

The Seventh Planning District Consortium Workforce Development Board By-Laws

PREAMBLE

By adoption of the Workforce Innovation and Opportunity Act, the United States Congress has established a program to prepare youth and adults facing serious barriers to employment for participation in the labor force by providing job training and other services that will result in increased employment and earnings, increased educational and occupational skills, and decreased welfare dependency, thereby improving the quality of the workforce and enhancing the productivity and competitiveness of the Nation. Pursuant to the Workforce Innovation and Opportunity Act, each State is to establish and implement a statewide system of job training and placement to facilitate the entry and productive participation of eligible youth, adults, and dislocated workers into the workforce through the provision of training, education, and job placement activities. The State of Louisiana, through its Governor, has designated the Seventh Planning District Consortium, which includes the parishes of Bienville, Bossier, Caddo (Balance), Claiborne, DeSoto, Lincoln, Natchitoches, Red River, Sabine, and Webster, as the Seventh Planning District Workforce Development Board.

Pursuant to the Workforce Innovation and Opportunity Act, each Workforce Development Area is to establish a local Workforce Development Board to assume the role of an equal partner along with the "Chief Elected Official" (in the case of the Seventh Planning District, the President of the Consortium) in the management and operation of training programs for eligible participants. The local Workforce Development Board for the Seventh Planning District is the Seventh Planning District Consortium Workforce Development Board and subject to the provisions of the Workforce Innovation and Opportunity Act. The said Seventh Planning District Consortium Workforce Development Board does hereby adopt the following By-Laws, to-wit:

ARTICLE I VISION FOR WIOA AND THE WORKFORCE SYSTEM

WIOA, which supersedes the Workforce Investment Act of 1998, presents an extraordinary opportunity to improve job and career options for our workers and jobseekers in Northwest Louisiana, through an integrated, job-driven public workforce system that links diverse talent to businesses. It supports the development of strong vibrant regional economies where businesses thrive, and people want to live and work.

This revitalized workforce system will be characterized by three critical hallmarks of excellence:

- ▶ The needs of businesses and workers drive workforce solutions.
- ▶ American Job Centers provide excellent customer service to jobseekers and employers and focus on continuous improvement; and
- ▶ The workforce system supports strong regional economies and plays an active role in community and workforce development.

Across the system, continuous improvement is supported through evaluation, accountability, identification of best practices, and data-driven decision making.

- ▶ **The Needs of Businesses and Workers Drive Workforce Solutions:** Businesses inform and guide the workforce system and access skilled talent as they shape regional workforce investment and build a pipeline of skilled workers. This engagement includes leadership in the workforce system and active participation in the development and provision of education and training, work-based learning, career pathways, and industry sector partnerships. Jobseekers and workers, including those individuals with barriers to employment, such as individuals with disabilities, as defined by WIOA, have the information and guidance to make informed decisions about training and careers, as well as access to the education, training, and support services they need to compete in current and future labor markets.
- ▶ **American Job Centers Provide Excellent Customer Service to Jobseekers, Workers, Employers, and Focus on Continuous Improvement:** American Job Centers and partners provide jobseekers, including individuals with barriers to

employment, such as individuals with disabilities, with skills and credentials necessary to secure and advance in employment with family-sustaining wages. Additionally, American Job Centers enable employers to easily identify and hire skilled workers and access other supports, including education and training for their current workforce. Further, rigorous evaluations support continuous improvement of American Job Centers, by identifying which strategies work better for different populations. States, local areas, and training providers remain accountable for performance. High-quality, integrated data is used to inform the policy maker, the employer, and the jobseeker, in the decision-making process, while training providers are held accountable for their performance using the data and evidence.

- ▶ **The Workforce System Supports Strong Regional Economies:** Meeting workforce needs is critical to economic growth. State and local workforce development boards in partnership with workforce, economic development, education, and social service organizations at the state, regional, and local levels align education and training investments to regional civic and economic growth strategies, ensuring that all jobseekers and businesses can access pathways to prosperity.

ARTICLE II MEMBERSHIP

Members of the Seventh Planning District Workforce Development Board shall be appointed by the President of the Seventh Planning District Consortium (the "Chief Elected Official" of the Seventh Planning District Workforce Development Area). Membership of the Board shall be comprised of a minimum of 12 private representatives and 11 public representatives. A majority of each Louisiana Workforce Development Board (LWDB) shall be representatives of private business.

The representatives of the public sector shall represent Labor, Apprenticeships, Higher Education, Adult Education and Literacy, Department of Children and Family Services, Vocational Rehabilitation, Economic Development, and Wagner-Peyser. The Chief Elected Official may appoint additional members at his discretion, but must ensure the majority are from business representation, and a 20% minimum from workforce representation is preserved.

The nomination and appointment to membership of the Board shall be in accordance with the following procedures.

▶ **Nomination Process**

Chief Elected Official's or their representative, must contact the appropriate entities in the state, regional, or local area for nominations to appoint members and/or fill vacancies on the LWDB from business, local education entities, labor representatives, and other types of representation the officials would like to include on the LWDB. Vacancies are filled in the same manner as original appointments.

1. Private Sector Representatives

- a. Eligible nominees shall be owners of businesses, chief executives, or operating officers of businesses, or business executives, or employers with optimum policymaking or hiring authority. Nominees shall represent businesses, including small businesses, or organizations representing businesses that provide employment opportunities, which, at a minimum, include high-quality, work-relevant training and development in an in-demand industry sectors or occupations.
- b. Business representatives shall be appointed from individuals nominated by state/regional/local business organizations, and business trade associations.

2. Public Sector Representatives

- a. Labor representatives must be selected from among individuals nominated by labor federations. Recommendations will be made by the President of the Louisiana AFL-CIO.
- b. Apprenticeship Program - The priority of appointments made from labor management sources for appointments to the LWDB are ranked as follows:
 - ▷ Training Directors affiliated with a joint labor-management apprenticeship program;
 - ▷ Members of a joint labor-management apprenticeship committee; and
 - ▷ Elected officials of a labor organization that are directly affiliated with a joint labor-management apprenticeship program.

An individual considered for appointment to the LWDB as a registered apprenticeship representative **MUST** be a party to an apprenticeship program within the LWDB region and is in good standing and registered with the Louisiana Workforce Commission - Apprenticeship Division. Good standing is defined as a registered apprenticeship program that has not been found as non-compliant during their most recent program review and have active apprentices enrolled.

Local educational entity representatives must be selected from among individuals nominated by state adult education and literacy activities under Title II administered by the Louisiana Community and Technical College System.

For all other members, the Chief Elected Official will consult with the appropriate groups for interested individuals to serve, including:

1. Representative of Economic Development, must be from local/region, and nominated by the state office;
2. Representative of Wagner-Peyser will be designated by LWC/OWD, who will take steps to ensure active Board participation;
3. Representative from Vocational Rehabilitation must be from local area/region and nominated by the State office (Louisiana Rehabilitation Services);
4. Representative from Department of Children and Family Services must be from local/region and nominated by the State officials.

The Board may include other individuals or representatives of entities as the Chief Elected Official may determine to be appropriate.

The Chief Elected Official must establish a formal nominating and appointing process for appointment of members to the Board. The nominating form and appointment letter to members must be on file in the LWDB office.

► **Appointment Process**

1. Nomination requests will be submitted to the appropriate entities in the state, regional, or local area to appoint members and/or fill vacancies on the LWDB, from business, local educational entities, labor representatives, and the types of representation that officials would like to include on the LWDB.
2. Appointment of members shall be made by the Chief Elected Official of the Seventh Planning District Consortium from the nominations received.
3. The membership and composition of the Seventh Planning District Consortium Workforce Development Board shall be certified by the Governor of the State of Louisiana.
4. Replacement members shall be appointed in accordance with these procedures.
5. Members shall be appointed for fixed and staggered terms and shall continue to serve until they are replaced. Terms of members are determined by the Chief Elected Official of the Seventh Planning District Consortium.
6. Private sector Board Members serve 5-year terms while public sector Board Members serve 4-year terms.

ARTICLE III MEMBERSHIP REQUIREMENTS

- The members of the LWDB will elect a Chairperson from among the business members. The LWDB may also choose to elect a Vice-Chairperson who can carry out the Chair's functions should the Chair be unavailable. The Vice-Chairperson **MUST** also be elected by the LWDB and **MUST** represent the business sector.
- Members of the Board **MUST** have optimum policy-making authority within the organizations, agencies, or entities they represent.
- Members of the Board should be appointed for staggered terms.

- ▶ Business members shall represent a combination of small, medium, and large employers who reflect the local labor market, (i.e., the business representation should provide employment opportunities in in-demand industry sectors or occupations that reflect the industry mix in the local labor market). Employers serving on the Board should be from those with employment opportunities in high-growth sectors and should communicate the emerging workforce needs of employers in these high-growth in-demand sectors to the LWDB.
- ▶ Individuals serving on the LWDB who subsequently retire, or no longer hold the position that made them an eligible Board member, may not continue to serve on the LWDB. The LWDB Board members must resign or be removed by the Chief Elected Official immediately as a representative of a specific sector on the Board. A resignation is not effective until the Chief Elected Official accepts it. The entity affiliated with the vacating Board member may provide a new nomination to the Chief Elected Official for appointment to the LWDB.
- ▶ Vacancies resulting from resignations or removal of mandatory members must be filled within 60 days from the effective date of Chief Elected Official's acceptance of resignation, and 60 days from the effective date of removal.
- ▶ All existing private and public members who transition from the WIA to the WIOA Board, must meet the qualification established in these By-Laws and must go through the nomination and appointment process to serve on the WIOA Board.

ARTICLE IV

THE MEMBERSHIP MEETINGS OF THE BOARD

▶ Meetings

Regular membership meetings shall be held each quarter (at least four meetings per year). The location of meetings will be selected by the Chairperson of the Workforce Development Board.

▶ Notices

Notices of all meetings shall be delivered electronically by email or mailed to each member of the Board at least seven (7) days prior to the meeting; and notice shall contain the time and place of the meeting, together with an Agenda and such other material as necessary.

▶ Agenda

The Agenda shall be prepared by the Chairperson to reflect the principal business of the Board at the meeting. Any member of the Board may request that an item be added to the printed Agenda, in writing or email, at least ten (10) days prior to the scheduled meeting date. Any member that has business to be brought before the Board after the ten (10) day cutoff period may do so upon recognition of the Chairperson. LWDB members may participate through the use of technology to discuss topics for upcoming board meeting, and Agenda.

▶ The Order of Business

The official order of business at each Board meeting shall be similar to the following:

1. Call to Order
2. Roll Call, Introduction of Members and Guests
3. Public Comment
4. Reading of Minutes and Approvals
5. Reports
6. Old Business (if any)
7. New Business
8. Announcements
9. Adjournment

► **Rules of the Board**

All meetings of the Board and meetings of the Committees of the Board shall be conducted pursuant to the provisions of Robert’s Rules of Order.

► **Attendance**

Each member of the Board is to attend each meeting of the Board. Any Board member who fails to attend three (3) consecutive meetings may be subject to removal.

► **Quorum**

No official business may be conducted in the absence of a quorum. A quorum is a simple majority of the total membership of the LWDB in attendance when an action item is considered.

► **Voting**

Each member of the Board shall be entitled to one vote that shall be publicly cast. Acceptance of minutes of previous meetings may be held in voice fashion. All other roll call votes will be recorded. No member of the Board shall cast a vote on any matter which has a direct bearing on services to be provided by that member or any entity which such member directly represents; or that would provide direct financial benefit to such member or the immediate family of such member. All abstentions due to a conflict of interest shall be publicly acknowledged and recorded in the minutes. All members should avoid personal and organizational conflict of interest in awarding financial assistance and in the conduct of procurement activities involving funds received pursuant to the Workforce Innovation and Opportunity Act. Under Louisiana State Law, R.S. 23:14 a Board member may neither assign a proxy nor utilize an alternate designee if that Board member is unable to attend a Board meeting.

► **Use of Technology**

Per 20 C.F.R. § 679.310(g)(5), LWDB By-Laws must establish the use of technology, such as phone and web-based meetings, that will be used to promote LWDB member participation.

Phone- and web-based meetings and other use of appropriate technology may be used, from time to time, to promote and enhance LWDB member participation in conjunction with face-to-face, in-person meetings when applicable. The agenda may state the means of connection to the meeting if participation via phone or other electronic means is being utilized. LWDB members participating in a telephone conference call or other electronic means shall be clearly identified in the minutes.

The Seventh Planning District Consortium Workforce Development Board will have the flexibility to use technology for Board member participation in meetings under special conditions allowed by the Governor (e.g., disaster/public health emergency). A quorum of fifty percent plus one will still be required to conduct official business during this virtual meeting.

ARTICLE V OFFICERS

The officers of the Board shall be a Chairperson and Vice-Chairperson. The office of Chairperson and Vice-Chairperson shall be filled by Private Sector members of the Board only.

► **Chairperson**

The Chairperson of the Board shall be the Chief Executive Officer of the Board who shall preside at all meetings of the Board. He or she shall see that all orders and resolutions of the Board are carried out and shall have the power to execute all contracts to be entered into by this Board.

► **Vice-Chairperson**

The Vice-Chairperson, in the absence or disability of the Chairperson, shall perform the duties and exercise the powers of the Chairperson and shall perform such other duties as this Board shall prescribe.

ARTICLE VI COMMITTEES

The LWDB may designate and direct activities of standing committees to provide information as well as assist the LWDB in carrying out activities under WIOA. Such standing committees chaired by a member (committees will be business sector led) of the LWDB shall include other members of the LWDB and may include other individuals appointed by the LWDB who are not members of the LWDB and who the LWDB determines to have appropriate experience and expertise. Standing committees benefit the LWDBs by expanding the opportunities for stake holders to participate in Board decision-making, particularly for representatives of organizations that may no longer sit on the Local Board but continue to have a stake in the success of Board decisions.

The Chairperson shall serve as the Executive Committee Chair and select the committee chairs for all standing committees and taskforces of the LWDB.

ARTICLE VII STAFF

The Board shall be provided with the staff necessary to carry out its functions. Such staff shall be employees of the Subrecipient/Fiscal Agent.

ARTICLE VIII RESPONSIBILITIES OF THE BOARD

The Local Board in partnership with the Chief Elected Official, shall:

- ▶ Develop and submit a Local Plan to the Governor that meets the requirements in WIOA Section 108. The development of the Local Plan will include such activities as:
 1. An analysis of the economic conditions in the Region including an analysis related to the workforce needs of the regional economy. Such analyses will be carried out using labor market information available from the Louisiana Workforce Commission and additional data available from local, State, and Federal agencies.
 2. Obtain the input of local workforce development system stakeholders to assist in the development of the Local Plan.
- ▶ Engage a diverse range of employers and entities within the Local Workforce Development Area (LWDA) for the purposes of developing effective linkages in the LWDA to support employer utilization of the local workforce development system and ensure that workforce development activities meet the needs of employers in the LWDA.
- ▶ Engage representatives of secondary and post-secondary education programs to lead efforts in the local area to develop and implement career pathways through the alignment of employment, training, education, and supportive services that are needed by adults, dislocated workers, and youth, particularly individuals with barriers to employment.
- ▶ Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, workers, and jobseekers, particularly those individuals with barriers to employment such as disabilities.
- ▶ The Board, in partnership with the Chief Elected Official for the local area, shall:
 1. Conduct oversight for local youth workforce development activities authorized under WIOA Section 129(c), local employment and training activities under subsections (c) and (d) of WIOA Section 134, and the one-stop delivery system in the local area; as well as ensure the appropriate use and management of funds provided for such activities.
 2. Ensure the appropriate use, management, and investment of funds to maximize performance outcomes under WIOA Section 116.

- ▶ The Board, Chief Elected Official, and the Governor shall negotiate and reach agreement on local performance accountability measures as described in WIOA Section 116(c), including any additional performance measures outlined in the state plan.
- ▶ Selection of operators and providers:
 1. The LWDB, with the agreement of the Chief Elected Official for the local area:
 - a. Shall designate or certify one-stop operators, and
 - b. May terminate for cause the eligibility of such operators.
 2. Selection of Youth Providers, the LWDB:
 - a. Shall identify eligible providers of youth workforce development activities in the local area by awarding grants or contracts on a competitive basis, and
 - b. May terminate for cause the eligibility of such providers.
 3. The LWDB shall identify eligible providers of training services consistent with WIOA.
 4. Identification of eligible providers of career services.
 5. Promote consumer choice requirements consistent with WIOA. The LWDB shall work with the State to ensure there are sufficient numbers and types of providers of career services and training services (including eligible providers with expertise in assisting individuals with disabilities, and eligible providers with expertise in assisting adults in need of adult education and literacy activities) serving the local area and providing the services involved in a manner that maximizes consumer choice, as well as providing opportunities that lead to competitive integrated employment for individuals with disabilities.
- ▶ Coordination with education providers:
 1. In general, the LWDB shall coordinate activities with education and training providers in the local area, including providers of workforce development activities, and providers of adult education and literacy activities.
 2. Regarding applications and agreements, the coordination described above shall be consistent with WIOA Section 232 and include:
 - a. Reviewing the applications to provide adult education and literacy activities under Title II for the local area, (to determine whether such applications are consistent with the Local Plan) and,
 - b. Making recommendations to the eligible agency to promote alignment with such plan.
 3. Cooperative agreements will be replicated in accordance with subparagraph (B) of Section 101(a)(11) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)(11)).
- ▶ Budget and Administration
 1. The LWDB shall develop a budget for activities of the local Board in the local area, consistent with the Local Plan and the duties of the LWDB under this Section, subject to the approval of the Chief Elected Official.
 2. The Chief Elected Official in a local area shall serve as the local grant recipient for and shall be liable for any misuse of the grant funds allocated to the local area under WIOA.
 3. The local grant recipient shall disburse the grant funds for workforce development activities at the direction of the LWDB. The local grant recipient shall disburse the funds immediately on receiving direction from the LWDB.
- ▶ The LWDB shall annually assess the physical and programmatic accessibility, in accordance with WIOA Section 188, if applicable, and applicable provisions of the American with Disabilities Act of 1990 (42 U.S.C. 12101 et. seq.), of all American Job Centers in the local area.

ARTICLE IX

PUBLIC INFORMATION

► Official Pronouncements

The Chairperson is the only member of the Board authorized to make official pronouncements for the Board. A Board spokesperson may be selected by the Board, to speak for the Board and its members with respect to any policy matters that have been approved by the Board and administrative matters entrusted to the Board.

► Releases and General Information

The Board spokesperson may issue news releases, general information, and other communications regarding the business of the Board and its committees which would serve the interest of the Board.

► Agency or Organizational Releases

Members of the Board or its committees shall be responsible for releases and information issued by their membership regarding matters pertaining to the Board or its committees. Members shall be responsible for the release of information internally to their agency, organization, staff, or members.

ARTICLE X

OPEN PUBLIC MEETINGS

The Seventh Planning District Consortium Workforce Development Board exists to serve the public interest. Meetings of the Board and its committees shall be conducted in an open manner and shall be open to the public.

The LWDB shall make available to the public, on a regular basis, and through electronic means and open meetings, information regarding the activities of the LWDB, including information regarding the Local Plan prior to submission of the Plan, regarding membership, designation, and certification of one-stop operator(s) consistent with the State Plan, regarding the award of grants or contracts, as well as minutes of formal meetings of the LWDB.

In order to comply with the Louisiana Open Meeting Law, each LWDB must do the following:

- Take official action and engage in deliberations only at meetings open to the public. "Official action" includes making recommendations, establishing policy, making decisions, and/or voting on matters of LWDB business. "Deliberations" are discussions of LWDB business necessary in order to reach decisions.
- Ensure that all meetings are held in an accessible location for the disabled and that all information is provided in accessible and alternate formats upon request.
- Give public notice of meetings in accordance with applicable State law provisions, including public notice in advance of any special meeting or rescheduled regular meeting. No public notice need be given of an emergency meeting called to deal with a real or potential emergency involving a clear and present danger to life or property.
- Ensure that votes of LWDB members are publicly cast and it is recommended that they are recorded accordingly. Acceptance of minutes of previous meetings may be held in a voice fashion. It is recommended that all other roll call votes be recorded.
- Keep written minutes of all public meetings, including date, time, and place of the meeting, members present, the substance of all official actions, a record of votes, and the names of any citizens who appeared and provided testimony. Board Meeting Minutes are to be uploaded and retained on the LWDBs website for a minimum of three (3) years.
- All written minutes of all public meetings must be electronically sent to LWC/OWD within 14 calendar days of the meeting to wioa@lwc.la.gov.
- Review and comply with Louisiana State Statutes RS 42:14 and 20 regarding LWDB meetings.

- ▶ Closed executive sessions may be used according to Louisiana State Statues RS 42:16 and 17. Such sessions may be held during or after an open meeting or may be announced for a future time. If a closed session is not announced for a specific time, LWDB members must be notified 24 hours in advance of the date, time, location, and purpose of the session. The reason for holding an executive session must be announced at the open meeting either immediately prior to or subsequent to the executive session.
- ▶ Official action on any matter discussed at an executive session must be taken at an open meeting.

ARTICLE XI

These By-Laws may be amended or repealed at any regular meeting of the Board, by a majority affirmative vote of the Board, provided that copies of such By-Laws shall be submitted in writing to each member at least seven (7) days prior to the meeting at which they are to be proposed and acted on.

Approved and adopted by the Seventh Planning District Consortium Workforce Development Board,

this 10th day of October 2023.


Tray Murray, Chief Elected Official


Matt Wheeler, Chairperson