

BYLAWS of the CRATER REGIONAL WORKFORCE DEVELOPMENT BOARD

Approved by the Crater Regional Workforce Development Board: March 15, 2018

The Commonwealth of Virginia, pursuant to the Federal Workforce Innovation and Opportunity Act of 2014, under section 107(c)(4)(B)(i), has designated the Crater Regional Workforce Development Board as the entity responsible for the direction and oversight of employment and training programs at the local level and provides funding thereto.

Federal and State rules and regulations provide for program activities and require the Crater Regional Chief Elected Officials, for the Crater Regional Workforce Development Area to appoint a local Workforce Development Board.

ARTICLE I. NAME

The name of the local Board shall be the Crater Regional Workforce Development Board, hereinafter referred to as "CRWDB".

ARTICLE II. LEGAL AUTHORITY OF THE BOARD

The CRWDB is organized in accordance with the Federal Workforce Innovation and Opportunity Act of 2014, hereinafter referred to as "WIOA".

ARTICLE III. AREA SERVED

The geographical region to be served by the CRWDB shall be the Cities of Colonial Heights, Emporia, Hopewell and Petersburg and the Counties of Dinwiddie, Greensville, Prince George, Surry and Sussex and the labor market areas contained therein.

ARTICLE IV. DUTIES & METHODS OF THE BOARD

Section 1. Duties

- A. The CRWDB shall be established to assist the Crater Regional Chief Elected Officials Consortium, hereinafter referred to as "the CEO", in strategic planning, oversight, and evaluation of the local workforce development area, and shall promote effective outcomes consistent with statewide goals, objectives, and negotiated local performance.
- B. Duties of the CRWDB shall be in accordance with the WIOA including, but not limited to:
 - 1. In partnership with the CEO, develop a local workforce development area plan;
 - 2. Negotiate local performance measures with the CEO and the Governor;
 - 3. Subject to the approval of the CEO, develop a budget for the activities of the CRWDB, consistent with the local workforce development plan and the duties of the CRWDB under section 107 of the WIOA;
 - 4. Conduct oversight, in partnership with the CEO, of the use and management of funds, including ensuring the appropriate management and investment of funds to maximize performance outcomes under WIOA section 116;
 - 5. Negotiate with the CEO and required partners on the methods for funding the infrastructure costs of One-Stop Career Center(s) in the local workforce development area in accordance with Code of Federal Regulations section 678.715. Under the local mechanism, local partners can contribute amounts in excess of the limitations contained under the State funded infrastructure mechanism at sec.121(h)(2)(D)(ii) of WIOA;

6. Subject to the approval of the CEO, select operators of the America's Job Center or One-Stop Career Center(s);
7. Select providers of training and intensive services;
8. Conduct oversight of local WIOA programs;
9. Conduct research and regional labor market analysis;
10. Carry out analyses of the economic conditions in the planning region;
11. Assist the Governor in developing the statewide workforce and labor market information system; specifically in the collection, analysis, and utilization of workforce and labor market information for the Crater region;
12. Conduct such other research, data collection, and analysis related to the workforce needs of the regional economy as the CRWDB, after receiving input from a wide array of stakeholders, determines to be necessary to carry out its functions;
13. In collaboration with secondary and postsecondary education programs, lead efforts in the local workforce development area to develop and implement career pathways within the local workforce development area;
14. Promote the participation of private-sector employers in the local workforce development area;
15. Maximize opportunities for individuals with barriers to employment to gain credentials and access to middle income pathways;
16. Lead efforts to engage with a diverse range of employers and economic development entities, including coordination with CEO's regional economic development strategies; and
17. Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, workers and job seekers.

Section 2. Methods

The CRWDB shall perform all duties in accordance with these methods:

- A. *Convener* – Bring together business, labor, education, and economic development to focus on community workforce issues.
- B. *Workforce Analyst* – Develop, disseminate and understand current local and regional labor market and economic information and trends.
- C. *Broker* – Bring together systems to solve common problems, or broker new relationships with businesses and workers.
- D. *Community Voice* – Advocate for the importance of workforce policy, providing perspective about the need for and availability of skilled workers.
- E. *Capacity Builder* – Enhance the local workforce development areas and Crater region's ability to meet the workforce needs of local employers.

ARTICLE V. STAFFING AND SUPPORT

- A. CRWDB staff shall include an Executive Director and such staff necessary to support the activities of the CRWDB. The CRWDB Executive Director shall serve as a non-voting member of the CRWDB and shall attend all meetings of the CRWDB and its committees.
- B. The CRWDB staff will work on implementation of the policies, goals and activities recommended by the CRWDB. The staff shall make regular reports to the CRWDB on implementation. CRWDB staff shall be responsible for preparing and distributing agendas for all public meetings.

- C. Staff of the CRWDB shall maintain an official membership list, attendance records, a record of all actions of the CRWDB, minutes of all public meetings and other documents of the CRWDB and its committees.

ARTICLE VI. MEMBERSHIP

Section 1. Composition

The CEO shall ensure the membership of the CRWDB conforms to all requirements of the WIOA, including, but not limited to:

- A. *Business Representatives* – At least the majority (51%) of CRWDB membership must be representatives of business in the local area. The business representatives shall include owners of businesses, chief executives or operating officers of business or other business executives, including small businesses, business organizations, or human resources executives with optimum policy-making or hiring authority that provide employment opportunities in in-demand sectors or occupations as defined in WIOA. Efforts will be made to include broad representation of businesses throughout the Crater region, consisting of both large and small employers.
- B. *Local Educational Entity* – At least one (1) representative of a local educational entity shall be selected from individuals nominated by regional or local educational agencies, institutions, or organizations representing such local educational entities. Representatives shall include individuals with experience in adult education literacy activities under Title II of WIOA and individuals with experience in higher education institutions, including community colleges that provide workforce training.
- C. *Labor Organizations* – At least twenty percent (20%) of CRWDB members must be representatives of labor organizations nominated by local labor federations, including joint-labor management registered apprenticeship programs, or where they do not exist in the local area, employee representatives. At least two (2) members or more must represent labor organizations; and one (1) member or more must represent a joint-labor management registered apprenticeship program; or where they do not exist, employee representatives in accordance with WIOA.
- D. *Community-Based Organization* – At least one (1) member must represent a community-based organization with expertise in addressing the employment needs of populations with barriers to employment, including, but not limited to, those that represent or provide service to individuals with disabilities, veterans, WIOA eligible youth (including out-of-school youth), farm workers, homeless persons and immigrants.
- E. *Economic Development Agency* – At least one (1) member must represent an economic development agency, including private sector economic development entities and/or Small Business Development Centers.
- F. *Wagner-Peyser* – At least one (1) member must represent the State of Virginia Employment Service Office under Wagner-Peyser serving the local area.
- G. *Rehabilitation* – At least one (1) member must represent programs carried out under Title I of the Rehabilitation Act of 1973.
- H. Membership may include other individuals or representatives of entities as the CEO may determine to be appropriate. A single member of the CRWDB may be appointed as a representative of more than one entity on the CRWDB if the individual meets all the criteria for representation in accordance with WIOA.

Section 2. Appointments

- A. Members of the CRWDB shall be appointed by the CEO.
- B. The CEO shall ensure the membership and appointment of CRWDB members are in accordance with WIOA and applicable State criteria.

- C. The composition of the CRWDB shall be subject to certification by the Governor.
- D. CRWDB representatives, except institutional members (i.e., Job Center or One-Stop Partners) shall serve as individuals and may designate alternates/proxies when a member is unable to attend a meeting, as per the WIOA requirements at Code of Federal Regulations § 679.110(d)(1) through (7). The use of technology such as phone and web-based meetings may be used to ensure members actively participate in meetings.

Section 3. Term

- A. The term of each CRWDB representative shall be three (3) years, upon which time consideration for reappointment shall occur. The terms of all representatives will be staggered
- B. There shall be no term limits.
- C. Members who are no longer actively involved in the work of his/her membership category within the Crater Region shall be required to resign from his/her CRWDB seat.
- D. Members shall immediately inform the CRWDB of a change in employer or employment status, or other change in membership category, at which time it shall be determined if the member is eligible to continue serving on the CRWDB.

Section 4. Recruitments and Nominations

- A. The CRWDB shall solicit and accept nominations for CRWDB membership in accordance with representation as needed.
- B. All nominees shall be required to submit a membership application
- C. Any qualified community member may nominate him/herself for appointment to the CRWDB by submitting a membership application to the CRWDB Executive Director.
- D. Nominations shall be reviewed by the CRWDB Executive Committee to ensure that nominees meet the membership criteria as stated in these bylaws. If nomination is deemed eligible by the Executive Committee, the Executive Committee shall bring forth the nomination of the CEO consideration.

Section 5. Vacancies

- A. In the event of a vacancy, the CRWDB Executive Committee is responsible for maintaining the required composition of the CRWDB, as stated in these bylaws. A vacancy may not necessarily be filled if the required composition of the CRWDB can be maintained without filling the vacancy.
- B. A vacancy on the CRWDB shall exist on the occurrence of noncompliance with applicable Federal and State regulations, or change in employment status from active employment in the classification that served as the basis for the appointment or other change in membership category.
- C. Vacancies will not necessarily be filled by individuals from a like organization; industry, employer, or association so long as the required membership composition is maintained.

Section 6. Resignations

- A. Any member may resign by providing written or oral notice to the CRWDB Chair and/or CRWDB Executive Director.
- B. The CRWDB Executive Director shall provide written notice of all resignations to the CRWDB and CEO.
- C. A member shall be deemed to have resigned CRWDB membership if s/he is inactive in the program year (July-June) for which attendance is reviewed.

- D. In the event of resignation due to excessive inactivity, the CRWDB Executive Director shall act on behalf of the CRWDB to determine cause of such inactivity and shall provide such cause to the CRWDB for consideration.

Section 7. Removal

A. A CRWDB member may be removed from the CRWDB if the member's conduct or action, in his/her capacity as a member or personal/professional dealings, is having or will have a severe detrimental effect on the ability of the CRWDB to conduct its business.

B. Procedures for Removal by CRWDB:

1. A removal shall be proposed and discussed at an Executive Committee meeting called for that purpose;
2. The recommendation for removal from the Executive Committee shall be brought before the full CRWDB for discussion and vote;
3. The member whose removal is being considered shall be invited to present reason(s) why his/her removal should be reconsidered at both the Executive Committee and full CRWDB meeting;
4. Removal from the CRWDB shall require a two-thirds majority and affirmative vote of the CRWDB at a regularly scheduled meeting, in which a quorum has been established; and
5. The CRWDB shall forward the recommendation for removal to the CEO for approval.

C. Procedures for Removal by CEO:

1. A removal is proposed and discussed at a CEO meeting;
2. The recommendation for removal shall be brought before the full CEO for discussion and vote where a simple majority of members constitutes quorum;
3. The member whose removal is being considered shall be invited to present reason(s) why he/she should not be removed; and
4. Removal from the CRWDB shall require a two-thirds majority and affirmative vote of the CEO at a regularly scheduled meeting, in which a quorum has been established.

Section 8. Size

- A. The membership size of the CRWDB shall be that which is required by the WIOA, and to fulfill the duties of the CRWDB.
- B. An individual may serve as a representative of more than one membership category so long as adequate justification for his/her expertise in each area is established and meets all the criteria for representation in accordance with WIOA. No matter how many membership categories an individual represents, he/she is only entitled to one vote and may only be counted as a single member of the CRWDB.

ARTICLE VII. OFFICERS AND THEIR ELECTIONS

Section 1. Officers

- A. The officers of the CRWDB shall be Chair, Vice Chair, and Secretary/Treasurer.
- B. There shall be elected one (1) individual to serve in each designated office.
- C. The Officers of the CRWDB shall be elected by the CRWDB from among the Business representatives.

Section 2. Election of Officers

The CRWDB shall elect officers in the last regularly scheduled meeting before July 1 of each year in which the term of an officer is to expire. The term shall commence on the first subsequent meeting.

Section 3. Term of Officers

- A. The term of each officer shall be two (2) years.
- B. There shall be no consecutive term limits for officers.
- C. An officer shall serve his or her term until a successor is elected or until death, resignation or removal from office for cause.
- D. Should an officer be removed from the Board or resign from the Board or from the position of officer, the individual(s) sitting in office under the vacancy shall advance to the next seat and the newly created vacancy for the office of Secretary/Treasurer shall be filled by majority vote at the next scheduled meeting of the CRWDB. An officer selected to fill a vacancy shall serve for the remainder of the term of the individual whose vacancy s/he is selected to fill

Section 4. Duties of Officers

A. *Chair*. The CRWDB Chair shall:

- 1. Represent the CRWDB to the CEO and the general public;
- 2. Preside over all regular and special meetings of the CRWDB;
- 3. Serve as Chair of the Executive Committee of the CRWDB;
- 4. Prepare the agenda for CRWDB meetings in consultation with the CRWDB Executive Director;
- 5. Appoint all committee Chairs and committee members, in consultation with the CRWDB Executive Director;
- 6. Determine the sections of the annual WIOA Local and Regional Plans that are to be developed by the CRWDB and Youth Committee because those sections relate to eligible youth, and determine the duties of the Youth Committee in addition to those described in the WIOA; and
- 7. Assign and delegate such responsibilities from time to time.

B. *Vice Chair*. The CRWDB Vice Chair shall:

- 1. In the absence of the CRWDB Chair, perform all the duties of the CRWDB Chair; and
- 2. Assign and delegate such responsibilities from time to time.

C. *Secretary/Treasurer*. The CRWDB Secretary/Treasurer shall:

- 1. In the absence of the CRWDB Chair and CRWDB Vice Chair, perform all duties of the CRWDB Chair; and
- 2. Assign and delegate such responsibilities from time to time.

Section 5. Removal of Officers

The removal of an officer shall require a two-thirds majority vote of the CRWDB and conform to the procedures for member removal as outlined in these bylaws.

ARTICLE VIII. MEETINGS

Section 1. Public Meetings

- A. All meetings of the CRWDB and its committees shall be called and conducted in conformity with the provisions of the Sunshine Laws.
- B. The use of technology such as phone and web-based meetings may be used to ensure members actively participate in meetings.
- C. Robert's Rules of Order, Newly Revised, shall guide. CRWDB meetings in all cases in which they are applicable and to the extent in which they are not in conflict with these bylaws and other applicable law.
- D. Regular meetings of the CRWDB and its standing and/or ad hoc committees shall be published annually in June for the period of July 1st to June 30th of the coming program year.
- E. Special meetings of the CRWDB may be called at any time by any officer of the CRWDB for any purpose.
- F. Notice of the time and place of special meetings shall be provided to each member and the public in accordance.
- G. The presiding officer of a meeting, at his/her discretion, may adjourn any meeting, whether a quorum has been established or not, to another time and place. The same meeting may not be adjourned more than once.

Section 2. Quorum

- A. A simple majority of appointed members shall be present at the primary meeting location to constitute a quorum for the transaction of business at all CRWDB and designated standing committee meetings.
- B. A meeting at which a quorum is initially established may not continue to transact business or to discuss business if the quorum is not maintained due to the withdrawal or departure of members.

Section 3. Voting

- A. Each member or his/her proxy /designee of the CRWDB shall be entitled to one vote on an action.
- B. No member of the CRWDB shall cast a vote on any matter which has direct bearing on services to be provided by the member or any organization with which that member is associated, or would otherwise be the basis for a conflict of interest, as outlined in these bylaws in Article X. Conflict of Interest, Ethics & Economic Interests, Section 1.
- C. Action brought before the CRWDB shall be resolved by a vote of a simple majority of the members present, provided a quorum is present.
- D. At the request of any member, or upon the discretion of the Chair, a roll-call or ballot vote may be requested for any action of the CRWDB.

ARTICLE IX. COMMITTEES

Section 1. General

- A. All standing committees established under the CRWDB shall conform to the bylaws of the full CRWDB.
- B. All actions of CRWDB standing committees and workgroups are advisory to the CRWDB.
- C. Chairs of the CRWDB standing committees, in consultation with the CRWDB Executive Director, shall prepare the agenda for meetings.

Section 2. Executive Committee

A. The Executive Committee shall be comprised of the following Board members: Chair, Vice Chair, Secretary/Treasurer, and the Chair of the four standing committees.

B. The CRWDB Chair shall serve as Chair of the Executive Committee.

C. Responsibilities of the Executive Committee shall include:

1. Report upon all action taken by the committee at regularly scheduled CRWDB meetings;

(a) Emergency actions and all other actions taken by the Executive Committee without the prior approval of the full CRWDB are conditional and subject to either ratification or rescission by the full CRWDB at its subsequent meeting.

2. Make recommendations for membership to the CRWDB and Youth Committee in compliance with membership requirements as outlined in the WIOA;

3. Determine responsibilities of all standing committees and workgroups and review work plans of such bodies;

4. Review the attendance of CRWDB and standing committee members and make recommendations for removal of a member as outlined in Article VI. Membership, Section 7 of these bylaws; and

Perform other duties as the CRWDB may deem necessary.

Section 2. Standing Committees

A. There shall be established **four** standing committees of the CRWDB to include the Public Outreach Committee, Youth Services Committee, Training Provider Committee and Business Services Committee.

B. To the extent possible, standing committees shall be comprised of the required CRWDB representative categories as outlined in the WIOA and must be chaired by a member of the CRWDB.

C. The term of the Chair of any standing committee shall be for two (2) years, concurrent with the term of the Chair of the CRWDB.

Section 3. Public Outreach Committee

A. A Public Outreach Committee shall be established and composed of CRWDB members as directed by the CRWDB Chair.

B. Responsibilities of the Public Outreach Committee shall include:

1. Creating and implementing an ongoing campaign to increase awareness of available workforce development services to incumbent workers, job seekers, and businesses; and

2. Report back to the full CRWDB on issues, as directed by the full CRWDB.

Section 4. Business Services Committee

A. A Business Services Committee shall be established and composed of CRWDB members as directed by the CRWDB Chair.

B. Responsibilities of the Business Services Committee shall include:

1. Develop and make recommendations for the Business Service Plan in an effort to increase employer engagement in the activities of the CRWDB;

2. Conduct Labor Market Intelligence (LMI) Analysis;

3. Report back to the full CRWDB on issues as directed by the full CRWDB on a bi-annual basis.

Section 5. Training Provider Committee

- A. A Training Provider Committee shall be designated as a standing committee of the CRWDB.
- B. Responsibilities of the Training Provider Committee shall include, but not be limited to the following:
 - 1. Review training/credential providers and evaluate for eligibility to be added to the Eligible Training Provider List.

Section 6. Youth Services Committee

- A. A Youth Services Committee shall be designated as a standing committee of the CRWDB in accordance with the WIOA and be comprised of members in compliance with WIOA and the local workforce development area needs.
- B. Responsibilities of the Youth Services Committee shall include, but not limited to the following:
 - 1. Inform, assist and make recommendations to the Executive Committee and the full CRWDB in developing and overseeing a comprehensive youth program and eligible providers for those programs;
 - 2. Foster integration and collaboration of youth activities in the local workforce development area; and
 - 3. Report back to the full CRWDB on issues as directed by the full CRWDB
- C. The term of each Youth Committee member, shall be two (2) years and follow guidelines for removal and appointment as established in these bylaws.
- D. Members of the Youth Committee who are not members of the CRWDB shall be voting members of the Youth Committee and nonvoting members of the CRWDB.

Section 7. Other Committees

- A. The CRWDB Chair may from time to time establish other standing committees or workgroups to assist the CRWDB in carrying out its duties or current work, by appointing a CRWDB member as Chair of that committee or workgroup.
- B. Workgroups may include individuals who are not appointed to the CRWDB so long as the individual has expertise in the topic/task of such body.
- C. The CRWDB Chair and chair of the standing committee shall be responsible for appointing members of the respective committee including CRWDB members and other interested stakeholders, as appropriate.

ARTICLE X. CONFLICT OF INTEREST

Section 1. Conflict of Interest

- A. Members of the CRWDB shall comply with applicable Conflict of Interest laws.
- B. A conflict of interest exists if it is reasonably foreseeable that the outcome of participating in a governmental decision will have a material impact on a CRWDB member's economic interest which is distinguishable from the public generally.

- C. Participation in a governmental decision includes voting on a matter (including recommendations), appointing a person, obligating or committing the CRWDB to a course of action, negotiating agreements, influencing a decision and otherwise exercising judgment in making a decision.
- D. Each member is responsible for determining whether any potential or actual conflict of interest exists or arises for him/herself during tenure on the CRWDB and/or standing committee.
- E. Any member with a potential or actual conflict of interest shall comply with applicable law, including requirements for public disclosure and recusal.

ARTICLE XI. AMENDMENTS

- A. Amendments to these bylaws may be made at any regularly scheduled meeting of the CRWDB, provided the amendment has been submitted in writing at the previous regular meeting or at least seven (7) days in advance of the meeting at which the amendments will be presented for action.
- B. Amendments require an affirmative vote of the majority of the membership present at a meeting where a quorum is present.
- C. Amendments to these bylaws require approval of the CEO Executive Committee.

ARTICLE XII. SEVERABILITY

If any part of these bylaws is held to be null and/or void, the validity of the remaining portion of the bylaws shall not be affected.

ARTICLE XIII. ENACTMENT

These bylaws shall become effective upon adoption by a majority vote of the CRWDB and approval of the CEO Executive Committee, and shall remain in effect, as amended by Article XII, until dissolution of the CRWDB.

I attest that said document Crater Regional Workforce Development Board (CRWDB) Bylaws has been approved by the CRWDB board members on March 15, 2018 during a scheduled board meeting.

CRWDB Chair

Witness