

# Western Arkansas Workforce Development Board Bylaws

## ARTICLE I: Establishment

- Section 1. Purpose of Workforce Development Board: The local workforce development board (LWDB) is established in compliance with the Workforce Innovation and Opportunity Act (WIOA) of 2014, Public Law 113-128 and the Arkansas Workforce Innovation and Opportunity Act, 907, to provide a comprehensive workforce development system for the residents of the Western Arkansas workforce development area.
- A. Vision: The Western Arkansas workforce development system will create a workforce that is educated, skilled, and supported to insure the long-term labor needs of the region's business community are met. This supports Arkansas's economy, keeping it competitive in the global marketplace. To carry out this mission a collaboration of workforce system partners and sector industry partners will utilize job market data to align services to provide improved long-term employment capability of citizens within the Western Arkansas workforce development area.
  - B. Mission: To facilitate the development of a regional comprehensive workforce development system. A system that provides Western Arkansas citizens with employment, education, and training opportunities that align with the align with the skill sets necessary to fill the needs of area businesses.
- Section 2. Appointment of members: Members of the LWDB shall represent both the private and public sector following the directive of WIOA section 107. Representatives of the private sector shall constitute a majority of the LWDB. Public sector representatives shall represent all required One-Stop partners, organized labor, apprenticeship, rehabilitation agencies, education, and economic development agencies.
- A. Nomination Process:
    - a. Private sector representatives;
      - i. shall be owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority.
      - ii. represent businesses, including small businesses, or organizations that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area.
      - iii. are appointed from among individuals nominated by local business organizations and business trade associations.
    - b. Public sector representatives;
      - i. not less than 20 percent of the members shall represent labor organizations who are nominated by local labor federations and a member of a joint labor-management apprenticeship program. May include a representative of an organization with demonstrated experience and expertise addressing employment, training, or education needs of eligible youth.

## Western Arkansas Workforce Development Board Bylaws

- ii. shall include a representative of eligible providers administering adult education and literacy activities under title II.
- iii. shall include a representative of institutions of higher education providing workforce investment activities (including community colleges).
- iv. shall include a representative of economic and community development entities, include an appropriate representative from the State employment service office under the Wagner-Peyser Act, and an appropriate representative of programs carried out under title I of the Rehabilitation Act of 1973 other than section 112 or part C of that title, serving the local area.
- v. each local board may include such other individuals or representatives of entities as the chief elected official in the local area may determine to be appropriate.

### B. Representative appointments;

- a. Chief Elected Officials (CEO) appoint representatives from the nominations received unless otherwise stated herein.
- b. Effort will be made, and priority given, to make representation geographically diverse to include each county in the LWDA.
- c. The membership and composition of the LWDB shall be certified by the Governor as required.
- d. Replacements, in the event of a required vacancy, shall be appointed in accordance of these procedures.

### C. Length of Appointment:

- a. Members shall be appointed for two (2) or three (3) year terms and shall continue to serve until replaced.
- b. Terms shall be staggered so that typically approximately one-half of members are appointed or re-appointed.
- c. Every sixth (6<sup>th</sup>) year will be the exception in that all member terms will terminate coincidentally making all positions open to appointment or reappointment.

### D. Release of members:

- a. Members who miss three (3) consecutive meetings without notice will be considered to have voluntarily resigned.
- b. Such resignations will be accepted or rejected by a majority vote of members present.
- c. Members may be removed for good cause by a majority vote of board members present.
- d. Removal of board members must have the final approval by the CEOs.

# Western Arkansas Workforce Development Board Bylaws

- e. If the result of such a board member removal jeopardizes the WIOA requirements of a LWDB makeup the position must be filled through the appointment process as quickly as possible.

## ARTICLE II: Organization

Section 1. Officers: The officers of the LWDB shall be the chairperson and vice chairperson.

- A. Elected officers shall be selected by a majority vote of board members present.
- B. Elected officers shall be selected from the private sector board representatives.

Section 2. Terms: Officers shall serve one (1) year and be selected for terms.

Section 3. Required board standing committees: There shall be a minimum of four (4) standing committees.

A. Committee meeting requirements.

- a. meetings may be conducted by conference call or other electronic means deemed necessary to perform board duties.
- b. committee chair will conduct meetings in such a place as necessity dictates.
- c. committees must be chaired by a sitting board member.
- d. other committee members may be made up of experts from the community related to the mission of each committee.

B. The Executive committee shall be comprised of the board chairperson, vice chairperson, and the chairperson over the other three (3) standing committees.

- a. this committee shall have the authority of the WAWDB to act during the interim between full board meetings.
- b. decisions made on issues by this committee will have a majority of members.
- c. all actions of the executive committee shall be reported at the convening of the next board meeting for ratification and will become part of the minutes of that meeting.
- d. this committee does not have authority to make decisions on funding or changes in funding of any proposal or contract.
- e. The executive committee will recommend to the sitting chairs of the WAWDB committees any work to be performed to report at full board meetings.
- f. the WAWDB chairperson acting as executive committee chair shall exercise the power of vote during executive committee meetings as required to constitute a quorum or break a tie vote.
- g. public notice shall be provided including the location, time, and/or means to meet via the board website prior to the meeting.
- h. all board members shall be notified of meeting date, time, agenda, and location when the executive committee meets outside of regular board meeting dates.

# Western Arkansas Workforce Development Board Bylaws

- i. The One-Stop committee will participate in the selection process, provide information to the board and assist with operational and other issues relating to the one-stop delivery system, including performance of each partner, according to their performance requirements.
- j. The Youth committee will provide information and assist with planning, operational, and other issues relating to the provision of services to youth, which shall include community-based organizations with a demonstrated record of success in serving eligible youth.
- k. The Disability Services committee will provide information and assist with operational and other issues relating to the provision of services to persons with disabilities, including issues relating to compliance with section 188, if applicable, and application provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding providing programmatic and physical access to services, programs, and activities of the one-stop delivery system, as well as appropriate training for staff on providing support for accommodations to, and finding employment opportunities for, persons with disabilities.

Section 4. Additional board committees: Committees may be created at the discretion of the executive committee or full board. These committees must follow all of the rules of standing committees.

## ARTICLES III: Meetings

Section 1. Meeting schedules: Meetings must be scheduled regularly to insure the business of the workforce board in delivery of system services.

- A. The board shall convene quarterly, unless the chairperson decides there is a need to meet more frequently.
- B. Standing committees will meet at least annually each program year.

Section 2. Meeting attendance: Regular meeting attendance is necessary to carry out the mission of the WAWDB.

- A. Board members are required to attend each meeting of the WAWDB.
  - a. A board member may designate an individual to represent and vote at a board meeting if he/she is unable to attend the meeting.
  - b. The designation must be in writing, and shall be received by the chairperson or staff to the board.
  - c. In the absence of a voting designee, the individual member may request an excused absence for cause to be ruled on by the chairperson.

Section 3. Quorum: A quorum of the WAWDB shall be a majority of the appointed members.

# Western Arkansas Workforce Development Board Bylaws

- A. Once the quorum has been established, it shall be constituted for the duration of the meeting.
- B. Proxies must come from the same organization or group as being represented.

Section 4.      **Agenda:** The agenda shall be prepared to reflect the principle business of the WAWDB and any member may request an item be added to the agenda, in writing, five (5) days prior to the scheduled meeting date.

Section 5.      **Voting:** As required by the business of the WAWDB.

- A. Each appointed member shall have one (1) vote.
- B. A board member shall not vote on any agenda item if that member, their represented company, organization, or agency will benefit from the passage or failure of the item.
- C. Member's votes must be free from real or perceived conflict of interest in the use of WIOA or other funds administered by the WAWDB or CEO's.
- D. All appointed board members must complete a conflict of interest disclosure statement.

Section 6.      **Ballot:** Balloting may be utilized as an option to conduct business by the WAWDB and its committees.

- A. Balloting may be conducted by mail, fax or email.
- B. A board majority is required for approval or denial of any issues on a ballot vote.
- C. Any ballot issues voted and the outcomes will be presented and written into the next formal board meeting minutes.

Section 7.      **Parliamentary authority:** The rules of parliamentary procedure in Robert's Rules of Order, newly revised shall govern all proceedings of the WAWDB and committees. In the case of a conflict between Robert's Rules and these by-laws or a special rule adopted by the board, the by-laws or special rule shall prevail.

## **ARTICLE IV: Travel expenses**

Section 1.      **Reimbursement:** Board member travel.

- A. A board member may be reimbursed for travel cost for attending committee or board meetings, and when traveling as a representative of the board to a meeting or conference, unless otherwise provided by the member's business, organization, or agency.

# Western Arkansas Workforce Development Board Bylaws

- B. In consideration of the limited administrative funds, One-Stop board representatives shall be reimbursed by their agency.

Section 2. Disbursement: Determination and compensation rates.

- A. The administrative entity will survey the membership to determine who falls within the WAWDB reimbursement policy.
- B. Travel cost will be reimbursed per the current federal travel regulations approved by the WAWDB.

## **ARTICLE V: Fiscal and periodic reports**

Section 1. Fiscal year: The fiscal year shall be the same as the state's for all workforce development programs.

Section 2. Annual reporting: No less than one (1) annual report will be made to the CEO/WAWDB and the state of Arkansas.

## **ARTICLE VI: Amendments**

Amendments to the by-laws may be made by a two-thirds (2/3) vote of board members present, after a formal motion.

## **ARTICLE VII: Conflict of interest**

Section 1. Board members conflict of interest: Members shall avoid real or perceived conflict of interest in the conduct of WAWDB business.

- A. Potential conflict of interest exist if a WAWDB member takes action that could be to their private financial gain or loss, or to that of a family member or employer.
- B. Potential conflict does not exist if the financial gain or loss affects to the same degree all people in the Western Arkansas Workforce Development Area, sub state area, or region 7 or a large class of people with which the member is associated.

Section 2. If a conflict arises: Action to follow.

- A. If a conflict of interest arises, the affected WAWDB member must give notice before taking action.
- B. The disclosure of potential conflict of interest including the source will be made part of the minutes of the board meeting.

# Western Arkansas Workforce Development Board Bylaws

- C. The member in conflict must refrain from any discussion or voting on that issue.

## **ARTICLE VIII: Nepotism**

Board members shall not engage in the practice of nepotism. No member from the family of a board member, subrecipient employee family member, or governing board family member may contract with the WAWDB. (no termination of employees shall occur for persons employed under a previous policy) If federal and/or state statutes, regulations, affirmative action and equal employment opportunity plans allow for the waiver of this restriction, the board may choose to concur and waive this restriction on a case-by-case basis upon the formal authorization of the full board enacted by a two-thirds (2/3) majority vote. For purposes of this section, the term family applies to: wife, husband, son, daughter, mother, father, grandfather, grandmother, grandchild, brother, sister, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, aunt, uncle, niece, nephew, stepparent, and stepchild. Notwithstanding other federal or state restrictions, this section in no way prohibits a program eligible family member of a board member, subrecipient employee family member or governing board family member from participating in program services funded by WIOA or partner programs or other funds administered by the WAWDB or CEO's.

A handwritten signature in blue ink, appearing to read "Dennis Galt", is written over a horizontal line.

Chair