

Riverside County Workforce Development Board

Bylaws

WHEREAS, the Workforce Innovation and Opportunity Act (WIOA) of 2014, Public Law 113-128 (hereinafter WIOA), authorizes the expenditure of federal funds for workforce development programs in designated Local Areas (WIOA §3) ;

WHEREAS, the State of California has designated the County of Riverside (County) as a Local Area (LA); hereinafter referred to as LA;

WHEREAS, the WIOA required the establishment of a Riverside County Workforce Development Board (RCWDB) (WIOA §107) to provide policy guidance and oversight of the workforce development system for the LA;

WHEREAS, the Riverside County Board of Supervisors (BOS), the designated Chief Elected Officials (WIOA §3), hereby established the RCWDB to serve in accordance with the provisions of the WIOA and adopted bylaws for the RCWDB (Bylaws); and

WHEREAS, it is the intent and desire of the BOS to develop the Bylaws and adopt these Bylaws.

NOW, THEREFORE, the BOS hereby adopts Bylaws as follows herein. The Bylaws stated herein are the complete and exclusive statement of the RCWDB Bylaws and supersede all previous versions of any existing bylaws. Any previous bylaws not contained herein shall not be binding and are of no force and effect:

I. RESPONSIBILITIES OF THE RCWDB

The RCWDB shall have the following responsibilities:

- A. Provide policy guidance in the development of the 4-year local workforce strategic plan (Local Plan) and oversight of the One-Stop system, youth activities, employment services to individuals with disabilities and training activities under Title I of WIOA, in partnership with the chief elected officials (WIOA §107 and §108);
- B. Select One-Stop operators also known as America's Job Centers (AJCs) (WIOA §3) with the agreement of the chief elected official (WIOA §107);
- C. Develop a budget for the purpose of carrying out the duties of the RCWDB subject to the approval of the Board of Supervisors (WIOA §107);

- D. Select eligible youth service providers based on the recommendations of the RCWDB (WIOA §123) and standing regional committees, identify eligible providers of adult and dislocated worker services and training services, and maintain a list of eligible providers with performance and cost information, as required in the WIOA §107;
- E. Negotiate and reach agreement on local performance measures with the Board of Supervisors and the Governor (WIOA §307);
- F. Assist the Governor in developing the statewide and local performance employment statistics system under the Wagner-Peyser Act (WIOA §308);
- G. Coordinate workforce investment activities with economic development strategies and developing business linkages (WIOA §223);
- H. Promote private sector involvement in the county-wide workforce development system through effective convening, brokering, and linkage activities through intermediaries such as the One-Stop operator in the LA, industry sector partnerships or through other organizations to assist businesses in meeting hiring needs (WIOA §129);
- I. Coordinate activities with education and training providers in the local area, including providers of workforce development activities, providers of adult education and literacy activities under Title II, providers of career and technical education as defined in §3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302) and local agencies administering plans under Title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.); and
- J. Serve in an advisory capacity to the BOS on all matters relating to workforce development and training covered by Title I of the WIOA.
- K. Perform all functions required in Section 107 (d) of WIOA.

II. APPOINTMENT, REAPPOINTMENT AND DISQUALIFICATION OF MEMBERS

- A. The RCWDB shall consist of at least 19 members (minimum required WIOA members) to meet the federal statutory requirements under WIOA appointed by the BOS in accordance with the provisions of WIOA §107.
- B. Minimum membership under WIOA §107 can be met with 19 members:
 - (10) Business Representatives (51%), including the Chair (as more specifically defined in WIOA §107(b))
 - (4) Representatives of the Workforce (20%) (as more specifically defined in WIOA §107(b))

- (1) Adult Education/Literacy Representative (as more specifically defined in WIOA §107 (b))
 - (1) Vocational Rehabilitation Representative (as more specifically defined in WIOA §107 (b))
 - (1) Higher Education Representative (as more specifically defined in WIOA §107)
 - (1) Wagner-Peyser Representative (as more specifically defined in WIOA §107 (b))
 - (1) Economic Development Representative (as more specifically defined in WIOA §107 (b))
- C. Members shall be appointed for two-year terms and serve at the pleasure of the Board of Supervisors.
- D. If the appointee is a current Workforce Investment Board member, the initial two-year term shall coincide with the members' prior term of appointment.
- E. Each member of the RCWDB shall be entitled to one vote during a regular or called meeting in which said member is present and provided a quorum is present at the time the vote is taken, except that no matter which has direct bearing on services to be provided by that member or their parent organization; this agreement shall not provide for alternate membership.
- F. A proxy may be designated by a member at the beginning of each year to cast votes in the board member's absence. A change of proxy during the course of the year must be requested in writing to the Chairperson prior to a scheduled board meeting. A proxy must formally represent the same member organization as the absent board member.
- G. Membership on the RCWDB shall cease in case of death, resignation, disqualification, failure to be reappointed, and may cease based on attendance. The right of a member to vote and all of his/her rights, title and interest in and to the RCWDB shall cease based on the above mentioned.

Removal or resignation may be a result of:

1. A member is not reappointed after completion of a term;
2. A member resigning. Members shall offer their resignation in writing to the RCWDB Chairperson, with a copy to the Chairman of the BOS;
3. A member does not attend meetings such as RCWDB and Executive Committee and standing Regional Committee meetings;
4. Members may be removed by action of the BOS.

5. RCWDB members shall be removed in the event any of the following events occur:
 - a) documented violation of a conflict of interest,
 - b) failure to meet RCWDB member representation requirements pursuant to WIOA, and/or
 - c) documented proof of fraud or abuse.

- H. All members must attend at least one-half of the meetings (50%). There are at least four board meetings held each calendar year. Executive Committee meetings are scheduled to respond to matters needing action during the time between RCWDB meetings. Each board member shall join a standing Regional Committee located in their respective region. There are at least six Regional Committee meetings in each respective geographic area held each calendar year.

- I. In the event of the occurrence of a vacancy in the membership of the RCWDB, the following procedures shall be followed:
 1. The RCWDB shall immediately inform the BOS, through the RCWDB Staff, of the occurrence of such vacancy;
 2. The Staff assigned to the RCWDB will assist the BOS to solicit nominations for membership as defined in the WIOA so as to meet eligibility for one of the mandated membership categories;
 3. Nominations to fill any such vacancy, together with appropriate disclosure statements and documentation, shall be submitted to the BOS for consideration and appointment;
 4. The BOS shall proceed to fill vacancies within 60 days in accordance with the provisions of the WIOA, CUI Code §15031(e), and the California Government Code §54970 through §54975.
 5. RCWDB members replacing out-going members mid-term will serve the remainder of the out-going member term.

- J. Notwithstanding any provisions of law to the contrary, RCWDB members, as public officials, shall be fully subject to any and all provisions of conflict of interest law, whether state, federal or local, including, but not by way of limitation, the provisions of Government Code §1090 et seq. and, Government Code §87100 et seq. A member of the RCWDB or a member of a standing committee may not (1) vote on a matter under consideration by the local board (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 (2) engage in any other activity determined by the governor to constitute a conflict of interest per the State Plan (WIOA §107(h)).

III. FUNCTIONS OF RCWDB OFFICERS

The presiding officers of the RCWDB shall be called Chairperson and Vice Chairperson and shall serve a one-year term. The Chairperson and a Vice Chairperson shall be elected by the RCWDB from the private sector membership. In no instance shall a Chairperson serve more than four consecutive terms or four consecutive years as Chairperson.

- A. Functions and responsibilities of the Chairperson shall be as follows:
 - 1. Shall be the official representative and spokesperson of the RCWDB;
 - 2. Shall preside at all meetings of the RCWDB and the Executive Committee of the RCWDB;
 - 3. Shall coordinate with the Riverside County Economic Development Agency (EDA) Director of the Workforce Division (WD) and/or RCWDB assigned staff in preparing the agenda for RCWDB meetings;
 - 4. Shall call special meetings of the Executive Committee on matters needing action during the time between RCWDB meetings;
 - 5. Shall sign on behalf of the RCWDB all necessary documents; and
 - 6. Perform other responsibilities as determined by the RCWDB.
- B. Functions and responsibilities of the Vice Chairperson shall be as follows:
 - 1. Shall assume all responsibilities of the Chairperson in his/her absence;
 - 2. Shall serve as member-at-large on the Executive Committee; and
 - 3. Perform other responsibilities as directed by the Chairperson.

IV. COMMITTEE STRUCTURE

The Chairperson may create ad hoc committees as deemed necessary and appropriate to conduct the process for nominating and electing officers to the RCWDB; review and make recommendations for amendments to the bylaws; and for other purposes such as addressing specific programs, strategic initiatives, and issues of concern to the Board. Unless specified otherwise, ad hoc committees shall serve in an advisory capacity only. The Chairperson shall appoint a private-sector member for Chairperson and a private-sector or public-sector member or non-member for Vice Chairperson of the ad hoc

committees. The Chairperson may appoint individuals, including board members and non-members, to various ad hoc committees of the RCWDB, as appropriate. A staff member of the Administrative Entity will be assigned to work with the respective committees. Ad hoc committees shall report on their activities to the RCWDB and/or Executive Committee on a regular basis and may be dissolved at any time by the Chairperson of the RCWDB.

A. Executive Committee

The Executive Committee shall be composed of the Chairperson, and Vice Chairperson of the RCWDB, the Chairpersons of the standing Regional Committees, the past Chairperson, one at-large RCWDB member, one representative from labor, and one from education. Regional Committee Chairpersons, at-large Executive Committee member, labor representative, and the education representative shall be appointed by the RCWDB Chairperson on an annual basis. In the event that one individual is qualified to hold two seats on the Executive Committee, the RCWDB Chairperson may appoint a private sector replacement from the RCWDB.

The functions and responsibilities of the Executive Committee shall be as follows:

1. Shall act on behalf of the RCWDB on matters needing action during the time between RCWDB meetings;
2. Shall, in the absence of the Chairperson and Vice Chairperson, designate a member of the Executive Committee to preside over the RCWDB and Executive Committee meetings;
3. Shall receive standing and ad hoc committee reports and act on recommendations for the RCWDB;
4. Shall assist the Chairperson in setting agendas for regularly scheduled RCWDB meetings;
5. Shall coordinate RCWDB activities with the County through the RCWDB Coordinator;
6. Shall oversee the participation of RCWDB members and recommend to the RCWDB those members who should be removed for cause as outlined herein;
7. Fulfill legislative requirements of the WIOA; and
8. Perform other responsibilities as may be designated by the RCWDB.

B. Standing Regional Committees

The standing regional committees as deemed necessary and appropriate by WIOA are committees responsible for assisting the RCWDB in carrying out its functions relative to regional workforce matters to include One-Stop partner services, youth services, and individuals with disabilities services.

The three standing Regional Committees are:

- Eastern Regional Committee – Indio
- Southwest Regional Committee – Murrieta
- Western Regional Committee – Riverside

The committees shall be chaired by a member of the RCWDB, may include other RCWDB members and shall include other RCWDB appointees who are not RCWDB members and who have appropriate experience and expertise (WIOA §107(b)(4)). A staff member of the Administrative Entity will be assigned to work with the committees. The committees shall report on their activities to the RCWDB on a regular basis.

V. STAFF, OFFICE AND BUDGET

A. The following Economic Development Agency (EDA, herein referred to as the Administrative Entity) RCWDB positions will be designated as staff to the RCWDB:

1. RCWDB Executive Director
2. RCWDB Deputy Director
3. EDA Principal Development Specialist
4. EDA Senior Development Specialist
5. RCWDB Coordinator
6. Secretary to the RCWDB

B. The Administrative Entity shall establish the staff positions for the RCWDB, designating such positions as it may deem appropriate. The Administrative Entity may solicit applications for employment and hire and employ persons to fill such positions in accordance with the established personnel procedures of the County.

C. The Assistant Director of County EDA also known as the RCWDB Executive Director shall direct said RCWDB staff and office support, in accordance with the personnel policies and procedures of County, shall select and hire said staff, the members of which shall be employees of the County.

D. The Administrative Entity shall annually adopt an operational budget that shall provide for the necessary staff, office and material support for grant administration and program support.

- E. Such operational budget shall provide the necessary staff, office and material support determined by the Administrative Entity and the RCWDB to be necessary for the proper and effective discharge of the RCWDB functions and duties as contained herein.

VI. OPERATIONAL PROCEDURES

A. RCWDB as a Public Entity

The County is a public entity created and existing under California law, and the RCWDB shall, therefore, operate as a public body, consistent with the laws of the State of California which govern public meetings and State conflict of interest laws, and specifically including the provisions of the Ralph M. Brown Act, Government Code §54950 et seq.

B. Meeting Schedules of Actions

The RCWDB shall meet not less than two times a year at such place as the Chairperson may designate on the date set by resolution for the transaction of such business as may properly come before the meeting. All meetings of the RCWDB, the RCWDB Executive Committee including and without limitations, regular, adjourned regular and special meetings shall be called, noticed, held and conducted in accordance with the provisions of the Ralph M. Brown Act, California Code §54960 et seq., as amended.

C. Quorum for the RCWDB

Fifty-one percent (51%) of the existing RCWDB members and RCWDB Executive Committee (not including vacancies) shall constitute a quorum for transaction of business and action may be taken provided such quorum is preserved; provided however, a member with a conflict of interest in connection with a matter before the RCWDB must leave the room while that matter is being discussed, heard or acted upon, and that member cannot be counted toward the quorum for that matter.

D. The Administration of Grants and Funds

The administration of all grants or other funds awarded to the County shall be the responsibility of the County, whose responsibility shall include expressing grant interest and submission of grant applications, preparation and submittal of grant documents, receipt of funds or awards, dispersal of funds, auditing of funds, audit resolutions, reporting, monitoring, evaluating and the closing out of programs.

E. Reimbursement of Expenses

RCWDB members shall be entitled to mileage reimbursement to and from all RCWDB activities, and for all other reasonable expenses incurred while on RCWDB business. Said reimbursement shall be in the form and manner of reimbursement provided to County department heads.

F. Sunshine Provision

The local board shall make available to the public, on a regular basis through electronic means and open meetings, information regarding the activities of the local board. (WIOA §107(e)).