ADAMS COUNTY
COLORADO

ADAMS COUNTY WORKFORCE DEVELOPMENT BOARD

BYLAWS

Article I: Purpose

The Adams County Workforce Development Board (ACWDB) has been established pursuant to the Workforce Innovation and Opportunity Act of 2014 (WIOA), Public Law 113-128 (29 U.S.C. Sec. 3101 et. seq.)., as amended, to set policy for the Adams County Workforce & Business Center (ACWBC) in partnership with and subject to the approval of the Chief Elected Officer (CEO) and the Adams County Board of County Commissioners (BOCC).

Article II: Functions

Section 1: Local Plan

The ACWDB, in partnership with the Adams County CEO and subject to the approval of the BOCC, shall develop and submit a local four year plan to the Governor.

Section 1.1: Regional Plan

To align resources between multiple local boards officials in the planning region must "prepare, submit, and obtain approval" of a regional plan. ACWDB and the CEO in conjunction with other local boards must submit a 4-year regional plan to the Governor for approval. The local boards and CEOs must review the regional plan every 2 years and submit modifications for significant changes.

Section 2: Workforce & Business Center one-stop Operator

Pursuant to the WIOA, Title 1, subtitle B, Chapter 1, subsection d, as amended, the ACWDB, with the agreement of the CEO, BOCC and the Governor, shall certify the ACWDB as Adams County's workforce and business center delivery system for two years

until July 1, 2017. Re-certification as a one-stop operator at the end of the two years will be through a competitive process.

Section 3: Standing Committees

The ACWDB will establish standing committees to assist the board in carrying out its responsibilities as outlined in WIOA sec. 107. This will expand the capacity of the board in meeting required functions. To this end ACWDB will establish the following committees:

(A) The ACWDB Executive Committee is at the least a five member committee composed of the:

I. ACWDB Chair
II. ACWDB Vice-Chair
III. Director (Administrator) of the Workforce & Business Center
IV. Two or more regular board members

The Executive Committee will meet during months when a regular full member ACWDB meeting is not scheduled or when an immediate decision or discussion is required. Decisions made by the committee will be presented at the next full board meeting for endorsement.

The Executive Committee will also function as the A One-Stop Delivery System Standing Committee to meet, review and discuss the results of the Parties' monitoring reports to assess whether any changes or adjustments are needed in the processes and procedures. The Parties shall negotiate modifications to the provisions of the Memo of Understanding (MOU) and proceed to amend the MOU (section 8 of the by-laws).

(B) The ACWDB Youth Sub-committee replaces the WIA Youth Council. Membership is open to non-board and board members alike with the requirement that at least 3 members of the sub-committee are current board members. At the initiation of the ACWDB Youth Services supervisor or manager, the sub-committee shall identify eligible providers of youth activities in Adams County, in accordance with federal, state, and/or Adams County policies and procedures, whichever is more restrictive, by awarding grants or contracts on a competitive basis based on the recommendations of the Youth Sub-committee or ACWDB. Each regular ACWDB

meeting will have time devoted to youth issues and decisions. Youth sub-committee decisions are subject to ACWDB oversight and revision.

(C) The ACWDB Career Pathways Sub-committee was created May 12th, 2016 on a WDB motion to ensure compliance with the WIOA required board responsibility to lead and promote local area career pathway development. Membership is open to non-board and board members alike with the requirement that at least 3 members of the sub-committee are current board members. Each regular ACWDB meeting will have time devoted to career pathway issues and decisions. Career pathway sub-committee decisions are subject to ACWDB oversight and revision.

Section 4: Identification of Eligible Providers of Training and Intensive Services

The ACWDB shall identify eligible providers of training and intensive services for adults and dislocated workers in compliance with the WIOA, and relevant federal and state regulations.

Section 5: Budget

The ACWDB fiscal year shall be the state program year, which is from the first (1st) day of July of one calendar year through the thirtieth (30th) day of June of the next calendar year. The ACWDB shall develop an annual budget for the purposes of carrying out its duties, and shall submit the budget to the BOCC, or its designated authority, for approval.

Section 6: Oversight

The ACWDB, in partnership with and subject to the approval of the BOCC, shall conduct oversight with respect to youth activity programs, employment and training activities authorized under the WIOA, as amended, and shall conduct oversight of the ACWBC.

Section 7: Local Performance Measures

The ACWDB and the BOCC shall negotiate with the Governor, the Colorado Workforce Development Council (CWDC) and the Colorado Department of Labor and Employment to reach agreement on local performance measures, pursuant to the requirement of the

WIOA, and relevant federal and state regulations. The ACWDB shall report annually to the BOCC on the status of Adams County's four year plan and the bi-annual strategic plan.

Section 8: Partnership Memo of Understanding (MOU)

A Memorandum of Understanding will be made between the Colorado Department of Labor and Employment on behalf of the Division of Unemployment Insurance (UI), the Division of Employment and Training/Workforce Development Programs (WDP), the Colorado Department of Human Services (DVR, TANF) on behalf of the TANF program, the Colorado Department of Corrections (DOC), and ACWDB and set forth the Parties' understanding and responsibilities to successfully deliver services pursuant to the Workforce Innovation and Opportunity Act.

The review of the MOU shall include:

I. An analysis of the successes and challenges in operations pursuant to these provisions;
II. Infrastructure cost sharing methodologies;
III. Any programmatic budgetary changes that may impact a Party's responsibilities; and
IV. Consideration of any issues, findings and/or recommendations identified in the Parties' annual monitoring reports
V. The Parties' performance under the MOU shall commence on July 1, 2016, and shall terminate on June 30, 2019, unless previously terminated by one of the parties pursuant to the terms of the MOU.

Section 8.1: Public Access

ACWDB meetings shall be held at the times and in the places designated by the chairperson, and all meetings shall be conducted in accordance with the Colorado Open Meetings Law, C.R.S. §§ 24-6-401 et seq. In addition, the local board shall make available to the public, on a regular basis through electronic means and open meetings, information regarding the activities of the local board, including information regarding the:

- Local plan prior to submission of the plan
- Membership
- Selection and certification of one-stop operators
- Award of grants or contracts to eligible providers of youth workforce development activities, and
- Minutes of formal meetings of the ACWDB.

Section 8.2: Technology

ACWDB shall develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, workers and job seekers. Phone and web-based technologies will be employed to promote member participation.

Section 9: Employer Linkages

The ACWDB shall coordinate the workforce investment activities authorized under the WIOA, as amended, with economic development strategies implemented by Adams County, and develop other employer linkages with such activities. The ACWDB shall promote the participation of private sector employers in the Colorado Workforce Development System, and ensure the effective provision, through the system, of connecting, brokering, and coaching activities, through intermediaries such as the ACWBC or through other organizations, to assist such employers in meeting hiring needs.

Article III: Membership

Section 1: General

The BOCC shall appoint members to the ACWDB in accordance with the mandates of the WIOA, including criteria established by the Governor in partnership with the Colorado Workforce Development Council.

Section 2: Composition

The ACWDB shall not exceed twenty-five (25) members, and, pursuant to the WIOA, Title I, sec. 107 (b)(2) shall include representatives from each of the type of entities described below.

(A) A majority of the members of the ACWDB, or at least twelve (12) members, shall be representatives of businesses in Adams County, and shall have the following qualifications:

(i) members shall be owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority; and
(ii) shall represent businesses with employment opportunities that reflect the employment opportunities in Adams County; and
(iii) shall be appointed from among individuals nominated by local business organizations and business trade associations.

(B) not less than 20 percent of the members of ACWDB will be representatives of the workforce within the local area who represent -
(i) At least two (2) members shall be representatives of labor organization, and shall be nominated by a local labor federation or shall be otherwise representative of employees.
(ii) apprenticeship programs
(iii) employment needs of individuals with barriers to employment.
(iv) Employment, training or education needs of eligible youth both in-school and out-of-school.

(C) Representatives of entities administering education and training in Adams County, who represent –
(i) Eligible providers administering adult education and literacy activites.
(ii) Institutions of higher learning
(iii) Local community-based organizations.

(D) Representatives of entities of governmental, economic and community development entities serving Adams County who represent –
(i) Economic and community development entities.
(ii) The state employment service office under Wagner-Peyser.

(E) The BOCC may appoint as members other such individuals or representatives of entities as determined by the BOCC to be appropriate.

(F) When appropriate, a member may represent one or more of the agencies, organizations, or entities specified in paragraphs (A) through (E), above.

Section 3: Qualifications

Members of the ACWDB, who represent organizations, shall be individuals with policymaking authority and/or serve in a human resources function; such as training or hiring within the organizations, they represent.

Section 3.1: Nomination Process

Nominees for the ACWDB may be identified by the CEO, current members of the ACWDB or ACWBC staff.

1) Applicants are required to complete the ACWDB application and produce a current resume to be considered.
2) The applicants will then be interviewed by current members of the ACWDB and/or ACWBC staff.
3) If the candidate meets requirements for the post, a resolution will be created for presentation at a normally schedule Adams County public hearing.
4) Final approval comes from the CEO and the BOCC.
5) The candidate will become a full voting member of the ACWDB at a time designated in the approved resolution.

Section 3.2: Vacancies

Should a vacancy occur on the ACWDB the chairperson shall inform the CEO of such and that the nomination process will be started to fill the position in accordance with WIOA local board composition requirements.

Section 4: Terms of Service

The term of service for each ACWDB member shall be for a period of three (3) consecutive years, renewable at expiration upon the BOCC's discretion. Members of the

ACWDB who resign, leave, or who are removed from office, for whatever reason, shall be replaced as soon as possible by the BOCC, in accordance with the provisions of the WIOA, and relevant federal and state regulations, and these Bylaws, as amended, and the replacement member shall serve out the unexpired term of service of the member being replaced.

Membership terms, length of service, may vary due to the WIOA requirement for an annual balanced turnover.

Section 5: Functions of the ACWBD

As enumerated in WIOA statute, Sec. 107 (d), the Local Board, in partnership with the CEO, must perform a variety of functions to support the local workforce system: *(PGL 15-07-WIOA which replaces PGL 14-06-WIA)*

(i) Develop and submit a local plan to the Governor and be part of a planning region that includes multiple local areas.
(ii) Perform workforce research and regional labor market analysis.
(iii) Convene, broker and leverage workforce development system stakeholders to assist in the development of the local plan.
(iv) Engage employers, promote business representation on the board, develop and implement proven or promising strategies for meeting the needs of employers and workers.
(v) Connect with representatives of secondary and post-secondary education programs in the local area in order to develop and implement career pathways.
(vi) Identify and promote proven and promising strategies and initiatives for meeting the needs of employers, workers and jobseekers.
(vii) Development strategies for using technology to maximize the accessibility and effectiveness of the workforce development system.
(viii) Conduct oversight, in partnership with the CEO, of the use and management of funds to maximize performance outcomes.
(ix) Negotiate with CEO and required partners on the methods for funding the infrastructure costs of one-stop centers in the local area.
(x) Selection of eligible service providers in the local area which must be conducted consistent with 2 CFR part 200. Identify eligible providers of youth workforce investment activities, but now requires, consistent with WIOA sec. 107(d)(10)(B),

that this identification be accomplished through the award of grants or contracts on a competitive basis.

(xi) Coordinate with education providers in the local area.

(xii) Develop a budget for the activities of the local board.

(xiii) Annually assess the physical and programmatic accessibility of all one-stop operators in the local area.

(xiv) Develop and enter into the memorandum of understanding with each of the one-stop partners.

The Adams County Workforce Development Board on January 14th, 2016, assigned administrative execution of the WIOA designated roles and responsibilities to the Administrator / Local Area Director of Adams County Workforce & Business Center and his/her staff. Strategic direction and decision making for those roles and responsibilities are retained by Workforce Development Board.

Section 6: Removal from Service

Under the following circumstances, the BOCC or ACWDB, by simple majority vote, may remove any ACWDB member, except the Chairperson or the Vice Chairperson, from his/her term of service before the term is completed.

(A) Failure to attend or designate a proxy for three (3) consecutive regularly scheduled meetings of the ACWDB in one calendar year, unless excused by the Chairperson; or

(B) Failure to attend all meetings in one calendar year, excused and unexcused; or

(C) Any other cause as determined by the BOCC or ACWDB.

The ACWDB Chairperson or the Vice Chairperson may be removed from his/her term of service before the term is completed upon a simple majority vote of both the BOCC and ACWDB voting membership.

Section 7: Ensuring Active Participation

It is the duty of all ACWDB members to be actively engaged in board activities. The Chairperson and Vice Chair will monitor and address issues of lack of participation and,

if necessary, make recommendations to the Executive Committee, CEO or full board to address non-compliance with this requirement.

Article IV: Officers

Section 1: Chairperson

At the May meeting of the ACWDB, the members shall elect a Chairperson, by simple majority vote, from among the representatives described in Section 2(A), above. The Chairperson shall serve for a term of two (2) consecutive years, which term shall begin on the first (1st) day of July of the first (1st) year of his/her term, and end on the thirtieth (30th) day of June of the final year of his/her term.

The duties of the Chairperson shall be to preside over the meetings of the ACWDB to call special meetings, or to poll members of the ACWDB as the Chairperson deems necessary and proper. It shall also be the duty of the Chairperson to establish such committees as necessary, within each program year, to effectively and efficiently carry out the functions of the ACWDB.

Section 2: Vice Chairperson

At the May meeting of the ACWDB, the members shall elect a Vice Chairperson, by simple majority vote, from among the representatives described in Section 2(A), above. The Vice Chairperson shall serve for a term of two (2) consecutive years, which term shall begin on the first (1st) day of July of the fist (1st) year of his/her term, and end on the thirtieth (30th) day of June of the final year of his/her term.

The Vice Chairperson shall perform the duties of the Chairperson in the event of the Chairperson's absence or in the event of a vacancy in the position of Chairperson.

Section 3: Replacement of Chairperson and/or Vice Chairperson

In the event of a vacancy in the position of Chairperson, the Vice Chairperson shall fill the vacancy only until the ACWDB elects a successor to complete the unexpired term of service of the vacating Chairperson.

In the event of vacancies at the same time in the positions of Chairperson and Vice Chairperson, the Director (Administrator) of the ACWBC shall act as Chairperson only until the ACWDB elects successors to complete the unexpired terms of service of the vacating Chairpersons and Vice Chairpersons.

When either the Chairperson or the Vice Chairperson for any reason vacates his/her term of service before it is completed, that vacancy shall be filled as provided herein no later than the second (2nd)scheduled ACWDB meeting after the date the office is vacated.

Article V: Meetings

Section 1: Meetings

The ACWDB shall hold at least five (5) scheduled meetings during each program year, which is from the first (1st) day of July through the thirtieth (30th) day of June. The ACWBC shall determine the time and place for the meetings, and ensure that notice is given to each member of the ACWDB.

The ACWDB may also be called into special session at such times and dates and at such locations as the Chairperson shall deem necessary and appropriate.

Section 2: Agenda

ACWBC shall ensure that the agenda for each meeting of the ACWDB shall be presented with the notice of meetings whenever feasible; and may be amended, if necessary, at the commencement of such meeting.

Section 3: Voting

Each ACWDB member shall be entitled to one vote. Each member may designate an alternate to attend any specific meeting and vote by proxy at said meeting. Such designation must be accomplished prior to the beginning of the meeting in question and may be accomplished either orally or in writing to the Chairperson of the ACWDB.

The WDB Executive committee meetings are often via phone conference. Under such circumstances, voting is permitted as long as a quorum is present and the votes are tallied and available for public inspection and comment. All votes are reported to the full WDB at the next scheduled meeting.

Section 4: Quorum Necessary

A quorum shall consist of a simple majority of ACWDB voting members and either the Chairperson or the Vice Chairperson. A quorum must be present at any meeting of the ACWDB for the valid transaction of business to occur.

Section 5: Conflict of Interest

An ACWDB member shall not vote on a matter under consideration by the ACWDB regarding the provision of services by such member, or by an entity that such member represents, or that would provide direct financial benefit to such member or the immediate family or such member, or engage in any other activity that constitutes a conflict of interest as specified in the State plan.

Section 6: Open Records

Pursuant to the WIOA, as amended, the ACWDB shall make available to the public, or a regular basis through open meetings, information regarding the activities of the ACWDB, including information regarding the local plan prior to submission of the plan, and regarding membership, the designation and certification of workforce and business center operators, and the award of grants or contracts to eligible providers of youth activities, and, on request, minutes of formal meetings of the ACWDB.

Article VI: Bylaw Revisions

ACWBD bylaws will require periodic alignment with state and federal statutes, and modifications to comply with changing state and federal regulations. The ACWBD Executive Committee will undertake the reviews on an annual basis or when required.

IN WITNESS WHEREOF, the Parties have caused their names to be affixed hereto.

Steve O'Dorisio, Chair
Adams County Board of County Commissioners

11/1/16
Date

Tricia Allen, Chair
Adams County Workforce Development Board

10/11/16
Date

Chris Kline, Director
Adams County Human Services Department

10-18-16
Date

Phil Noble, Administrator
Adams County Workforce & Business Center

9/27/16
Date

Approved as to form:

Doug Edelstein
Adams County Attorney's Office

10/5/16
Date