



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
EXECUTIVE OFFICE  
LANSING

BRIAN CALLEY  
LT. GOVERNOR

**EXECUTIVE ORDER  
No. 2015 - 11**

**GOVERNOR'S TALENT INVESTMENT BOARD  
MICHIGAN TALENT INVESTMENT AGENCY**

**RESCISSION OF  
EXECUTIVE ORDER 2011-13**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department shall be under the supervision of the Governor unless otherwise provided by the Constitution; and

WHEREAS, the development of workforce talent in concurrence with the demands of Michigan's economy is essential to the economic prosperity and well-being of the people of Michigan; and

WHEREAS, strategies for regional economic prosperity throughout Michigan have a consistent focus on strategic development and retention of workforce talent; and

WHEREAS, Executive Order 2011-13 established the Governor's Talent Investment Board within the Workforce Development Agency as the state workforce investment board required under Section 111 of the federal Workforce Investment Act of 1998, 29 USC 2821; and

WHEREAS, the Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, 29 USCS § 3101 et seq., supersedes the Workforce Investment Act of 1998 and establishes new requirements for state workforce investment boards, including alignment with regional economic strategies; and

WHEREAS, Executive Order 2014-12 created the Michigan Talent Investment Agency as an independent and autonomous agency within the Michigan Department of Talent and Economic Development in order to enhance workforce talent and economic development efforts within this state, consistent with the legislative intent of the Workforce Innovation and Opportunity Act of 2014; and

WHEREAS, the Workforce Development Agency was transferred to the Michigan Talent Investment Agency under Executive Order 2014-12;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by the virtue of the powers and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

**I. GOVERNOR'S TALENT INVESTMENT BOARD**

A. The Governor's Talent Investment Board is created as an advisory body within the Michigan Talent Investment Agency.

B. The Governor's Talent Investment Board is the state workforce investment board required for this state under Section 101 of the Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, or any other Act that amends or repeals the Workforce Innovation and Opportunity Act, so long as the composition, duties, and responsibilities of the Board align with the successor Act.

C. Executive Order 2011-13 is rescinded.

**II. COMPOSITION AND TERMS OF THE GOVERNOR'S TALENT INVESTMENT BOARD**

A. The Governor's Talent Investment Board shall consist of not less than the following:

1. The Governor;

2. A member of the Michigan House of Representatives, appointed by the Speaker of the House of Representatives. A member appointed under this subsection shall only serve while serving as a member of the Michigan House of Representatives;

3. A member of the Michigan Senate, appointed by the Majority Leader of the Michigan Senate. A member appointed under this subsection shall serve only while serving as a member of the Michigan Senate;

4. Members appointed by the Governor, consisting of the following:

a. A majority of the board shall be representatives of businesses in Michigan, who –

i. Are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority, and who, in addition, may be members of a local workforce development board established by the Michigan One-Stop Service Center System Act of 2006, Mich. Comp. Laws § 408.111-123, or its successor;

ii. Represent businesses or organizations representing businesses that provide employment opportunities that include emerging and in-demand occupations in Michigan;

iii. Are individuals nominated by business organizations and business trade associations in Michigan;

b. A minimum of two (2) representatives of individuals who are elected chief executive officers of a city or a county;

c. Not less than 20 percent of the board shall be representatives of the workforce within Michigan, who –

i. Shall include representatives of labor organizations, who have been nominated by labor federations in Michigan;

ii. Shall include a representative of a labor organization or a training director, from a joint labor-management apprenticeship program, or if no such joint program exists in Michigan, such a representative of an apprenticeship program in Michigan;

iii. May include 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;

iv. May include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth; and

d. The lead state official(s) with primary responsibility for the administration of core programs as defined by Section 3(12)-(13) of the Workforce Innovation and Opportunity Act of 2014, Public Law 113-128.

B. Of the members initially appointed after the effective date of this Order, pursuant to Section II.4.a.–c., seven (7) members shall be appointed for a term of two years, seven (7) members shall be appointed for a term of three years, and six (6) members shall be appointed for a term of four years.

C. All subsequent appointments shall be for a term of three years. A vacancy on the board shall be filled in the same manner as the original appointment. Board members may be reappointed to serve multiple terms.

D. The Governor shall designate a chairperson and vice-chairperson for the Governor's Talent Investment Board from among those members described in Section II.A.4.a.i.-iii., who both shall serve at the pleasure of the Governor.

E. The Governor may send a designee to any meeting of the Governor's Talent Investment Board and that designee's attendance shall constitute attendance by the Governor for quorum purposes. A person attending a Board meeting as a designee of the Governor is authorized to vote on behalf of the Governor.

F. In addition to the aforementioned members, the state department directors listed below shall serve in an ex-officio capacity on the board. They shall be non-voting members and their participation shall not count for the purpose of establishing a quorum.

1. Director of the Department of Agriculture and Rural Development;
2. Director of the Department of Health and Human Services;
3. Director of the Department of Licensing and Regulatory Affairs;
4. Director of the Talent Investment Agency; and
5. The Superintendent of Public Instruction.

G. In accordance with regional diversity requirements for state workforce development boards under Section 101(b)(2) of the Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, the Governor shall consult with representatives of each of Michigan's ten prosperity regions as part of the process of making appointments to the Governor's Talent Investment Board.

### **III. DUTIES AND OPERATIONS OF THE GOVERNOR'S TALENT INVESTMENT BOARD**

A. The Governor's Talent Investment Board is an advisory body charged with advising and assisting the Governor regarding compliance with the Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, 29 USCS § 3101 et seq.

B. The Board may promulgate bylaws, not inconsistent with federal law, Michigan law, or this Order, governing its organization, operation, and procedures.

C. Michigan Talent Investment Agency personnel shall staff and assist the Board in performing its functions.

D. The Board shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Board. Meetings of the board shall be held within the state of Michigan.

E. A majority of the members of the Board constitutes a quorum for the transaction of business. The Board's actions shall be constituted by a majority vote of serving members participating in a meeting only when a quorum is present. To the

extent authorized by Michigan law, the Board may authorize members to participate in a Board meeting by the use of telephonic or video equipment. A member participating in a meeting via telephonic or video equipment shall be deemed present at the meeting. Voting shall be conducted in person or by the use of telephonic or video equipment.

F. The Board may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public.

G. Members of the Board shall serve without compensation. Members of the Board may receive reimbursement for necessary travel and expenses according to relevant statutes and the rules and procedures of the Civil Service Commission and the Department of Technology, Management and Budget, subject to available appropriations.

H. As required under Section 101(f) of the Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, 29 USCS § 3101 et seq., a member of the Board may not do any of the following:

1. Vote on a matter under consideration by the Board:

a. Regarding the provision of services by the member or by an entity that the member represents; or

b. That would provide direct financial benefit to the member or the immediate family of the member; or

2. Engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the unified state plan required by Section 102 of the Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, 29 USCS § 3101 et seq.

I. To assure full compliance with the sunshine requirements under Section 101(g) of the Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, 29 USCS § 3101 et seq., meetings of the Board shall be held according to procedures established under the Open Meetings Act, 1976 PA 267, MCL 15.261 to 15.275.

J. To assure full compliance with the sunshine requirements under Section 101(g) of the Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, 29 USCS § 3101 et seq., the Board is a public body under the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246, and shall comply with provisions of the Act.

K. Members of the board shall refer all legal, legislative, and media contacts to the Michigan Talent Investment Agency.

**IV. MISCELLANEOUS**

A. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order shall not abate by reason of the taking effect of this Order. Any suit, action, or other proceeding may be maintained by, against, or before any appropriate successor of an entity affected by this order.

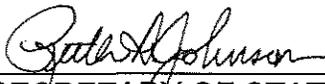
B. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

This Order shall become effective April 15, 2015.



Given under my hand and the Great Seal of the state of Michigan this 7th day of April, in the Year of our Lord, Two Thousand Fifteen

  
RICHARD D. SNYDER  
GOVERNOR

  
SECRETARY OF STATE

FILED WITH SECRETARY OF STATE

ON 4/7/15 AT 2:13 pm