



STATE OF MICHIGAN
EXECUTIVE OFFICE
LANSING

RICK SNYDER
GOVERNOR

BRIAN CALLEY
LT. GOVERNOR

EXECUTIVE ORDER

No. 2018- 13

MICHIGAN FUTURE TALENT COUNCIL

DEPARTMENT OF TALENT AND ECONOMIC DEVELOPMENT
TALENT INVESTMENT AGENCY
MICHIGAN DEPARTMENT OF EDUCATION
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

GOVERNOR'S TALENT INVESTMENT BOARD
WORKFORCE DEVELOPMENT AGENCY
MICHIGAN STRATEGIC FUND

AMENDMENT OF EXECUTIVE ORDER 2015-11

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power 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, Executive Order 2015-11 established the Governor's Talent Investment Board within the Michigan Talent Investment Agency as the state workforce investment board required under Section 101 of the Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, 29 USC 3101 *et seq.*; and

WHEREAS, talent development is essential for the advancement of our education system and our economy; and

WHEREAS, partnerships between educators, employers, stakeholders, and the state will transform Michigan's talent pipeline and redesign the ways we invest in, develop, and attract talent; and

WHEREAS, Michigan must ensure that a talented workforce is available to fill the talent shortages that currently exist across multiple industries and are estimated to increase over the next five years; and

WHEREAS, the recently enacted Marshall Plan for Talent (the "Marshall Plan") will invest \$100 million over five years to revolutionize Michigan's talent and education system; and

WHEREAS, it is necessary to reform the current state workforce investment board to continue its operations and charges and to ensure the successful implementation of the Marshall Plan;

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

I. RENAMING AND TRANSFER OF THE GOVERNOR'S TALENT INVESTMENT BOARD

A. The Governor's Talent Investment Board (the "Board"), created by Executive Order 2015-11, is renamed the Michigan Future Talent Council (the "Council").

B. The Council is transferred from the Talent Investment Agency to the Department of Talent and Economic Development (the "Department").

II. EFFECTIVENESS OF EXECUTIVE ORDER 2015-11

Executive Order 2015-11, which created the Board, remains in full force and effect, in accordance with its original terms, except as amended by this Order.

III. AMENDMENT TO SECTION II OF EXECUTIVE ORDER 2015-11

Section II of Executive Order 2015-11 is amended to provide as follows:

A. The Council 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 Michigan House of Representatives who shall serve in an ex-officio capacity. A member appointed under this subsection shall serve only while a member of the Michigan House of Representatives;

3. A member of the Michigan Senate, appointed by the Majority Leader of the Michigan Senate who shall serve in an ex-officio capacity. A member appointed under this subsection shall serve only while a member of the Michigan Senate;

4. Subject to Section III, Part B of this Order, twenty-two (22) members appointed by the Governor, consisting of the following:

a. Twelve (12) shall be representatives of businesses in Michigan, who—

i. Are owners of businesses, chief executives, or chief 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, 2006 PA 491, MCL 408.111 *et seq.*;

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

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

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

c. Five (5) representatives of the workforce in 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 employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth; and

d. Three (3) members representing 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, (the "WIOA");

B. The initial members of the Council shall be the members of the Board at the time of the filing of this Order. The initial members of the Council may continue to serve in the same manner as the original appointment for the balance of the unexpired term. However, to ensure representation for the members described under Section III, Part A(4) of this Order, the Governor shall not appoint additional members until the number of members falls below the membership requirements described in Section III, Part A(4) of this Order.

C. Subject to Section III, Part B of this Order, a vacancy on the Council shall be filled as described in Section III, Part A(4) of this Order. All subsequent appointments shall be for a term of three years. Council members may be reappointed to serve multiple terms.

D. The Governor shall appoint an Executive Director to coordinate the duties of the Council. The Executive Director shall advise the Governor and state departments on all matters regarding the formulation and implementation of policies, programs, and procedures related to talent. The Executive Director shall be a non-voting member of the Council and his or her participation shall not count for establishing a quorum.

E. The Governor shall designate a chairperson and vice-chairperson for the Council from among those members described in Section III, Part A(4)(a)(i)-(iii) who both shall serve as chairperson and vice-chairperson at the pleasure of the Governor.

F. The Governor may send his or her designee to any meeting of the Council and that designee's attendance shall constitute attendance by the Governor for quorum purposes. A person attending a Council meeting as a designee of the Governor is authorized to vote on behalf of the Governor.

G. In addition, the following department or agency heads or their designees from within their respective departments or agencies shall serve in an ex-officio capacity on the Council. They shall be non-voting members and their participation shall not count for establishing a quorum.

1. The Director of the Department of Talent and Economic Development;
2. The Director of the Department of Technology, Management and Budget;
3. The Director of the Department of Licensing and Regulatory Affairs;
4. The Director of the Michigan Department of Health and Human Services;
5. The Superintendent of Public Instruction;
6. The President of the Michigan Strategic Fund; and
7. The Director of the Michigan Bureau of Labor Market Information and Strategic Initiatives.

H. In accordance with regional diversity requirements for state workforce development boards under Section 101(b)(2) of the WIOA, the Governor shall consult with representatives of each of Michigan's ten prosperity regions as part of the process in making appointments to the Council.

I. The Council shall maintain a 21st Century Talent Creation Subcommittee. The members of this subcommittee shall consist of the following:

a. Four (4) members representing K-12 schools in Michigan appointed by the Governor for a term of two years. Of these members, two shall have an initial appointment of three years. These members shall also serve as non-voting ex-officio members of the Council.

b. Two (2) members representing community colleges in Michigan appointed by the Governor for a term of two years. Of these members, one shall have an initial appointment of three years. These members shall also serve as non-voting ex-officio members of the Council.

c. Two (2) members representing public universities and colleges in Michigan appointed by the Governor for a term of two years. Of these members, one shall have an initial appointment of three years. These members shall also serve as non-voting ex-officio members of the Council.

d. One (1) member representing private non-profit accredited colleges in Michigan appointed by the Governor for a term of two years. This member shall also serve as a non-voting ex-officio member of the Council.

e. Any number of voting and/or ex-officio members of the Council appointed by the Chairperson of the Council to this subcommittee and serving at the pleasure of the Chairperson of the Council.

IV. AMENDMENT TO SECTION III OF EXECUTIVE ORDER 2015-11

Section III of Executive Order 2015-11 is amended to provide as follows:

A. The Council is an advisory body charged with advising and assisting the Governor regarding compliance with the WIOA and shall do all of the following:

1. Collaborate on implementing the Marshall Plan in accordance with 2018 PA 227, MCL 388.1602 to 388.1897.

2. Review and make recommendations on state structures and organization of existing boards, commissions and workgroups on talent, continuing education, workforce, and other entities related to the mission of the Council.

3. Review programs for alignment with the Marshall Plan, including but not limited to:

- a. Dual Enrollment as described in the Postsecondary Enrollment Options Act, 1996 PA 160, MCL 388.511 to 388.524;
- b. Career and Technical Education and Vocational Education funding as described in MCL 388.1661a, 388.1661b, 388.1661c, 388.1662, and the Career and Technical Preparation Act, 2000 PA 258, MCL 388.1901 to 388.1913;
- c. Early/middle colleges as described in MCL 388.1661b;
- d. Community Ventures, the effort to employ the structurally unemployed undertaken by the Department;
- e. Adult Education and the WIOA;
- f. The Carl D. Perkins Career and Technical Education Act of 2006, Public Law 109-270;
- g. The Trade Act of 1974, Public Law 93-618;
- h. Registered apprenticeships and associated regulations as specified by the US Department of Labor;
- i. MiSTEM Network Regions as described in MCL 388.1699s;
- j. FIRST Robotics grants as described in MCL 388.1699h;
- k. Going Pro as described in the Going Pro Talent Fund Act, 2018 PA 260, MCL 408.151 to 408.163;
- l. GEAR UP, otherwise known as the Gaining Early Awareness and Readiness for Undergraduate Programs, as implemented by the US Department of Education;
- m. CCSTEP, otherwise known as the Community College Skilled Trades Equipment Program; and
- n. Any other state statutes, policies, or regulations that affect the programs described in this section or the creation of talent in this state.

4. Analyze top performing states to determine how their state and local workforce agencies, economic developers, educators, and experts collaborate on creating policies and providing services to create a successful and secure talent pipeline.

5. Work with the federal government on the following issues to be used in innovative career pathways that result in competency-based credentials in high-demand fields, including but not limited to:

- a. Perkins funding;
- b. WIOA funding;
- c. Trade Act funding;
- d. Temporary Assistance for Needy Families funding;

- e. Food Assistance Employment & Training funding;
- f. State School Aid funding (including Section 107 – Adult Education);
- g. Registered apprenticeships; and
- h. GEAR UP.

6. Monitor labor market changes in Michigan and across the nation, with attention paid to emerging fields such as cybersecurity, artificial intelligence and machine learning, automation, and mobility.

7. Advise the Governor, the Legislature, and the Department on fields that are expected to have above-average demand and above-average salaries in Michigan.

8. Advise the Governor, the Legislature, and the Department on new, in-demand workforce credentials that are stackable, marketable, and transferrable, including those that Michigan could develop.

9. Advise the Governor, the Legislature, and the Department to evaluate the implementation of the Marshall Plan, including the examination of how Talent Consortia have increased student achievement, successfully removed barriers to P-20 and lifelong learning, and have adopted the philosophies of competency-based learning. This shall include the use of data and metrics to demonstrate effectiveness.

10. Develop and disseminate methods to incentivize and encourage joint evaluation and planning of talent needs, including state and local cooperation and collaboration, for long term planning and strategic management.

11. Assist in the formation of Talent Consortia, including connecting educators with employers and disseminating best practices for creating and sustaining Talent Consortia.

12. Provide recommendations to the Governor, the Legislature, state departments, and members of the business and education communities on how employers can update hiring practices to align with the realities of the 21st century economy.

13. Advise the Governor, the Legislature, and the Department on growing, emerging, and high-demand fields that are experiencing or expected to experience significant shortages in qualified employees and assist in providing suggested retraining opportunities.

14. Advise the Department on Michigan's talent attraction and retention strategy, including recommendations on partnerships with other state departments.

15. Build strategic partnerships with relevant associations, industry groups, and non-governmental organizations to further Michigan's talent needs.

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

C. The Council shall be staffed by personnel from and assisted by state departments and agencies as directed by the Governor's Office.

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

E. A majority of the members of the Council constitutes a quorum for the transaction of business. The Council's actions shall be constituted by a majority vote of the serving members participating in a meeting only when a quorum is present. To the extent authorized by Michigan law, the Council may authorize members to participate in a Council meeting using telephonic or video equipment. Members participating in a meeting via telephonic or video equipment shall be considered present at the meeting. Voting shall be conducted in person or by use of telephonic or video equipment.

F. The Council may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Council may consult with outside experts to perform its duties, including, but not limited to, experts in the private sector, government agencies, and the nonprofit sector.

G. The Council may establish workgroups or committees assigning Council members to and inviting public participation on these workgroups or committees as the Council considers necessary. The Council may adopt, reject, or modify recommendations made by workgroups or committees.

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

I. As required under Section 101(f) of the WIOA, a member of the Council may not do any of the following:

1. Vote on a matter under consideration by the Council:
 - 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.

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 WIOA.

J. To assure full compliance with the sunshine requirements under Section 101(g) of the WIOA, meetings of the Council shall be held according to procedures established under the Open Meetings Act, 1976 PA 2678, MCL 15.261 to 15.275.

K. To assure full compliance with the sunshine requirements under Section 101(g) of the WIOA, the Council is a public body under the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246.

L. Members of the Council shall refer all legal, legislative, and media contacts to the Department.


M. In accordance with applicable state contracting and procurement procedures, the Council may make or enter into contracts necessary or incidental to the exercise of the powers of the Council and the performance of its duties, including the hiring or retention of contractors, consultants, or agents, as the Chairperson deems advisable and necessary.

N. The Council may accept donations of labor, services, or other things of value from any public or private agency or person. Any donations shall be expended in accordance with applicable laws, rules, and procedures.

This Executive Order shall become effective upon filing.

Given under my hand and the Great Seal of the state of Michigan this 17th day of December, in the Year of our Lord Two Thousand Eighteen.




RICHARD D. SNYDER
GOVERNOR

BY THE GOVERNOR:


SECRETARY OF STATE

FILED WITH SECRETARY OF STATE

ON 12/17/18 AT 3:36 P.M.