



NORTH CENTRAL WORKFORCE DEVELOPMENT BOARD BYLAWS

1. Territory of Area.

The North Central Workforce Development Area consists of the following counties in the State of Iowa:

- Calhoun County
 - Hamilton County
 - Humboldt County
 - Pocahontas County
 - Webster County
 - Wright County
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2. Effective Date.

These Bylaws take effect on September 1, 2020.

3. Vision.

- 3.1. The North Central Workforce Development Board (LWDB) will serve as a strategic leader and convener of local workforce development system stakeholders.
- 3.2. The LWDB will partner with employers and the local workforce development system to develop policies and investments that support public workforce system strategies that support:
 - 3.2.1. The area economy;
 - 3.2.2. The development of effective approaches including local and area sector

partnerships and career pathways; and

3.2.3. High quality, customer centered service delivery and service delivery approaches.

3.3. In partnership with the CEO Board, the LWDB will set policy for the portion of the statewide workforce development system within the Area and consistent with State policies.

4. Goals.

The 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 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.
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5. Functions.

The 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 LWDB will:

- 6.1.1. Encourage the creation of a communication and information dissemination strategy targeting Iowa's workforce and various stakeholders including youth, parents, employers, community leaders and others.
- 6.1.2. Provide unique opportunities for businesses to take ownership in their community's growth in a variety of ways such as participating in Sector Boards, Employer Summits, and Job Fairs.

- 6.1.3. Reassure our commitment to community partnerships, innovative approaches, and thoughtful assessments of every aspect of the workforce delivery system.

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 LWDB will:

- 6.2.1. Encourage the cultivation of local relationships with all employers regardless of size, net profit, or industry.
- 6.2.2. Reassure our commitment to legacy industries and employers while providing system access to new and emerging sectors.

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 LWDB will:

- 6.3.1. Avoid the duplication of services and activities within the One-Stop delivery system.
- 6.3.2. Allow partners to share resources and staff across geographic boundaries when necessary and allowable.
- 6.3.3. Encourage community engagement into the One-Stop delivery system to enhance access, services, and eliminate barriers to employment.
- 6.3.4. Support legacy partnerships for decreased costs in all aspects of the One-Stop delivery system

7. Members.

7.1. The 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 LWDB shall have a total of nineteen (19) voting members, with each representing an entity located within the area. The LWDB's voting membership shall consist of:

- 7.2.1. Ten (10) representatives of business.
 - 7.2.2. Three (3) 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) 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.
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8. Nomination Process.

- 8.1 CEO Board members are responsible for securing nominations for the LWDB. CEO Board members must secure nominations from all counties.
 - 8.1.1. Representatives of business must be nominated by local business organizations and/or business trade organizations.
 - 8.1.2. Representatives of labor organizations must be nominated by local labor federations.
 - 8.1.3. 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.
 - 8.1.4. When there is more than one institution of higher education providing workforce investment activities, the CEO Board must solicit nominations from those providers.
 - 8.1.5. The representative of the employment service program under the Wagner-Peyser Act, as amended by Title III of WIOA, must be nominated by IWD.

- 8.1.6. The representative of a vocational rehabilitation program under the Rehabilitation Act of 1973, as amended by Title IV of WIOA, must be nominated by Iowa Vocational Rehabilitation Services and Iowa Department of the Blind.
 - 8.2. Every applicant to serve on the 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 and Conflict of Interest form that is created and distributed by IWD.
 - 8.2.1. Every applicant to serve on the LWDB must submit the applicants completed and signed application to the CLEO.
 - 8.2.2. The CLEO will transmit the application to IWD in accordance with the procedure established by IWD.
 - 8.2.3. IWD will review each application and provide a response to the CLEO within ten (10) business days either affirming the appointment to the board or requesting additional information when the documentation submitted is insufficient to make a determination.
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9. Appointments.

- 9.1. The CLEO shall have the exclusive responsibility to appoint members of the LWDB. The CLEO will not appoint nominees to the LWDB until the CLEO receives confirmation from IWD that the appointment has been affirmed.
- 9.2. The CLEO must process reappointments of LWDB members within 60 days from the effective date of the member's term expiration.
- 9.3. The CLEO must fill LWDB vacancies within sixty (60) days from the time the vacancy is created unless the LWDB is granted a waiver from IWD.
- 9.4. The CLEO must report any changes to the LWDB within 10 business days from the date of the change. The notification must include:
 - 9.4.1. The name of the LWDB member;
 - 9.4.2. The nature of the change;
 - 9.4.3. The organization represented;
 - 9.4.4. Job title;
 - 9.4.5. Category of inclusion.

10. Member Resignation.

- 10.1. LWDB members who no longer hold the position or status that made them eligible to represent a specific sector on the LWDB must resign.
- 10.2. 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. The organization represented;
 - 10.1.3. Job title;
 - 10.1.4. Category of inclusion;
 - 10.1.5. An affirmative statement of resignation from the LWDB;
 - 10.1.6. The effective date of the member's resignation.
- 10.3. 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 CLEO.
- 10.4. The CLEO will accept or reject the member's resignation in writing, electronically or by U.S. mail, within ten (10) days of receipt of the member's resignation.
- 10.5. A LWDB member's letter of resignation shall be a public record under the Iowa Open Records Act, Iowa Code chapter 22.
- 10.6. 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:
 - 10.6.1. 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
 - 10.6.2. 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 takes the oath of office and executes the required paperwork for the Iowa Secretary of State.

10.6.3. However, if a member received no notice and had no knowledge of a regular meeting and gives the CLEO a sworn 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.

10.6.4. The CLEO, in its discretion, may accept or reject a resignation under Iowa Code section 69.15 and this Section. If the CLEO accepts, the CLEO must notify the LWDB member in writing that the resignation is accepted pursuant to Iowa Code section 69.15 and this Section.

11. Member Removal.

11.1. The CLEO may remove a member from the 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 CLEO may appoint an independent entity to investigate the conduct of a LWDB member and report back findings.

11.4. The LWDB may recommend the removal of a LWDB member to the CLEO 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. As soon as practicable but not later than ten (10) days after the CEO Board's vote to remove a member from the LWDB, the CLEO must notify the LWDB member and IWD in writing, electronically or by U.S. mail, of the CLEO's decision 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 no more than one-quarter (1/4) of the LWDB's members have their terms expire in a given year.
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13. Executive Officers.

The LWDB shall have executive officers identified in this Section.

13.1. Chairperson.

- 13.1.1. The LWDB must choose the LWDB chairperson from among the LWDB representative(s) of business who the LWDB nominates at its annual May meeting.
- 13.1.2. The LWDB chairperson shall serve a term of one year.
- 13.1.3. A LWDB member who has served a term as the chairperson once may serve additional terms as the chairperson.

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

13.2. Vice Chairperson

- 13.2.1. At its annual May meeting, the LWDB shall choose a vice chairperson from among its business voting members.
- 13.2.2. The LWDB vice chairperson shall serve a term of one year.
- 13.2.3. 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.
- 13.2.4. The vice chairperson of the LWDB shall preside over Board meetings if the chairperson is absent.

14. Meetings.

- 14.1. The Iowa Open Meetings Act, Iowa Code chapter 21, governs meetings of the LWDB. The LWDB will comply with Iowa's Sunshine laws.
- 14.2. Any formal or informal gathering of more than 50% of the voting members of the LWDB constitutes a meeting of the LWDB.
- 14.3. The LWDB may not take action without a quorum. A majority of the voting members (more than 50%) of the LWDB, who have completed the appointment process, constitutes a quorum. The LWDB may not take action via an email vote.
- 14.4. 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.
- 14.5. The LWDB and its standing committees must use technology to promote member participation.
 - 14.5.1. All LWDB meetings must have a conference call option that allows members and the public to participate via telephone.
 - 14.5.2. A LWDB meeting may have an online conference option that allows members and the public to participate online.

14.5.3. 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.

14.5.4. The notice of the LWDB meeting must include information on how a member of the public may access the meeting using technology.

15. Alternative Designee Process.

15.1. A LWDB member who is unable to attend a meeting may assign an alternative designee to attend the meeting as the member's proxy.

15.2. An alternative designee for a representative of business on the LWDB must have optimum policy making authority or ultimate hiring authority for the business the individual would represent.

15.3. An alternative designee for a representative on the LWDB not representing businesses must have optimum policy making authority and demonstrated experience and expertise.

15.4. 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:

15.4.1. Full name;

15.4.2. Job title;

15.4.3. Name of the organization the individual will represent;

15.4.4. The location of the organization;

15.4.5. If the alternative designee is a representative of business, whether the alternative designee has optimum policy making authority or ultimate hiring authority.

15.4.6. If the alternative designee is a representative for member not representing businesses, whether the individual has optimum policy making authority and demonstrated experience and expertise.

15.6. The chairperson of the LWDB must distribute the notice to the LWDB as soon as practicable after receipt of notice under this Section.

- 15.7. 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.
 - 15.8. The LWDB must include in the minutes of the meeting both the notice provided under Section 15.4. and the results of the LWDB's vote on whether to accept the alternative designee as the LWDB member's proxy.
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16. Standing Committees.

- 16.1. 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.
- 16.2. A standing committee must have a member (voting or nonvoting) of the LWDB as its chairperson.
- 16.3. A standing committee may have other members of the LWDB as members.
- 16.4. 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.
- 16.5. The LWDB may designate an entity in existence as of the date of the enactment of LWDB, such as an effective youth council, to serve as a standing committee as long as the entity meets the requirements in this Section.
- 16.6. A standing committee may make recommendations to the LWDB regarding the standing committee's membership.
- 16.7. 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.
- 16.8. The LWDB may require its standing committees to report back to the LWDB as the LWDB deems appropriate.
- 16.9. A standing committee may form work groups as the standing committee deems appropriate.
- 16.10. 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:

- 16.10.1. 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 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.
 - 16.10.2. Appropriate training for staff on providing services, supports for, or accommodations to individuals with disabilities;
 - 16.10.3. 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
 - 16.10.4. Work with the State Workforce Development Board Disability Access Committee to implement statewide initiatives in the area.
- 16.11. Youth Standing Committee. The LWDB shall have a youth standing committee with duties and responsibilities that include:
- 16.11.1. Providing information to the LWDB on the provision of services to youth;
 - 16.11.2. To assist with planning, operational, and other issues relating to the provision of services to youth;
 - 16.11.3. Coordinating programs, services, and activities that address the employment, training, or education needs of eligible youth, including out-of-school youth, in the area; and
 - 16.11.4. Coordinating with the State Workforce Development Board Youth Standing Committee on statewide initiatives.
- 16.12. Operations Standing Committee. The LWDB shall have an operations committee.
- 16.12.1. The membership of the LWDB's operations committee must, at a minimum, include the LWDB members representing each of the core programs under WIOA, the director of the area's youth, adult, and dislocated worker programs under title I of WIOA, a representative of IDB, and representatives of other partner entities in the area, as deemed appropriate by the operations committee.
 - 16.12.2. The LWDB's operations committee must send to the members of the LWDB and CEO Board a report on or before the first day of each month. Such report must contain a summary of activities in the area during the preceding month,

anticipated activities during the current month for each partner program and information about individuals served by the operations committee's respective programs during the preceding month.

16.12.3. The LWDB's operations committee must report to the LWDB each meeting.

17. Staff.

17.1. In accordance with Iowa Chapter 1 section 4.6.4, the LWDB may hire staff to assist in carrying out the functions described in Iowa Chapter 1 section 4.3.1 Local Board Required Functions.

18. Suspected Violation of Conflict of Interest Policy.

18.1. When an issue presents a possible conflict of interest for a member, that member shall disclose the potential conflict of interest and shall abstain from voting on the matter for which a potential conflict of interest exists. A conflict of interest is any matter that has a direct bearing on services to be provided by the member or any organization such member directly represents, or any matter which would provide direct financial benefit to the member of the immediate family of the member or any organization they represent.

18.2. The LWDB may vote to recommend that the CEO Board investigate one of its members for violating the LWDB conflict of interest policy.

18.3. The LWDB must notify the CLEO and IWD, in writing, of any vote to recommend CEO Board investigation of a LWDB member under this Section. Such notification must include:

18.3.1. The LWDB member's name; and

18.3.2. A summary of the events that form the basis for the LWDB's recommendation.

18.4. The CEO Board may investigate a LWDB member if:

18.4.1. 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

18.4.2. A LWDB board member engaged in conduct forbidden under the conflict of interest policy.

18.5. An investigation under Section 17.3 must follow the following procedures:

- 18.5.1. 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.
 - 18.5.2. Explanation. The CEO Board must afford the member an opportunity to explain the alleged failure to disclose or forbidden conduct.
 - 18.5.2.a. The LWDB member's explanation must be in writing
 - 18.5.2.b. The LWDB 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.
 - 18.5.2.c. The LWDB member may elect to make a presentation to the CEO Board at a meeting in addition to the member's written explanation.
 - 18.5.3 Further Board Investigation. After receipt of the LWDB 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.
 - 18.5.4. 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 LWDB member violated the conflict of interest policy.
 - 18.5.5. 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.
 - 18.5.6. 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 LWDB member participated that constituted a conflict of interest.
 - 18.5.7 Notice to IWD. As soon as practicable and no more than five days after CEO Board action pursuant to Sections 17.4.4 through 17.4.6, the CEO Board must notify in writing the members of the LWDB and IWD of the investigation, findings, any disciplinary action, and any corrective action.
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19. Bylaws Amendment Procedure.

- 19.1. These Bylaws may be amended only in accordance with Section 18.2 or 18.3.
- 19.2. 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.
- 19.3. The LWDB may initiate an amendment to these Bylaws. An amendment initiated by the LWDB must be in accordance with the following:
 - 19.3.1. A majority vote of the LWDB in open session of a public meeting approving the amendment and the submission of the amendment to the CEO Board for its consideration; and
 - 19.3.2. A majority vote of the CEO Board in open session of a public meeting to adopt the amendment.
 - 19.3.3. 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.