In Isabela, Puerto Rico, June 30, 2024

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