

# Workforce Information Advisory Council

## Summary of Virtual Meeting

### November 6, 2023

### 2:00 PM – 4:00 PM ET

The Workforce Information Advisory Council (WIAC) was convened for a virtual meeting at 2:00 PM on Monday, November 6, 2023. The Council was convened pursuant to Section 308 of the Workforce Innovation and Opportunity Act of 2014 (WIOA) (Pub. L. 113-128), which amends section 15 of the Wagner-Peyser Act of 1933 (29 U.S.C. § 491–2) and in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended (5 U.S.C. App.) and its implementing regulation at 41 CFR 102-3.

Mr. Steven Rietzke, Chief, Division of National Programs, Tools, and Technical Assistance (DNPTTA), Employment and Training Administration (ETA), U.S. Department of Labor (DOL) and Designated Federal Officer (DFO) for the Council, convened the meeting. The entirety of the meeting day was open to the public and concluded at 4:00 PM on Monday, November 6, 2023.

#### **In Attendance:**

#### **Members of the Workforce Information Advisory Council**

Lesley Hirsch, New Jersey Department of Labor and Workforce Development (Chair)

Anna Hui, Missouri Department of Labor and Industrial Relations (Vice Chair)

Larry Bulman, United Association

Charisse Childers, Arkansas Department of Workforce Services

Andrew Conrad, University of Northern Iowa Institute for Decision Making

Ginger Crawford, Choctaw Nation of Oklahoma

Bruce Ferguson, CareerSource Northeast Florida

Chris Kim, Workday

Julia Lane, New York University

Adam Leonard, Texas Workforce Commission

Angelina Nguyen, Minnesota Department of Employment and Economic Development

Corretta Pettway, Ohio Department of Job and Family Services

David Schmidt, Nevada Department of Employment, Training, and Rehabilitation

Bob Uhlenkott, Oregon Employment Department

### Invited Speakers

Joseph Plick, Counsel for FOIA, FACA, Privacy Act, and Information Law, U.S Department of Labor

Andrew Welz, Ethics Attorney, U.S. Department of Labor

### Staff

Steve Rietzke, Chief, DNPTTA, ETA (DFO)

Kevin Cooksey, BLS

Heidi Casta, ETA

Emily Krutsch, BLS

Don Haughton, ETA

Kirk Mueller, BLS

Lucas Arbulu, ETA

Ken Robertson, BLS

Lauren Fairley, ETA

Cynthia Forland, Forland Consulting

Pam Frugoli, ETA

Annette Summers, The GA Team

Danielle Kittrell, ETA

Betsy Roberts, The GA Team

Julie Hatch Maxfield, Bureau of Labor Statistics (BLS)

### Others Attending for All or a Portion of the Meeting

Joseph Blanch, ETA

Faraz Khan, International Federation of Professional and Technical Engineers (IFPTE)

Kia Legette, Career Association of Georgia

## Proceedings: November 6, 2023, 2:00 PM ET

### Welcome, Review of Agenda, and Goals for Meeting

**MR. RIETZKE** convened the meeting of the Workforce Information Advisory Council (WIAC). He provided opening remarks on the agenda for the day in addition to the objectives for the first meeting of the new iteration of the WIAC.

**MR. RIETZKE** congratulated the Council members on their appointments and thanked them for their willingness to serve. He shared that the WIAC is a great opportunity to help inform federal policy and investment in workforce and labor market information (WLMI). The WIAC will be examining how the WLMI systems can best support workforce development efforts throughout the country at the national and state levels. **MR. RIETZKE** underscored the importance of the role of data and evidence in ensuring that training and education programs are designed to meet the skill needs of employers, provide the interventions and supports that workers need to be successful in those programs, and ultimately that there is alignment between employment demand and the supply of skilled workers.

### Opening Remarks from Leadership and Introductions

**MR. RIETZKE** introduced Council Chair, **Lesley Hirsch**.

**MS. HIRSCH** greeted the meeting attendees. She reflected on the work of the past two iterations of the WIAC and encouraged the Council to build upon existing issues and to come up with new agenda items. The WIAC has a

great opportunity to reassess the direction it is headed, specifically, shedding light on ways in which WLMI can better support decisions at large and in our workforce system. **MS. HIRSCH** encouraged the Council members to be broad in thinking about the uses and definition of labor market information (LMI) and expressed her excitement in working with the staff and Council members in the months to come.

**MR. RIETZKE** thanked **MS. HIRSCH** for her opening remarks.

**MR. RIETZKE** introduced Julie Hatch Maxfield, Associate Commissioner for Employment and Unemployment Statistics, U.S. Bureau of Labor Statistics (BLS).

**MS. HATCH MAXFIELD** welcomed the new members of the WIAC and thanked them for their commitment. She shared that the Council members would frequently hear from her and her colleagues from BLS. **MS. HATCH MAXFIELD** is energized and hopeful that the WIAC and staff will figure out ways to make data useful throughout their time together.

**MR. RIETZKE** thanked **MS. HATCH MAXFIELD** for her opening remarks.

The Council members and staff who were present at the meeting introduced themselves. **MR. RIETZKE** encouraged the public attendees to introduce themselves in the chat box.

### **U.S. DOL Ethics Briefing, Federal Advisory Committee Act (FACA) Breifing, and Remarks from Representatives of the U.S. Department of Labor's Office of the Solicitor**

**MR. HAUGHTON** introduced Mr. Joseph Plick, Counsel for FOIA, FACA, Privacy Act, and Information Law, U.S. Department of Labor (DOL).

**MR. PLICK** provided historical background information on the formation of Federal Advisory Committees and FACA. FACA is a procedural statute that recognizes the need for federal agencies to gain balanced advice and outside expertise. Committees formed under FACA are supposed to provide relevant advice within the committee's authorization. The agency must also be able to act promptly on that advice. **MR. PLICK** explained that FACA keeps congress and the public informed on what committees are doing and it makes the committee process transparent.

**MR. PLICK** provided an overview of agency leadership requirements and reporting, membership requirements, guidelines for meeting minutes, public participation, committee work taking place within the structure of the formal meeting, and subcommittee work. Any media inquiries about the work of the committee are required to be reviewed by the DFO and Chair. The Council charter expires every two years and gives the agency the opportunity to review how the committee is running and make any necessary changes.

**MR. HAUGHTON** thanked **MR. PLICK** for his time and informative remarks.

**MR. HAUGHTON** introduced Mr. Andrew Welz, Ethics Attorney, DOL.

**MR. WELZ** began his remarks by clarifying that he would be speaking about government ethics, which are very different from legal or moral ethics. One of the foundational principles of government ethics is that public service is public trust. In the work the Council does for the government, it's important to avoid bias from entering the government's work as well as the appearance of bias; and to be conscientious about using government resources and time to further the interest of the public good.

**MR. WELZ** referenced the onboarding document, *Summary of the Ethics Rules for Non-Federal Individuals*. He reviewed several concepts from the document:

- Misuse of Government Position or Affiliation
- Misuse of Government Resources
- Misuse of Government Information
- Conflicts of Interest
- Separating Government Work and Private Business
- Political Activities
- Additional Rules

**MR. HAUGHTON** thanked **MR. WELZ** for his time and informative remarks.

### **Review of 2023 WIAC Charter, Purpose of the WIAC, and Past Recommendations**

**MR. RIETZKE** led the Council through the exercise of reviewing the WIAC Charter. The charter governs the scope and responsibilities of the Council.

He shared the WIAC Charter on the screen and provided historical context on the formation of the committee. The committee was mandated by the Workforce Innovation and Opportunity Act (WIOA) of 2014 and reports to the Secretary of Labor through the Assistant Secretary for ETA and the Commissioner of Labor Statistics. **MR. RIETZKE** provided an overview of the objectives and scope of activities; description of duties; and membership designation categories, terms, and requirements.

**MR. RIETZKE** informed the Council members that their written recommendations are intended to advise the Secretary of Labor on how the WLMI system can best support workforce development, planning, and program development. It is advisable to keep the scope of the recommendations focused closely on topics that fall within the sphere of influence of the Secretary of Labor. Recommendations that only generally recommend improvements to the workforce development system are beyond the scope of the WIAC's description of duties. Rather, the recommendations should focus on how the WLMI system can specifically support workforce development, planning, and program development.

**MR. RIETZKE** shared that the most recent change to the charter was specifying how the Chair and Vice Chair are selected. The Secretary of Labor will appoint the Chair and Vice Chair, as opposed to an election among Council members.

A copy of the signed WIAC charter is available at:

[https://www.dol.gov/sites/dolgov/files/ETA/wioa/pdfs/WIAC\\_Charter-2023.pdf](https://www.dol.gov/sites/dolgov/files/ETA/wioa/pdfs/WIAC_Charter-2023.pdf)

**Cynthia Forland, Forland Consulting**, provided an overview of the WIAC's previous recommendations. She shared a presentation on the screen.

**MS. FORLAND** explained that there have been several sets of recommendations over the years. In some cases, topics have been recommended more than once. **MS. FORLAND** made note in her presentation of the topics that were recommended multiple times.

A copy of the *WIAC Previous Recommendations* presentation is available at:

<https://www.dol.gov/agencies/eta/wioa/wiac/meetings>

**MR. RIETZKE and MS. HATCH MAXFIELD** discussed the U.S. Department of Labor responses in reaction to the WIAC recommendations.

**MR. RIETZKE** provided an overview of the administrative cycle for a set of recommendations. When the WIAC submits a set of recommendations to the Secretary of Labor, the WIAC staff take stock of what is contained in the recommendations, examine what is already being worked on, and consider what might be possible. The recommendations then go through a departmental clearance review process.

Prior to the formal process, the WIAC staff conducts outreach within the department, across different agencies, to socialize the recommendations so that there is a nexus between other offices, agencies, activities, and the WIAC.

Often these recommendations are not easily implementable. Policy and funding specific recommendations require policy changes, statutory change, and additional funding from congress. Sometimes it takes time for those things to play out, but with the backing of the WIAC, the recommendations certainly hold more weight.

**MR. RIETZKE** provided an example on how the WIAC recommended increased funding for Workforce Information Grants to States (WIGS) and the BLS federal-state cooperative program, twice. In response, ETA included a request for a \$5 million increase in the FY22 budget and a \$23 million request for increase in the FY23 budget. A similar scenario for enhancements was requested in FY24. While none of the proposals were funded by Congress, the WIAC recommendations were instrumental in helping ETA gain the support of DOL and the Office of Management and Budget (OMB) to include those requests in the congressional budget justification.

**MS. HATCH MAXFIELD** supported **MR. RIETZKE**'s statements and for the sake of time kept her comments to a minimum.

**MS. FORLAND** concluded this portion of the meeting by outlining the basic categories of areas where BLS and ETA are spending a great deal of time and energy and would encourage the WIAC to spend some time on inquiry.

The menu of priorities is as follows:

- Using data more effectively to advance key policy goals.
- Identifying opportunities for and overcoming barriers to increased data sharing.
- Improving access to and presentation of data for customers.
- Expanding and improving the currency and relevance of data on skills.

**MR. RIETZKE** informed the Council members that ETA and BLS strive to be useful by outlining key interests of the agencies and of the department. He has connected with the WIAC Chair and Vice Chair, **MS. HIRSCH** and **MS. HUI** on how to approach this iteration of the WIAC, in general. The united goal is for this to be a partnership where the agency provides ideas and areas for opportunity and the Council members provide areas and ideas that are also ripe for opportunity.

## **Public Comment**

**MR. RIETZKE** opened the platform for the public attendees to ask questions and provide comments and feedback. No public attendees requested to speak.

On October 10, 2023, prior to the meeting, Ms. Kia Legette, founder of Career Association of Georgia, Inc., submitted a public comment. The public comment is as follows:

### The Problem

#### (Employer Case Scenario #1)

John, a Talent Manager of a mega Arts academy, calls Lilian, a rising vocalist employed with the Art studio, to come into his office to discuss her new promotion. Lilian was ecstatic as she had been working very hard to manifest her dream job. John took notice that in his hand holds Lilian's future. John's past rejections from women he admired has always carried a sore spot in his heart along with resentment towards women's gender. John decided to embrace a negative thought and take advantage of Lilian's opportunity for self pleasure. He said to her, "the only way to secure this opportunity is for you to show me how badly you want it". John motioned his eyes at Lilian up and down to show her nonverbally what he really means. Lilian was confused, scared, and took off running. John had no idea what Lilian was going to do next, if she was going to tell his supervisor what just happened. So John decided to immediately terminate Lilian and on her separation notice he wrote "Inappropriate Behavior."

#### (Employee Case Scenario #2)

Cassie has been employed with a nonprofit organization for 4 years. She works alongside Brenda, the CEO and founder of a 37 year company as her executive assistant. Cassie was promoted 4 times in the four years working with Brenda for exemplifying great executive skills, team effort, filling in the gaps where needed, and executing superb ideas resulting in a 20% margin increase for the company. Brenda had health issues though and decided to embrace Cassie as part of her succession plan as her successor. When Cassie received notice of this transition, Cassie began preparing a business plan in efforts to support Brenda while she was in and out of the doctor's office. When Brenda passed Cassie the baton during the trial phase, Brenda started noticing Cassie's plan of action was moving quickly like wildfire, better, and greater outcomes than Brenda had done over the past two years. Brenda started to become jealous, very jealous that she began to take back control slowly, claiming Cassie's success as her own in team meetings, and eventually rescinded the offer by deeds alone. Cassie quickly entered depression and voluntarily quit her job. Thank God unemployment insurance was accessible, Cassie decided to enroll in the housing authority program to build her own business from scratch.

### The Solution

"[From Employed to Employed](#)" Initiative is a proactive approach to rendering innovative solutions to launch many success stories more than what media can cover in negative news by getting involved with the termination process before the decision to terminate ever occurs, within reason of course. Employers would notify DOL of a termination pending within 2 weeks prior to final termination by dispatching a DOL Career Specialist to attend "the meeting" to discuss the reason for termination taking the position as the mediator, the neutralizer, and the solution. Should termination or "needs support" be the final result, DOL will curate on a silver platter a career plan outlining DOL's resources as the solution but not limited to just another job.

Employers require two weeks' notice for company preparation but what about the employees preparation methods for transitioning out, our citizens, our tax paying citizens. Employers engaged in "From Employed to Employed" will substantially lessen homelessness, reduce eviction and displaced children, subside aiding in unstable homes, lower food hunger, and ultimately encourage character development.

Most importantly, "From Employed to Employed" targets the Secretary and WIAC's concern "[why individuals leave the workforce and remain out of the workforce](#)." From Employed to Employed Initiative is a practical project worth piloting to conduct strong "research that facilitate self-identification of issues and problems from among the respondents" per Acting Secretary Julie Su response to WIAC's recommendation number one (1) on August 3, 2023. I, Kia Legette, have found that the gap where individuals disengage the workforce exists between transitioning employment whether voluntary or involuntary termination. This approach compliments data captured electronically as it enforces the human touch to capture the root cause of termination and provide real solutions and support.

Federal Unemployment Tax Act (FUTA), Department Unemployment Insurance paid by employers would be the ideal pockets to fund "From Employed-to-Employed Initiative".

### The Approach

Because we live in a technology society where creativity in conveying messages is pertinent to influencing one's opinion to make an informed decision, a 5-minute video was curated (hyperlink above) to demonstrate what the approach would look like for DOL to encourage employers to engage "From Employed to Employed Initiative". In casual conversations with employers and working individuals regarding "From Employed to Employed", the idea was truly embraced for its compassion and aggressive intentions.

### The Casualties

Every good idea has casualties. However, From Employed to Employed Initiative will aid in defying the 3-5-year startup company failing statistic reported by Small Business Association as the transition periods between employment is the space created for individuals to improve their individual character and skill gaps enforced by business models, policies and procedures embracing "From Employed to Employed". We must remember, as creators of technology mankind is the greatest technology to invest in. Whether you are a believer of God, our God of all other gods, one principle remains the same amongst all believers of a high power, "and if you have not been faithful in what is another man's, who will give you what is your own?" Luke 16: 10-13

### Recommended Action #1

DOL should create a restricted and unrestricted federal grant proposal for Career Association of Georgia, Inc (501c3) to manage and other nonprofits to bid to execute "From Employed to Employed". Ideal awardees may be employment assistant firms, personal development and business coaching firms, for real-time labor data and analytics of the labor force addressing the concern "why individuals leave the workforce and remain out of the workforce" and my new addition "why individuals have returned to the workforce and have sustained in the workforce".

### Recommended Action #2

DOL to lease I, Kia Legette, Business:Scholar (B2S) Modular pending patent for DOL alone to mirror From Employed to Employed Initiative.

I, Kia Legette, am the founder of Career Association of Georgia, Inc, a nonprofit School of Business recognized by Georgia Non-Post Secondary Education Commission where it received its birth certificate in 2019. I spent the last 4 years testing innovative solutions in efforts to defy the 3-5-year startup failing statistic postured as the example startup where my grand opening is now set for December 1, 2023. My story is very much like Cassie's and Brenda's

story in Scenario #2 therefore, "From Employed to Employed" is a product of my passion to prioritize Character Development.

### **Next Steps, Scheduling, and Closing**

**MR. RIETZKE** thanked the Council members for their attention throughout the meeting. The next virtual meeting is scheduled for Monday, December 4<sup>th</sup> from 2:00 pm – 4:00 pm ET. During the December 4<sup>th</sup> meeting we will cover an overview of the background of LMI since so many members have different experiences regarding how LMI is used and how it's collected.

**MR. RIETZKE** shared that the scheduling of an in-person meeting for early 2024 is still in progress.

**MS. HIRSCH** regretted to inform the Council members that she would not be in attendance at the December 4<sup>th</sup> virtual meeting, but Vice Chair, **MS. HUI** will be in attendance. **MS. HIRSCH** encouraged the Council members to think broadly during the brainstorming session at the next meeting.

The meeting was adjourned.