

**STATE OF MONTANA  
OFFICE OF THE GOVERNOR  
EXECUTIVE ORDER No. 09-2015**

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**EXECUTIVE ORDER CREATING THE MONTANA STATE WORKFORCE INNOVATION  
BOARD (SWIB)**

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**WHEREAS**, the Main Street Montana Project identified that Montana must better align its education and training opportunities with the needs of the private sector, in order to improve our state's economic productivity;

**WHEREAS**, the Main Street Montana Project created a framework for strengthening Montana's economy in part by focusing on educating and training the workforce of the future; and,

**WHEREAS**, Montana's success in a global economy requires the workforce development system to meet the dynamic needs of Montana employers and connect the various entities that support our workforce.

**NOW, THEREFORE, I, STEVE BULLOCK, Governor of the state of Montana, by the authority vested in me by the laws and Constitution of the State of Montana, do hereby create the Montana State Workforce Innovation Board (SWIB).**

**PURPOSE**

The purpose of the SWIB is to accomplish a more focused outreach to business and economic development, enhanced electronic and data sharing systems, and continued emphasis on Montana's educational system using existing workforce development initiatives.

The SWIB created by this executive order will update and replace the Montana State Workforce Investment Board.

**DUTIES**

The SWIB will serve as the required board for the Workforce Innovation and Opportunity Act (WIOA) of 2014, 29 U.S.C. § 3111, and shall have the duties, responsibilities and powers authorized in the WIOA, as well as the following:

1. Identify opportunities to align current initiatives in education, training, and workforce/economic development in order to ensure a well-educated and well-trained workforce is available and prepared to meet the needs of a growing and changing economy.
2. Develop a comprehensive statewide strategic plan and other specific functions as provided for in § 3112 and §3113 of WIOA.

3. Understand and engage industry as economic changes occur in the marketplace. Utilize the strategic partners (education, higher education, labor and employment, human services, and economic development) to ensure the industry needs of each sector are being met.
4. Promote talent development programs, sector initiatives, and career pathways in order to effectively engage Montana business. The SWIB shall also work to ensure that information and workforce services are easily accessible to local businesses.
5. Facilitate the communications among the partners (education, higher education, labor and employment, human services, and economic development) to share data across workforce regions as well as within other partnerships. The SWIB shall serve as the governing voice representing all regions of the state with a focus on united common goals, interests, sectors, and delivering best practices among the regions.
6. Assist various entities, including but not limited to the Montana Department of Labor and Industry, the Montana Department of Commerce, the Montana University System, the Montana Office of Public Instruction, the Montana Department of Public Health and Human Services, and other departments, in promoting the use and development of statewide training credential certificates, degree completion programs, and other collaborative opportunities;
7. Undertake such additional functions, responsibilities, and missions promoting the development of the state's talent pipeline as requested by the Office of the Governor.

## **COMPOSITION AND ORGANIZATION**

The SWIB shall be a business-driven body comprised of business representatives, workforce representatives, state and local elected officials, and government entities. The composition of the SWIB shall conform to the minimum requirements laid out in § 3111(b) of WIOA and include additional members appointed by the Governor as allowed by that same section.

The membership shall be as follows:

1. Government Officials:
  - a. The Governor or Designee;
  - b. One member of each chamber of the State legislature, appointed by the appropriate presiding officers of each such chamber.
  - c. The Commissioner of the Department of Labor and Industry or Designee;
  - d. The State Superintendent of Public Instruction or Designee;
  - e. The Commissioner of Higher Education or Designee;
  - f. The Director of the Department of Public Health and Human Services or Designee;
  - g. Local government elected officials;
  - h. Such other representatives and state agency officials as the Governor may designate.

2. The majority of the SWIB must consist of representatives of business who: are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policy-making or hiring authority; represent businesses, including small businesses, or organizations representing businesses and provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the State; and are appointed from among individuals nominated by State business organizations and business trade associations. The Chair is selected by the Governor from these members.
3. Not less than 20 percent of the SWIB shall be representatives of the workforce within the State, who must include:
  - a. Two or more representatives of labor organizations, who have been nominated by State labor federations;
  - b. One or more representative(s), who must be a member of a labor organization or a training director, from a joint labor- management registered apprenticeship program, or if no such joint program exists in the State, such a representative of a registered apprenticeship program in the State;
  - c. The Governor may appoint one or more representatives of the following organizations: representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive, integrated employment for individuals with disabilities; and training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth. Members of the SWIB who represent organizations, agencies, or other entities shall be individuals with optimum policymaking authority within the organizations, agencies, or entities they represent and have experience in workforce development activities.

The members of the SWIB shall represent diverse regions of the State, including urban, rural, and suburban areas, as well as the gender and racial diversity of the state.

For the purposes of determining a conflict of interest by any member of the SWIB, that member of the SWIB may neither vote on matters under consideration by the SWIB regarding the provision of services by such member that would provide direct financial benefit to such member or the immediate family of such member, nor engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the state plan.

The SWIB shall have a director and supporting staff. The SWIB may receive support from state agencies and partners, based on each department's resource availability.

The staff of the SWIB, in consultation with its Executive Committee and the Governor, shall establish an annual budget for basic SWIB functions, activities, meetings, travel, per diem, reports, and staff. Funding for the SWIB's budget and staff shall come from a portion of the



administrative funds available to each of the WIOA Core Programs.

The amount of the administrative funds from each Core Partner Program to be transferred to the SWIB shall be established by the Governor, proportionate to the annual federal program or activity grant amounts to the state. In addition to the federal programs grant funding, the SWIB shall seek other federal, state and private grants, gifts and contributions to fund SWIB special studies, demonstration projects, and initiatives.

**COMPENSATION**

Council members shall be eligible for compensation under section 2-15-122(5) MCA, and be reimbursed for travel expenses and compensated in an amount to be determined by the Commissioner of Labor and Industry, not to exceed \$50 for each day in which the member is actually and necessarily engaged in the performance of SWIB duties.

**DURATION**

This Executive Order is effective July 1, 2015 and shall expire or be renewed by July 1, 2017.



GIVEN under my hand and the GREAT SEAL of the State of Montana this 6<sup>th</sup> day of August, 2015.

  
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STEVE BULLOCK, Governor

ATTESTED:

  
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LINDA McCULLOCH, Secretary of State