



LOWER CHATTAHOOCHEE WORKFORCE DEVELOPMENT BOARD
Lower Chattahoochee Workforce Development Area 14 (WDA-14)

BY-LAWS

ARTICLE I

SECTION I: The official name of this body shall be the Lower Chattahoochee Workforce Development Board of the Lower Chattahoochee Workforce Development Area-14; hereinafter referred to as the 'LCWDB" or "Board".

ARTICLE II

SECTION I: The LCWDB is formed under the provisions of the Workforce Innovation and Opportunity Act of 2014 and established in accordance with the Joint Agreement of the Lower Chattahoochee Area Local Elected Officials of the Lower Chattahoochee Workforce Development Area.

SECTION II: It shall be the responsibility of the LCWDB to provide policy guidance for, and exercise oversight with respect to, activities under the Lower Chattahoochee Workforce Development Area Plan, in partnership with the units of general local government within the Lower Chattahoochee Workforce Development Area.

The LCWDB, in accordance with the Agreement of the Joint Local Elected Officials and Agreement between the LCWDB and Chief Elected Official(s) of the Lower Chattahoochee Workforce Development Area, shall:

- A) Establish an Executive Committee, which shall have the authority to act on behalf of the full LCWDB in emergency situations;
- B) Establish, in cooperation with the Chief Elected Official, a youth standing committee that builds on existing local youth service organizations and provide oversight of youth activities in the Lower Chattahoochee Workforce Development Area.
- C) Establish, in cooperation with the Chief Elected Official, other standing committees that shall be necessary and appropriate to ensure maximum policy and oversight of workforce development to ensure accountability and transparency of funds, systems, services and activities.
- D) The Chairperson shall select a member of the local Workforce Development Board to Chair each respective standing committee;
- E) In partnership with the Chief Elected Official, develop and submit a local plan to the Governor of Georgia;
- F) In partnership with the Chief Elected Official, participate in the development of a regional plan, if the local area lies within a region;
- G) Designate, or certify, one-stop operator(s); and terminate for cause the eligibility of such operator(s), with agreement of the Chief Elected Official;

- H) Identify eligible providers of youth activities in the local area by awarding grants or contracts on a competitive basis, which shall be based on the recommendations of the Youth Committee;
- I) Identify eligible providers of training services in the local area;
- J) Develop a budget for purpose of carrying out the duties of the LCWDB, subject to approval of the Chief Elected Official;
- K) In partnership with the Chief Elected Official, conduct program oversight of the youth, adult and dislocated workers local employment and training activities and the one-stop service delivery system in the local area;
- L) Negotiate local performance measures in partnership with the Chief Elected Official and the Governor of Georgia;
- M) Assist the Governor of Georgia in developing the statewide employment statistics system;
- N) Ensure coordination of the workforce development activities with the area's economic development strategies and develop employer connections to such activities;
- O) Promote the participation of private employers in the statewide workforce development system and assist these employers in meeting hiring needs through the local workforce system;
- P) Coordinate with other workforce and economic development activities carried out in the region, such as efforts of the Departments of Industry, Trade and Tourism, and Community Affairs; universities, colleges and technical institutes; empowerment zones; and similar efforts.
- Q) Make available to the public on a regular basis (through electronic means and open meetings) information regarding activities of the local board, including information regarding the local plan prior to submission and regarding membership, designation and certification of one-stop operators and award of grants or contracts to eligible providers of youth workforce development activities; and on request, minutes of formal meetings of the board.
- R) Annually assess the physical and programmatic accessibility of all one-stop centers in the local area in accordance with the Workforce Innovation and Opportunity Act and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.)

SECTION III: GRANT RECIPIENT AND ADMINISTRATOR

The Entity designated as "Grant Recipient/Fiscal Agent and Administrator" shall be responsible for the day-to-day administrative operations and duties of the LCWDB, promulgated under the provisions of the Workforce Innovation and Opportunity Act and shall be responsible for maintenance of: a management information system, preparation and distribution of reports on operations and expenditures of funds allocated to the workforce development area, determining eligibility of participants, taking action against subcontractors for misuse of funds, serve as contracting agency with the workforce development area for all contractors, and other responsibilities as defined by the Workforce Innovation and Opportunity Act, as outlined in Article II, Section I (D thru P),

the State of Georgia, the Lower Chattahoochee Workforce Development Board, and/or Chief Elected Official of the Lower Chattahoochee Workforce Development Area.

The Columbus Consolidated Government is designated as Grant Recipient and Program Administrator for WDA-14.

SECTION IV: ASSURANCES

The Program Administrator shall be responsible for ensuring LCWDB compliance with the Workforce Innovation and Opportunity Act as it pertains to member representation, and shall be in accordance with the Agreement between the LCWDB and the Chief Elected Official.

The Program Administrator shall be responsible for the day-to-day administrative operation of the local WIOA Programs, and shall bear responsibility for: a) maintenance of a management information system; b) preparation and distribution of reports on operations and expenditures of workforce development area funds; c) allocation of funds within the workforce development area; d) determine eligibility of participants; e) determine eligibility of providers of service; f) taking action against subcontractors for misuse of funds; g) serve as contracting agency within the workforce development area for all training providers; and h) other responsibilities as defined by the Workforce Innovation and Opportunity Act of 2014 , the State of Georgia, the Lower Chattahoochee Workforce Development Board, and/or Chief Elected Official of the Lower Chattahoochee Workforce Development Area.

As Recipient of WIOA funds, responsible for development and maintenance of an adequate financial management system; b) development and maintenance of system for preparation and distribution of reports on operations and expenditures of the Workforce Development System; c) conduct program monitoring; e) program evaluation; f) property management; and g) accomplish the planning mission as well as the administration of funds, the acquisition of contracts and Individual Training Account (ITA) System for furnishing training and all other WIOA services, and to prepare reports on progress and results, both those required by the Act and the State administering agency, and those prescribed by the LCWDB and the Chief Elected Official.

The LCWDB will assure that all activities are in accordance with Title I of the Workforce Innovation and Opportunity Act and associated regulations.

ARTICLE III

SECTION I: MEMBERSHIP SIZE

The LCWDB shall consist of a minimum of 21 representatives, 51% of which shall represent the private sector, and which shall ensure adequate representation of diverse economic interests, as well as, geographic dispersion.

SECTION II: REPRESENTATION

A. Representatives of the Board shall consist of:

- (1) Business section representatives of the private sector businesses (to include small businesses or organizations representing private sector businesses in the local area) shall constitute a majority (51%) of the membership of the Board, who shall be owners of business concerns, chief executive or operating officers of businesses, or other private sector executives with optimum policy making and hiring authority that reflect the employment opportunities of the local area; and, are appointed from individuals nominated by local business organizations and trade associates

- (2) Representatives of labor organizations (minimum 2) in which employees are represented and who are nominated by the local labor federation;
 - (3) A representative of a joint labor management organization or a training director from a joint labor-management apprenticeship program, or if non-existent in area, representative of an apprenticeship program in the area if such exists; and,
 - (4) A representative of organization that demonstrates experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth;
 - (5) A representative of eligible providers administering adult education and literacy activities under title II;
 - (6) A representative of institutions of higher education (including community colleges) providing workforce development activities
 - (7) Representatives of governmental and economic development agencies (minimum 3); which shall consist of:
 - Representative of economic development
 - A representative from State local employment services under Wagner Peyser Act (29 U.S.C. 49 et seq.)
 - A representative of programs carried out under Title I, Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), excluding section 112 or part C of that title (29 U.S.C 732, 741)
 - Representatives of agencies or entities administering programs serving the local area relating to transportation, housing, and public assistance (minimum 2).
- B. Required partners of the one-stop system, in accordance with Section 121(b)(1)(B) of WIOA shall consist of, at a minimum, one representative of:
- (1) Programs authorized under Title I of the Workforce Innovation and Opportunity Act serving:
 - ✓ Adults;
 - ✓ Dislocated workers;
 - ✓ Youth;
 - ✓ Job corps;
 - ✓ YouthBuild
 - ✓ Native American programs; and
 - ✓ Migrant and seasonal farm worker programs;
 - (2) Programs authorized under the Wagner-Peyser Act (29 U.S.C. 49 et seq.);
 - (3) Adult education and literacy activities authorized under Title II of WIOA;
 - (4) Vocational rehabilitation programs authorized under Title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.);
 - (5) Senior Community Service Employment Programs authorized under Title V of the Older Americans Act of 1965 (42 U.S.C. 3956 et seq.);
 - (6) Career and technical education programs at the post secondary level authorized under the Carl Perkins Career and Technical Education Act of 2006 (20 U.S.C 2301 et seq.);
 - (7) Trade Adjustment Assistance activities authorized under chapter 2 of Title II of the Trade Act of 1974 (19 U.S.C 2271, et seq.);
 - (8) Jobs for Veterans State Grants programs authorized under chapter 41 of title 38, U.S.C (local veterans employment representatives and disabled veterans outreach programs);
 - (9) Employment and training activities carried out under the Community Services Block Grant (42 U.S.C. 9901 et seq.);
 - (10) Employment and training activities carried out by the Department of Housing and Urban Development,

- (11) Programs authorized under State unemployment compensation laws (in accordance with applicable Federal law);
- (12) Programs authorized under sec. 212 of the Second Chance Act of 2007 (42 U.S.C. 17532); and,
- (13) Temporary Assistance for Needy Families (TANF) authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), unless exempted by the Governor under § 678.405(b). (WIOA sec 121(b)(1)(B)(xiii).

B.2. Representatives of, at a minimum, one additional partner agency:

- TANF programs authorized under the Social Security Act, including the Ticket to Work and Self-Sufficiency Program under Sec 1148 of the Social Security Act (42 U.S.C. 1320b-19);
- Employment and training programs carried out by the Small Business Administration;
- Supplemental Nutrition Assistance Program (SNAP) employment and training programs authorized under secs. 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4)
- Client Assistance Program authorized under sec. 112 of the Rehabilitation Act of 1973 (29 U.S.C 732); and/or
- Other appropriate Federal, State, or local programs, including employment, education, and training programs provided by public libraries or in the private sector.

SECTION III:

APPOINTMENT AND VACANCIES

A) APPOINTMENTS

The terms of office for LCWDB members shall be for a period of **two (2) years**, The CLEO, in making appointments to the LCWDB, shall make such initial appointments for a two-year term, Later appointments or reappointments will be for fixed and staggered terms, either two years or three years. Unless stated otherwise herein, appointments begin on July 1 and end on June 30 unless member resigns or is otherwise removed for cause. Vacancies that occur prior to the expiration of an individual's membership shall be filled (where possible) within 60 days of the date a member's term expires, or if a member resigns, or is terminated for cause. Subsequent appointments to replace vacancies will be for not less than two years from day of initial period of appointment. This will allow for staggering of membership terms.

All members of the Board in good standing shall be eligible for re-election and reappointment for at least two terms following the initial WIOA program year. Some members deemed by the CLEO to be crucial to WDB function due to experience, expertise, etc. may have extended term limits.

Nomination for membership on the LCWDB shall be solicited in accordance with the Joint Agreement of the Chief Elected Officials. For purposes of these Bylaws, the Chief Elected Official, or officials, means the individual or individuals elected by the local elected officials of all units of general local government in the workforce development area, as their authorized representative and signatory agent(s). The Chief Elected Official in accordance with the Workforce Innovation and Opportunity (WIOA) Act will certify appointments to the LCWDB.

A member's eligibility to serve on the LCWDB shall continue only so long as that member is representative of the sector that nominated the member for appointment. Each member of the LCWDB shall have equal standing and shall have one vote in all matters of business brought before the LCWDB.

B) VACANCIES

All vacancies must be filled within sixty (60) days of the position becoming vacant, unless attempts made to fill the position(s) have been unsuccessful. In this instance, documented attempts and any alternative efforts made to fill the vacancy if necessary must be maintained. Vacancies filled by new members must be in accordance with the requirements of LCWDB membership, and shall be certified by the Chief Elected Official for the initial term of membership not to exceed **two (2) years**.

Expired membership terms may be renewed provided the LCWDB member has remained in good standing during the initial term of membership.

A LCWDB member shall be automatically removed and replaced for failing to attend three (3) consecutive board meetings without cause in accordance with Georgia Rule 159-2-1-.05(5).

1) FILLING VACANCIES

Solicitation to fill vacant positions on the local board shall meet the criteria set forth under WIOA, Section 107(b) and these bylaws.

- (A) Business representatives shall be from among individuals who are nominated by local business organizations and business trade associations.
- (B) Labor representatives shall be from among individuals who are nominated by local labor federations (or, for a local area in which no employees are represented by such organizations, other representatives of employees); and
- (C) When there is more than one local area provider of adult education and literacy activities under titled II, or multiple institutions of higher education providing workforce development activities as described in WIOA 107(b)(2)(C)(i) or (ii), nominations shall be from those particular entities. (WIOA sec. 107 (b)(6))”
- (D) All other appointments to fill vacancies shall be solicited from its respective agency authority in accordance with the criteria outlined in WIOA Section 107(b)(2).

SECTION IV:

CONFLICT OF INTEREST

For any perceived conflict of interest that arises either during discussion or voting of matters for which such perceived conflict shall or would apply, or be misconstrued as such, the affected member shall abstain from discussion or voting on such matters.

To avoid the appearance of a conflict of interest, contracted agencies and/or providers of services in the system who are members of the LCWDB, appointments as members to the Executive Committee or subcommittees shall be in accordance with these bylaws.

Gratuities and Favors:

Officers, employees, agents of an agency, and/or LCWDB member making an award will neither solicit nor accept gratuities, favors, or anything of monetary value from the awardee, potential awardee, or parties to sub agreements.

Conflict of Interest Certification Provision

Each LEO, local Workforce Area Director, WDB Chairperson and members of the Local Workforce Development Board shall sign a Conflict of Interest Certification

form which shall remain in effect, unless member no longer serves as a member in good standing; or, provision has been rescinded or superseded by federal and/or state provisions.

The WIOA Administrator will ensure that any new LEOs and/or board members sign the Conflict of Interest certification soon after date of certification by the CLEO.

Certification forms shall be signed by the member and a copy filed with the Georgia Department of Economic Development Workforce Development Division. The original certification forms shall be maintained by the WIOA Administrative Board Support staff and made available as requested during monitoring or auditing purposes. Signing of the conflict of interest certification form indicates that the member is knowledgeable of what constitutes conflict and the process of disclosure. Board members are aware that failure to sign a Conflict of Interest Certification Provision form voids the members right to serve and take action required of board members in accordance with federal and state statutes.

SECTION V: BENEFITS

Membership on the Lower Chattahoochee Workforce Development Board shall be on a voluntary basis. No dues shall be assessed to any category of Board membership. Members shall not receive a salary or compensation for serving on the Board. Authorized reimbursement for travel of Chief Elected Official, Board members, and special guest for expenses incurred as a result of Board meetings, workshops, or other functions related to Board responsibilities is allowable. Reimbursement will be in accordance with the local travel regulations of the WIOA Administrator.

**ARTICLE IV
OFFICERS AND THEIR DUTIES**

The Lower Chattahoochee Workforce Development Board shall have a Chairperson and two (2) Vice Chairpersons. A Chairperson shall also be selected by the LCWDB Chairperson to preside over any established standing committees of the Lower Chattahoochee Workforce Development Board. The Chief Elected Official shall select the initial appointment of the Board Chairperson. Appointments thereafter shall be in accordance with the established bylaws.

SECTION I: LCWDB Chairperson

The full membership of the Board shall elect a Chairperson from among those members representing the private sector. The Chairperson shall serve for two (2) years, or if a member resigns, or is terminated for cause, or until a successor is elected within the term. Term of office should be for no more than two consecutive two-year terms unless otherwise approved by the vote of a majority of the board members.

The Chairperson shall preside at meetings of the LCWDB, shall appoint committees and their Chairpersons, as needed, and have other duties and responsibilities as bestowed by these Bylaws, the Workforce Innovation and Opportunity Act, and State policy.

SECTION II: LCWDB Vice-Chairperson(s)

The full membership of the Board shall elect a Primary and Secondary Vice-Chairperson from among those members representing the private sector. The Vice-Chairperson(s) shall serve for two (2) years or term expires, or if a member resigns, or is terminated for cause or until a successor is elected.

The Primary Vice Chairperson shall preside at meetings of the LCWDB in the absence of the Chairperson and shall be vested the duties of the Chairperson in his/her absence. The Secondary Vice-Chairperson shall share the same responsibilities in the absence of the Primary Vice-Chairperson.

Should the Chairperson become unable to perform his/her duties, the Primary Vice Chairperson shall assume the responsibilities of the position of "Acting Chairperson" until such time as a Chairperson can be elected in accordance with Article V of these bylaws.

ARTICLE V
NOMINATION AND ELECTION OF OFFICERS

SECTION I: The Chief Elected Official shall initially appoint a Chairperson to preside over the meetings of the Board and to coordinate with the Chairperson the appointment of members to Board. All other appointments shall be governed by the bylaws established herein.

SECTION II: In accordance with the mandate of PL-113-128, a Chairperson for the LCWDB shall be appointed at the first full meeting of the Board. In accordance with these bylaws, two Vice Chairpersons shall also be appointed at the first full meeting of the Board. All nominees shall be appointed from the private sector representation on the LCWDB.

SECTION III: The term of office shall be for two (2) years. Prior to the end of the second year, nominations shall be solicited from the majority representatives of the Board. The membership committee shall solicit from board members such nominees who are representative of the private sector. Nominations may also be received from the floor prior to voting provided such nominees are from the private sector. The slate of nominees shall be sent to members of the full Board for voting purposes. The nominee for an office who receives a majority vote shall be elected at the next full meeting of the Board.

SECTION IV: Should an officer resign prior to the end of the term of office, a replacement shall be elected to serve the remaining term of office by the process described in Section III. Should the Chairperson resign prior to the end of the term of office, the Vice Chairperson shall serve as "Acting Chairperson" until such time as elections as prescribed in Section III can be held to fill the vacancy.

ARTICLE VI
COMMITTEE STRUCTURE

SECTION I: The LCWDB Chairperson shall be responsible for establishing such committees as he/she deems necessary and appropriate. Establishment of such committees shall be subject to approval by the Board. The Board Chairperson shall designate a Chairperson to preside over each respective standing committee of the Board.

SECTION II: The establishment of standing committees (that shall include a youth and executive committee); and the cross section of Board members that is represented, will ensure the enhancement of integrated services provided in the one-stop workforce development system.

SECTION III: Members to serve on each standing committee shall be voluntary; and shall consist of board members and include other individuals appointed by the board who are not members of the board with an expressed interest and optimum knowledge or expertise in the area represented.

SECTION IV: No member of the LCWDB who is also a service provider or potential provider, or has a financial interest in an agency receiving WIOA funds, who serves as an advisor, or board member of a respective training vendor/provider agency, shall serve on any established committee whose function is to review, select, and/or evaluate vendor or contract applications for funding relative to the interest of that vendor and/or provider agency.

SECTION V: The standing committees contained in Section VI below are deemed necessary and appropriate to ensure maximum policy and oversight of Workforce development systems, services and activities. The standing committees contained in Section VI shall meet as deemed appropriate and necessary during the program year. The full LCWDB shall approve establishment of such committees at its regularly called meeting and approval documented as part of the official minutes.

SECTION VI: **STANDING COMMITTEES**

A. EXECUTIVE COMMITTEE

Members of the Executive Committee shall be comprised of the designated Chairpersons of each standing committee, as identified in Article VI, Section V (B) and Section V (C)(1)(2)(3). Under the authority of the LCWDB, it shall be the responsibility of the Executive Committee to convene on behalf of the LCWDB and make decisions that affect the operation of the WIOA systems and WIOA programs and services administered and operated in accordance with the Workforce Innovation and Opportunity Act of 2014 in situations where attempts to assemble the full Board for approval could not be accomplished and “no action” would impede operations.

The Executive Committee shall attend to all the internal affairs of the Board, shall make arrangements for carrying out the business of the Board as it deems best, and in addition to the powers of the bylaws expressly conferred upon the Executive Committee, it may exercise all of the powers of the Board that require full Board action. The LCWDB Board, however, shall be informed of any actions taken by the Executive Committee in these instances at the next full meeting of the Board.

- Board members who have an expressed or inferred relationship with any contracted agencies and/or providers of services in the system who have a financial interest will not be appointed to this Committee.
- Contracted agencies and/or providers of services in the system who have a financial interest will not be appointed to this Committee.

B. YOUTH COMMITTEE

In accordance with the Workforce Innovation and Opportunity Act of 2014, the LCWDB Chairperson shall appoint a Chairperson to the Youth standing committee who has expertise in youth issues and the provision of services to youth in the workforce development area. In accordance with the Workforce Innovation and Opportunity Act, it shall be the responsibility of the Youth Committee to:

- Assist the WIOA Program Administrator staff in the development of portions of the local plan, as determined by the LCWDB Chairperson that relate to the eligible youth under WIOA;

- Coordinate with the WIOA Program Administrator staff to review proposed applications (proposed services) submitted by potential deliverers of youth service(s) within the one-stop development system and local workforce development area, and make appropriate recommendations to the Program Evaluation Performance and Compliance Committee and the LCWDB regarding services to be funded and provided in the local area in accordance with the WIOA, which may or may not be WIOA funded.
- Assist WIOA Program Administrator staff in coordinating youth activities in concert with the Program Evaluation Performance and Compliance Committee and provide summary and committee(s) recommendations to the LCWDB for appropriate action.
- Assist WIOA Program Administrator staff to provide oversight of eligible providers and the WIOA System for eligible youth activities to ensure compliance with contractual agreements and WIOA regulations that is generated from reports of internal/external monitoring conducted by the WIOA Program Administrator staff.
- The Youth Committee shall report to the Board all summaries and recommendations (where appropriate) for LCWDB approval.

C. OTHER STANDING COMMITTEES

- 1) **ADMINISTRATIVE AND PROGRAMMATIC OVERSIGHT AND COMPLIANCE COMMITTEE:** Members of this committee shall represent a cross section of members of the Board. It shall be the responsibility of this committee, in coordination with the WIOA Program Administrator, to review employment and training needs in the area and to determine population target groups for the area. It shall further be the responsibility of this committee to oversee the systems functions and to coordinate with the WIOA Program Administrator staff in preparing program plan(s) as required. Members of this committee shall review proposing applications and/or proposals submitted by potential deliverers of service within the one-stop delivery system, and make appropriate recommendations to the Board regarding services to be funded and provided in accordance with the Workforce Innovation and Opportunity Act of 2014.

Provide information and assist with operational and other issues relating to the one-stop delivery system, which may include as members representatives of the one-stop partners.

Provide information and oversight responsibilities relating to WIOA programmatic, performance and fiscal compliance. Provide information and to assist with operational and other issues relating to the provision of services to individuals with disabilities, including issues relating to compliance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding providing programmatic and physical access to the services, programs, and activities of the one-stop delivery system, as well as appropriate training for staff on providing supports for or accommodations to, and finding employment opportunities for, individuals with disabilities.

A summary of each meeting and any recommendations (where applicable) shall be presented to the Board for approval where applicable. In circumstances where the Executive Committee is serving on behalf of the Board, the committee shall subsequently report such actions and/or

recommendations to the Executive Committee. The Committee shall in-turn report actions taken on behalf of the LCWDB at the next full convening meeting of the board for affirmation.

- 2) **FINANCE AND BUDGETING COMMITTEE:** Members of this committee shall represent a cross section of members of the Board, with responsibility to conduct oversight of the systems budget and finances from reports generated by the WIOA Program Administrator staff and make recommendations where appropriate. The WIOA Program Administrator staff shall provide report of system(s) finances in respect to WIOA allocations and program expenditures for this purpose. Members of the committee shall be responsible for conducting oversight of the fiscal accountability and transparency of the local workforce system administered and operated by funds allocated under WIOA and any other funding provided applicable to services in the local workforce area and make recommendations to the local Board where appropriate. Oversight shall be conducted via reports generated by designated WIOA Administrator staff. The WIOA Administrator staff shall be responsible to provide reports of the financial systems and funding in respect to WIOA and other applicable funds allocated to the workforce area. A summary of each meeting and recommendations shall be presented to the LCWDB for appropriate action, or to the Executive Committee that shall convene on behalf of the LCWDB until the next full board meeting, at which time the Executive Committee shall report any actions taken by the committee on behalf of the LCWDB for confirmation.
- 3) **MEMBERSHIP COMMITTEE:** Members of this committee shall represent a cross section of members of the Board, with responsibility, to ensure compliance with board membership. Meetings of the membership committee shall convene on an as need basis during a program year or when necessary to ensure compliance and oversight of board membership issues. A summary of each meeting and recommendations shall be presented to the LCWDB for appropriate action, or to the Executive Committee that shall convene on behalf of the LCWDB until the next full board meeting, at which time the Executive Committee shall report any actions taken by the committee on behalf of the LCWDB for confirmation.

ARTICLE VII

MEETINGS, QUORUM AND VOTING

SECTION I:

MEETINGS

Meetings of the Lower Chattahoochee Workforce Board (LCWDB) shall be held on a quarterly basis, or more often if deemed necessary. All meetings of the LCWDB shall be made open to the public and preceded by adequate public notice.

Adequate written minutes of LCWDB meetings shall be kept, recording the acts and proceedings at the meetings of the Board. Such minutes shall be prepared and distributed to the Board membership by the WIOA Program Administrator staff and shall be approved at the next succeeding meeting of the Board.

Substitute representation of a LCWDB member at Board meetings is acceptable; however, such representative shall be unable to vote on the member's behalf. Adequate notice of absence should be provided the WIOA Program Administrator staff for coordination purposes of meetings held by the LCWDB. Alternate representatives for the same sector may be appointed and certified by the CEO to have the same voting rights as the primary member only in his/her absence.

- A. Executive Committee shall meet when required during the program year to serve on behalf of the full Board. No substitute representation of a member shall be allowed.
- B. Youth Committee shall meet at least quarterly, if possible, during the program year. No substitute representation of a member shall be allowed.
- C. Other standing committees of the LCWDB shall convene a called meeting when necessary to ensure compliance and oversight of program and board issues. Meetings shall be held no less than twice annually. No substitute representation of a member is allowed.
- D. **PUBLIC NOTICE**
The WIOA Program Administrator staff shall be responsible for ensuring that the public is notified of all LCWDB meetings within two weeks prior to such meeting. Public notice shall be in the form of notice on a public bulletin board located within the workforce development area and/or published on the Program Administrator's website.

SECTION II: QUORUM

A quorum shall consist of a simple majority of the total seated membership of the LCWDB (Board). The action of the majority of the quorum present at any meeting shall be the action of the Board.

SECTION III: VOTING

Each LCWDB member shall cast one vote. All business of the LCWDB shall be decided by 51% of the board members present at a regularly scheduled meeting. No action shall be voted upon unless the board members present satisfies the 51% quorum.

Neither electronic voting nor proxy voting is authorized unless the Governor of the state of Georgia declares state of emergency and/or state of health emergency. Only under these circumstances necessitated by emergency conditions involving public safety or the preservation of property or public services, the LCWDB or standing committees thereof may meet by means of teleconference so long as the notice required is provided and means are afforded for the public to have simultaneous access to the teleconference. This provision will only apply while the declared state of emergency is in effect in accordance with the State of Georgia Open Meetings Act Code 50-14-1(g)

SECTION IV: Should issues discussed or voted upon present a possible conflict of interest, said member shall disclose the nature of the conflict at discovery and abstain from any discussion and voting of said issue.

**ARTICLE VIII
REMOVAL OF MEMBER(S)**

SECTION I: Members shall be subject to removal from the LCWDB, if:

- a) member willfully failed to acknowledge a conflict or potential conflict of interest in issues being addressed by the Board;
- b) member or its agency (where applicable) fails to honor the memorandum of understanding for services under the workforce development system;

- c) member accepts gratuities, favors, or anything of monetary value from WIOA suppliers or potential suppliers/providers (including subcontractors); and,
- d) member no longer represent the sector of representation and/or meet the requirements for Board membership

PROCEDURE: The following procedure has been established for removal of a member who fails to meet the requirements for LCWDB participation.

- 1) The Program Administrator shall be responsible for notifying the LCWDB Chairperson and Chief Elected Official in writing of any member who fails to meet the requirements as a LCWDB member;
- 2) If a LCWDB member’s organization fail to honor the WDA One-Stop Memorandum of Understanding, all efforts will be exhausted by the Chairperson, Chief Elected Official, and Program Administrator to resolve these issues. If issues cannot be resolved, the LCWDB member will be removed, and efforts made by the Program Administrator to ensure the LCWDB continue to comply with the requirements of WIOA.
- 3) If a LCWDB member fails to disclose a conflict, or potential conflict of interest, the Program Administrator will promptly initiate an investigation. Results of such investigation shall be provided the LCWDB Chairperson and Chief Elected Official, and a determination made. To avoid allegations of a conflict of interest, **no member whose agency contracts for the provision of services under the workforce development system shall serve on the Executive Committee or program compliance committee.**

**ARTICLE IX
REPORTS**

SECTION I: All standing committee Chairpersons shall make oral reports of their meetings at each Board meeting.

The Executive Committee shall make oral reports of its meetings and actions taken by the Committee on behalf of the LCWDB at each meeting of the LCWDB where action of the committee has been taken.

SECTION II: The Official Office of Record for the Lower Chattahoochee Workforce Development Board shall be the Program Administrator’s Job Training Division, which shall be responsible for the provision of all fiscal, administrative, programmatic, performance, compliance and statistical data and other information required by the LCWDB, or its subcommittees for reports and/or studies.

SECTION III: All WDB approved budgets shall be approved by the CEO in writing and submitted to the Technical College System of Georgia, Office of Workforce Development no later than two weeks after approved by the CEO.

**ARTICLE X
AMENDMENTS**

SECTION I: These bylaws may be amended, supplemented, or superseded only by an affirmative vote of not less than a two-third majority vote of the full LCWDB membership, at any regular or called meeting; provided however that LCWDB members are provided no less than five (5) working days written notice of such proposed amendments.

SECTION II:

The Chief Elected Official(s) who possess such delegated authority, shall at any time, amend this Agreement for the purpose of accommodating changes in local circumstances and/or the Workforce Innovation and Opportunity Act.

**ARTICLE XI
ADOPTION OF BYLAWS**

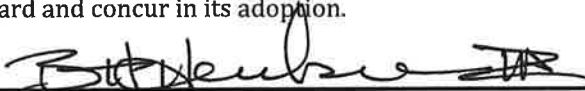
These bylaws is agreed to and adopted by a two-third majority vote of the Lower Chattahoochee Workforce Development Board, this 18TH day of JUNE, 2020 and shall remain in affect unless otherwise amended, supplemented, or superseded.

Certification,



Chester Randolph, Chairperson
Lower Chattahoochee Workforce Development Board
Workforce Development Area Fourteen (WDA-14)

I hereby certify, as Chief Elected Official of Lower Chattahoochee Workforce Development Area Fourteen (WDA-14) that I have reviewed the above Bylaws for the Lower Chattahoochee Workforce Development Board and concur in its adoption.



B. H. "Skip" Henderson, Mayor of Columbus
Chief Elected Official, WDA-14
City of Columbus (Columbus Consolidated Government)