

EAST CENTRAL IOWA WORKFORCE DEVELOPMENT BOARD BYLAWS

August 17, 2020

OVERVIEW

1. Territory of Local Area

East Central Iowa consists of the following counties in the State of Iowa:

- *Benton*
- *Cedar*
- *Iowa*
- *Johnson*
- *Jones*
- *Linn*
- *Washington*

2. Effective Date

These Bylaws take effect on August 17, 2020

3. Vision

3.1. The East Central Iowa Workforce Development Board (ECIWDB) will serve as a strategic leader and convener of local workforce development system stakeholders.

3.2. The ECIWDB will partner with employers and the local workforce development system to develop policies and investments that support public workforce system strategies that support:

4. Goals

The ECIWDB will work to achieve the following goals:

4.1. The local area's employers will have access to advanced, skilled, diverse, and future ready workers.

4.2. All Iowans in the local area will be provided access to continuum of high-quality education, training and career opportunities.

- 4.3. The local area's one-stop delivery system will align all programs and services in an accessible, seamless, and integrated manner.
- 4.4. Effective partnerships are not only maintained but expanded and strengthened.
- 4.5. Ongoing commitment to braid funds through partnerships in service management.
- 4.6. Working in partnership to ensure workers possess a solid work ethic with appropriate skill sets.
- 4.7. East Central Iowa Workforce Development Board is committed to partnering with business and education to ensure we have workers who possess the needed skill sets within the local area.

5. Functions

The ECIWDB will perform the functions in Iowa Code section 84A.4 and section 107(d) of WIOA as well as any other functions necessary to implement Title I of the federal Workforce Innovation and Opportunity Act of 2014 (WIOA), Public Law No. 113-128.

6. Responsibilities

6.1. Convene Stakeholders in the Local Area's One-Stop Delivery System.

In order to ensure that its members actively participate in the convening of stakeholders in the one-stop delivery system, the ECIWDB will utilize an ongoing process that is addressed at each meeting to evaluate how services and stakeholder convening is progressing. The ECIWDB will:

Ensure that the partners collaborate to achieve common performance indicators outlined in the State of Iowa Unified State Plan and any modifications made thereto. This collaboration includes strategizing on approaches to attain these measures and providing data in the method and of the substance requested by state-level partner agencies.

Ensure that the partners will work together to achieve an integrated partnership that seamlessly incorporates the services provided by partner programs. The partners will collaborate to develop and implement operational policies, procedures and proven and promising practices that reflect an integrated system of performance, communication and case management, and use technology to achieve integration and expanded service offerings.

Ensure the partners will collaborate to develop policies, procedures and proven and promising practices to facilitate the organization and integration of workforce services by function (rather than by program) when permitted by a program's authorizing statute and as appropriate. This will include coordinating staff communication, capacity building, and training efforts.

6.2. Broker Relationships with a Diverse Range of Employers.

In order to ensure that its members actively participate in the brokering of relationships with a diverse range of employers, the ECIWDB will:

Address the identified concern of the employers which has been the recruitment of people to live in the area as well as the readiness of the available labor force to enter employment. The East Central Iowa labor force population is decreasing, and local employers cannot find workers to fill open positions. Basic skills which include literacy, numeracy, basic computer skills, and organization skills, in addition to many of the soft skills necessary to be successful, are described by employers as lacking. Included in these soft skills needs, employers identified social skills as basic work ethic, dependability, and retention as necessary skills. Also

noted by employers were a lack occupational skills including, specific occupational knowledge and experience in particular middle skill occupations in the areas of healthcare, welding, information technology, advanced manufacturing, industrial maintenance, transportation/logistics, and skilled trades.

The ECIWDB will use the strength of the core partners to address the workforce needs of area employers and address gaps in services:

Work in partnership with economic developers from the counties and cities in East Central Iowa to expand the knowledge of training opportunities available to new and expanding businesses.

Enhance the relationship between training providers and employers in the area.

Identify and expand means to share information about training opportunities to entry level workers especially in tune with the preparation for underutilized populations such as veterans, ex-offenders, disabled, non-English speaking minorities, older workers, youth, and families on Temporary Assistance (TANF) in the local area.

Increase the knowledge of employers in services that can prepare them in employing people in underutilized populations.

Increase the availability of workers trained in soft skills.

Increase the availability of workers trained and certified in technical areas, including healthcare, welding, information technology, education, advanced manufacturing, industrial maintenance, transportation/logistics, and skilled trades.

Encourage and expand ways to identify businesses that can be assisted by the workforce system.

6.3. Leverage Support for Workforce Development Activities.

In order to ensure that its members actively participate in the leveraging of support for workforce development activities, the ECIWDB will:

Develop strategies to leverage other federal, state, and local investments that will result in enhanced access to workforce development programs in the local area. The following are a few examples of these enhancements:

Youth Work Experience programs have always been a strong component of WIOA youth services. For many years, the One-Stop has partnered and braided funds with Area Education Agencies to deliver work experience to in-school youth. In addition, the One-Stop has been heavily involved in the school-to-work initiative to deliver services to youth, utilizing a variety of education and employer funding.

East Central Iowa solidified a partnership between economic development organizations. Through this partnership, business and industry was surveyed to collect data to develop the curriculum for an Advanced Manufacturing program. Funding for these programs comes from the community colleges, the economic development group and area employers.

Strategies as referenced above, will be utilized to leverage support for workforce development activities.

7. Members

- 7.1. The ECIWDB's membership must meet the requirements in:
 - 7.1.1. The criteria for appointment to local workforce development boards in Iowa as established by the State Workforce Development Board pursuant to section 107(b)(1) of WIOA; and
 - 7.1.2. Section 107(b)(2) of WIOA
- 7.2. The ECIWDB shall have a minimum of nineteen (19) voting members, with each representing an entity located within the local area. The ECIWDB's voting membership shall consist of:
 - 7.2.1. Fifty-one percent (51%) representatives of business.
 - 7.2.2. At least two (2) representatives of labor organizations.
 - 7.2.3. One (1) representative of a Registered Apprenticeship program.
 - 7.2.4. One (1) representative of an institution of higher education that performs workforce investment activities.
 - 7.2.5. One (1) representative of an economic and community development entity.
 - 7.2.6. One (1) of an eligible provider of adult education and literacy activities under the federal Adult Education and Family Literacy Act (AEFLA), as amended by Title II of WIOA.
 - 7.2.7. One (1) representative of the employment service program under the Wagner-Peyser Act, as amended by title III of WIOA.
 - 7.2.8. One (1) representative of a vocational rehabilitation program under the federal Rehabilitation Act of 1973, as amended by title IV of WIOA.
 - 7.2.9. The ECIWDB membership may include optional members of other appropriate entities in the region. Optional members may be voting or nonvoting members. Such entities include:
 - 7.2.9.1. Entities administering education and training activities who represent local educational agencies or community-based organizations with demonstrated expertise in addressing the education or training needs for individuals with barriers to employment.
 - 7.2.9.2. Governmental and economic and community development entities that represent transportation, housing, and public assistance programs.
 - 7.2.9.3. Philanthropic organizations that service the region.
 - 7.2.9.4. Other appropriate representatives as determined by the Chief Elected Official (CEO) Board.

8. Nomination Process

- 8.1. Representatives of business must be nominated by local business organizations and/or business trade organizations.
- 8.2. Representatives of labor organizations must be nominated by local labor federations.

- 8.3. Every applicant to service on the ECIWDB, regardless of whether the nominee is a current member seeking re-appointment or an individual who has never served on the ECIWDB before, must complete and sign the application to serve on the ECIWDB that is created and distributed by IWD in collaboration with the Governor's office.
- 8.4. Every applicant to serve on the ECIWDB must submit the applicant's completed and signed application to the chairperson of the CEO Board.
- 8.5. When there is more than one eligible provider of adult education and literacy activities under the AEFLA, as amended by title II of WIOA, the CEO Board must solicit nominations from those providers.
- 8.6. When there is more than one institution of higher education providing workforce investment activities, the CEO Board must solicit nominations from those providers.
- 8.7. The representative of the employment service program under the Wagner-Peyser Act, as amended by Title III of WIOA, must be nominated by IWD.
- 8.8. The representative of a vocational rehabilitation program under the Rehabilitation Act of 1973, as amended by title IV of WIOA, must be nominated by IVRS and IDB.
- 8.9. The CEO Board shall expediently vote on approval of an applicant and transmit the application to IWD, in accordance with the procedure established by IWD.
- 8.10. IWD will review each application to ensure it is complete and signed. If an application is not complete or signed, IWD will alert the CEO Board chairperson, ECIWDB chairperson, and applicant.
- 8.11. To ensure the prompt nomination of applicants for ECIWDB membership positions that are vacated due to the end of the member's term of service, the ECIWDB shall submit the CEO Board a report that includes:
 - 8.11.1. A complete membership roster of voting and nonvoting ECIWDB members;
 - 8.11.2. The affiliation category of each ECIWDB member;
 - 8.11.3. The appointment date of each ECIWDB member; and
 - 8.11.4. The date upon which each ECIWDB member's term of service on the ECIWDB ends.

9. Appointments

- 9.1. The CEOs are authorized to appoint nominees to serve on the ECIWDB.
- 9.2. An appointment member must sign the ECIWDB Member Conflict of Interest and Attestation form.

10. Member Resignation

- 10.1. To resign from the ECIWDB, a member must submit a written letter of resignation that is signed and dated by the member and that contains:
 - 10.1.1. The member's full name.
 - 10.1.2. An affirmative statement of resignation from the ECIWDB; and
 - 10.1.3. The effective date of the member's resignation.

- 10.2. The member must send – electronically or by U.S. Mail – the member’s letter of resignation to both the chairperson of the ECIWDB and the chairperson of the CEO Board.
- 10.3. An ECIWDB member’s letter of resignation shall be public record under the Iowa Open Records Act, Iowa Code chapter 22.
- 10.4. Notwithstanding Sections 10.1. through 10.2., an ECIWDB member may be deemed to have resigned as a matter of law pursuant to Iowa Code section 69.15 if either of the following events occurs:
 - 10.4.1. The member misses three or more consecutive meetings of the ECIWDB. This paragraph does not apply unless the first and last of the consecutive meetings counted for this purpose are at least thirty (30) days apart; or
 - 10.4.2. The member attends less than one-half of the regular meetings of the ECIWDB within any period of twelve (12) calendar months beginning on January 1 or July 1. This paragraph does not apply unless the ECIWDB holds at least four (4) regular meetings during such period and applies only to such period beginning on or after the date upon which the member is appointed to the ECIWDB.
 - 10.4.3. However, if a member received no notice and had no knowledge of a regular meeting and gives the chairperson of the CEO Board statement to that effect within two (10) days after the person learns of the meeting, such meeting shall not be counted for the purposes of Iowa Code section 69.15 and this Section.
 - 10.4.4. The CEO Board, in its discretion, may accept or reject a resignation under Iowa Code section 69.15 and this Section. If the CEO Board rejects, the CEO Board must notify the ECIWDB member, in writing that the resignation is rejected pursuant to Iowa Code section 69.15 and this Section.

11. Member Removal

- 11.1. The CEO Board may remove a member from the ECIWDB for conduct detrimental to the ECIWDB.
- 11.2. The determination of whether conduct is detrimental to the ECIWDB will be made on a case-by-case basis, depending on the facts of the situation. Conduct detrimental to the ECIWDB may include, but is not limited to: criminal behavior, misuse of ECIWDB funds, the acceptance of something of value in exchange for the specific performance of an official ECIWDB function, a violation of the ECIWDB conflict of interest policy, intentional violation of the Iowa Open Meetings Act, etc.
- 11.3. The CEO Board may appoint an independent entity to investigate the conduct of an ECIWDB member and report back findings.
- 11.4. The ECIWDB may recommend the removal of an ECIWDB member to the CEO Board for conduct detrimental to the ECIWDB by a vote in open session of no less than two-thirds (2/3) of the ECIWDB’s voting members. The ECIWDB must include the reason for the removal vote in that meeting’s minutes.
- 11.5. The CEO Board may remove a member from the ECIWDB by a vote in open session of no less than two-thirds (2/3) of the CEO Board’s membership. The CEO Board must include the reason for the removal vote in that meeting’s minutes.

- 11.6. As soon as practicable but not later than five (5) days after the CEO Board's vote to remove a member from the ECIWDB, the chairperson of the CEO Board must notify the ECIWDB member, and IWD, in writing of the CEO Board's vote to remove the member and the reason for the removal.

12. Terms of Service

- 12.1. The following voting members shall each serve a term of four (4) years:
 - 12.1.1. Representative of business;
 - 12.1.2. Representative of labor;
 - 12.1.3. The representative of a community-based organization;
 - 12.1.4. The representative of a Registered Apprenticeship program;
 - 12.1.5. The representative of an institution of higher education; and
 - 12.1.6. The representative of an entity performing economic and community development.
- 12.2. Members representing the employment service program under the Wagner-Peyser Act, as amended by title III of WIOA; a vocational rehabilitation program under the Rehabilitation Act of 1973, as amended by title IV of WIOA; and an eligible provider of adult education and family literacy activities under the AEFLA, as amended by title II of WIOA, shall serve until:
 - 12.2.1. The entity the member represents loses its status as an entity providing such program services or activities; or
 - 12.2.2. The member no longer works for or has ultimate policymaking authority for the entity the individual represents.
- 12.3. So as long as an individual meets all applicable criteria necessary to qualify to serve on the ECIWDB as a representative with certain affiliation type under Section 7.1., there is no limit on the number of terms an individual may serve as a member of the ECIWDB.
- 12.4. The CEO Board must stagger the terms of ECIWDB members so that ECIWDB's members have their terms expire in varying years.

13. Executive Officers

The ECIWDB shall have executive officers identified in this Section.

13.1. Chairperson

- 13.1.1. The CEO Board must choose the ECIWDB chairperson from among the ECIWDB representative(s) of business who the ECIWDB nominates at its annual meeting.
- 13.1.2. The ECIWDB chairperson shall serve a term of one (1) year.
- 13.1.3. The ECIWDB member who has served a term as the chairperson once may serve additional terms as the chairperson, if appointed by the CEO Board.

- 13.1.4. The ECIWDB chairperson shall preside over ECIWDB meetings.
- 13.1.5. The ECIWDB chairperson must communicate in writing the chairperson's receipt of an ECIWDB member's resignation to the ECIWDB's membership and the CEO Board's membership.

13.2. Vice Chairperson

- 13.2.1. At its annual meeting, the ECIWDB shall choose a vice chairperson from among its voting members.
- 13.2.2. The ECIWDB vice chairperson shall serve a term of one (1) year.
- 13.2.3. An ECIWDB member who has served a term as the vice chairperson once may serve additional terms as the vice chairperson, if chosen by a majority vote in a public meeting of the ECIWDB.
- 13.2.4. The vice chairperson of the ECIWDB shall preside over ECIWDB meetings if the chairperson is absent.

13.3. Executive Director

- 13.3.1. The day-to-day operations of the ECIWDB shall be conducted by the ECIWDB Executive Director in accordance with the policies, procedures, goals and objectives adopted by the ECIWDB.
- 13.3.2. The ECIWDB shall recruit, interview, and select the ECIWDB Executive Director for employment. At a minimum, the ECIWDB Executive Director:
 - 13.3.2.1. Shall, after consultation with the Executive Committee, hire, supervise, and discharge all other employees involved in program delivery, fiscal management and reporting, for ECIWDB activities;
 - 13.3.2.2. Shall be responsible for staff evaluations;
 - 13.3.2.3. Shall personally assist, or through a designee act as the Assistant Secretary/Treasurer of the ECIWDB.
 - 13.3.2.4. Shall assist the Chairperson in developing agendas for meetings of the ECIWDB and the Executive Committee;
 - 13.3.2.5. Shall periodically make recommendations to the ECIWDB and Executive Committee on matters relevant to the efficient, effective operation of the ECIWDB;
 - 13.3.2.6. Shall cause to be developed and published annually, during the month of December, a schedule of the regular meeting dates of the ECIWDB, and the Executive Committee's regular meeting dates;
 - 13.3.2.7. Ensures the implementation of the goals and objectives of the ECIWDB as outlined in the Strategic Plan along with coordination with regional workforce and economic development organizations and will provide corresponding communications to keep the partners informed of ECIWDB activities and decisions;
 - 13.3.2.8. Provide the necessary information, communication, and interpretation for staff and Board members of grant applications, pending legislation and policy and procedure effecting ECIWDB operations;

- 13.3.2.9. Shall ensure compliance with applicable provisions of the Iowa Open Meetings Law and the Iowa Public Records Law applicable to the activities of the ECIWDB; and
- 13.3.2.10. Shall perform such other duties and functions as may be assigned by the ECIWDB or the Executive Committee.

14. Meetings

- 14.1. The Iowa Open Meetings Act, Iowa Code chapter 21, governs meetings of the ECIWDB.
- 14.2. Any formal or informal gathering of a majority of the voting members of the ECIWDB constitutes a meeting of the ECIWDB.
- 14.3. The ECIWDB may not take action without a quorum. A majority of the voting members of the ECIWDB, who have completed the appointment process, constitutes a quorum. The ECIWDB may not take action via an email vote.
- 14.4. The ECIWDB may meet at a date and time designated by the ECIWDB chairperson or upon submission to the chairperson of a written request by a majority of the ECIWDB's voting members for a meeting at a certain date and time.
- 14.5. The ECIWDB and its standing committees must use technology to promote member participation.
 - 14.5.1. All ECIWDB meetings must have an online conference/conference call option that allows members and the public to participate via computer/telephone.
 - 14.5.2. The ECIWDB must provide an accessible location where members of the public may use technology to access the meeting. If the ECIWDB has an accessible location where some members of the ECIWDB will gather in person for the ECIWDB meeting, that location will meet the requirements in this Section.
 - 14.5.3. The notice of the ECIWDB meeting must include information on how a member of the public may access the meeting using technology.

15. Standing Committees

- 15.1. The ECIWDB may designate and direct the activities of standing committees to provide information and to assist the ECIWDB in carrying out its functions, duties, and responsibilities.
- 15.2. A standing committee must have a member (voting or nonvoting) of the ECIWDB as its chairperson.
- 15.3. A standing committee may have other members of the ECIWDB as members.
- 15.4. A standing committee may include other individuals appointed by the ECIWDB who are not members of the ECIWDB and who the ECIWDB determines have demonstrated experience and expertise.
- 15.5. The ECIWDB may designate an entity in existence as of the date of the enactment of WIOA, such as an effective youth council, to serve as a standing committee as long as the entity meets the requirements in this Section.

- 15.6. A standing committee may make recommendations to the ECIWDB regarding the standing committee's membership.
- 15.7. The ECIWDB may authorize a standing committee to appoint individuals to serve as standing committee members so long as they have sufficient experience and expertise.
- 15.8. The ECIWDB may require its standing committees to report back to the ECIWDB as the ECIWDB deems appropriate.
- 15.9. A standing committee may form work groups as the standing committee deems.
- 15.10. Disability Access Standing Committee. The ECIWDB shall have a disability access committee that will provide information and assist with operational and other issues relating to the provision of services to individuals with disabilities, including but not limited to:
 - 15.10.1. Issues relating to compliance with the Iowa Civil Rights Act of 1965, as amended, the Americans with Disabilities Act of 1990, as amended (ADA); and section 188 of WIOA regarding physical and programmatic access to the services, programs, and activities of the one-stop delivery system, including the performance of the annual assessment of physical and programmatic accessibility of all one-stop centers in the local area, as required by section 107(d)(13) of WIOA and in accordance with section 188 of WIOA and the American Disabilities Act of 1990, as amended, 42 U.S.C. section 12101 et seq.
 - 15.10.2. Appropriate training for staff on providing services, supports for, or accommodations to individuals with disabilities;
 - 15.10.3. Appropriate training for staff on providing services, supports for, or accommodations with respect to finding employment opportunities for individuals with disabilities, with an emphasis on competitive integrated employment; and
 - 15.10.4. Work with the State Workforce Development Board Disability Access Committee to implement statewide initiatives in the Local Area.
- 15.11. Youth Standing Committee. The ECIWDB shall have a youth standing committee with duties and responsibilities that include:
 - 15.11.1. Providing information to the ECIWDB on the provision of service to youth;
 - 15.11.2. To assist with planning, operational, and other issues relating to the provision of services to youth;
 - 15.11.3. Coordinating program, services, and activities that address the employment, training, or education needs of eligible youth, including out-of-school youth, in the local area; and
 - 15.11.4. Coordinating with the State Workforce Development Board Youth Standing Committee on statewide initiatives.
- 16.12 Executive Standing Committee
 - 16.12.1. An executive Committee will be established to conduct necessary business in between regular or special meetings of the ECIWDB. This committee will consist of the Chairperson, Vice Chairperson and the Chief Lead Elected Official. The purpose of this committee is to only conduct business that cannot wait for action by the full board and is not intended to circumvent the powers, duties and responsibilities of the ECIWDB.

16. Suspected Violation of Conflict of Interest Policy

- 16.1. The ECIWDB will vote to recommend that the CEO Board investigate one of its members for violating the ECIWDB conflict of interest policy.
- 16.2. The ECIWDB must notify the chairperson of the CEO Board and IWD, in writing, of any vote to recommend CEO Board investigation of an ECIWDB member under this Section. Such notification must include:
 - 16.2.1. The ECIWDB member's name; and
 - 16.2.2. A summary of the events that form the basis for the ECIWDB's recommendation.
- 16.3. The CEO Board may investigate an ECIWDB member if:
 - 16.3.1. There is reasonable cause to believe that an actual or possible conflict of interest exists for an ECIWDB member and such member has not disclosed such to the ECIWDB; or
 - 16.3.2. An ECIWDB board member engaged in conduct forbidden under the conflict of interest policy.
- 16.4. An investigation under Section 17.3. must follow the following procedures:
 - 16.4.1. Notice. As soon as practicable but not more than five (5) days after the CEO Board votes to investigate, the CEO Board must inform the ECIWDB member in writing of the basis for its belief that the ECIWDB member has failed to disclose an actual or possible conflict of interest.
 - 16.4.2. Explanation. The CEO Board must afford the member an opportunity to explain the alleged failure to disclose or forbidden conduct.
 - 16.4.2.1. The ECIWDB member's explanation must be in writing.
 - 16.4.2.2. The ECIWDB member's explanation must be submitted to the chairperson of the CEO Board as soon as practicable but no later than ten (10) days after the member receives notice from the CEO Board.
 - 16.4.2.3. The ECIWDB member may elect to make a presentation to the CEO Board at a meeting in addition to the member's written explanation.
 - 16.4.3. Further Board Investigation. After receipt of the ECIWDB member's explanation, the CEO Board may make further investigation as warranted under the circumstances. The CEO Board may designate and direct a committee of the board or a third party to conduct any such investigation.
 - 16.4.4. Vote on whether a violation occurred in open session. The CEO Board must conduct a roll-call vote in open session that is separate from any other votes, on the question of whether the ECIWDB member violated the conflict of interest policy.
 - 16.4.5. Vote on Disciplinary Action. In a roll-call vote in open session that is separate from any other votes, the CEO Board may take disciplinary action up to and including removal of the board member.
 - 16.4.6. Vote on Corrective Action. In a roll-call vote in open session that is separate from any other votes, the CEO Board may take corrective action up to and including the rescission

of any part of any process in which the ECIWDB member participated that constituted a conflict of interest.

- 16.4.7. Notice to IWD. As soon as practicable and no more than five days after CEO Board action pursuant to Sections 21.4.4 through 21.4.6, the CEO Board must notify, in writing, the members of the ECIWDB and IWD, of the investigation, findings, any disciplinary action, and any corrective action.

17. Bylaws Amendment Procedure

- 17.1. These Bylaws may be amended only in accordance with Section 18.2. or 18.3.
- 17.2. The CEO Board may amend these Bylaws by majority vote to adopt the amendment in open session of a public meeting. An amendment to these Bylaws by the CEO Board will take effect on either the date of the vote or the date set by the CEO Board.
- 17.3. The ECIWDB may initiate an amendment to these Bylaws.
 - 17.3.1. A majority vote of the ECIWDB in open session of a public meeting approving the amendment and the submission of the amendment to the CEO Board for its consideration; and
 - 17.3.2. A majority vote of the CEO Board in open session of a public meeting to adopt the amendment.
 - 17.3.3. An amendment to these Bylaws initiated by the ECIWDB will take effect on either the date of a CEO Board vote to adopt the amendment or the date set by the CEO Board.