



GREATER ECONOMIC VITALITY FOR ALL.

Partnering to prepare and grow the Pierce County workforce to align it with employer needs.

## Workforce Development Board AGENDA

October 18, 2023 • 3:00 – 4:30  
WorkSource Pierce, Pine Room

- Welcome 3:00 – 3:10
  - Introductions
- Public Comment 3:10 – 3:15
- Consent Agenda (*Board Vote*) 3:15 – 3:20
  - June 2023 Minutes
  - Finance Report August 2023
  - Updated Bylaws
  - Public Records Request Policy
- Board Officer Nominations 3:20 – 3:25
- Good Jobs, Great Cities & Green Economy – Katie, Nathe Lawver, Blaine Wolfe 3:25 – 3:35
- Minority and Women-Owned Businesses-Construction- Katie, Nathe Lawver, Rachael Pease 3:35 – 3:50
- Artificial Intelligence in Workforce Development – Board Members 3:50 – 4:10
- Collaboration for a Cause – Kelly Brickhouse, WorkForce Central 4:10 – 4:20
- Westrock Plant Layoffs – Rapid Response, Sam Bradshaw, WorkForce Central 4:20 – 4:30
- Adjourn

### Attachments

June 2023 Minutes

Finance Report August 2023

Updated 2023 Bylaws

Public Records Request Policy

## RETREAT MINUTES

June 29, 2023 • 12:00 – 4:00 • Clover Park Technical College

**Attendees:** April Gibson, Norton Sweet, Nathe Lawver, Dale King, Jenna Pollock, Deb Tuggle, Lynn Strickland, Dave Shaw, Mandy Kipfer, Jolita Perez, Dona Ponepinto, Deanna Keller, Victoria Woodards, Blaine Wolfe, Robin Baker, Bruce Dammeier

**Staff:** Katie Condit, Jan Adams, Josh Stovall, Steve Grimstad, Karen Downing, Deborah Howell, Kari Haugen, Tamar Jackson, Sam Bradshaw, Joanna Rasmussen, Kelly Blucher, Danielle Thompson

**Guests:** Jonathan Jackson, Penni Belcher

### Lunch & Introductions

April called the meeting to order at 12:06 p.m.

### State of the Workforce - Josh Stovall

Josh provided a high-level view of the state of the workforce in Pierce County in several areas including the wage gap between women and men and how pronounced it is when adding an ethnicity element.

### Pierce County Workforce Vision

- **County Upskill-Reskill Report**

Executive Dammeier shared information and statistics on Pierce County highlighting some of our community's critical needs, such as housing. Discussion continued around issues in Pierce County.

### Good Jobs, Great Cities – Mayor Woodards, Blaine Wolfe, Nathe Lawver

- **Earn and Learn**

Victoria, Nathe and Blaine gave an overview and remarks on the program. Victoria noted the program is a multi sector approach to next generation infrastructure, to implement evidence-based workforce strategies and to build care infrastructure that supports the job.

### Pierce County Common Referral System – Penni Belcher, United Way

Katie provided a background on how the common referral system was developed, noting we have over 22 organizations participating. Penni discussed the Common Referral System and how individuals are referred to partner organizations. Penny also explained that 211 navigators ensure customers receive the services they were referred to, and if not, the navigators reconnect with them to ensure they access the services they need.

### Recruitment & Retention Roundtable – Board

Board members introduced themselves and spoke about their organizations' efforts and challenges in recruitment and retention.

### WDB Governance: 20 mins

- **April 2023 minutes (vote)**

Motion to approve made by Dale; second by Nathe. Approved

- **Program Year 2023 Budget (vote)**

Katie briefly discussed the proposed budget. She noted we are about \$1 MM less this year than last year due to lower carry-in funds. Katie noted that we have several grants that will more than make up the deficit. She noted that our federal funding has decreased, however competitive grants will fill the gap. Katie reminded everyone of the three focus areas in the strategic plan including job seekers, business solutions, and regional alignment.

Motion to approve made by Dave; second by Nathe. Approved.

Katie discussed the \$1.9 MM we will receive from Pierce County over the next couple of years to build up and focus on the behavior health work. Jolita asked when this was approved by the board. Katie explained that recognizing behavioral health is really critical work, and we had several local providers gather to develop a comprehensive plan to

design, partner, and test the unique strategies for investments. In two years, we will return to this board to show what we learned.

- **Extend site certifications – Dave and Dona**

Katie provided context for the one-stop certification process of the WorkSource Pierce One-Stop Center, affiliate, and connections sites. Dave noted we have three sites currently and we are looking to add more sites. He noted the site certification process and is now better suited to what we are looking for. Dona followed up noting that Goodwill had to step down due to staffing issues and will reapply once their staffing has ramped up. April thanked Dave and Dona for their efforts serving on the certification committee. Dave in turn praised Shellie Willis for all her hard work on the certifications.

### **Palmer Pathways Impact – Jonathan Jackson, Palmer Scholars**

Jonathan gave an overview of Palmer Pathways and played a video highlighting the Palmer Scholars programs. There was a question and answer period following the presentation.

### **WorkForce Central Staff Roles – WFC Staff**

Katie reminded board members of their request to have more familiarity with board staff. She then asked several WorkForce Central staff members to introduce themselves and describe their roles.

### **WDB Business**

- **Governance Structure & Bylaws and Board terms and roles**

Katie discussed the requirements of the bylaws and shared the list of members with their board terms. She proposed a recommendation of a two-year or one-term limit for the board chair, which she will put to the board at the next meeting. Jolita suggested we make sure we stagger the chair and vice chair election, so they are not elected in the same year. Katie reminded everyone that the Board Chair and Vice Chair must be a private sector member.

- **PY22 WIOA Management Letter**

Katie briefly spoke about the ESD PY22 WIOA Management Letter describing outcomes of this year's ESD monitoring. Katie noted there were no disallowed costs.- However, ESD noted our interlocal agreement is not in compliance and we need to update our interlocal agreement, which is in progress and should be completed soon.

### **Good of the Order**

April thanked Katie and Jan for coordinating today's retreat.

Deanna Keller noted they have put money into their budget to provide support for other organizations for workforce development rather than providing it themselves.

Katie discussed the planning behind today's retreat. She asked for input on what they would like to see at the board's next retreat.

Motion to adjourn made by Nathe; seconded by Mandy. The meeting adjourned at 3:11 p.m.

**WorkForce Central**  
**Program Year 2023/Fiscal Year 2024**  
**Budget vs. Actual through August 31, 2023**

Budget Line Item	Final PY23 Approved Budget	Year to Date Actual Expenditures	Budget Remaining
Jobseeker Solutions:			
Direct Services and Contracts	\$ 5,586,313	\$ 835,470	\$ 4,750,843
Business Solutions:			
Industry Cohort Trainings	1,066,830	178,950	887,880
Employer Reskill Upskill Fund	100,000	-	100,000
Job Fairs and Events	50,000	-	50,000
Pierce County Behavioral Health	239,000	-	239,000
Regional Alignment:			
System and Internal Professional Development	85,000	12,614	72,386
Common Referral System	215,500	172	215,328
Pierce WorkSource One-Stop Center	328,700	-	328,700
Workforce System Connection Site	45,000	6,432	38,568
Community Engagement	42,500	-	42,500
Service Delivery via Technology	194,000	5,988	188,012
Communications	62,500	4,909	57,591
Data and Research	31,500	4,484	27,016
WorkForce Central Staff	3,874,428	588,001	3,286,427
WorkForce Central Operational Expenses	522,000	58,989	463,011
Reserve	1,203,396	-	1,203,396 (1)
<b>Total</b>	<b><u>\$ 13,646,667</u></b>	<b><u>\$ 1,696,010</u></b>	<b><u>\$ 11,950,657</u></b>

**Notes:**

(1) - Reserve represents Workforce Innovation and Opportunity Act (WIOA) annual formula funding available for Program Year 2023 that will be used to maintain services such as when a continuing resolution is delayed, there is a government shutdown, or there is a delay in the awarding of Program Year 2024 WIOA annual formula funding. This allows for a period of time for continuation of services while the budget is negotiated and finalized. The reserve can also be used to leverage WIOA formula funding as other funding opportunities or initiatives come up during Program Year 2023.

**WorkForce Central**  
**Program Year 2023/Fiscal Year 2024**  
**Direct Services and Contracts through August 31, 2023**

Contract	Final PY23 Approved Budget	Year to Date Actual Expenditures	Budget Remaining	Obligation Remaining
PY2022 WIOA Adult Annual Formula	\$ 185,000	\$ 207,747	\$ (22,747)	-
PY2023 WIOA Adult Annual Formula	1,136,500	-	1,136,500	1,136,500
PY2022 WIOA Dislocated Worker Annual Formula	126,500	129,348	(2,848)	-
PY2023 WIOA Dislocated Worker Annual Formula	879,400	-	879,400	879,400
PY2022 WIOA Youth Annual Formula	212,000	182,493	29,507	-
PY2023 WIOA Youth Annual Formula	1,009,000	-	1,009,000	1,009,000
Economic Security for All	1,197,913	42,461	1,155,452	1,154,539
QUEST Disaster Recovery National Dislocated Worker Grant	840,000	173,832	666,168	1,080,670
CDBG COVID Hunger Relief Staffing and Services	-	99,589	(99,589)	87,091
<b>Total</b>	<b><u>\$ 5,586,313</u></b>	<b><u>\$ 835,470</u></b>	<b><u>\$ 4,750,843</u></b>	<b><u>\$ 5,347,200</u></b>

**BY-LAWS  
OF PIERCE COUNTY  
WORKFORCE DEVELOPMENT COUNCIL**

**Amended June 1st, 2021**

**ARTICLE I  
NAME**

The Name of the organization shall be Pierce County Workforce Development Council (WDC).

**ARTICLE II  
PURPOSE**

The WDC, in partnership with the Chief Local Elected Officials (CLEOs, dba the Executive Board), shall plan and oversee the Workforce Development System of Pierce County.

The specific objectives and purpose of this organization shall be:

- Strategic planning and oversight of the WIOA services
  - Development of WIOA Local Plan
- Operational alignment and service delivery design
  - Selection of One-stop service delivery providers
  - Identification of training providers
  - Negotiation of local performance measures with the State Workforce Development Board
  - Monitoring of local WIOA performance
- Setting policy for the local area
- Develop budget consistent with the local plan
- Oversight of WIOA funds to include appropriate use and management
- Assist in development of a labor market information system
- Promoting participation of private sector employers in the WIOA system

**ARTICLE III  
MEMBERS**

**SECTION 1. APPOINTMENT/TERMS.** Membership on the WDC shall be by appointment of the Executive Board in accordance with criteria established by the Governor. Members shall be elected for two (2) year terms or such other terms as may be established by the Executive Board. WDC members may serve up to 6 terms. To ensure only a portion of membership expires in any given year, the Executive Board will stagger new appointments from the date of these amended bylaws so that no more than 1/3 board members will turn over in any given year, and so that the WDC does not experience a majority of private sector representatives within that turnover. This will be regulated through intentional appointments that occur by the Executive Board. Renewal of terms shall be approved by the Executive Board.

**SECTION 2. GENERAL POWERS.** All business and policy affairs of the WDC shall be governed by its Members.

**SECTION 3. NUMBERS AND COMPOSITION.** The number of WDC Members shall be determined by the Executive Board. A majority of the WDC Members shall be representatives of businesses in the local area. At a minimum, at least two members must represent small businesses. The balance of the memberships, as defined by WIOA, shall be comprised of the following: local educational entities; labor organizations; economic development agencies; community-based organizations (including organizations representing individuals with disabilities and veterans); “One-Stop” partners; and such other organizations designated by the Executive Board. The Executive Board and the WDC will use its best efforts to assure representation of the entire Tacoma-Pierce County region.

**SECTION 4. VOTING.** Each Member, except for a Member Emeritus, shall be entitled to one vote. Members in emeritus status shall not have voting privileges. Proxy voting will be permitted only when a Member is unavailable to attend a meeting due to illness, travel, or other mitigating circumstances as approved by Executive Board. Proxies must be executed in writing or be submitted electronically to the WDC Chair, WorkForce Central CEO/Designee and must specify the date the proxy shall expire. No Member may designate more than three proxies in any twelve month period.

**Voting may occur through electronic means when deemed necessary to assure reasonable timelines to accomplish work as determined by the WorkForce Central Chief Executive Officer.**

**SECTION 5. EMERITUS STATUS.** A Member who has left the WDC in good standing and has demonstrated outstanding service during his/her membership is eligible for nomination as an Emeritus. Any WDC member may submit nominations for consideration to the Executive Board of CLEOs. The CLEOs will take action to approve or deny the recommendation. An Emeritus shall serve a term without limit. While this position is non-voting with regard to official actions of the WDC, an Emeritus may be invited to participate in all WDC meetings and functions, be eligible to be appointed by the Chairperson to serve on any of the WDC’s committees and may be called upon to assist the WDC on matters where the individual’s interest, experience and expertise will best serve the WDC. The number of such positions is discretionary with the WDC, however the honor will be reserved for individuals with a record of distinguished service.

**SECTION 6. REMOVAL.** At the discretion of the WorkForce Central Executive Board, any Member may be removed for cause. The WDC Chairperson and WorkForce Central Chief Executive Officer (CEO) may recommend to the WDC the removal of a Member from the WDC. Members are expected to attend all scheduled WDC meetings with the exception of three excused absences. When possible, proxies can be designated (as referenced in Article 3, Section 4). WDC members will actively participate in WDC committees and taskforce groups as opportunities arise and maintain good standing in the community. Failure to meet these expectations shall warrant removal from the WDC. Upon the approval of the WDC, the recommendation for removal of the member will be forwarded to the WorkForce Central Executive Board which is comprised of the CLEOs and the WDC

Chairperson. The WDC Chairperson and WorkForce Central Chief Executive Officer may recommend an exception to the WorkForce Central Executive Board.

**SECTION 7. VACANCIES.** A vacancy on the WDC shall be filled by the Executive Board if deemed necessary and appropriate. Each successor Member shall complete the term vacated and shall stand for reappointment at the end of the term. The WDC Chair or WorkForce Central CEO will notify the Executive Board on vacancies. When deemed necessary, the Chief Local Elected Officials and CEO will work diligently to ensure the WDC promptly has the seat filled. This process will include an immediate request for recommendations from WDC members and local business leaders, outreach and meeting between the WDC chair and/or CEO and potential candidates and vetting of potential members to meet criteria set for the vacant seat.

**SECTION 8. REMUNERATION.** Members shall not receive any compensation for attendance at regular or special meetings.

**SECTION 9. RESIGNATION.** Any Member may resign at any time by delivering written notice of resignation to the Chairperson. Upon receipt and acknowledgement by the Chairperson, such resignation shall be effective on the date set forth in the notice.

#### **ARTICLE IV** **MEETING OF MEMBERS**

**SECTION 1. REGULAR MEETINGS.** Regular meetings of the Members shall be held at least six times a year at such time and place as WDC members shall determine. Video conferencing technology will be used to facilitate participation of members who cannot physically travel to the meeting location. Video conferencing will be used in place of physical meeting location whenever necessary. The WFC CEO, WDC Chair and WDC members shall set the agenda for the regular meetings of the WDC. Such meetings shall be open to the public and shall be conducted in accordance with Robert's Rules of Order. The public shall have access to virtual meetings through a link posted on the WorkForce Central website. The WDC will accommodate participation by the public through open invitation on the website and through use of accessible, virtual meeting platforms, video recordings, and safe and welcoming physical meeting space.

**SECTION 2. SPECIAL MEETINGS.** Special meetings of the WDC may be called by request of the Chairperson or any three (3) Members.

**SECTION 3. MEETING LOCATION.** Meetings of the WDC shall be conducted within Pierce County, Washington. Should they be held virtually, the link will be available and made public to all interested in attending through the WorkForce Central website.

**SECTION 4. QUORUM.** Fifty-one percent (51%) of the total number of Members shall constitute a quorum. If fifty-one percent results in a fractional number, the fraction shall be rounded upward to indicate the number of Members required for a quorum. The act of the majority of the Members present at the meeting at which a quorum is present shall be the act of the Members unless otherwise specially required by law or by the bylaws. If a quorum is not present at the meeting of the Members, the Members present may adjourn the meeting.



**SECTION 5. FAILURE TO HOLD MEETING.** The failure to hold any meeting of the Members whether special or regular shall in no way suspend or invalidate the business of the WDC.

## **ARTICLE V** **OFFICERS**

**SECTION 1. OFFICERS.** The Officers of the WDC shall be the Chairperson and Vice-Chairperson. Each Officer shall be elected for a term of two years.

**SECTION 2. ELECTIONS.** The Officers shall be elected by the WDC Members and may serve up to four terms. When an officer term is coming to a close, the Chair will call for recommendations from the WDC and recommend a slate of officers to serve during the following year.

**SECTION 3. VACANCIES.** Vacancies shall be filled at any meeting of the Members. Officers so elected shall serve until the next election of officers. Process for filling vacancies is determined in the WorkForce Central WDC recruitment process approved by the CLEOs and WDC and will be implemented promptly upon notice of a vacancy to ensure seats do not remain empty for prolonged periods.

**SECTION 4. CHAIRPERSON.** WDC members shall elect the Chairperson from among the business representatives on the WDC. The Chairperson shall preside at the meetings, supervise and control the business and affairs of the WDC, and shall see that orders and resolutions of the Members are carried into effect. The Chairperson may not serve more than two consecutive terms.

**SECTION 5. VICE-CHAIRPERSON.** The Vice-Chairperson shall act for the Chairperson in their absence and perform such other duties as the Chairperson may direct. Should the Vice-Chairperson also be absent from a meeting, they may designate a WDC member to act as Chairperson for that meeting.

## **ARTICLE VI** **WIOA ADMINISTRATIVE ENTITY**

As designated by the Executive Board, the Tacoma-Pierce County Employment and Training Consortium, doing business as WorkForce Central, is the official Administrative Entity that serves as the local WIOA grant recipient and fiscal agent for the distribution of the funds. Any WorkForce Central staff assigned to support the WDC or its committees shall be ex-officio members of the council or committee.

## **ARTICLE VII** **COMMITTEES**

**SECTION 1. COMMITTEES.** The committees of the WDC shall be established through priorities set by the WDC and Executive Board of Chief Local Elected Officials. Committees may be standing or limited to a defined period and should be established in response to workforce development needs and strategies that require more concentrated leadership from a committee of the WDC.

**SECTION 2. COMMITTEE MEMBERSHIP.** Membership of the committees will be a combination of WDC Members and non-WDC Members. Non WDC members who are appointed shall be individuals who have demonstrated experience and expertise in accordance with the purpose of the committee. The appointment of non-WDC members to the committees shall be determined by the WDC committee.

**SECTION 3. COMMITTEE MEETINGS.** The committees shall determine the frequency of their meetings based upon the work that must be done. Each committee, with WorkForce Central staff, shall determine the meeting dates and the agenda as needed or directed.

## **ARTICLE VIII** **CONFLICT OF INTEREST**

No Member or ex-officio Member of the Workforce Development Council (whether compensated or not) shall engage in any activity, including participation in the selection, or award of a sub-grant or contract supported by WIOA formula funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when the Member, or any member of his/her immediate family, a partner or an organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm or organization selected for award. A WDC Member shall declare when a conflict of interest, real or apparent, could occur. The minutes of the meeting shall reflect that a disclosure was made and an abstention from voting or discussing during the meeting shall occur. Members or ex-officio Members of the WCD will neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors or parties to sub-agreements. Each Member is entitled to one vote, unless prohibited by a declared conflict of interest.

## **ARTICLE IX** **MISCELLANEOUS PROVISIONS**

**SECTION 1. CONTRACTS.** WorkForce Central may enter into contracts and agreements that are in accord with the goals and objectives of the Executive Board, the WDC and WIOA. All such contracts must be executed by the WorkForce Central CEO based upon local, state, and federal laws, regulations, and ordinances.

**SECTION 2. FISCAL YEAR AND PROGRAM YEAR.** The fiscal year of the WDC and WorkForce Central shall begin on the first day of January in each year and shall end on the last day of December in each year. The program year of the WDC and WorkForce Central shall be the first day of July in each year and shall end on the last day of June each year.

**SECTION 3. NONDISCRIMINATION.** The WDC shall comply with all applicable federal, state, and local laws, regulations, and ordinances. The WDC shall adhere to a policy of equal opportunity for all people, regardless of race, color, religion, sex, (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity) national origin (including limited English proficiency), age, disability, political affiliation or belief, citizenship status, or participation in any WIOA Title I financially assisted program or activity. WorkForce Central is an equal opportunity employer.

**SECTION 4. BOOKS AND RECORDS.** The WorkForce Central shall keep correct and complete books and records of account and minutes of the meetings of the council and its committees. All books and records of the WDC may be inspected by any Member or Officer for any proper purpose at any reasonable time. These files will be kept in WorkForce Central's virtual cloud storage space when feasible, and in hard copy format in WorkForce Central filing and record retention office space.

**SECTION 5. CEO REVIEW.** The Workforce Development Board, in partnership with the Chief Local Elected Officials, shall conduct a review of the CEO on a biannual (every two years) basis that is led by the Workforce Board Chair. The review process shall be laid out and agreed upon by the board and shall include a robust review of key responsibilities and an assessment and determination of the current CEO salary.

**ARTICLE X**  
**AMENDMENTS**

These bylaws may be amended or repealed at any meeting of the members at which a quorum is present, by the affirmative vote of two-thirds (2/3) of the members present at such a meeting provided that any proposed amendment shall be submitted in writing to the members in advance of their next meeting.

**CERTIFICATION**

I do hereby certify that the foregoing bylaws, consisting of six (6) pages, are a true and correct copy of the bylaws of the Pierce County Workforce Development Council as adopted by its members on October 15<sup>th</sup>, 2020.

\_\_\_\_\_  
WDC Chair

\_\_\_\_\_  
Date

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## Public Records Request Policy

**Policy Number:** ADM-3015

**Release Date:** XXXX

**Supersedes:** N/A

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### PURPOSE

This policy provides instructions for requesting access to WorkForce Central's public records and establishes WorkForce Central's procedures for providing full access to public records.

### BACKGROUND

Chapter [42.56 RCW](#) of the Public Records Act, requires the availability for inspection and copying of nonexempt "public records" in accordance with published rules. The act defines "*public records*" to include any "*writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained*" by the agency.

The purpose of the act is to provide the public full access to records concerning the conduct of government, mindful of individuals' privacy rights, to protect public records from damage or disorganization, and to prevent excessive interference with other essential functions of the agency. The act and these rules will be interpreted in favor of disclosure. In carrying out its responsibilities under the act, WorkForce Central will be guided by the provisions of the act describing its purposes and interpretation.

### RECORDS SUBJECT TO PUBLIC DISCLOSURE

Records associated with WorkForce Central are subject to the Public Records Act, unless an applicable exemption applies, including information posted to WorkForce Central social media sites. The names of WorkForce Central and subrecipient staff in positions funded by federally awarded grants, in part or in whole, will be a matter of public record. Other information pertaining to these employees will be made available to the public in the same manner and to the same extent as such information is made available about staff in positions not funded with federal resources.

### RECORDS EXEMPT FROM PUBLIC DISCLOSURE

The Public Records Act provides that several types of records are exempt from public inspection and copying. In addition, records are exempt from disclosure if any "other statute" exempts or prohibits disclosure. Exemptions outside the Public Records Act that restrict the availability of some records held by WorkForce Central for inspection and copying are located on WorkForce Central's [exemption from disclosure list](#).

If WorkForce Central believes that a record is exempt from or prohibited from disclosure and should be withheld, the Public Records Coordinator or designee will state the specific exemption or prohibition and a brief explanation under which the record or a portion of the record is being withheld. If only a portion of a record is exempt or prohibited from disclosure, but the remainder is not exempt or prohibited, the Public Records Coordinator will redact the exempt or prohibited portions, provide the nonexempt portions, and indicate to the requester why portions of the record are being redacted.

Personal records of federally funded registrants will be private and confidential and will not be disclosed to the public ([Privacy Act of 1974](#), [DOL ETA Training and Employment Guidance Letter 39-11](#), [ESD Policy 5403](#)). WIOA Title I registrants' personal information may be made available to WorkSource partners or service providers on a selective basis consistent with the participant's signed "[Authorization to Share Information and Records](#)" form located in the registrant's program file. Federally funded registrants' personal information may be made available to persons or entities having responsibilities under the federally funded grant, including representatives of the U.S. Department of Labor, the Governor, applicable federally funded grant recipients, public agencies, and local subrecipients for authorized purposes only such as auditing and monitoring activities. Individuals receiving federally funded services will have access to information concerning themselves unless the records or information are exempt from disclosure.

In the event the requested records contain information that may affect rights of others, the Public Records Coordinator or designee may, prior to providing the records, give notice to such others whose rights may be affected by the disclosure. Such notice should be given to make it possible for those other persons to contact the requester and ask them to revise the request or, if necessary, to seek an order from a court to prevent or limit the disclosure. The notice to the affected persons will include a copy of the request.

WorkForce Central is prohibited by statute from disclosing lists of individuals served through its programs for commercial purposes.

## **REQUESTING ACCESS TO PUBLIC RECORDS**

Requests to access WorkForce Central's public records, or requests for assistance in making such a request should be emailed to: Public Records Coordinator at [info@workforce-central.org](mailto:info@workforce-central.org).

The Public Records Coordinator, or authorized designee will oversee compliance with the act and provide full assistance to the requester. The Public Records Coordinator, or authorized designee will ensure public records are protected from damage or disorganization, and prevent fulfillment of public records requests from causing excessive interference with essential functions of WorkForce Central.

## **AVAILABILITY OF PUBLIC RECORDS**

- A. *Hours for Inspection of Records.* Public records are available for inspection and copying during normal WorkForce Central business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m., excluding WorkForce Central's recognized holidays. Records must be inspected at the WorkForce Central administrative office.
- B. *Organization of Records.* WorkForce Central maintains its records in a reasonably organized manner. WorkForce Central will take reasonable actions to protect records from damage and disorganization. WorkForce Central will provide copies of requested records for review. A requestor may not remove records from the WorkForce Central office. A variety of records are available on the WorkForce Central website at [Home - WorkForce Central \(workforce-central.org\)](#). Requesters are encouraged to view the records available on the website prior to submitting a records request.

### C. *Submitting a Public Records Request.*

1. Public records requests should be submitted in writing to avoid misunderstandings. Requests should be addressed to the WorkForce Central Public Records Coordinator at WorkForce Central's primary administrative office. Requests may be delivered by:
  - U.S. mail, addressed to:  
Public Records Coordinator  
WorkForce Central  
3640 S. Cedar St., Suite E  
Tacoma, WA 98409
  - Email: [info@workforce-central.org](mailto:info@workforce-central.org)
  - Online request: [WorkForce Central Public Records Request](#)

A request for public records should include the following information:

- a. Requester's contact information including:
    - full legal name
    - mailing address
    - telephone number
    - email address
  - b. Date and time of the request
  - c. Whether the requester seeks to inspect or obtain copied records.
2. If a requester seeks records that would include a list of individuals, the requester will be required to provide a declaration under penalty of perjury certifying sufficient facts from which the Public Records Coordinator or designee can reasonably determine that the records will not be used for any commercial purpose (profit-expecting activity) as prohibited by [RCW 42.56.070\(8\)](#) unless specifically authorized by other law. The Public Records Coordinator is authorized to conduct research to confirm whether the request is for commercial purposes.
  3. Persons requesting public records for which other laws limit or prohibit disclosure to a particular class of persons or for limited purposes will be required to provide a declaration under penalty of perjury certifying sufficient facts from which the Public Records Coordinator or designee can reasonably determine that the legal requirements for disclosure of such records to the requester have been met. Where access to a record is limited by law to a specific class of persons such as the individual who is the subject of the record, WorkForce Central may require the requester to appear in person and provide government issued identification prior to inspection or copying. The agency may copy the identification and retain it in the record response file.
  4. Records available in electronic format that do not require redaction may be provided to a requester in native format unless the requester specifically asks that they be provided in paper or other form. When requested and deemed by WorkForce Central to be reasonably translatable, electronic records may be converted from one format to another electronic format.

### D. *Charges for Copies.*

1. No fee may be charged for the inspection of the public records.
2. No fee may be charged for locating public records and making them available for copying.
3. WorkForce Central will charge fees for copies of records pursuant to the default fees in [RCW 42.56.120\(2\)\(b\) and \(c\)](#).

4. WorkForce Central will charge fees for customized services pursuant to RCW 42.56.120(3).

## **PROCESSING OF PUBLIC RECORDS REQUESTS – GENERAL**

- A. *Providing "Fullest Assistance."* WorkForce Central is charged by statute with adopting rules which provide for how it will provide full access to public records, protect records from damage or disorganization, prevent excessive interference with other essential functions of the agency, provide fullest assistance to requesters, and provide the timeliest possible action on public records requests. The Public Records Coordinator or designee will process requests in the order that allows the most requests to be processed in the most efficient manner. Public records should be made available without disrupting other essential functions of the offices.
- B. *Acknowledging Receipt of Request.* Within five (5) business days of receipt of the request, the Public Records Coordinator will do one or more of the following:
  1. Acknowledge receipt of the request and provide, in writing, a reasonable estimate of time required to respond to the request. The public records officer or designee may revise the estimate of time as circumstances warrant.
  2. Acknowledge receipt of the request and request clarification if the request is unclear in whole or in part and provide to the greatest extent possible a reasonable estimate of the time required to respond in the absence of further clarification by the requester. Such clarification may be requested and provided by telephone, but it is desirable to confirm such clarifications in writing. If no clarification is provided by the requester, WorkForce Central will respond to any portions of the request that are clear.
  3. Make the records available for inspection or provide copies as requested.
  4. Provide an internet address and link to the WorkForce Central website to the specific record requested, except that if the requester notifies the agency that they cannot access the record through the internet, then WorkForce Central must provide copies of the records or make them available for inspection.
  5. Deny the request, in whole or in part.
- C. *Consequences of Failure to Respond.* If WorkForce Central does not respond in writing within five (5) business days of receipt of the request for disclosure, the requester should contact the Public Records Coordinator to determine the reason for the failure to respond.
- D. *Inspection or Collection of Records.*
  1. WorkForce Central will provide space to inspect public records. No member of the public may remove a record from the viewing area or disassemble or alter any record. The requester should indicate which records they wish the agency to copy.
  2. The requester must claim or review the assembled records within 30 days of WorkForce Central's notification that the records are available for inspection or copying. WorkForce Central will notify the requester in writing of this requirement and inform the requester that they should contact WorkForce Central to make arrangements to claim or review the records. If the requester or a representative of the requester fails to claim or review the records within the 30-day period WorkForce Central may close the request and refile the assembled records. Other public records requests can be processed ahead of a subsequent request by the same person for the same or similar records, which will be processed as a new request.

- E. *Providing Records.* When the request is for a large number of records, the Public Records Coordinator or designee will provide access for inspection and copying in installments, if they reasonably determine that it would be practical to provide the records in that way. If, within 30 days, the requester fails to inspect the entire set of records or one or more of the installments after being made available, the Public Records Coordinator or designee may stop searching for and/or compiling remaining records and close the request. If a requester fails to retrieve records made available through WorkForce Central's web portal or file transfer protocol service after receiving notice of the availability of the records, WorkForce Central may stop providing further installments of records and close out the request.
- F. *Completion of Inspection.* When the inspection of the requested records is complete and all requested copies are provided, the Public Records Coordinator or designee will indicate that WorkForce Central has completed a diligent search for the requested records and made non-exempt records available for inspection.
- G. *Closing Withdrawn or Abandoned Request.* Public records requests may be closed when a request is withdrawn or abandoned. Requests will be considered abandoned when a requestor fails to fulfill their obligation to inspect the records or retrieve the records, when the requestor fails to pay for the records or fails to pay an installment, or the requestor fails to respond to WorkForce Central's request for clarification to the public records request. The Public Records Coordinator may attempt to contact the requester and advise that WorkForce Central has closed the request. Such an advisement is not necessary when a requester has been previously notified that inaction will result in closing of the request.
- H. *Later Discovered Records.* If, after WorkForce Central informed the requester that it has provided all available records, WorkForce Central becomes aware of additional responsive records existing at the time of the request, it will promptly inform the requester of the additional records and provide them on an expedited basis.
- I. *Protection of Records and Functions.*
  - 1. Public records should be made available without disrupting functions of WorkForce Central operations.
  - 2. WorkForce Central may follow a reasonable schedule regarding retrieval of a record from an off-premises storage site so that no more than one trip per week to the remote site is required.
  - 3. Only authorized WorkForce Central staff will make requested copies.
  - 4. Regarding video or audio recordings, prior arrangements must be made for review. A WorkForce Central staff member will be assigned to operate the WorkForce Central recording equipment necessary to listen to or rerecord the original recording to protect originals.
  - 5. In the rare occurrence original records may not be copied, review of the records will be done only in the immediate presence of and under the supervision of a WorkForce Central employee responsible for protecting the originals against damage, alteration, or disorganization by the requester.

## **REVIEW OF DENIALS OF PUBLIC RECORDS**

- A. *Petition for Internal Administrative Review of Denial of Access.* A person who objects to the initial denial or partial denial of a records request may petition in writing to the Public Records Coordinator or designee for a review of that decision. The petition should include a copy of or reasonably identify the written statement by the public records officer or designee denying the request.



- B. *Consideration of Petition for Review.* The Public Records Coordinator or designee should promptly provide the petition and any other relevant information to the WorkForce Central CEO. WorkForce Central CEO, or CEO's designee will consider the petition and either affirm or reverse the denial following the agency's receipt of the petition and within a mutually agreeable time between WorkForce Central and the requester.
  
- C. *Judicial Review.* A person may obtain judicial review of a public records request denial pursuant to [RCW 42.56.550](#).

**GENERAL DUTY AND DISCLAIMER**

This policy is not intended to create, otherwise establish, or designate any particular class or group of persons who will or should be specially protected or benefited by its terms. It is the specific intent of this policy that none of its provisions are intended to impose any duty whatsoever upon WorkForce Central, its elected officials, or employees. Nothing contained in this policy is intended, nor should it be otherwise construed, to form the basis of any liability on the part of WorkForce Central, its elected officials, employees, or agents, for any act, omission, injury, or damage. This policy is not intended to expand or restrict the rights of disclosure or privacy as they exist under state and federal law. Despite the use of any mandatory terms in this policy such as "should" or "will," nothing in this policy is intended to impose any mandatory duties upon WorkForce Central beyond those imposed by state and federal law.

**REFERENCES**

- 2 CFR 200.337
- 42.56 RCW, the Public Records Act
- ESD Policy 5403, Rev. 1 – Records Retention and Public Access

**APPROVED**

\_\_\_\_\_  
Katie Condit, WorkForce Central CEO

\_\_\_\_\_  
Date

**EQUAL OPPORTUNITY - EQUAL ACCESS**

WorkForce Central is an equal opportunity employer/program.

Auxiliary aids and services are available upon request for individuals with disabilities. Washington Relay Service – 711.