

WASHINGTON COUNTY WORKFORCE DEVELOPMENT BOARD BYLAWS

These Bylaws are hereby created by the Washington County Workforce Development Board and the Washington County Board of Commissioners, hereinafter referred to as the “WDB” and the “County” respectively.

ARTICLE 1. RECITALS

- 1.1 Under Public Law 113–128, July 22, 2014, the Workforce Innovation and Opportunity Act (WIOA) amended the Workforce Investment Act of 1998 [the Act], and Minnesota Statute §268.666. Washington County is designated as a local Workforce Development Area, also known as Local Area, for the operation of employment and training programs in that area.

The Governor of the State of Minnesota established and certified the local Workforce Development Board to carry out the functions of the Board in accordance with state and federal requirements.

To satisfy requirements in the Act, the WDB entered into a written Partnership Agreement with Washington County setting forth the responsibilities of the Workforce Development Board.

THESE BYLAWS are adopted by the Workforce Development Board in accordance with its Partnership Agreement entered into with Washington County.

ARTICLE 2. WORKFORCE DEVELOPMENT BOARD FUNCTIONS

- 2.1 **LOCAL PLAN** – Develop and submit a local plan to the Governor, in partnership with the chief elected official.
- 2.2 **WORKFORCE RESEARCH AND REGIONAL LABOR MARKET ANALYSIS**
Carry out analyses of the economic conditions in the region, assist the Governor in developing the statewide workforce and labor market information system, conduct other research, data collection, and analysis.
- 2.3 **CONVENING, BROKERING, LEVERAGING** – Convene local workforce development system stakeholders to assist in the development of the local plan to leverage support for workforce development activities.
- 2.4 **EMPLOYER ENGAGEMENT** – Lead efforts to engage with a diverse range of employers to promote business representation and develop effective linkages with employers to ensure that workforce investment activities meet the needs of employers and support economic growth and to develop and implement proven or

promising strategies for meeting the employment and skill needs of workers and employers.

- 2.5 CAREER PATHWAYS DEVELOPMENT – Develop and implement career pathways by aligning the employment, training, education, and supportive services needed by adults and youth, particularly individuals with barriers to employment.
- 2.6 PROVEN AND PROMISING PRACTICES – Lead efforts to identify and promote proven and promising strategies and initiatives and identify and disseminate information on practices carried out in other local areas.
- 2.7 TECHNOLOGY – Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, and workers and job seekers.
- 2.8 PROGRAM OVERSIGHT – Conduct oversight for local youth workforce investment activities, local employment and training activities and the one-stop delivery system in the local area and ensure the appropriate use, management, and investment of funds to maximize performance outcomes.
- 2.9 NEGOTIATION OF LOCAL PERFORMANCE ACCOUNTABILITY MEASURES – Negotiate and reach agreement on local performance accountability measures.
- 2.10 SELECTION OF OPERATORS AND PROVIDERS – Selection of one stop operators, selection of youth providers, identification of eligible providers of training services; identification of eligible providers of career services; and consumer choice requirements.
- 2.11 COORDINATION OF EDUCATION PROVIDERS – Coordinate activities with education and training providers in the local area.
- 2.12 BUDGET AND ADMINISTRATION – Develop a budget for the activities of the local board in the local area, consistent with the local plan and the duties of the local board, subject to the approval of the chief elected official.
- 2.13 ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES – The local board shall annually assess the physical and programmatic accessibility of all one-stop centers in the local area.

ARTICLE 3. GENERAL PROVISIONS

- 3.1 The WDB will conduct its meetings in accordance with the Minnesota open meeting law, Minnesota Statute §13D.01.
- 3.2 The WDB will comply with the Minnesota government data practices act, Minnesota Statutes, Chapter 13.

- 3.3 The WDB will carry on its business in a manner complying with all laws and regulations regarding nondiscrimination; and no person will be discriminated against because of race, color, creed, religion, sex, national origin, marital status, familial status, public assistance status, disability, sexual orientation, age, and local human rights commission activity.
- 3.4 If any term contained in the Partnership Agreement with Washington County conflicts with these Bylaws, the Partnership Agreement term prevails.

ARTICLE 4. MEMBERSHIP

- 4.1 As authorized by the Act, the Governor in partnership with the State Board, shall establish criteria for the Chief Elected Officials for appointments of members of the local boards.
- 4.2 The WDB will consist of at least 19 members appointed by the Chief Elected Officials as follows:
- a. **Business Representatives:** A majority (51%) of the members shall be representatives of business in the local area. Representatives from private not-for-profit entities that operate as businesses and are employers may be considered business sector members. Two must represent small businesses as defined by the Small Business Administration. The minimum number (10).
 - b. **Workforce Representatives:** Not less than 20% of the members of the board shall be representatives of (2) labor organizations, (1) apprenticeships; and may include community-based organizations, and organizations that serve veterans or people with disabilities, and organizations that address the employment, training or education needs of youth and out-of-school youth. Minimum number (4).
 - c. **Education and Training Representatives:** The Board shall include representatives of entities administering education and training activities in the local area who are providers of adult education and literacy activities, institutions of higher education, and representatives of local educational agencies and of community-based organizations which address the needs of people with barriers to employment. Minimum number (2).
 - d. **Government and Economic Development Representatives:** The Board shall include representatives from the following organizations: economic and community development entities, State employment service officer under the Wagner-Peyser Act, programs under title I of the Rehabilitation Act of 1973, entities administering programs relating the transportation, housing, and public assistance, and philanthropic organizations. Minimum number (3).

- e. Other appointees as determined by the chief local elected official and the board to address other strategic needs of the local, regional or state plan. There is no minimum requirement in this category.
 - f. A County Commissioner will serve as a liaison to the Workforce Development Board without voting rights.
- 4.3 WDB member appointments must be assigned by the appointing Chief Local Elected Official (CLEO) and submitted to the Administrative Entity.
 - 4.4 Each WDB member's term will run through June 30 for a period of up to 3 years. Members replacing out-going member's mid-term will serve the remainder of the out-going member's term.
 - 4.5 Washington County Board of Commissioners appoints members to 3-year terms with no limit.
 - 4.6 A WDB member may resign upon written notice delivered to the Washington County Board of Commissioners.
 - 4.7 WDB members who no longer hold the position or status that made them eligible must resign or be removed by the CLEO. At the discretion of the CLEO, the individual may be allowed to serve out their term if they continue to employ workers from Washington County and/or continue to be civically engaged in Washington County communities with a focus on workforce development issues.
 - 4.8 A WDB member who has 3 unexcused absences in a year will be considered inactive; their inactive status will be reported by the Department Head to the County Board of Commissioners and the member will be replaced. A notification of absence reported prior to a full board or Action Team meeting due to work, family or other personal matters will not count toward an unexcused absence.
 - 4.9 All WDB members must reside or be employed in the Local Area or meet the CLEO discretion criteria in Article 4.7.
 - 4.10 Labor representation on the WDB and on planning groups will provide union consultation to the WDB.
 - 4.11 The administrative agency will maintain an official membership list, attendance materials, and records of actions taken by the WDB and a detailed statement on the composition, structure, membership, and nomination process for the WDB.

ARTICLE 5. OFFICERS

- 5.1 The members of the local board shall elect a chairperson for the local board from among the representatives described in Article 4 (Business).

- 5.2 The WDB will elect its Chairperson and one Vice Chairperson from business representatives by a majority vote and may choose to reelect the same representatives for successive terms.
- 5.3 Elections will occur each year before July 1.
- 5.4 The Chairperson has the responsibility to prepare the agenda for, and to manage business at WDB meetings.
- 5.5 In the absence of the Chairperson, the Vice-Chairperson will serve as presiding officer.
- 5.6 In the absence of the Chairperson and Vice Chairperson, the WDB will, at the beginning of its meeting, designate by majority vote a Chairperson Pro-Tem to serve as presiding officer for that meeting.

ARTICLE 6. MEETINGS & QUORUMS

- 6.1 The WDB must meet at least 4 times annually.
- 6.2 At its first meeting of each year, the WDB will adopt a schedule of meetings for the year, furnish the schedule to its members and post the schedule on the WDB website.
- 6.3 The Chairperson may call special meetings of the WDB.
- 6.4 All WDB meetings will be conducted and noticed in conformance with the Open Meeting Law, Minn. Stat. §13D.01.
- 6.5 A quorum shall be defined as:
 - A simple majority (51%) of members, excluding vacancies, are in attendance.
- 6.7 So long as a quorum is present, action may be taken by a simple majority of those voting.
- 6.8 A WDB meeting may be adjourned at any time by less than a quorum.
- 6.9 Robert's Rules of Order, Newly Revised, apply to all WDB actions and meetings to the extent these rules do not conflict with these Bylaws.

ARTICLE 7. COMMITTEES

- 7.1 The local board may designate and direct the activities of standing committees to provide information and to assist the local board in carrying out activities under this section. Such standing committees shall be chaired by a member of the local board, may include other members of the local board, and shall include other

individuals appointed by the local board who are not members of the local board and who the local board determines have appropriate experience and expertise. At a minimum, the local board may designate each of the following:

(i) A standing committee to provide information and assist with operational and other issues relating to the one-stop delivery system, which may include as members representatives of the one-stop partners.

(ii) A standing committee to provide information and to 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.

(iii) A standing committee to provide information and to assist with operational and other issues relating to the provision of services to individuals with disabilities, including issues relating to compliance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding providing programmatic and physical access to the services, programs, and activities of the one-stop delivery system, as well as appropriate training for staff on providing supports for or accommodations to, and finding employment opportunities for, individuals with disabilities.

(B) ADDITIONAL COMMITTEES – The local board may designate standing committees in addition to the standing committees specified in subparagraph (A).

Additional-Guidance/Clarification

- Committees are encouraged to include non-board members

7.2 With WDB approval, the Chairperson can create committees of the WDB.

7.3 The Chairperson will appoint a Chairperson from the WDB membership and a Vice-Chairperson for each committee who may be a non-voting board member.

7.4 The Chairperson will appoint WDB members to each committee and, as appropriate with WDB approval, may appoint other individuals who are not WDB members to serve on a committee.

7.5 A quorum for conducting committee business is a simple majority of that committee's currently appointed committee members.

7.6 So long as a quorum is present, committee action may be taken by a simple majority of those voting.

7.7 All actions taken by committees are advisory to the WDB.

- 8.1 The Administrative agency will provide staff, office and material support for the WDB from funds made available under the Act.
- 8.2 Annually, the WDB and the Chief Elected Officials will agree on the level of staff, office and material support for the WDB in the Local Area-Plan and budget.

ARTICLE 9. CONFLICT OF INTEREST & CODE OF CONDUCT

- 9.1 A member of the WDB or a member of the standing committee, may not:
1. Vote on a matter under consideration by the WDB:
 - a. Regarding the provision of services by such member (or by an entity that such member represents); or
 - b. That would provide direct financial benefit to such member or the immediate family of such member; or
 - c. Engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the State plan.
 2. All board members (voting and non-voting) must sign the conflict of interest and code of conduct acknowledgement form.

ARTICLE 10. AMENDMENTS

- 10.1 Proposed amendments to the Bylaws must be distributed to WDB members at least 10 working days before consideration by the WDB.
- 10.2 The WDB may approve amendments to the Bylaws at any regular WDB meeting by a two-thirds affirmative vote of the full WDB membership.

ARTICLE 11. EFFECT

- 11.1 These Bylaws take effect upon adoption by a two-thirds affirmative vote of the WDB and remain in effect until the WDB dissolves or as otherwise amended.
- 11.2 If a conflict arises between the Bylaws and provisions in the Act. Applicable state law, or other implementing regulations, the provisions specified in the law or regulation prevail.

Approved and ratified by the Workforce Development Board on September 18th, 2019.

By: 
Chairperson, Washington County Workforce Development Board