

LITTLE ROCK WORKFORCE DEVELOPMENT BOARD
BY-LAWS
Effective July 1, 2015

Article I: Establishment

1. The Name of this organization shall be the Little Rock Workforce Development Board (LRWDB).
2. This Local Workforce Development Board (LWDB) is established in compliance with the Workforce Innovation and Opportunity Act of 2014 and the Arkansas Workforce Innovation and Opportunity Act of 2015.
3. The purpose of this organization shall be to provide guidance for the collaboration of workforce development activities in the Local (Little Rock) Workforce Development Area (LWDA). This should result in the effective and efficient utilization of resources, seamless service delivery, improved performance and expanded outreach initiatives. These results will be achieved by working individually and collaboratively with the Chief Elected Official (CEO) of the workforce development area, the Chairs of other employment preparation programs as designated by the Chief Elected Official, and the members of the Workforce Development Board.
4. Certification. One time every two (2) years, the Governor will certify the local workforce development boards for each area in the state based on criteria established to ensure that workforce development activities carried out have enabled the local board and area to meet the corresponding accountability measures and sustain fiscal integrity. Failure to achieve certification due to fraud or abuse, failure to carry out specified functions of a LWDB, or failure to meet local performance accountability measures for two (2) consecutive program years can result in decertification and the appointment of a new local workforce development board, in consultation with the CEO of the local area.
5. The Little Rock Workforce Development Board shall be referred to as the LRWDB throughout the remainder of this document and shall mean the Full Board.

Article II: Membership

1. Membership of the Board shall be so constituted that a majority are representatives of *business* in the local workforce development area; not less than twenty percent (20%) are representatives of the *workforce* within the local workforce development area; at least two are representatives of entities administering *education and training* activities; at least three are representatives of *government and economic and community development* entities; and may include *additional representatives* of entities that the chief elected official may determine to be appropriate. The categories of representatives are further defined below.

2. Representatives of **business** in the local workforce development area shall constitute a majority of at least fifty-one percent (51%) and meet the following criteria:
 - a. Are owners of businesses, chief executives or operating officers of businesses or other business executives or employers with optimum policymaking or hiring authority.
 - b. Represent businesses, including small businesses, or organizations representing businesses that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the LWDA.
 - c. Are appointed from among individuals nominated by local business organizations and business trade associations.
3. Representatives of the workforce within the LWDA shall constitute not less than twenty percent (20%) of the members of the LWDB and:
 - a. Include Representatives of labor organizations who have been nominated by local labor federations or other representatives of employees.
 - b. Include a Representative who is a member of a labor organization or a training director from a joint labor-management apprenticeship program or, if no such program exists in the LWDA, a representative of an apprenticeship program in the LWDA, if such a program exists.
 - c. May include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including without limitation organizations that serve veterans or that provide or support competitive integrated employment for individuals with disabilities.
 - d. May include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, and or education needs of eligible youth, including without limitation representatives of organizations that serve out-of-school youth.
4. Representatives of entities administering **education and training** activities within the LWDA:
 - a. Will include a representative of eligible providers administering adult education and literacy activities.
 - b. Will include a representative of institutions of higher education providing workforce development activities, including without limitations community colleges.
 - c. May include representatives of local educational agencies, and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment.
5. The LRWDB includes representatives of **governmental and economic community development** entities serving the LWDA who:

- a. Will include a representative of economic and community development entities;
 - b. Will include an appropriate representative from the state employment services office under the Wagner-Peyser Act, 29 U.S.C. @ 49 et seq., serving the LWDA;
 - c. Will include an appropriate representative of the programs carried out under Subchapter 1 of the Rehabilitation Act of 1973, 29 U.S.C. @ 701 et seq., other than 29 U.S.C. @112 [repealed],@ 732, or@ 741, serving the LWDA.
 - d. May include representatives of agencies or entities administering programs serving the LWDA relating to transportation, housing, and public assistance, and:
 - e. May include representatives of philanthropic organizations serving the LWDA.
6. The LRWDB may include other individuals or representatives of entities that the chief elected official in the LWDA may determine to be appropriate.
 7. The members of the LRWDB shall elect a chairperson annually for the LWDB from among the business representatives described in subsection 2(a)(b)(c) of this Article.
 8. Nominations: when nominating an individual to serve on the board, all nominating organizations shall:
 - a. Complete and submit the Workforce Development Board Member appointment form to a local CEO for board member selection and appointment. The local CEO will review the member appointment form and accompanying documentation to select and appoint board members.
 - b. Documentation supporting the qualifications of the nominees shall accompany the member nomination form. Such documentation may be in the form of a curriculum vitae, resume, organizational chart, or work history. Documentation shall contain detailed information that clearly explains how the nominee is qualified to represent the respective category on the board. Nominations for all board categories shall include:
 - name, address, counting, phone and e-mail of the organization or business the nominee represents;
 - nominees position in the organization or business;
 - size of the organization or business by total number of employees

Documentation shall be kept on file by the board staff and be made available for review during monitoring.

- c. After nominating organizations submit their nominations and the CEO(s) makes the board appointments, the board staff shall complete and forward the Workforce Development Board Certification form to the Arkansas Division of Workforce Services (ADWS).

9. Appointments, Term of Appointments, Reappointments and Vacancies

- a. They Arkansas Annotated Code, AR Act 906, requires that board members be selected and appointed by the CEO. ADWS will only accept appointments that include a Workforce Development Board Certification form signed by the CEO. The CEO shall indicate the official beginning date of the new appointment on the Workforce Development Board Certification form.
- b. Term of Appointments. The initial term of office of the members were drawn by lot for a one-, two- or three-year term during the meeting on August 27, 2015, and shall terminate on June 30, 2016, 2017 and 2018 respectively. Thereafter, members shall be appointed for three (3) year terms and shall continue to serve until they are replaced. If a board vacancy occurs, the new board member will complete the term of the member being replaced. The CEO will coordinate with the local workforce board administrative staff to stagger the term of appointments, so that no more than 1/3 of the total board appointment terms will expire during any given program year.
- c. Reappointments. CEO(s) are responsible for all reappointments. A new Board Member Nomination form is required for all reappointments from appropriate nominating organizations, along with the current curriculum vitae, resume, or work history, organizational chart and the Conflict of Interest Statement. The CEO(s) shall process reappointments within 60 calendar days from the effective date of the term expiration. The CEO shall indicate the official beginning date of the reappointment and the official term expiration date, using the Workforce Development Board Certification form. After the CEO(s) submits all necessary documentation and ADWS deems it in accordance with the above process and consistent with state law, the board 's organizational plan and bylaws and applicable policies, ADWS will notify the CEO(s) of appointment certifications.
- d. Vacancies. If a board member vacancy occurs because of resignation, termination, excessive unexcused absences or any other reason, the board staff shall provide notice to the CEO(s.) Such notice shall include:
 - name of board member;
 - the category represented, and;
 - the effective date of the resignation, termination, or other event causing the vacancy.
- e. The original letter or documentation of other official action shall be maintained at the board level. The CEO(s) shall fill a vacancy in a required category in the same manner as the original nomination and appointment, within the 60 calendar days from the effective date of the resignation, termination, or other event causing a vacancy.

10. Members may be removed for cause by a sixty (60) percent majority vote of the members present at a regularly scheduled meeting of the Board in the event any of the following occurs:

- Documented violation of conflict of interest
 - Failure to meet LRWDB member representation requirements, as defined in the Workforce Innovation and Opportunity Act and in accordance with local Board membership requirements
 - Documented proof of fraud and/or abuse
 - Violation of the Board's standards/guidelines for conduct as outlined in section II.10 of these bylaws
 - Three (3) consecutive absences from regular board meetings
 - Other causes as determined by the Board
- a. In addition, any board member who has a change of employment that results in a change of membership classification must resign or be removed by the Chief Elected Official immediately as a representative of that entity.
 - b. Documentation of board member violation and subsequent removal shall be maintained by the LRWDB in the form of attendance logs, conflict of interest forms, and other documentation deemed necessary.
 - c. Removal of a member shall also constitute removal as an officer of the Board and as a member of all committees of the Board. Intent to remove a member must be stated in the call of the meeting and be provided to all voting members at least five (5) days prior to the meeting.
 - d. A board member subject to removal may appeal by submitting a letter in writing within 30 days of notice of removal to the CEO stating reasons to remain as an active member of the Board. The CEO, in consultation with the Board Chair and Executive Director, will review the appeal and make a decision prior to the next scheduled Board meeting.
 - e. A member may his or her membership at any time by tendering his or her resignation in writing to the Board Chair. A resignation shall become effective upon the date specified in such notice, or if no date is specified, upon receipt of the resignation by the Board.

Article III: Meetings

1. The LRWDB shall meet in a regular meeting at least quarterly and may meet more often at the call of the chairperson or upon the written request of a majority of the members.
2. Special meetings may also be called by the Board Chair.
3. A simple majority of the LRWDB shall constitute a quorum.
4. Once an established quorum exists, it shall be in effect for the entirety of the meeting.
5. Written notice stating the place, day and hour of the Regular meeting shall be deposited in the mail not less than three (3) days, or hand delivered, or

- telephonically conveyed, or sent by way of electronic mail or fax not less than 24-hours, prior to a Regular meeting of the Board.
6. In the case of a Special meeting of the Board, the place, day and hour, purpose or purposes of the meeting, shall be sent by way of electronic mail or fax, or telephonically conveyed not less than 2-hours prior to the Special meeting.
 7. Each member shall have one vote. When voting, LRWDB members shall abide by Article V of these bylaws concerning conflicts of interest. **A member may designate an alternative person to attend a meeting and vote by proxy when unable to attend him/herself. In such cases, the member not able to attend must notify the LRWDB Chair and board staff in writing at least 24 hours in advance of the meeting with the name and title of the alternative designee in accordance with the requirements at § 679.JJO(d)(4).** A member may also vote en absentia when unable to attend him/herself. In such cases, the member not able to attend must notify the LRWDB Chair and board in writing staff at least 24 hours in advance of the meeting with the specific topic(s) upon which the member is voting yea or nay.
 8. The LRWDB and its committees members are authorized to attend a meeting by telephone conference call, virtual (video or web based) conference, or other electronic means if deemed prudent by the LRWDB Chair or by the committee chairperson and that member can fully hear and speak as if participating in person. Such meetings must conform to the provisions of the Sunshine Act, FOIA and reasonable and acceptable transparency policies.
 9. Travel costs for a LRWDB member to attend board or committee meetings are not reimbursable given that any travel will take place within the city limits of Little Rock.
 10. The rules of parliamentary procedure in Robert's Rules of Order Newly Revised shall govern all proceedings of the Little Rock Workforce Development Board and all committees. In the case of conflict between Robert's Rules and these bylaws, or between Robert's Rules and a special rule adopted by the Board, the bylaws or special rule shall prevail.
 11. The form of voting is to be determined by the Chair, and may be accomplished by voice vote, a show of hands, a roll call, or by secret ballot.
 12. Unless specified otherwise, the requirement for passage of any issue(s) before the Board and any committees created by the Board shall be a simple majority of the number establishing a quorum for that meeting.

Article IV: Fiscal

1. The fiscal year shall be the same as the State's for all LRWDB WIOA workforce development programs.

2. No less than annually, reports will be made to the Chief Elected Official, the LRWDB, the State Workforce Development Board, and any and all other entities required by legislative or Congressional action.
3. The Board shall annually prepare a budget which shall be presented to and considered for approval by the Board (see Article VII, subsection 13(a-e), and forwarded to the Chief Elected Official for approval.

Article V: Conflict of Interest

1. Members shall abstain from any vote which benefits, or appears to benefit, them personally, the organization which they represent on the Board, their employer or any other affiliation or relationship which could be, or could appear to be, deemed a conflict of interest.
2. Members shall advise the Board of any potential conflict of interest in the discussion of any topic for which a conflict of interest might be inferred.
3. Members shall abstain from discussion of any potential vote by the Board if such discussion could cause the member, the organization they represent, their employer, or other affiliation or relationship to realize favor from such discussion and vote.
4. No member from the immediate family of a Board member, or immediate family member of a grant recipient or sub-grant recipient, may be employed by the Little Rock Workforce Development Board. An exception applies when a member of an employee's family is elected to the Board after the employee is hired. For purposes of this section, the term immediate family applies to: spouse, child, parent, grandparent, grandchild, sibling, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, and stepchild.
5. Nothing contained herein shall require the termination of any employee of the Little Rock Workforce Development Board who is hired on or before July 1, 2015.

Article VI: Organization

1. The officers of the Board shall be the Chair, Vice-Chair and Secretary/Treasurer.
2. The Board members shall elect the officers from their membership. The Chair and Vice-Chair shall represent the private sector.
3. Each officer shall serve for a period of one year, or until the date of the next scheduled regular meeting following one year. Terms of office are effective July 1 of each year.
4. A vacancy in the office of Board Chair, Vice-Chair or Secretary/Treasurer shall be filled by the Board, effective only until the upcoming July 1st.
5. There shall be four (4) standing committees of the Board and such other committees as the Board may determine from time to time to be necessary or appropriate. Unless otherwise specified, committee members and chairpersons shall be appointed by the Chairperson of the Board. Proxies shall

not be permitted in Committee proceedings. The standing committees and the responsibilities and duties of each are as follows:

- a. Executive Committee:
 1. Shall be comprised of eleven members to include; the LRWDB Chair, the Vice-Chair, the Secretary/Treasurer, the Youth Services Committee Chair, chairpersons of the One-Stop Services Committee and the Services to Individuals with Disabilities Committee. One additional position may be at-large. The remaining positions shall be made up of business representatives.
 2. Shall be appointed by the Chief Elected Official for a term of one year, each term to begin on July 1.
 3. Shall be chaired by the LRWDB Chair who selects the chairs for all standing committees, ad hoc committees and special task forces of the LRWDB, as deemed necessary and appropriate by the chair, CEO and/or LRWDB. The LRWDB Chair shall exercise the power to vote only as required to constitute a quorum or break a tie vote.
 4. Shall have, with attendance of a majority of Committee members, the authority of the Board to act during the interim between Board meetings. Actions taken shall be reported to and ratified by the full Board at the next Regular Meeting.
 5. Shall meet at least quarterly or as requested.
 6. Shall have authority over matters of personnel.
- b. Services to Individuals with Disabilities Committee: shall act in an advisory capacity to the Board to carry out the functions of:
 1. Providing information and assisting with operational and other issues relating to the provision of services to individuals with disabilities, including issues relating to compliance with section 188 of the WIOA, Pub. L. No. 113-128, if applicable and applicable provisions of the ADA of 1990, 42 U.S.C. 12011 et seq.
 2. Development of linkages in order to assure coordination and non-duplication among the programs and activities.
- c. One-Stop Services Committee: shall act in an advisory capacity to the Board to carry out the functions of:
 1. Providing information and assisting with operational and other issues relating to the provision of services one-stop delivery system
 2. Development and continuous improvement of a system of workforce development activities that are funded under the WIOA of 2014.
 3. Development of linkages in order to assure coordination and non-duplication among the programs and activities.

4. Development, implementation, and continuous improvement of a program to determine and evaluate customer satisfaction.
 5. May include as members representatives of the one-stop partners.
- d. Youth Services Committee: shall act in an advisory capacity to the Board to carry out the functions of:
1. Providing information and to assist with planning, operational and other issues relating to the provision of services to youth.
 2. Shall include community-based organizations with a demonstrated record of success in serving eligible youth.

Article VII: Powers and Duties of the LRWDB

1. The Board, in conjunction with the Chief Elected Official shall Develop and submit a comprehensive Four Year Local Plan to the Governor that meets the requirements in the Arkansas Workforce Innovation and Opportunity Act (Act 907 of 2015) Section 15-4-3713
2. Carrying out analyses of the economic conditions of the region, needed knowledge and skills for the region, the workforce in the region, workforce development activities including education and training, and regular updating of the information analyzed under this section. Assist the Governor in developing the statewide workforce and labor market information system. Conducting other research, data collecting, and analysis related to the workforce needs of the regional economy as the local workforce development board, after receiving input from a wide array of stakeholders, determines to be necessary to carry out its functions.
3. Convene local workforce development system stakeholders to assist in the development of the local plan and in identifying expertise and resources to leverage support for workforce development activities. The board, including standing committees, may engage such stakeholders in carrying out the functions described in this subsection.
4. Employer engagement. The LRWDB shall lead efforts to engage with a diverse range of employers and with entities in the region involved:
 - a. to promote business representation (particularly representatives with optimal policymaking or hiring authority from employers whose employment opportunities reflect existing and emerging employment opportunities in the region) on the local board;
 - b. to develop effective linkages (including the use of intermediaries) with employers in the region to support employer utilization of the local workforce development system and to support local workforce development activities;
 - c. to ensure that workforce development activities meet the needs of employers and support economic growth in the region, by enhancing communication, coordination, and collaboration among employers, economic development entities, and service providers; and

- d. to develop and implement proven or promising strategies for meeting the employment and skill needs of workers and employers (such as the establishment of industry and sector partnerships), that provide the skilled workforce needed by employers in the region, and that expand employment and career advancement opportunities for workforce development system participants in in-demand industry sectors or occupations.
5. Career Pathways Development. The LRWDB, with representatives of secondary and postsecondary education programs, shall lead efforts in the local area to develop and implement career pathways within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment.
6. Proven and Promising Practices. The LRWDB shall lead efforts in the local area to identify and promote proven and promising strategies and initiatives for meeting the needs of employers, and workers and jobseekers (including individuals with barriers to employment) in the local workforce development system, including providing physical and programmatic accessibility, in accordance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act 1990 (42 U.S.C. 12101 et seq.), to the one-stop delivery system; and identify and disseminate information on proven and promising practices carried out in other local areas for meeting such needs.
7. Technology. The LRWDB shall develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, and workers and jobseekers, by
 - a. facilitating connections among the intake and case management information systems of the one-stop partner programs to support a comprehensive workforce development system in the local area;
 - b. facilitating access to services provided the the one-stop delivery system involved, including facilitating the access in remote areas;
 - c. identifying strategies for better meeting the needs of individuals with barriers to employment, including strategies that augment traditional service delivery, and increase access to services and programs of the one-stop delivery system, such as improving digital literacy skills; and
 - d. leveraging resources and capacity within the local workforce development system, including resources and capacity for services for individuals with barriers to employment.
8. Program oversight. The LRWDB, in partnership with the chief elected official for the local area, shall conduct oversight for local youth workforce development activities, local employment and training activities, and the one-stop delivery system in the local area; in addition it will ensure the appropriate use and management of the funds for workforce development activities, and ensure the appropriate use, management, and development of funds to maximize performance outcomes.

9. Negotiation of local performance accountability measures. The LRWDB, the chief elected official, and the Governor shall negotiate and reach agreement on local performance accountability measures.
 - a. Selection of Operators and Providers: Selection of one-stop operators. The LRWDB, with the agreement of the chief elected official, shall designate or certify one-stop operators and may terminate for cause the eligibility of such operators.
 - b. Selection of youth providers, the LRWDB shall identify eligible providers of youth workforce development activities in the local area by awarding grants or contracts on a competitive basis based on the recommendations of the youth standing committee, and may terminate for cause the eligibility of such providers.
 - c. Identification of eligible providers of training services. The LRWDB shall identify eligible providers of training services in the local area.
 - d. Identification of eligible providers of career services.--If the one-stop operator does not provide career services in a local area, the LRWDB shall identify eligible providers of those career services in the local area by awarding contracts.
 - e. Consumer choice requirements. The LRWDB 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
10. Coordination with education providers. The LRWDB shall coordinate activities with education and training providers in the local area, including providers of workforce development activities, providers of adult education and literacy activities under title II, providers of career and technical education (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)) and local agencies administering plans under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741).
11. Accessibility for individuals with disabilities. The LRWDB shall annually assess the physical and programmatic accessibility, in accordance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), of all one-stop centers in the local area.
12. Budget and administration. The LRWDB shall develop a budget for the activities of the local board in the local area, consistent with the local plan and the duties of the local board under this section, subject to the approval of the chief elected official.

Administration. Grant recipient. In general.--The chief elected official shall serve as the local grant recipient for, and shall be liable for any misuse of the grant funds allocated to the LRWDB,.

- a. Designation. In order to assist in administration of the grant funds, the chief elected official designates The LRWDB as the entity to serve as a local grant recipient for such funds or as the local fiscal agent. Such designation shall not relieve the chief elected official of the liability for any misuse of grant funds.
- b. Disbursal.--The LRWDB is the entity designated under subclause (II) shall disburse the grant funds for workforce development activities at the direction of the local board, pursuant to the requirements of this title. The local grant recipient or entity designated under subclause (II) shall disburse the funds immediately receiving such direction from the local board.
- c. Grants and donations.--The LRWDB may solicit and accept grants and donations from sources other than Federal funds made available under this Act.
- d. Tax-exempt status.--For purposes of carrying out duties under this Act, the LRWDB has incorporated and operates as entity described in section 501(c)(3) of the Internal Revenue Code of 1986 that are exempt from taxation under section 501(a) of such Code.

13. Public Information. Sunshine Provision. The LRWDB 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, and regarding membership, the designation and certification of one-stop operators, and the award of grants or contracts to eligible providers of youth workforce development activities, and on request, minutes of formal meetings of the local board.

Staff--

- a. The local board may hire a director and other staff to assist in carrying out the functions described in subsection (d) using funds available under sections 128(b) and 133(b) as described in section 128(b)(4).
- b. Qualifications. The LRWDB shall establish and apply a set of objective qualifications for the position of director that ensures that the individual selected has the requisite knowledge, skills, and abilities, to meet identified benchmarks and to assist in effectively carrying out the functions of the local board.
- c. Limitation on rate.--The director and staff described in paragraph (1) shall be subject to the limitations on the payment of salaries and bonuses described in section 194(15).

Article VIII: Repeal and Amendment

These bylaws will remain in effect until repealed or amended by the Board, by a minimum vote of two-thirds (2/3) of the total Board membership, taking place at any Regular meeting.

The foregoing Bylaws supersede all previous bylaws and were approved and adopted by the LRWDB effective July 1, 2015, and made part of the permanent records of the LRWDB.

Eric F. Tate, Chairman of the Board

The foregoing Bylaws were amended in Article II.9 and Article III.7 and adopted by the LRWDB effective February 27, 2020.



Kristi Barr, Chairman of the Board



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