



NORTHWEST LOCAL WORKFORCE DEVELOPMENT BOARD

Bylaws

1. Territory of Local Area.

Northwest Local Area consists of the following counties in the State of Iowa:

- Buena Vista
- Clay
- Dickinson
- Emmet
- Kossuth
- Lyon
- O'Brien
- Osceola
- Palo Alto
- Sioux

2. Effective Date.

These Bylaws take effect on March 26, 2020

3. Vision.

- 3.1. The Northwest Local Workforce Development Board (LWDB) will serve as a strategic leader and convener of local workforce development system stakeholders.

- 3.2. The Northwest LWDB will partner with employers and the local workforce development system to develop policies and investments that support public workforce system strategies that support:
 - 1) The local area economy;
 - 2) The development of effective approaches including local and local area sector partnerships and career pathways; and
 - 3) High quality, customer centered service delivery and service delivery approaches.
- 3.3. In partnership with the CEO Board, the Northwest LWDB will set policy for the portion of the statewide workforce development system within the local area and consistent with State policies.

4. Goals.

The Northwest LWDB will work to achieve the following goals:

- 4.1. The area's employers will have access to advanced, skilled, diverse, and Future Ready workers.
- 4.2. All Iowans in the area's will be provided access to a continuum of high-quality education, training, and career opportunities.
- 4.3. The 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. Northwest Iowa Local Area 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 Northwest Iowa LWDB 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 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 Northwest Iowa LWDB will utilize an ongoing process that is addressed at each meeting to evaluate how services and stakeholder convening is progressing. The Northwest Iowa LWDB 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 Northwest Iowa LWDB 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 Northwest Iowa Local Area's 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 Northwest Iowa LWDB 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 Northwest Iowa to expand the knowledge of training opportunities available to new and expanding businesses.

Enhance the relationship between training providers and employers in the local 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 Northwest Iowa LWDB 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 within the local area. 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 within the local area, utilizing a variety of education and employer funding.

Northwest Iowa Local Area 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 come 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 Northwest Iowa LWDB'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 Northwest Iowa LWDB shall have a total of twenty-three (23) voting members, with each representing an entity located within the local area. The Northwest Iowa LWDB's voting membership shall consist of:
- 7.2.1. Twelve (12) representatives of business.
 - 7.2.2. Four (4) representatives of labor organizations.
 - 7.2.3. One (1) representatives 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) representative 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.
- 7.3. The Northwest Iowa LWDB shall have a total of two (2) ex-officio voting members, representing entities located within the local area. The Northwest Iowa LWDB's ex-official membership shall consist of:
- 7.3.1. One (1) representative of a K-12 school district.
 - 7.3.2. One (1) representative who is a county official.

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 serve on the Northwest Iowa LWDB, regardless of whether the nominee is a current member seeking re-appointment or an individual who has never served on the LWDB before, must complete and sign the application to serve on the LWDB that is created and distributed by IWD in collaboration with the Governor's office.
- 8.4. Every applicant to serve on the LWDB 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, LWDB chairperson, and applicant.
- 8.11. To ensure the prompt nomination of applicants for Northwest Iowa LWDB membership positions that are vacated due to the end of the member's term of service, the LWDB shall submit the CEO Board a report that includes:
 - 8.11.1. A complete membership roster of voting and nonvoting LWDB members;
 - 8.11.2. The affiliation category of each LWDB member;
 - 8.11.3. The appointment date of each LWDB member; and
 - 8.11.4. The date upon which each LWDB member's term of service on the LWDB ends.

9. Appointments.

- 9.1. The CEOs are authorized to appoint nominees to serve on the LWDB.

9.2. An appointed member must sign the LWDB Member Conflict of Interest and Attestation form.

10. Member Resignation.

- 10.1. To resign from the LWDB, 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 LWDB; 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 LWDB and the chairperson of the CEO Board.
- 10.3. A LWDB member's letter of resignation shall be a public record under the Iowa Open Records Act, Iowa Code chapter 22.
- 10.4. Notwithstanding Sections 10.1 through 10.3, a LWDB 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 LWDB. 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 LWDB within any period of twelve (12) calendar months beginning on January 1 or July 1. This paragraph does not apply unless the LWDB holds at least four 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 LWDB.
 - 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 ten (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 LWDB 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 Northwest Iowa LWDB for conduct detrimental to the LWDB.
- 11.2. The determination of whether conduct is detrimental to the LWDB will be made on a case-by-case basis, depending on the facts of the situation. Conduct detrimental to the LWDB may include, but is not limited to: criminal behavior, misuse of LWDB funds, the acceptance of something of value in exchange for the specific performance of an official LWDB function, a violation of the LWDB 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 a LWDB member and report back findings.
- 11.4. The Northwest Iowa LWDB may recommend the removal of a LWDB member to the CEO Board for conduct detrimental to the LWDB by a vote in open session of no less than two-thirds (2/3) of the LWDB's voting members. The LWDB must include the reason for the removal vote in that meeting's minutes.
- 11.5. The CEO Board may remove a member from the LWDB 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 LWDB, the chairperson of the CEO Board must notify the LWDB 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. Representatives of business;
 - 12.1.2. Representatives 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 long as an individual meets all applicable criteria necessary to qualify to serve on the LWDB as a representative with a 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 LWDB.
- 12.4.** The CEO Board must stagger the terms of LWDB members so that LWDB's members have their terms expire in varying years.

13. Executive Officers.

The Northwest Iowa LWDB shall have executive officers identified in this Section.

17.1. Chairperson.

- 17.1.1.** The CEO Board must choose the LWDB chairperson from among the LWDB representative(s) of business who the LWDB nominates at its annual meeting.
- 17.1.2.** The LWDB chairperson shall serve a term of one year.
- 17.1.3.** A LWDB member who has served a term as the chairperson once may serve additional terms as the chairperson, if appointed by the CEO Board.
- 17.1.4.** The LWDB chairperson shall preside over LWDB meetings.
- 17.1.5.** The LWDB chairperson must communicate in writing the chairperson's receipt of a LWDB member's resignation to the LWDB's membership and the CEO Board's membership.

17.2. Vice Chairperson

- 17.1.1.** At its annual meeting, the LWDB shall choose a vice chairperson from among its voting members.
- 17.1.2.** The LWDB vice chairperson shall serve a term of one year.

- 17.1.3. A LWDB 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 LWDB.
- 17.1.4. The vice chairperson of the LWDB shall preside over LWDB meetings if the chairperson is absent.

18. Meetings.

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

19. Alternative Designee Process.

- 19.1. A LWDB member who is unable to attend a meeting may assign an alternative designee to attend the meeting as the member's proxy.
- 19.2. An alternative designee for a representative of business on the LWDB must have optimum policymaking authority or ultimate hiring authority for the business the individual would represent.

- 19.3. An alternative designate for a representative on the LWDB identified in Sections 7.2.2 through 7.2.9 must have optimum policymaking authority and demonstrated experience and expertise.
- 19.4. A LWDB member who wishes to have an alternative designee attend a meeting as the member's proxy must give as much advance notice as possible under the circumstance to the chairpersons of the LWDB and CEO Board. Such notice must include the following information regarding the alternative designee:
 - 19.4.1. Full name;
 - 19.4.2. Job title;
 - 19.4.3. Name of the organization the individual will represent;
 - 19.4.4. The location of the organization;
 - 19.4.5. If the alternative designee is a representative of business, whether the alternative designee has optimum policymaking authority or ultimate hiring authority.
 - 19.4.6. If the alternative designee is a representative identified in Sections 7.2.2 through 7.2.9, whether the individual has optimum policymaking authority and demonstrated experience and expertise.
- 19.5. The chairperson of the LWDB must distribute the notice to the LWDB as soon as practicable after receipt of notice under Section 19.3.
- 19.6. At the start of the LWDB meeting at which the alternative designee is intended to serve as a proxy, the LWDB must vote in open session on whether to accept the alternative designee as the LWDB member's proxy for the meeting.
- 19.7. The LWDB must include in the minutes of the meeting both the notice provided under Section 19.3 and the results of the LWDB's vote on whether to accept the alternative designee as the LWDB member's proxy.

20. Standing Committees.

- 20.1. The LWDB may designate and direct the activities of standing committees to provide information and to assist the LWDB in carrying out its functions, duties, and responsibilities.
- 20.2. A standing committee must have a member (voting or nonvoting) of the LWDB as its chairperson.
- 20.3. A standing committee may have other members of the LWDB as members.
- 20.4. A standing committee may include other individuals appointed by the LWDB who are not members of the LWDB and who the LWDB determines have demonstrated experience and expertise.

- 20.5. The LWDB 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.
- 20.6. A standing committee may make recommendations to the LWDB regarding the standing committee's membership.
- 20.7. The LWDB may authorize a standing committee to appoint individuals to serve as standing committee members so long as they have sufficient experience and expertise.
- 20.8. The LWDB may require its standing committees to report back to the LWDB as the LWDB deems appropriate.
- 20.9. A standing committee may form work groups as the standing committee deems appropriate.
- 20.10. **Disability Access Standing Committee.** The LWDB 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:
- 20.10.1. 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.*
 - 20.10.2. Appropriate training for staff on providing services, supports for, or accommodations to individuals with disabilities;
 - 20.10.3. 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
 - 20.10.4. Work with the State Workforce Development Board Disability Access Committee to implement statewide initiatives in the local area.
- 20.11. **Youth Standing Committee.** The LWDB shall have a youth standing committee with duties and responsibilities that include:
- 20.11.1. Providing information to the LWDB on the provision of services to youth;
 - 20.11.2. To assist with planning, operational, and other issues relating to the provision of services to youth;
 - 20.11.3. Coordinating programs, services, and activities that address the employment, training, or education needs of eligible youth, including out-of-school youth, in the local area; and

- 20.11.4. Coordinating with the State Workforce Development Board Youth Standing Committee on statewide initiatives.

20.12. Executive Standing Committee.

An Executive Committee will be established to conduct necessary business in between regular or special meetings of the Advisory Board. This committee will consist of the Chairperson, Vice Chairperson and the County 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 Northwest Iowa Local Workforce Development Board.

21. Suspected Violation of Conflict of Interest Policy.

- 21.1. The LWDB may vote to recommend that the CEO Board investigate one of its members for violating the LWDB conflict of interest policy.
- 21.2. The LWDB must notify the chairperson of the CEO Board and IWD, in writing, of any vote to recommend CEO Board investigation of a LWDB member under this Section. Such notification must include:
 - 21.2.1. The LWDB member's name; and
 - 21.2.2. A summary of the events that form the basis for the LWDB's recommendation.
- 21.3. The CEO Board may investigate a LWDB member if:
 - 21.3.1. There is reasonable cause to believe that an actual or possible conflict of interest exists for a LWDB member and such member has not disclosed such to the LWDB; or
 - 21.3.2. A LWDB board member engaged in conduct forbidden under the conflict of interest policy.
- 21.4. An investigation under Section 21.3 must follow the following procedures:
 - 21.4.1. **Notice.** As soon as practicable but not more than five days after the CEO Board votes to investigate, the CEO Board must inform the LWDB member in writing of the basis for its belief that the LWDB member has failed to disclose an actual or possible conflict of interest.
 - 21.4.2. **Explanation.** The CEO Board must afford the member an opportunity to explain the alleged failure to disclose or forbidden conduct.
 - 21.4.2.1. The LWDB member's explanation must be in writing.

- 22.3.2.** A majority vote of the **CEO Board** in open session of a public meeting to adopt the amendment.
- 22.3.3.** An amendment to these **Bylaws** initiated by the **LWDB** will take effect on either the date of a **CEO Board** vote to adopt the amendment or the date set by the **CEO Board**.