

RAPIDES WORKFORCE DEVELOPMENT BOARD

BY-LAWS

ARTICLE I

Establishment

Section 1: **NAME:** The name of this organization shall be the Rapides Workforce Development Board, hereinafter referred to as the RWDB.

Section 2: **PURPOSE:** The RWDB is established in compliance with the Workforce Innovation and Opportunity Act (P.L. 113-128) to act in partnership with the local Chief Elected Official (President of the Rapides Parish Police Jury) to strengthen the workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs.

Section 3: **AREA:** The area served shall be the Rapides Parish of the State of Louisiana.

Section 4: **CERTIFICATION:** The Rapides Workforce Development Board (RWDB) shall be certified by the Governor or the Governor's designee. The Louisiana Workforce Investment Council (WIC) will certify on behalf of the Governor that the composition of the RWDB, including the appointment process, complies with the criteria established in Section 107 of the Workforce Innovation and Opportunity Act. Certification of the RWDB is required every two (2) years to ensure that workforce investment system activities are carried out in the local area to enable the local workforce investment system to meet established performance measures.

Section 5: **APPOINTMENT OF MEMBERS:** Members of the RWDB shall represent both Private and Public sectors. Representatives of the Private Sector from businesses in the local area shall constitute a majority (51%) of the RWDB. Public Sector representatives shall represent, at a minimum, labor organizations; entities administering education and training activities; governmental and economic and community development entities; and other individuals or representatives of entities as the chief elected official in the local area may determine to be appropriate. Membership shall consist of not less than 23 members. Appointment to membership shall be in according with the following procedures.

- A. Nomination Process – The CEO, or designee, must contact the appropriate entities in the state, regional, or local area for nominations to appoint members and/or to fill vacancies on the RWDB from business, educational entities, labor representatives, and other types of representation desired.

Those entities will in turn complete the nomination form and return it to the CEO.

1. Private Sector Representatives

- i). Eligible Nominees shall be owners of businesses, chief executives or operating officers of businesses or other business executives or employers with optimum policy making or hiring authority,
- ii). Represent businesses, including small businesses, or organizations representing businesses, 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). Appointed from among individuals nominated by local business organizations and business trade associations.

2. Public Sector Representatives

- i). Not less than 20% of the members shall be from Representatives of the Workforce within the local area who –
 - a. Shall include representative of labor organizations (for a local area in which employees are represented by labor organizations), who have been nominated by local labor federations,
 - b. Shall include a representative, who shall be a member of a labor organization or a training director, from a joint labor-management apprenticeship program,
 - c. May include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive integrated employment for individuals with disabilities,
 - d. May include representatives from 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.
- ii). Representatives of entities administering education and training activities in the local area who –
 - a. Shall include a representative of eligible providers administering adult education and literacy activities under Title II of WIOA,
 - b. Shall include a representative of institutions of higher education providing workforce investment activities (including community colleges),

- c. May include representatives of local educational agencies, and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment.
 - iii). Representatives of governments and economic and community development entities serving the local area who–
 - a. Shall include a representative of economic and community development entities,
 - b. Shall include an appropriate representative from the State employment services office under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) serving the local area,
 - c. Shall include an appropriate representative of the programs carried out under the Title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.) other than Section 112 or part C of that title (29 U.S.C. 732, 741) serving the local area.
 - iv). Optional members:
 - a. May include representatives of agencies or entities administering programs serving the local area relating to transportation, housing, and public assistance,
 - b. May include representatives of philanthropic organizations serving the local area,
 - c. May include other representatives as the Chief Elected Official deems appropriate.
- B. Appointment of members shall be made by the Chief Elected Official from the nominations received. Chief Elected Office will notify the Louisiana Workforce Commission (LWC) of member appointments.
- C. Replacement members shall be appointed in accordance with these procedures.

Section 6: **LENGTH OF APPOINTMENT:** Members shall be appointed for staggered terms and shall continue to serve until they are replaced. Private sector members will serve three-year terms while Public Sector members serve 2-year terms. Terms are to be staggered so that not more than one-third is (re)appointed in any one year, with the exception of the inception of certification, to ensure continuity over time. A member appointed to fill a vacated position shall take over the remaining time of the term. Official board membership shall begin at the time the new member takes Oath of Office.

Section 7: **CONFLICT OF INTEREST:** No member of the RWDB or any standing committee shall:

- A. Cast a vote or participate in any decision-making capacity on any matter under consideration 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 of the immediate family of such member.

- B. Engage directly or indirectly in any business transactions or private arrangement for profit which accrues from or is based upon his or her official position or authority on the RWDB.
- C. Participate in the negotiation of or decision to award contracts or grants, the settlement of any claims or charges in any contracts or grants, the certification of any eligible providers or the establishment of any designation of local workforce development areas or the establishment of any one stop delivery systems, with or for any entity in which he or she has a financial or personal interest.
- D. Represent or act as an agent for any private interest, whether for compensation or not, in any transaction in which the RWDB has a direct and substantial interest and which could be reasonably expected to result in a conflict between a private interest of the board member and his/her official board responsibility.
- E. Utilize any RWDB equipment, supplies, or properties for his or her own private gain or for other than official designated purposes.

Section 8: **REMOVAL OF MEMBERS:** Members may be liable for removal by the CEO for good cause by a majority vote of the members of the RWDB and a recommendation sent to the CEO. Good cause may be defined as, but is not limited to, the following:

- A. Failure to attend two (2) regularly scheduled meetings without valid reason in a calendar year or two (2) consecutive meetings without a valid reason. Failure to provide a written or verbal explanation of the reason for the absence within thirty (30) days of the absence to the Chairperson or his designee shall create a reputable presumption that said absence was "without valid reason". CEO will immediately be notified of a member's continued absence.
- B. If the member no longer represents the sector for which they were appointed.
- C. Failure to sign or comply with Conflict of Interest Statement and Code of Governmental Ethics Training in compliance with Louisiana Ethics Laws.

ARTICLE II

Organization

Section 1: **OFFICERS:** Officers shall be selected by a majority vote of the members present at the last RWDB meeting of the program year (PY) in odd number years, or at any meeting called to fill a vacant position should a vacancy occur. The Chairperson and Vice-Chairperson shall be selected from the representatives of the private sector. The officers of the RWDB shall be:

- A. Chairperson – The Chairperson shall preside at all meetings of the RWDB and shall have the power, duties, and responsibilities as are assigned to him/her by these bylaws. Upon resignation or removal of the Chairperson, the Vice-Chairperson shall become the Interim Chairperson.
- B. Vice-Chairperson – The Vice-Chairperson shall act as Chairperson in the absence or disability of the Chairperson, and shall have such duties, powers and responsibilities as are assigned to him/her by these bylaws. Upon resignation or removal of the Vice-Chairperson, the Chairperson will appoint a member as Interim Vice-Chairperson until a new Vice-Chairperson is elected at the annual meeting.

Section 2: **STANDING COMMITTEES:** The RWDB may designate and direct the activities of standing committees to provide information and to assist the local board in carrying out activities. The Chairperson shall select the committee chairs for all standing committees and taskforces of the RWDB. Such standing committees shall be chaired by a member of the RWDB, may include other members of the RWDB, and may include other individuals appointed by the RWDB who are not members of the RWDB and who the RWDB determines to have appropriate experience and expertise. Standing committees shall always be comprised of an odd number of members. Emergency actions and all other actions taken by a standing committee without the prior approval of the full RWDB are conditional and subject to either ratification or rescission by the full RWDB at its subsequent meeting. The standing committees are as follows:

- A. One-Stop Evaluation Committee – This committee shall determine needs assessments and the local labor market needs, identify past performance of programs and set priorities for both local and regional plans. The committee shall review responses to RFPs and the technical evaluation of same, and shall make recommendations to the RWDB. This committee shall recommend to the RWDB for final approval the acceptance or receipt of new monies, modifications that transfer monies, and

modifications to the program plan for the purpose of complying with mandates from the Louisiana Workforce Commission.

This committee shall provide information and assist with operational and other issues relating to the one-stop delivery system.

This committee shall provide information and assist with operational and other issues relating to the provision of services to individuals with disabilities, including issues relating to compliance and with nondiscrimination provisions as listed in WIOA Section 188, and provisions 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 support for or accommodations to, and finding employment opportunities for, individuals with disabilities.

This committee will enforce the bylaws of the RWDB. Amendments to the bylaws will be drafted and recommended to the CEO/RWDB for approval.

This committee may serve as the nominating committee to address the nomination of a slate of officers. Nominations will also be accepted from the membership at the meeting.

This committee will assist in assessing the operation and performance of the One-Stop Operator(s) and the various service providers. These efforts will focus on the extent to which programs, projects, and services are in legal, fiscal, administrative and programmatic compliance with WIOA and regulations, as well as any other contractual requirements.

- B. Youth Committee – This committee may be established 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.
- C. Special committees may be appointed from time to time at the discretion of the Chairperson.

Section 3: **ETHICS TRAINING:** Pursuant to R.S. 42:1170 of Louisiana law, each “public servant” is required to receive a minimum of one (1) hour of education and training on the Code of Governmental Ethics during each year of his public

employment of term of public service. Workforce Investment Board members, Workforce Investment Board staff, and Youth Council members are classified as public servants or public employees.

Section 4: **STAFF:** The RWDB may employ staff. The required staff and the budget for that staff will be provided by the WIOA funds awarded to the Title I grant recipient. The RWDB staff shall, at a minimum, be comprised of a Director whose responsibilities shall be set forth in Article III, Section 2 below.

The recording secretary shall be a person who is one of the One-Stop staff or WDB staff. They shall attend all meetings, regular, special and committee, take minutes of meetings and perform other duties as designated by the Chairperson or Director.

ARTICLE III

Responsibilities

Section 1: **RWDB RESPONSIBILITIES:** The RWDB, in partnership or agreement with the local Chief Elected Official, shall perform the functions as set forth in Section 107(d) of the WIOA which shall include, but not be limited, to the following:

- A. Develop the Local and/or Regional WIOA plans, or any modifications thereto, for the Workforce Innovation and Opportunity Act area, and submit the plan to the Governor or the Governor's designee for approval after a period of no less than 30 days for public comment. The final approved plan will be placed on www.rppj.com for access by the general public.
- B. Conduct workforce research and regional labor market analysis in order to assist in the development and implementation of the local/regional plan.
- C. Convene local workforce development system stakeholders to assist in the development of the local plan under Section 108 and in identifying non-Federal expertise and resources to leverage support for workforce development activities.
- D. Lead efforts to engage with a diverse range of employers.
- E. Lead efforts in the local area to develop and implement career pathways within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment.
- F. Lead efforts to identify and promote proven and promising strategies and initiatives for meeting the needs of employers, and workers and jobseekers (including individuals with barriers to employment) in the local workforce development system and identify and disseminate information on proven and promising practices carried out in other local areas for meeting such needs.
- G. Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, and workers and jobseekers consistent with WIOA.
- H. Provide program oversight in accordance with the WIOA.

- I. Negotiate local performance accountability measures as described in Section 116 (c) of the WIOA.
- J. Coordinate activities with education and training providers in the local area in accordance with WIOA.
- K. Designate or certify the One-Stop Operator, Youth Provider(s), and other providers of services in accordance with WIOA.
- L. RWDB by majority vote will approve or deny recommendation(s) to the RPPJ for any and all Contract Awards/Finalization(s) for provider(s) of services in accordance with WIOA.
- M. 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 under the WIOA.
- N. Assess annually the physical and programmatic accessibility for individuals with disabilities of the One-Stop Center in the local area.
- O. Establish and maintain a comprehensive American Job Center in the local workforce development area of Rapides Parish to provide the services identified in 20 CFR 678.305
 - a. Career services
 - b. Access to training services
 - c. Access to employment and training activities
 - d. Access to programs and activities carried out by one-stop partners
 - e. Workforce and labor market information

Section 2: DIRECTOR RESPONSIBILITIES: The RWDB Director under the guidance of the RWDB Chairperson and the Local Chief Elected Official shall:

- A. Keep a record of the minutes of all meetings of the RWDB and all committee meetings, and shall be made available to anyone who requests to see them, and shall be approved by the respective committee. Committee minutes will be available at each full RWDB meeting for reference as necessary. The Director shall have the responsibility for the books, records, budget documents, policies / procedures, and correspondence associated with the RWDB activities.

- B. Provides oversight and monitoring of the entire Workforce Development system and the One-Stop Center.
- C. Works with business and community leaders and educators, and local, state and federal government representatives to develop a comprehensive workforce development system that is responsive to the needs of the local and regional economies.
- D. Develops the Board's adoption of the workforce area's strategic and operational plan in accordance with federal, state and local regulations and of the local workforce area goals, objectives, and performance standards consistent with those established by the Governor or the Governor's designee.
- E. Prepares and submits all documentation required by federal and state authorities for the filing of WIOA grant applications and to report ongoing activities.
- F. Manages the procurement process for selecting the Business and Career Solutions Center's operator as well as workforce education, developmental and training and services contractors.
- G. Provide the procurement process to procure specific job training programs to meet industry needs by targeting services to meet those needs, including identification of industries and employers likely to employ workers successfully completing job training and/or educational programs.
- H. Monitors and evaluates the effectiveness of the local Business and Career Solutions Center and contractors providing workforce education, developmental, and training and services and directs corrective action when necessary.
- I. Establishes and manages fiscal, monitoring and reporting process which insures that the receipt and disbursement of WIOA funds are in compliance with federal, state and local regulations.
- J. Notify the Chief Elected Official when a board vacancy occurs.

Section 3: **OTHER RESPONSIBILITIES:** The One-Stop Delivery System, a consortium of partners, under the oversight of the RWDB and its staff shall:

- A. Provide seamless services to jobseekers, employers, training providers, and others.

- B. The RWDB shall assure that the responsibilities and relationships between the One-Stop Center Partners and the RWDB are enumerated through a Memorandum of Understanding and provide LWC with the latest version of the agreement.

ARTICLE IV

Meetings

Section 1: MEETINGS:

- A. The RWDB shall meet on a quarterly basis or at the call of the Chairperson.
- B. All meetings are subject to the Louisiana Open Meeting Law RS: 42:12.
- C. The RWDB Director shall send notification of each meeting to members one week prior to the scheduled meeting. The notice shall specify time, date, location, and agenda for the meeting.
- D. The RWDB shall make available to the public, on a regular basis, and through electronic means and open meetings, information regarding the activities of the RWDB.

Section 2: QUORUM: A quorum of the RWDB and committees shall be a majority of the total authorized membership.

Section 3: AGENDA: The agenda shall be prepared by the Chairperson or his designee to reflect the principal business of the RWDB. Any member may request that an item be added to the Agenda. Agenda will be placed on the website of the RWDB for public viewing.

Section 4: VOTING: Each member shall have one vote. All approvals or denials, by RWDB, will be accomplished by majority vote. The Chairperson will vote only to break a tie. A RWDB member shall not cast a vote on, nor participate in any decision making capacity, on the provision of services by such member (or any organization which that member directly represents), nor on any matter which would provide any direct financial benefit to that member. No RWDB member may participate in discussions or vote on proposals in which the member has a financial interest. A signed Conflict of Interest Statement will be kept on file for each member.

Although proxy attendance is allowed for the purpose of conveying information back to the member, the proxy will not be counted toward achieving quorum and no proxy voting will be permitted.

ARTICLE V

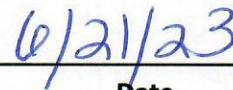
Amendments

Section 1: These by-laws may be amended by a majority vote of the RWDB membership present at any meeting, provided the proposed amendment(s) are submitted in writing to each member prior to the meeting at which time they are to be proposed and acted upon.

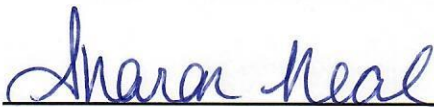
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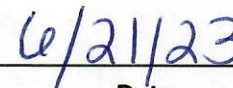
Rose Killian, WDB Chairperson



Date



Sharon Neal, WDB Director



Date