

BY-LAWS

RIVER PARISHES WORKFORCE DEVELOPMENT BOARD

LOCAL WORKFORCE AREA #14

SECTION 1: NAME

The name of the organization shall be the RIVER PARISHES WORKFORCE DEVELOPMENT BOARD, hereinafter referred to as WDB.

SECTION 2: PURPOSE

The WDB is established in compliance with the Workforce Innovation and Opportunities Act to act as a full partner with the elected officials of the three (3) River Parishes of St. Charles, St. James, and St. John the Baptist. The purpose is to create a customer-focused system that meets the needs of its customers by identifying the needs of businesses for new and upgraded workers and identifying the types of education and training needed by workers to enable them to secure and retain jobs and advance in the workplace. The WDB will encourage training programs to incorporate the skills needed for individuals to secure and retain jobs and to advance in the workplace and encourage training programs to be flexible, responsive, and timely in meeting the needs of businesses.

SECTION 3: OFFICE LOCATION

The WDB shall be administered from within the St. Charles Parish Workforce Innovation and Opportunities Act office located in Luling. The mailing address shall be P. O. Box 1010, Hahnville, LA 70057.

SECTION 4: MEMBERSHIP

Members of the River Parishes Workforce Development Board shall represent the Private and Public Sector and be in accordance with the Workforce Innovation and Opportunities Act State Plan. Members of the Private Sector shall constitute a majority of the Board Members and be representatives of businesses in the local area. Public Sector Members shall include representatives of local educational entities, including representatives of local educational agencies, local school boards, entities providing adult education and literacy activities and postsecondary educational institutions, labor organizations, community-based organizations,

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economic development agencies, one-stop partners, and may include individuals as the chief elected official may determine to be appropriate.

- 4.1 The local Workforce Development Board shall have a majority of Business Representatives and the balance of representation from education, labor and One-Stop Partners, community-based organizations, and economic development agencies. Membership may include other individuals, or representatives of entities as the chief elected official in the local area may determine to be appropriate.
- 4.2 Private Sector. Business representatives shall be appointed from among nominations by business and trade organizations. Business representatives selected should represent the varied employment opportunities/industries in the area and should be owners of businesses, chief executives or operating officers of businesses, and other business executives or employers with optimum policymaking or hiring authority.
- 4.3. Public Sector. Members shall include:
 - Representatives of local educational entities, including representatives of local educational agencies, local school boards, entities providing adult education and literacy activities, and post-secondary educational institutions (including representatives of community colleges, where such entities exist), selected from among individuals nominated by regional or local educational agencies, institutions, or organizations representing such local educational entities.
 - Representatives of labor organizations (for a local area in which employees are represented by labor organizations); nominated by local labor federations, or (for a local area in which no employees are represented by such organizations), other representatives of employees;
 - Representatives of community-based organizations, including organizations representing individuals with disabilities and veterans, for a local area in which such organizations are present.
- 4.4 General Membership Provisions:
 - Individuals who subsequently retire or no longer hold the position that made them eligible board members may not continue to serve on the local board as representatives of that segment.
 - It is suggested that members be appointed for fixed and staggered terms. The term of membership for all members shall be for two (2) years to three (3) years. Term appointments shall be staggered to the extent possible to ensure that only a portion of the Board membership expires each year. Board member terms will renew automatically until written resignation has been submitted and accepted by CEO.
 - Vacancies resulting from resignations or removal of mandatory members should be filled within 90 days if possible (but not to exceed 120 days) to ensure full

representation of all parties on the board. If a local chief elected official faces hardship in appointing a replacement, he may notify, in writing, the state certifying entity and request both assistance and an extension in the appointment process.

- The WDB Director will notify the local CEO immediately when unanticipated vacancies occur and 90 days prior to term limitations being reached to provide nominations for Board membership for consideration to the CEO, who shall review the nominations and appoint members to the LWDB #14 Board.
- The local CEO and WDB Director will ensure that the membership and appointment of the LWDB #14 Board will conform to the mandated stipulations and requirements regarding Board composition.

4.5 Officers:

The Workforce Development Board may elect to develop a strong structure to facilitate duties and functions. The Executive Committee is composed of the Workforce Development Board Chairperson, the Vice-Chairperson, and the Director and staff persons of the Workforce Development Department. The Chairperson and Vice Chairperson of the local Workforce Development Board shall be elected from the Private Sector.

Terms of the officers are two years, and they shall be staggered to ensure that only a portion of the officer membership expires in a given year. To achieve staggered terms, a portion of officer members shall be elected to one-year terms only in the first election after adoption of these amended by-laws. Officers shall serve a maximum of two consecutive two-year terms. Elections shall be held in June of their final term.

4.6 Meetings:

Meetings of the full Workforce Development Board will be quarterly, (March, June, September and December).

4.7 Attendance:

A simple majority of the total membership of the WDB must be present to constitute a meeting. A quorum is defined as "a simple majority of the total membership of a public body". Any board member who misses more than fifty (50%) percent of regularly scheduled meetings in a rolling twelve-month period may be removed from the Board for non-attendance. The WDB shall meet on the third (3rd) Thursday of the months as stated in Section 4.6.

4.7(A) Technology:

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LWDB #14 requires boards to develop strategies for the use of technology to maximize the accessibility and effectiveness of the local workforce development system. Technology will also be used to promote WDB Member participation. Technology shall be used to improve WDB functions, broker relationships with stakeholders, and any other conditions governing appointment or membership on the WDB as deemed appropriate. Specifically, email, conference calls, webinars, and websites may be used to maximize accessibility and effectiveness. Further, the WDB must make available to the public, on a regular basis, information regarding the activities of the WDB through electronic means, as required by WIOA mandates.

4.8 Proxies:

Proxies are prohibited. "Each public body shall be prohibited from utilizing any manner of proxy voting procedure, secret balloting, or any other means to circumvent the intent to violate the open meeting laws.

4.9 Amendment to By-Laws:

To amend the By-Laws, the Workforce Development Board shall review the proposed amendment, and two-thirds (2/3) of the vote will be necessary to pass the amendment.

SECTION 5: FUNCTIONS OF THE CHIEF ELECTED OFFICIAL AND GRANT RECIPIENT

The following are the responsibilities of the local board as outlined in the Workforce Investment Act and the Unified State Plan.

- 5.1 In General: The Chief Elected Official in a local area shall serve as the local grant recipient for, and shall be liable for any misuse of, the grant funds allocated to the local area under sections 128 and 133, unless the Chief Elected Official reaches an agreement with the Governor for the Governor to act as the local grant recipient and bear such liability.
- 5.2 If a local area includes more than one unit of general local government in accordance with WIA section 117 (c)(1)(B), the Chief Elected Official of such units may execute an agreement to describe their responsibilities for carrying out the roles and responsibilities. See attached copy of Multi-Jurisdictional Consortium Agreement.
- 5.3 Disbursal: The local grant recipient or an entity designated shall disburse such funds for workforce development investment activities at the direction of the local board, pursuant to the requirements of this title, if the direction does not violate a provision of this Act. The local grant recipient or entity designated shall disburse the funds immediately on receiving such direction from the local board.
- Staff: The local board may employ staff.
 - Grants and Donations: The local board may solicit and accept grants and donations from sources other than Federal funds made available under this Act.
- 5.4 Program Oversight: The local board, in partnership with the Chief Elected Official, shall conduct oversight with respect to local programs of youth activities, local employment and training activities, and the one-stop delivery system in the local area.
- 5.5 Negotiation of Local Performance Measures: The local board, the Chief Elected Official, and the Governor shall negotiate and reach an agreement on local performance measures.

5.6 The WDB represents a wide variety of individuals, businesses, and organizations throughout the local area. The WDB serves as a strategic convener to promote and broker effective relationships between the chief local elected official (CLEO) and economic, education, and workforce partners. The WDB must develop a strategy to continuously improve and strengthen the workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs to promote economic growth. WDB members must establish a platform in which all members actively participate and collaborate closely with the required and other partners of the workforce development system, including public and private organizations. This is crucial to the WDB's role to integrate and align a more effective, job-driven workforce investment system. Practices to ensure diversity, equity, and inclusion include, but are not limited to:

- Development and approval of a local plan consistent with WIOA Sec. 108;
- Workforce research and regional labor market analysis;
- Development of a budget for the activities of the WDB, consistent with the LWDB #14 Plan and duties of, subject to approval of the CLEO;
- Convening, brokering and leveraging local workforce development stakeholders;
- Leading efforts to engage with a diverse range of employers and entities in the region;
- Negotiation of local performance measures;
- Leading 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;
- Identifying and promoting proven and promising practices.

SECTION 6: FUNCTIONS OF THE EXECUTIVE COMMITTEE

The following are the responsibilities of the Executive Committee.

- 6.1 The Chief Elected Official having responsibility for the operations of the Workforce Development Board may appoint any standing committees he/she deems necessary to accomplish the duties of the Board, including an Executive Committee.
- 6.2 The Executive Committee will be comprised of representatives from the full Workforce Development Board who are members from the private sector business community as well as public sector board members.
- 6.3 The Executive Committee will be responsible to make recommendations on any issues or business matters that arise between scheduled meetings of the full Workforce Development Board. These recommendations are made on behalf of the full Workforce Development Board and presented to the Chief Elected Official for action. The Executive Committee will seek full Workforce Development Board opinion for these

recommendations when action is required before the next full Workforce Development Board meeting and not immediately, or within the same day.

- 6.4 Any recommendations made on behalf of the full Workforce Development Board by the Executive Committee will be brought before the full Workforce Development Board for final approval at the next scheduled meeting.
- 6.5 The preferred method is to utilize the full Workforce Investment Board for approval.

SECTION 7: FUNCTIONS OF THE LOCAL BOARD

The following are the responsibilities of the local board as outlined in the Workforce Innovation and Opportunities Act and the State Plan.

- 7.1 **Planning:** The local board, in partnership with the chief elected official, shall develop and submit a comprehensive five-year plan to the Governor. This plan shall:
- incorporate occupational forecast data for the specific local area;
 - be performance-based;
 - incorporate the use of the scorecard
 - identify resources; and
 - include long and short-range planning.
- 7.2 **Selection and appointments:** The local board, in partnership with the chief elected official
- shall designate or certify the one-stop operators;
 - may terminate for cause the eligibility of such operators;
 - may reach an agreement for the Governor to act as the local grant recipient and bear the liability;
 - shall identify eligible providers of youth activities in the local area;
 - award grants or contracts on a competitive basis based on recommendations of the youth council;
 - shall identify eligible providers of training services for adults and dislocated workers; and
 - award contracts for those services.
- 7.3 **Budget:** The local board shall develop a budget to carry out the duties of the local board subject to the approval of the chief elected official.

SECTION 8: ADMINISTRATION

8.1 General duties as the grant recipient:

- the chief elected official may designate an entity to serve as the local grant sub-recipient for such funds;
- the designation does not relieve the chief elected official and/or the Governor from liability.

SECTION 9: ADMINISTRATION

9.1 Staff:

The staff of the River Parishes Workforce Investment Act Employment and Training Program is funded through the Workforce Investment Act to fulfill the regulations and requirements of the Act.

9.2 Grants and donations:

The local board may solicit and accept grants, funds, and donations from sources other than federal funds available under the Workforce Innovation and Opportunities Act.

SECTION 10: RESPONSIBILITIES:

10.1 Program Oversight:

The Local Board and the chief elected official have the responsibility for program oversight of youth activities, local employment and training, and one-stop delivery of service systems in the local area.

10.2 Negotiate on Local Performance Measures:

The local board, the Chief Elected Official, and the Governor negotiate and reach an agreement on performance measures.

10.3 Employment statistics system

The local board shall assist the Governor in the development of the statewide employment statistics system described in the Wagner-Peyser Act.

10.4 Employer Linkages:

The local board shall coordinate workforce investment activities carried out in the local area with economic development strategies and develop other employer linkages with such activities.

10.5 Connecting, brokering, and coaching: The local board shall:

- promote the participation of private sector employers in a statewide workforce system;
- ensure effective provision of connecting, brokering, and coaching activities; and assist employers in meeting hiring needs.

SECTION 11: LOCAL BOARD RESTRICTIONS

11.1 The following restrictions apply to local boards: Local boards:

- may not provide training services unless granted a waiver by the Governor pursuant to a request from the local board;
- shall follow all applicable provisions of the Louisiana Code of Ethics as applied to any decisions made and/or business conducted; and/or
- may not mandate curricula for local schools.

SECTION 12: SUNSHINE PROVISIONS

12.1 The local board shall make available to the public on a regular basis through open meetings information regarding:

- the activities of the local board;
- the local plan prior to the submission of the plan;
- membership of the local board;
- designation and certification of one-stop operators; and/or
- information concerning the award of grants or contracts to eligible providers of youth services.

SECTION 13: CONFLICT OF INTEREST

13.1 Workforce Innovation and Opportunities Act: A member of a local board may not:

- vote on a matter under consideration by the local board regarding the provision of services by a such member (or by an entity that such member represents) or that

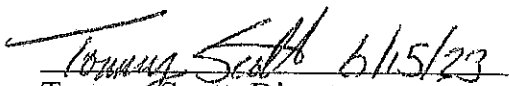
would provide direct financial benefit to such a member or the immediate family of such a member; or


- engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the state plan.

SECTION 14: UNIFIED STATE PLAN

14.1 In addition to the requirement which addresses codes of conduct and conflict of interest issues related to employees:

- A state or local workforce investment board member or member of a youth council shall neither cast a vote on, nor participate in, any decision-making capacity on the provision of services by such a member (or any organization which that member directly represents), nor on any matter which would provide any direct financial benefit to that member or a member of his immediate family;
- Neither membership on the state or local workforce board or the youth council, nor receipt of WIOA funds to provide training and related services shall be construed, by itself, to violate these conflict-of-interest provisions.


Tommy Scott, Director


Tricia Thompson, Chairperson