



State Workforce Development Board

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STATE WORKFORCE DEVELOPMENT BOARD BYLAWS

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Article I – Name

The name of the organization shall be Iowa Workforce Development (IWD) Board

Article II – Duties of the Workforce Development Board

The Board is charged with performing all duties established in Iowa Code § 84A.1B as currently enacted and as may be amended in the future.

Article III – Membership - Workforce Development Board

Both the voting and nonvoting membership of the Board shall be as established by Iowa Code § 84A.1A(1).

Article IV – Appointment or Replacement of Members

Members who are appointed by the Governor and subject to confirmation by the Senate shall be appointed pursuant to the process set forth in Iowa Code § 84A.1A(1)(a)(8) and Chapter 69 of the Iowa Code, as applicable.

Members who are appointed by members of the General Assembly shall be appointed pursuant to the provisions of Iowa Code § 69.16B.

Members of the Board shall represent diverse geographic areas of the state, including urban, rural, and suburban areas. Members appointed by the Governor are subject to the provisions of Iowa Code §§ 69.16 and 69.16A requiring political affiliation and gender balancing among the appointed members.

An individual appointed to the Board shall not serve as a Member in more than one representative capacity.

A vacancy on the Board shall be filled in the same manner as regular appointments are made for that position.

Article V – Term of Service

Members of the Board appointed by the Governor shall serve staggered four-year terms. Members appointed by members of the General Assembly shall serve the term provided by Iowa Code § 69.16B. Other Members shall serve at the discretion and pleasure of the appointing or designating authority, or so long as they hold the requisite position as set forth in Iowa Code § 84A.1A.

The terms of Members appointed by the Governor shall be staggered so that the terms of no more than nine such members expire in a calendar year.

A Member who fills a vacant position shall have a term equal to the unexpired portion of the regular term.

A Member's absence from three or more consecutive regular meetings, or more than half of all regularly scheduled meetings within a 12-month span, may be deemed a resignation at the discretion of the appointing or designating authority.

Subject to and without limiting the authority and discretion of the Governor, the Board recommends that Members appointed by the Governor serve no more than two consecutive terms.

ARTICLE VI – Officers and Duties

Article VI – Officers and Duties

The officers of the Board shall consist of a Chairperson and Vice-Chairperson.

a. Chairperson. The Governor shall select a Chairperson for the Board in accordance with Iowa Code Chapter 84A. The Board recommends that the Vice-Chairperson be elevated to the role of Chairperson at the conclusion of the Chairperson's term; however, nothing shall interfere with the Governor's authority and discretion to select a Chairperson.

b. Vice-Chairperson. The Vice-Chairperson shall be selected by a majority vote of the Board from among the Board's business representatives. A Board member must serve for a minimum of one year as a business representative to become eligible to serve as Vice-Chairperson.

Subject to the authority and discretion of the Governor, the terms of the Chairperson and Vice-Chairperson shall be for **two** years in each position.

The Chairperson shall preside over all Board meetings and shall see that all orders and resolutions of the Board are communicated to the proper persons or entities for implementation. The Chairperson shall execute all documents on behalf of the Board.

The Vice-Chairperson shall perform the duties of the Chairperson in the Chairperson's absence and shall assume the Chairperson's office should the office be vacated prior to the completion of the Chairperson's term, subject to the discretion of the Governor.

The Board may appoint such other officers as the business of the Board may require, each of whom shall hold office for such period and have such authority to perform duties as are provided by the Bylaws or as the Board may determine.

Article VII – Committees

In accordance with Iowa Code Chapter 84A.1A(6), the Board may designate and direct the activities of standing committees of the Board to provide information and to assist the Board in carrying out its duties. The Board has the discretion to amend the size and composition of the committees as needed, via the bylaws.

Except as otherwise provided below, standing committees shall be chaired by a Member or a designee approved by a majority vote of the Board, and other committee members may be either Members of the Board or nonmembers who have the appropriate experience and expertise.

A) The Board shall have a standing **Executive Committee** which shall be chaired and vice-chaired by members of this Board and five additional members of the Board or nonmembers who have the appropriate experience and expertise. The five additional Members shall be chosen by the Chairperson and shall be from the voting membership of the Board. The Chairperson may appoint additional members as deemed necessary. The Executive Committee shall be responsible for coordinating and overseeing the activities of the Board and its other Committees to ensure the satisfactory performance of functions stipulated by the Governor, these Bylaws, and all relevant statutes and regulations. The Executive Committee shall also monitor and guide the administrative management of the Board. The Executive Committee shall act on the Board's behalf when the Board is not meeting. The Executive Committee has the responsibility of maintaining the bylaws of the board.

Any Executive Committee meeting in which any official business, policy, or public matter is formulated, presented, discussed, or voted upon by the committee shall adhere to the requirements of the Iowa Open Meetings laws. Fifty percent of the members seated on the Executive Committee shall constitute a quorum for the transaction of business. The Executive Committee may meet as often as it deems necessary. The Executive Committee shall make recommendations to the Board and exercise such powers as may be delegated to it by the Board. Any actions taken by Executive Committee shall be ratified by the Board at the next scheduled meeting. Any actions taken by the Executive Committee shall be immediately enforceable and remain enforceable until such time as the action loses the Board's endorsement.

The Executive Committee shall act on behalf of the Board when quorums are not established at Board meetings. When the Executive Board acts on behalf of the Board due to a lack of quorum, the actions taken by the Executive Committee shall be the

official acts of the Board subject to ratification at the next meeting at which a quorum of the Board is present.

B) The Board shall have a standing **Disability Access Committee** which shall be chaired by a member of this Board and include other members of the Board or nonmembers who have the appropriate experience and expertise. This committee serves as an advisory body to the State Workforce Development Board, with the mission of advancing access and opportunity for individuals with disabilities across the workforce development system. The Committee provides guidance and expertise on matters related to:

- Ensuring full compliance with state and federal nondiscrimination laws, including the Americans with Disabilities Act (ADA), Section 188 of the Workforce Innovation and Opportunity Act (WIOA), and related regulations.
- Reviewing physical and programmatic accessibility of workforce development services, facilities, technologies, and communications.
- Identifying and addressing barriers to competitive integrated employment for individuals with disabilities.
- Supporting joint workforce policies.
- Advising on disability-specific training for workforce system staff to effectively serve individuals with disabilities.
- Advancing employment first efforts within the State.

C) The Board shall have a standing **Iowa Plains Local Workforce Development Area Committee** which shall be chaired by a business representative of the Iowa Plains Local Workforce Development Area (LWDA) and include other members from the Iowa Plains LWDA. This committee will provide recommendations regarding the policies, procedures, operational and other issues related to the local workforce system in the Iowa Plains Local Workforce Development Area (LWDA).

D) The Board shall have a standing **System and Policy Committee** which shall be chaired by a member of this Board and include other members of the Board or nonmembers who have the appropriate experience and expertise. The committee shall provide strategic guidance and recommendations on the operational, policy, and procedural aspects of Iowa's workforce development system. The committee will ensure alignment between system operations and best practices and support continuous improvement across programs and services. Reviews and makes recommendations for statewide workforce system policies. Oversee the performance and reporting of the workforce system, including providing input and setting standards to ensure transparency of reporting on system outcomes.

E) The Board shall have a standing **Pathways to Employment Committee** which shall be chaired by a member of this Board and include other members of the Board or nonmembers who have the appropriate experience and expertise. The committee shall provide subject matter expertise to align workforce strategies to assist individuals with barriers to gain the skills, education and resources they need to find gainful employment while ensuring our employers have a skilled workforce they need to grow

opportunities in Iowa.

Article VIII – Meetings

The Board shall meet at least quarterly. The regular meetings shall be held at a location to be designated by the Chairman, and such location shall be posted on the IWD website at least thirty days prior to the date of the meeting. The agenda for each meeting shall be made available at least seven calendar days in advance of the meeting, provided that the agenda may be subject to change up to 24 hours in advance of the meeting if necessary. Notice of regular meetings, specifying time, date and location shall be provided in writing or electronically to Members at least seven calendar days prior to scheduled meetings and shall be conspicuously posted on the Workforce Division's website. The date and frequency of meetings may be revised at the discretion of the Chairperson or Executive Committee except that meetings will not be held less frequently than quarterly.

Special meetings of the Board may be called by the Chairperson, the Executive Committee, or by written request of a majority of board members. Notice of special meetings shall be provided to board members at least three business days prior to the special meeting and shall state the purpose of the meeting.

Article IX – Quorum

A majority of the voting Members shall constitute a quorum. Members appearing remotely via telephone, videoconference, or other means shall be considered present for purposes of establishing a quorum.

Article X – Voting

Each voting Member shall be entitled to one vote on each matter brought before the Board for a vote. Nonvoting Members are not entitled to a vote on a matter brought before the Board. The action of the majority of the quorum present at any meeting shall be the action of the Board. In all voting matters, Members shall adhere to the Conflict-of-Interest Policy, as stated in Article XI of these bylaws and Chapter 84A of the Iowa Code.

Article XI – Conflict of Interest

- 1) A Member of the workforce development board shall not do any of the following:
 - A. Vote on a matter under consideration by the Board that concerns the provision of services by the Member or by an entity that the Member represents.
 - B. Vote on a matter under consideration by the Board that would provide direct financial benefit to the Member or the immediate family of the Member.
 - C. Engage in any other activity determined by the Governor to constitute a conflict of interest.
- 2) Whenever a potential conflict becomes known to a Member, the Member shall proceed as follows:
 - A. The Member shall divulge the existence of and the reasons for the potential conflict

and refrain from voting on or participating in discussions which relate to the topic. Such declaration and recusal shall be clearly noted in the Board's minutes.

- B. In the event that a Member is unsure of whether their relationship to an issue constitutes a conflict, such Member shall make their concern known before the discussion continues and before a vote occurs. The Board may then vote to determine whether the Member's relationship to the topic constitutes a conflict. Their vote shall determine whether the Member shall be able to discuss the topic and vote on the issue. This decision shall be reflected in the minutes.

Article XII – Rules of Order

All meetings of the Board shall follow the rules of order set forth in Roberts Rules of Order unless otherwise provided for by these bylaws.

Article XIII – Amendments of Bylaws

These Bylaws may be amended, supplemented, or superseded only by the affirmative vote of not less than a majority of the Members of the Board present, provided there is a quorum present and Members were given at least seven calendar days written notice of such proposed amendments. Bylaws and amendments shall not conflict with existing federal or state laws, regulations or guidelines.

Article XIV – Board Member Expenses

Members of the Board shall be allowed their actual and necessary expenses incurred in the performance of their duties. Each Member of the Board may also be eligible to receive compensation as provided in Iowa Code § 7E.6.

Article XV – Staff Support

Technical and clerical staff support to the Board and its committees shall be established by, and be under the direction of, the Director of the Workforce Development Department, which is designated as the state agency administrator of the Workforce Innovation and Opportunity Act. Legal staff support to the Board shall be provided by, and be under the direction of, the Office of the Attorney General.

Article XVI – Proxy and Alternative Designee Process

The proxy and alternative designee process may be used by the following **voting** members:

- Governor
- Director of Iowa Workforce Development
- Director of Iowa Department of Education
- Director of Iowa Department for the Blind
- Administrator of the Iowa Vocational Rehabilitation Services

If one of the above voting members is unable to attend a meeting, that voting member may assign a designee per the following requirements:

- a. if the alternative designee is a business representative, he or she must have optimum policymaking hiring authority; and
- b. other alternative designees must have demonstrated experience and expertise and optimum policy-making authority.

Teresa Hovell

Name (Print)

Name (Signature)

Date

Equal opportunity employer/program. Accommodations are available upon request: workforce.iowa.gov/accessibility