

# **GREATER LINCOLN WORKFORCE DEVELOPMENT BOARD BYLAWS**

## **ARTICLE I - NAME AND PURPOSE**

### **Section 1. NAME**

The name of this board shall be the Greater Lincoln Workforce Development Board and shall include the City of Lincoln, Lancaster County and Saunders County, Nebraska. Hereinafter it may be referred to as the GLWDB or the "Board".

### **Section 2. PURPOSE**

The purpose of the Greater Lincoln Workforce Development Board shall be to carry out such duties and functions as delegated to it by the Local Workforce Development Area Interlocal Agreement and the Workforce Innovation and Opportunity Act. Hereinafter it may be referred to as WIOA.

Bylaws are established and approved by the Chief Elected Official (CEO) and the Board.

## **ARTICLE II - MEMBERSHIP**

### **Section 1. COMPOSITION OF THE BOARD**

In accordance with the Local Workforce Development Area Interlocal Agreement and Section 107(b)(2) of WIOA, the Board shall consist of the following members with at least 51% of the Board representing business in the local area:

- (a) **Business:** Representatives of business owners and other business executives or employers with optimum policy making or hiring authority who represent businesses with employment opportunities that provide employment opportunities in in-demand industry sectors or occupations in the local area.
- (b) **Education and Training:** Representative of eligible providers administering adult education and literacy activities and a representative of institutions of higher learning providing workforce development.
- (c) **Workforce:** 2 or more representatives of labor organizations if labor organizations exist in the local area or, where labor organizations do not exist, the workforce representatives must be selected from other representatives of employees in the local area and requiring at least one person from a joint labor-management or union affiliated registered apprenticeship program or if no union affiliated registered apprenticeship program exists in the local area, a representative of a Registered Apprenticeship program having no union affiliation must be appointed, if one exists in the area. This category must make up a minimum of 20% of the Board and may include one or more 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 provide or support competitive integrated employment for individuals with disabilities and one or more 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.

- (d) Government; economic and community development: A representative of each of the following entities: economic and community development entities serving the local area; a representative from the state employment office under Wagner-Peyser serving the local area; and a representative of vocational programs carried out under Title I of the Rehabilitation Act of 1973, as amended by WIOA Title IV.
- (e) Such other individuals or representatives of entities as the Mayor of Lincoln may determine to be appropriate. All additional members must be individuals with optimum policymaking authority within the entities they represent; and meet the criteria for the category and entity they represented as described in this Section. If additional members are included, requirements regarding minimum percentages for representation of the business and workforce categories still apply and must be met.

## Section 2. NOMINATION

- (a) Business representatives must be nominated by local business organizations or business trade associations.
- (b) Labor representatives must be nominated by local labor federations or by other organizations or representatives of employees if employees are not represented by local labor federations in the local area.
- (c) For adult education and training, if there is more than one local area provider of adult education and literacy activities under WIOA Title II or multiple institutions of higher education providing workforce development activities in the local area, education and training representatives must be nominated by those entities.
- (d) All other members of the Board must be nominated by the organization or entity they represent.

## Section 3. TERMS OF APPOINTMENTS

Members of the Board shall serve for a term of three years except for initial appointments which may be for terms of up to one to three years with terms concluding at the end of each calendar year. An individual may be appointed as a representative of more than one required membership if the individual meets all the criteria for representation for each entity the individual is meant to represent.

## Section 4. APPOINTMENT AND REMOVAL

The Mayor of Lincoln, as Chief Elected Official under the Local Workforce Development Area Interlocal Agreement, shall make all appointments to the Board and may remove any member, at any time, with or without cause.

## Section 5. RESIGNATION

When members deem it necessary to resign from their appointment to the Board, they shall tender their written resignation to the Mayor of Lincoln with copies to the Chairperson of the Board and to the Workforce Administrator. Said member is considered an active member until replaced by another individual. The Mayor shall appoint another individual to serve, for the remainder of the

unexpired term, in accordance with Article II, Section 4. If the Chairperson resigns, the Vice-Chairperson shall serve as Acting Chairperson until a new Chairperson is elected by the Board.

#### Section 6. VACANCY

In the event of a vacancy, the Board shall notify the Mayor in writing as soon as possible. The Mayor shall appoint another individual to serve, for the remainder of the unexpired term, in accordance with Article II, Section 4.

#### Section 7. FUNCTION OF THE BOARD

The local board must perform the functions described in WIOA Sec. 107(d) and 20 CFR 679.370 and 20 CFR 683.710(b)(3) which includes but is not limited to developing a four-year local plan, analysis of economic conditions, engaging with employers to promote Board representation, developing employer utilization of the one-stop delivery system and developing strategies to meet the needs of works and employers.

### **ARTICLE III - OFFICERS**

#### Section 1. OFFICERS

The officers of the Board shall be Chairperson, Vice-Chairperson, and Secretary. These officers shall perform the duties prescribed by these Bylaws and by the parliamentary authority adopted by the Board. The City Treasurer shall be the Treasurer of the Board.

#### Section 2. ELECTION OF OFFICERS

The Officers shall be elected by ballot to serve for two years or until their successors are elected, and their term of office shall begin at the annual meeting at which they are elected except for the initial election of officers where their term will begin at the instant the chair declares each officer elected. No member shall hold more than one office at a time.

#### Section 3. CHAIRPERSON

The Board shall elect a chairperson who is a local business representative as defined in WIOA, Section 107(b)(2)(A). The Chairperson shall preside at all meetings of the Board and appoint Chairs and members of all committees and task groups as deemed necessary or desirable by the Board unless otherwise specifically provided for within these Bylaws. The Chairperson shall represent the Board and has the authority to speak on its behalf before the Mayor of Lincoln, Nebraska Workforce Development Board and at all public meetings and functions. The Chairperson shall have the authority to perform such other duties applicable to the office as prescribed by the Board and the parliamentary authority adopted by the Board.

#### Section 4. VICE-CHAIRPERSON

The Board shall elect a Vice-Chairperson who is a local business representative as defined in WIOA, Section 107(b)(2)(A). At the request of, or in the absence of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson and perform other duties assigned by the Chairperson. The Vice-Chairperson shall have the authority to perform such other duties applicable to the office as prescribed by the Board and the parliamentary authority adopted by the Board.

**Section 5. ABSENCE OF OFFICERS**

In the event that all officers are absent from a meeting, the Chairperson shall designate a member of the Board that meets all requirements of Article III, Section 3 as the Acting Chairperson, who shall preside at such meeting only.

**Section 6. VACANCY OF OFFICERS**

In the event of any vacancies of such officers, the Board shall elect a new officer at the next meeting of the Board to fill the vacancy for the remainder of the term.

**ARTICLE IV - MEETINGS**

**Section 1. REGULAR MEETINGS**

The regular meetings of the Board shall be at the call of the Chairperson.

**Section 2. MEETING NOTICE**

Notice of all meetings shall be in compliance with the Nebraska Open Meetings Act. Written notice of each meeting shall be sent to Board members by the Secretary or the Secretary's designee specifying the time, date, location, and proposed agenda not less than 3 days before the meeting. Written notice of the time and place and proposed agenda of the meeting shall be posted by the Secretary of the Board or the Secretary's designee on the City of Lincoln's website and calendar, not less than 3 days before the meeting. Said method of notice shall be recorded in the minutes.

**Section 3. ANNUAL MEETING**

The annual meeting shall be held at the first meeting of every calendar year and shall be for the purpose of electing officers, and any other business that may arise.

**Section 4. SPECIAL MEETINGS**

Special meetings may be called by the Chairperson of the Board or upon the written request signed by ten members of the Board and filed with the Secretary. The purpose of the meeting shall be stated in the notice. Except in cases of emergency, at least two days' notice shall be given.

**Section 5. QUORUM**

A majority of the members shall constitute a quorum. The concurrence of a majority of the quorum present shall be necessary for any final action on any motion, unless otherwise provided herein or required by law.

**Section 6. MANNER OF VOTING**

The vote on motions moved and seconded shall be by roll call vote. No motion shall be deemed to have passed unless it received a majority vote of the quorum. For purposes of this section, procedural motions may be satisfied by a unanimous voice vote. In the event that the voice vote is not unanimous, a roll call vote shall be required.

#### Section 7. SUNSHINE PROVISION

The Board shall conduct their meetings in compliance with Nebraska law and the Nebraska Open Meetings Act and WIOA, Section 107(e). The Board will make available to the public, on a regular basis through electronic means and open meetings, information regarding the activities of the local board including information regarding: the local plan prior to submission of the plan or any modification for approval, a listing of local board members and their category of affiliation, the selection of the one-stop operator, awarding of grants or contracts to providers of workforce development activities including providers of youth workforce activities local board bylaw, and minutes of formal meetings of the Board.

#### Section 8. MEMBER PARTICIPATION.

Board members will use video and audio technology, such as conference calls and business skype, etc., to enhance the delivery of information and to include additional resources. PowerPoints used at meetings are posted on the Board's webpage for reference by attendees and for those Board members unable to attend.

#### Section 9. CONFLICT OF INTEREST

Board members and a member of a standing committee of the local board are subject to Chapter 2.54 of the Lincoln Municipal Code, Sections 49-1499 through 49-14,103.03 Nebraska Revised Statute, 2 CFR 200.318(c)(1) and Section 107(h) of WIOA, and state policies regarding WIOA.

- (a) A Board member must disclose with particularity the nature and extent of any financial interest in or affiliation with any person, business or organization that is seeking anything of value from the GLWDB prior to consideration of the request by the Board.
- (b) Under Section 107(h) of WIOA, Board members and a member of a standing committee of the local board may not vote on a matter under consideration and may not participate in any decision making capacity regarding the provision of services by such member or by an entity that such member represents or that would provide direct financial benefit to such member, the immediate family of such member, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein.
- (c) Neither membership on the Board or a committee nor the receipt of funds to provide training and related services, by itself, violates these conflict of interest provisions.

### **ARTICLE V - EXECUTIVE BOARD**

#### Section 1. MEMBERS

The officers of the Board, the Chairperson of each standing committee, and other Board members as designated by the Chairperson shall constitute the Executive Board.

#### Section 2. DUTIES

The Executive Board shall have general supervision of the affairs of the Board and may act on behalf of the Board between its business meetings, make recommendations to the Board, and shall perform such other duties as are specified in these Bylaws. The Executive Board shall be subject

to the orders of the Board and none of its acts shall conflict with action taken by the Board. The Executive Board may exercise such other powers and perform other duties or functions as may be authorized by majority vote of the Board.

## **ARTICLE VI – LOCAL BOARD STAFF**

Each local board has the authority to hire a director and other staff to assist in carrying out the functions of the local board. If the local board elects to hire staff, the local board must establish and apply a set of qualifications for the position of director that ensures the individual selected has the requisite knowledge, skills, and abilities to meet identified benchmarks and to assist in carrying out the functions of the local board. In addition, the local board's director and staff must be subject to limitations on payment of salary and bonuses described in WIOA Sec. 194(15) and TEGL 29-14 Change 2. In general, local board staff may assist the local board only in fulfillment of its required functions as described in WIOA Sec. 107(d). If the local board selects an entity that provides additional workforce functions beyond the functions described in WIOA Sec. 107(d) that entity must enter into a written agreement with the local board and CEO to clarify its roles and responsibilities.

## **ARTICLE VII - COMMITTEES**

### **Section 1. STANDING AND SPECIAL COMMITTEES**

Standing or special committees shall be appointed by the Chairperson as the Board shall from time to time deem necessary to carry on the work of the Board. The Chairperson shall be ex officio a member of all committees.

- (a) Standing: Each standing committee must be chaired by a member of the local board and must include other individuals appointed by the local board who are not members of the local board and have demonstrated experience and expertise as demonstrated by the local board and may include other members of the local board.
  - (1) Standing Committees designated by the local board may include each of the following:
    - a. A standing committee to provide information and assist with operational and other issues relating to the one-stop delivery system which may include representatives of one-stop partners;
    - b. A standing committee to provide information and assist with planning operational and other issues relating to the provision of services to youth, which must include community based organizations with a demonstrated record of success in serving eligible youth and may include parents, participants, and youth;
    - c. A standing committee to provide information and assist with operational and other issues relating to the provision of services to individuals with disabilities, including issues relating to noncompliance with WIOA Sec. 188 (nondiscrimination) and 29 CFR Part 38, if applicable and applicable provisions of the Americans with Disabilities Act of 1990 regarding programmatic and physical access to the services, programs and activities of the

- one-stop delivery system; and appropriate training for staff on providing supports for, accommodations to, and finding employment opportunities for individuals with disabilities; and
- d. Other standing committees.
  - e. Special committees are formed by the Board for tasks or functions not covered by standing committees and exist only as long as it takes for them to complete their work.

#### **ARTICLE VIII - PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with these Bylaws and any special rules of order the Board may adopt.

#### **ARTICLE IX - AMENDMENT OF BYLAWS**

These Bylaws can be amended at any regular meeting of the Board by a two-thirds vote of the quorum present, provided that the amendment has been submitted to Board members in writing at least five days in advance of the meeting at which they are to be acted upon. Such notice shall include both the proposed change and the section it supersedes.

CEO approval of amended bylaws is also required.

#### **ARTICLE X - SUSPENSION OF BYLAWS**

The Board may, by a vote of two-thirds of the quorum present, suspend all or any part of these Bylaws when to do so would not be in conflict with the laws of the State of Nebraska or applicable federal laws.

**ARTICLE XI - EFFECTIVE DATE**


These Bylaws shall become effective immediately upon majority approval of the quorum present.

Introduced by:


  
Board Member

As reviewed by the Executive Committee on May 31, 2018 and adopted and amended by the Greater Lincoln Workforce Development Board on the 28th day of August, 2018.

Attest:

  
Chairperson

GREATER LINCOLN WORKFORCE  
DEVELOPMENT BOARD

  
Vice-Chairperson

  
Chief Elected Official