

BYLAWS

WORKFORCE DEVELOPMENT COUNCIL

Revised xxxxxxx

ARTICLE I

NAME

The name of this body shall be the Idaho Workforce Development Council (“Council”). ~~The Council was established pursuant to Section 701 of Public Law 97-300, commonly known as the Job Training Partnership Act of 1982, as amended in 1992. In 2017, the Council was established within the Executive Office of the Governor in accordance with section 101 (a) of the Workforce Innovation and Opportunity Act (WIOA) of 2014 to coordinate efforts and direct public outreach and engagement in support of improving the quality of and access to workforce education and training programs throughout Idaho. The Council is also also is established by Chapter 12, Title 72 Idaho Code 72-1366 and biennially by executive order.~~

ARTICLE II

DUTIES

The Council will fulfill the responsibilities outlined in Idaho Code and subsequent Executive Orders from the Governor. These duties shall include, but not be limited to, the following:

- 1) Advising the Governor, Legislature and appropriate executive agencies on matters related to developing and implementing a comprehensive workforce development strategy for Idaho that:
 - a. Increases public awareness of and access to career education and training opportunities;
 - b. Improves the effectiveness, quality and coordination of programs and services designed to maintain a highly skilled workforce;
—Helps provide for the most efficient use of federal, state and local workforce development resources;
 - ~~a.c. Advising the Governor and the State Board of Education, as appropriate and at regular intervals, on matters related to workforce development policy and programs;~~
- 2) Assisting the Governor in carrying out the functions of the state workforce investment board as required by the Workforce Innovation and Opportunity Act as amended and federal regulations promulgated thereunder (WIOA §101(d));
- ~~3) Carrying out any functions of a local workforce board as required by the Workforce Innovation and Opportunity Act as amended and federal regulations promulgated thereunder, if so certified by the Governor (WIOA §107(c)(4)(d));~~
- ~~4) Serve as an advisory body to the Idaho Department of Labor on matters related to workforce~~

~~development policy and programs (section 72-1336(a), Idaho Code) and the Idaho Career Information System (section 72-1345A, Idaho Code);~~

~~5)3) Approve and provide oversight of Idaho Department of Labor expenditures from the Employment Security Special Administration Fund established under section 72-1347A (section 72-1336(b), Idaho Code);~~

~~6)4) _____ Develop and provide oversight of procedures, criteria performance measures and expenditures for the workforce development training fund established under section 72-1347B1203, Idaho Code (section 72-1336(c), Idaho Code); and~~

~~7)5) Such other duties as the Governor assigns the Council.~~

ARTICLE III

MEMBERSHIP

SECTION A. APPOINTING AUTHORITY

~~The Council shall consist of 36 members, consistent with federal nomination and composition requirements set forth in section 101 (b) of WIOA. The Council's membership shall be as follows: The Council shall consist of not more than 27 members appointed by the Governor. The Council's membership shall be as follows:~~

- ~~1. 17 positions appointed by the Governor representing industry and nominated by statewide and regional business organizations;~~
- ~~2. Seven positions appointed by the Governor representing the workforce, including two labor union representatives, two registered apprenticeship program representatives, one representative of a community-based organization for veterans, one representative of a community-based organization for the disabled, and one representative of a community-based organization for out-of-school youth;~~
- ~~3. Nine positions appointed by the Governor representing government, including representatives from the Department of Labor, State Board of Education, Division of Career & Technical Education, Division of Vocational Rehabilitation, Department of Health and Welfare, Department of Commerce, an elected city official, an elected county official, and a community college representative.~~
- ~~1.4. One member from each chamber of the Idaho Legislature, including a member of the Senate appointed by the Senate President Pro Tem, and a member of the House of Representatives appointed by the House Speaker;~~
- ~~2.5. The Governor or his designee.
 - ~~1) Representatives of business and industry shall comprise at least 40% of the members;~~
 - ~~2) At least 15% of the members shall be representatives of local public education, postsecondary institutions, and secondary or postsecondary professional technical educational institutions;~~
 - ~~3) At least 15% of the members shall be representatives of organized labor based on nominations from recognized state labor federations;~~
 - ~~4) Representatives from the Department of Labor, the Department of Commerce, the~~~~

- ~~State Board of Education, Division of Career Technical Education, Division of Vocational Rehabilitation and the Superintendent of Public Instruction; and~~
- ~~5) Representative of a Community Based Organization.~~
- ~~6) Subcommittees may include individuals from the general public who have special knowledge and qualifications and shall be appointed by the Chairperson.~~

SECTION B. TERMS OF APPOINTMENT.

All appointees ~~shall serve at the pleasure of the Governor, and their appointments shall be for three-year terms, shall serve fixed, three year terms. The Governor may use his/her discretion to adjust and stagger terms to ensure that only a portion of the membership expire in a given year.~~ If an appointee resigns or is removed during the term of his/her appointment, ~~the executive director shall inform the Governor and~~ a new appointment will be made by the Governor within the appropriate category of membership. ~~, and the~~ The new appointee shall complete the remainder of the term for which the original appointment was made.

A member may be reappointed at the pleasure of the Governor.

Attendance. The Council may recommend to the Governor that a member missing two consecutive meetings, without just cause, shall be replaced.

Alternates. A member may ~~designate send~~ an alternate to represent him/her at a Council meeting; ~~however, the alternate shall not have voting rights unless a written request that the member's proxy be delegated to an alternative is submitted to the chair prior to the meeting. A member may delegate their voting rights to another member, provided that a request is submitted in writing (email is acceptable) to the Chairperson prior to the meeting. The alternate shall have full participating rights, but shall not have voting rights.~~

ARTICLE IV

OFFICERS AND THEIR DUTIES

SECTION A. The Chairperson of this body shall be a representative of business and industry appointed by the Governor. The duties of the Chairperson shall be:

- 1) To call and preside at all meetings of the full Council;
- 2) To make committee assignments;
- 3) To appoint committee chairpersons;
- 4) To appoint other individuals to committees; and
- 5) To provide signatory authority on behalf of the Council.

SECTION B. The Vice Chair of this body shall be a representative of business and industry ~~member~~ appointed by the Governor. The duties of the Vice Chair shall be:

- 1) To preside at meetings in the absence of the Chairperson; and

2) To assume other responsibilities, as requested by the Chairperson.

ARTICLE V

MEETINGS

SECTION A. The Council shall meet quarterly. An Executive Committee made up of the chair, vice chair, and three additional Council members appointed by the chair and representing industry should meet monthly. To the extent possible, meetings of the Council shall be scheduled a year in advance by the Council Chairperson.

SECTION B. Special meetings may be held at the call of the Chairperson or by a simple majority vote of the Council members.

SECTION C. The principal meeting place of the Council shall be in the City of Boise, Idaho. The Chair may hold meetings, except that at least one meeting each year shall take place in another selected city/other Idaho cities for the purpose of obtaining public input on workforce education and training needs throughout the state. As determined by the Chairperson, members may participate in meetings by phone, video and/or web conferencing.

SECTION D. Action items to be included on any meeting's agenda shall be made available to the Chairperson no less than seven (7) days prior to the scheduled meeting.

SECTION E. The Council exists to serve the public interest. Therefore, actions of the Council and its meetings shall be conducted in accordance with Idaho Open Meeting Law, I.C. § 74-201 – 74-208.

ARTICLE VI

STAFF

SECTION ~~FA~~. The Council shall be staffed by an executive director, appointed by the Governor and such additional personnel as shall be appointed by the executive director. In addition, Staff support for Council meetings shall be coordinated by the Idaho Department of Labor (IDOL) shall provide additional support as outlined in a Memorandum of Understanding between the Council and IDOL. Duties shall include:

~~Recording, publishing, and distributing Council minutes;
Supplying Council members with information as needed to conduct Council business;
Maintaining contact with local and regional organizations involved in workforce development activities;
Providing and/or coordinating professional, technical and clerical staff; and
Mailing official notice of meetings at least five (5) days prior to schedule meetings.~~

SECTION B. The executive director shall execute contracts and authorize reimbursements for expenditures from the Workforce Development Training Fund, as approved by the Council.

The executive director shall report quarterly to the Council the financial status of the Workforce Development Training Fund to include revenue, obligations, grant expenditures and administrative expenditures.

SECTION C. The executive director shall provide an operating budget report to the executive committee monthly. This report shall include administrative expenditures of the Workforce Development Training Fund and any other funding available to the Council.

SECTION D. The executive director and Council shall provide an annual report to the Governor and joint finance-appropriations committee on the commitments and expenditures made from the Workforce Development Training Fund in the preceding fiscal year and the results of the activities funded by the training fund.

ARTICLE VII

QUORUM

SECTION A. A quorum of the Council shall consist of fifty percent plus one of the members of the Council. No official business shall be conducted in the absence of a quorum, except that which is authorized under Article VIII, Section A. Executive Committee.

SECTION B. Each Council member is entitled to one vote.

ARTICLE VIII

RULES

SECTION A. The conduct of the meetings shall be in accordance with the current edition of Robert's Rules of Order, Newly Revised, except where inconsistent with these bylaws.

SECTION B. Business shall be conducted by a majority vote of those present, except as otherwise provided herein.

SECTION C. Voting shall be done in a manner most appropriate to the issue. Voting may be done by email or teleconference in compelling and unusual circumstances, as determined by the Chairperson, and as allowed in the Idaho Open Meeting Law. Secret ballots shall not be used.

SECTION D. Minutes are to be distributed to all Council members and others expressing interest in receiving them.

SECTION E. Formal decisions, directives from the Chairperson, and major deliberations will be reported in sufficient detail to make the intention clear. Records of attendance and reports, and the names of persons who make and second motions shall be included.

SECTION F. No member shall cast a vote on any matter which has a direct bearing on services to be provided by that member or any organization which such member directly represents or on any matter which would financially benefit such member or any organization such member represents.

SECTION G. A Council member may contract for personal and property services funded with state and local workforce development funds, provided that:

- 1) the member notifies the Council in writing as soon as they are aware that a potential conflict of interest exists;
- 2) the Council records the notice, along with its reasons for awarding the contract, and indicates why the award is in the public's best interest; and
- 3) the Council member, after giving proper notice, abstains from voting on any matter involving such conflict of interest.

ARTICLE ~~VIII~~

COMMITTEES

SECTION A. EXECUTIVE COMMITTEE

The Executive Committee of the Council shall be comprised of the Council Chairperson, the Vice Chair, ~~the Chairs of the Standing Committees to the Council,~~ and three additional members representing industry other members appointed by the Council Chairperson. ~~To the extent possible, the Executive Committee membership shall represent the different regions and membership categories.~~ The Executive Committee's responsibility shall be to plan agendas for Council meetings set the direction and strategy for the Council, and coordinate the work of the Council's Committees, and serve as a conduit between business/industry in the executive committee members' region and the Council. ~~In emergency situations,~~ The Executive Committee may be convened to take action on behalf of the entire Council on matters that require expeditious action. In such situations, the action taken must also be presented at the next regularly scheduled Council meeting.

SECTION B. The Chairperson, or the Council by a simple majority vote, may appoint Ad Hoc or Standing Committees and/or Workgroups as deemed necessary to conduct the business of the Council. Committee members may include non-Council members who have special knowledge and qualifications to be of assistance to the Council; however, the Chairperson of a Committee shall be an appointed WDC member. Standing committees ensure that members actively participate in convening the workforce development system's stakeholders, broker relationships with a diverse range of employers, and leverage support for workforce development activities.

At a minimum, the following standing committees shall be empaneled:

1. Workforce Development Training Fund (WDTF) Policy Committee – The WDTF Workforce Development Policy Committee shall be responsible for

developing and overseeing procedures, criteria and performance measures for the Workforce Development Training Fund, in addition to any other programs under the WDC's authority. The committee shall also develop an annual projection of needs for state investment into workforce development activities.

2. Grant Review Committee – The Grant Review Committee shall be responsible for reviewing and recommending grant awards for any program under the WDC's authority. An executive committee member shall chair the Grant Review Committee.

1.3. One-Stop Committee – The One-Stop Committee shall ensure the WDC assists the Governor in fulfilling the requirements of the State Workforce Investment Board as set forth in WIOA – with an emphasis on continuous improvement, alignment and coordination. Council members representing government agencies and community organizations who are required partners under WIOA shall participate in the One-Stop Committee. These members may also participate in additional committees as appointed by the Chairperson.

SECTION C. Committees of the Council will advise and submit recommendations to the full Council. Recommendations from committees shall be placed on a consent agenda. Any Council member who wishes to remove an item from the consent agenda may request that the item be placed on the agenda for full discussion.

SECTION D. All rules that apply to the Council shall also apply to the Committees of the Council.

ARTICLE IX

AMENDMENT TO BYLAWS

SECTION A. These bylaws may be amended or repealed at any regular meeting of the Council by a two-thirds vote, provided that copies of such amendments shall have been submitted in writing to each member at least seven (7) days before they are proposed.

SECTION B. These bylaws and all amendments to them are subject to the approval of the Governor.