



LOWER CHATTAHOOCHEE WORKFORCE INVESTMENT BOARD
Lower Chattahoochee Workforce Investment Area 14 (WIA-14)

BYLAWS

ARTICLE I

SECTION I: The official name of this body shall be the Lower Chattahoochee Workforce Investment Board of the Lower Chattahoochee Workforce Investment Area-14; hereinafter referred to as the ‘LCWIB’ or ‘Board’.

ARTICLE II

SECTION I: The LCWIB is formed under the provisions of the Workforce Investment Act of 1998, and established in accordance with the Joint Agreement of the Lower Chattahoochee Area Local Elected Officials of the Lower Chattahoochee Workforce Investment Area.

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

The LCWIB, in accordance with the Agreement of the Joint Local Elected Officials and Agreement Between the LCWIB and Chief Elected Officials of the Lower Chattahoochee Workforce Investment Area, shall:

- A) Establish an Executive Committee, which shall have the authority to act on behalf of the full LCWIB in emergency situations;
- B) Establish, in cooperation with the Chief Elected Official, a subgroup that shall be known as a Youth Council, and build on existing local youth service organizations in creating the Youth Council and select a member of the local Workforce Investment Board to Chair the Youth Council;

- C) Incorporate the operation of the Youth Council which shall serve as a subgroup of the Board to provide oversight of youth activities in the Lower Chattahoochee Workforce Investment Area;
- D) In partnership with the Chief Elected Official, develop and submit a local plan to the Governor of Georgia;
- E) In partnership with the Chief Elected Official, participate in the development of a regional plan, if the local area lies within a region;
- F) Designate, or certify, one-stop operator(s); and terminate for cause the eligibility of such operator(s), with agreement of the Chief Elected Official;
- G) 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 Council;
- H) Identify eligible providers of training services in the local area;
- I) Develop a budget for purpose of carrying out the duties of the LCWIB, subject to approval of the Chief Elected Official;
- J) In partnership with the Chief Elected Official, conduct program oversight of youth, adult and dislocated workers local employment and training activities and the one-stop service delivery system in the local area;
- K) Negotiate local performance measures, in partnership with the Chief Elected Official and the Governor of Georgia;
- L) Assist the Governor of Georgia in developing the statewide employment statistics system;
- M) Ensure coordination of the workforce investment activities with the area's economic development strategies and develop employer connections to such activities;
- N) 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;

- O) 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.

SECTION III:

GRANT RECIPIENT AND ADMINISTRATOR

The Entity designated as “Grant Recipient and Administrator” shall be responsible for the day-to-day administrative operations of duties of the LCWIB, promulgated under the provisions of the Workforce Investment Act, and the Balanced Budget 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 investment area, determining eligibility of participants, taking action against subcontractors for misuse of funds, serve as contracting agency with the workforce investment area for all contractors, and other responsibilities as defined by the Workforce Investment Act, as outlined in article II, Section I (D thru P), the Balanced Budget Act for administration of Welfare to Work Programs, the State of Georgia, the Lower Chattahoochee Workforce Investment Board, and/or Chief Elected Official of the Lower Chattahoochee Workforce Investment Area.

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

SECTION IV:

ASSURANCES

The Program Administrator shall be responsible for the day-to-day administrative operation of the local WIA/Welfare to Work (WtW) 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 investment area funds; c) allocation of funds within the workforce investment 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 investment area for all training providers; and h) other responsibilities as defined by the Workforce Investment Act, the Balanced Budget Act of 1997 for administration of Welfare to Work Programs, the State of Georgia, the Lower Chattahoochee

Workforce Investment Board, and/or Chief Elected Official of the Lower Chattahoochee Workforce Investment Area.

As Recipient of WIA/WtW 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 Investment System and Welfare to Work Programs; 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 WIA and WtW 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 LCWIB and the Chief Elected Official.

The LCWIB will assure that all activities are in accordance with Title I of the Workforce Investment Act and the Balanced Budget Act of 1997, and associated regulations.

ARTICLE III

SECTION I: MEMBERSHIP SIZE

The LCWIB shall consist of a minimum of 26 representatives, 51% of which shall represent the private sector, and which shall ensure adequate representation from all member counties within the workforce investment area, to include adequate representation diverse economic interests, as well as, geographic dispersion.

SECTION II: REPRESENTATION

- 1) At least 51% of the LCWIB members shall be private sector representatives, who shall consist of owners of business concerns, chief executives, or chief operations officers of non-governmental employees, or other private sector executives who have substantial management or policy responsibilities in business that reflect the employment opportunities of the local area; and,
- 2) Representatives of organized labor, or other representatives of employees; and,

- 3) Representatives of local educational agencies to include local school boards and post secondary educational institutions; and,
- 4) Representatives of economic development agencies; and,
- 5) Representatives of community-based organizations; and,
- 6) Each of the One-Stop partners, which shall consist of, at a minimum, one representative of the following:
 - > **Programs authorized under Title I of the Workforce Investment Act, serving:**
 - adults;
 - dislocated workers;
 - youth;
 - Job Corps;
 - Native American programs;
 - Veterans workforce programs.
 - > **Programs authorized under the Wagner Peyser Act**
 - > **Adult education and literacy activities authorized under Title II of WIA.**
 - > **Vocational rehabilitation programs of the Rehabilitation Act of 1973;**
 - > **Welfare to Work programs of the Social Security Act of 1973 and Balanced Budget Act of 1997;**
 - > **Senior community service employment activities authorized under Title V of the Older American Act of 1965**
 - > **Post secondary vocational education activities under the Carl Perkins Vocational Education Act;**
 - > **Trade Adjustment Assistance and NAFTA Transitional Adjustment Assistance activities of the Trade Act of 1974;**
 - > **Activities authorized under Chapter 41 of Title 38, USC (local veterans employment representatives and disabled veterans outreach programs);**
 - > **Employment and training activities carried out under the Community Service Block Grant;**
 - > **Employment and training activities carried out by the Department of Housing and Urban Development;**
 - > **Programs authorized under State unemployment compensation laws**
- 7) Representatives of, at a minimum, one additional partner agency:
 - > TANF programs authorized under the Social Security Act;

- > Employment and training, and work programs of the Food Stamp Act of 1977;
- > Programs authorized under the National and Community Service Act of 1990; and/or
- > Other representatives of workforce programs, including programs related to transportation and housing.

SECTION III: APPOINTMENT AND VACANCIES

A) APPOINTMENTS

The initial appointments of LCWIB members, and Youth Council members, shall be for a period of **two (2) years**, unless member resigns or otherwise removed for cause. Vacancies that occur prior to the expiration of an individual's membership shall be filled 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 that may occur will be for **two (2) years**, if such term of membership has expired.

Nomination for membership on the LCWIB 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 selected by the local elected officials of all units of general local government in the workforce investment area, as their authorized representative and signatory agent(s). The Chief Elected Official in accordance with the Workforce Investment Act, will certify appointments to the LCWIB.

A member's eligibility to serve on the LCWIB shall continue only so long as that member is representative of the sector that nominated the member for appointment.

Each member of the LCWIB shall have equal standing and shall have one vote in all matters of business brought before the LCWIB.

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. Documented attempts must be maintained in this instance. Vacancies filled by new members must be in accordance with the requirements of LCWIB membership, and

shall be certified by the Chief Elected Official for membership not to exceed **two (2) years**.

Expired membership terms may be renewed for an additional two (2) years, provided the LCWIB member has remained in good standing during the initial term of membership.

SECTION IV: BENEFITS

Membership 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 WIA/WtW Administrator.

ARTICLE IV

OFFICERS AND THEIR DUTIES

The Lower Chattahoochee Workforce Investment Board shall have a Chairperson and two (2) Vice Chairpersons. A Chairperson shall also be selected to preside over any established subcommittees of the Lower Chattahoochee Workforce Investment 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: LCWIB Chairperson

The Chairperson shall preside at meetings of the LCWIB, shall appoint committees and their Chairpersons, as needed, and have other duties and responsibilities as bestowed by these Bylaws and the Workforce Investment Act.

SECTION II: LCWIB Vice-Chairperson(s)

A Vice Chairperson shall preside at meetings of the LCWIB in the absence of the Chairperson, and shall be vested the duties of the Chairperson in his/her absence.

Should the Chairperson become unable to perform his/her duties, the 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 Chief Elected Official the appointment of members to Board and Youth Council. All other appointments shall be governed by the bylaws established herein.
- SECTION II:** A Chairperson for the LCWIB shall be appointed at the first full meeting of the Board. 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 LCWIB.
- 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 slate of nominations 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.
- SECTION IV:** Should an officer resign at 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 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 replace the vacancy.
- SECTION V:** The LCWIB Chairperson shall be responsible for selecting members of the Board to serve as Chairperson for respective subcommittees established in accordance with these bylaws.
- SECTION VI:** The Program Administrator shall be responsible for ensuring LCWIB compliance with the Workforce Investment Act as it pertains to member representation, and shall be in accordance with the Agreement between the LCWIB and the Chief Elected Official.

ARTICLE VI

COMMITTEE STRUCTURE

SECTION I: The committee/subcommittee contained in Section III and III(A) of this Article is deemed necessary and appropriate to ensure maximum policy and oversight of Workforce Investment systems and Welfare to Work Program services and activities. The committee/subcommittees contained in Section III and III(A) shall meet as deemed appropriate, but a minimum of twice, if applicable, during program year. The full LCWIB shall approve establishment of such committees at its regularly called meeting and approval documented as part of the official minutes.

SECTION II: The LCWIB Chairperson shall select an individual from the mandatory partners to serve as Chairperson for each established committee. Selection of members to each committee shall be voluntary, so long as the following criteria has been met: **No member of the LCWIB who is a service provider or potential provider, or has a financial interest in an agency receiving WIA/WtW 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.**

SECTION III: EXECUTIVE COMMITTEE

Members of the Executive Committee shall be comprised of the Chairpersons designated for each subcommittee, identified in Article VI, Section III (A)(B). Under the authority of the LCWIB, it shall be the responsibility of the Executive Committee to convene on behalf of the LCWIB and make decisions that affect the operation of the WIA systems and WtW programs administered and operated in accordance with the Workforce Investment Act of 1998 and Balanced Budget Act of 1997, in situations where attempts to gather full Board for approval could not be accomplished and no action would impede operations. The LCWIB Board shall be made informed of any actions taken by the Executive Committee in these instances at the next full meeting of the board.

To avoid the appearance of a conflict of interest, contracted agencies and/or providers of services in the system who are members of the LCWIB, will not be appointed to this Committee.

A. SUBCOMMITTEES

1) **PROGRAM/EVALUATION/SELECTION**

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 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 Program Administrator staff in preparing program plan(s) as required. Members of this committee shall review proposing applications submitted by potential deliverers of service within the one-stop system, and make appropriate recommendations regarding appropriate services to be provided in accordance with the Workforce Investment Act of 1998 and the Balanced Budget Act of 1997. A summary of each meeting and recommendations shall be presented to the LCWIB for appropriate action, or the Executive Committee that shall convene on behalf of the LCWIB until the next full board meeting at which time, the Executive Committee shall report any actions taken by the committee on behalf of the LCWIB for confirmation.

2) **MONITORING/OVERSIGHT COMMITTEE:**

Members of this subcommittee shall represent a cross section of members of the LCWIB, with responsibility to oversee program activities and internal and external operations of the Workforce Investment System, and to make appropriate recommendations for resolution of any internal and/or external disparities. Staff of the Program Administrator shall conduct internal and external reports of the system and provide reports to the committee for oversight and monitoring purposes. A summary of each meeting and recommendations shall be presented to the LCWIB for appropriate action, or the Executive Committee that shall convene on behalf of the LCWIB until the next full board meeting at which time, the Executive Committee shall report any

actions taken by the committee on behalf of the LCWIB for confirmation.

3) **BUDGET AND FINANCE COMMITTEE:**

Members of this committee shall represent a cross section of members of the Board, with responsibility, from reports generated by the Program Administrator staff, conduct oversight of the systems budget and finances, and make recommendations where appropriate. Program Administrator staff shall provide report of system(s) finances in respect to WIA/WtW allocations for this purpose. A summary of each meeting and recommendations shall be presented to the LCWIB for appropriate action, or the Executive Committee that shall convene on behalf of the LCWIB until the next full board meeting at which time, the Executive Committee shall report any actions taken by the committee on behalf of the LCWIB for confirmation.

- 4) **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 occur once 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 LCWIB for appropriate action, or the Executive Committee that shall convene on behalf of the LCWIB until the next full board meeting at which time, the Executive Committee shall report any actions taken by the committee on behalf of the LCWIB for confirmation.

B. YOUTH COUNCIL

In accordance with WIA, Youth Council shall serve as a subgroup to the LCWIB. The Youth Council shall report to the Executive Committee all summaries and recommendations (where appropriate) for LCWIB approval.

The LCWIB Chairperson shall appoint a Chairperson to the Youth Council who has expertise in youth issues and the provision of services to youth in the workforce investment area. In accordance with the Workforce Investment Act, it shall be the responsibility of the Youth Council to:

- Assist the Program Administrator staff in the development of portions of the local plan, as determined by the LCWIB Chairperson that relate to the eligible youth under WIA;
- In coordination with Program Administrator staff, review proposing applications submitted by potential deliverers of service within the one-stop system, and make appropriate recommendations to the Executive Committee regarding appropriate services to be provided in the local area in accordance with the WIA, which may or may not be WIA funded.
- Assist Program Administrator staff in coordinating youth activities in concert with the Evaluation/Selection Committee, and provide summary and recommendations of the Committee(s) to the Executive Committee for appropriate action.
- Shall, from reports of internal/external monitoring provided by the Program Administrator staff, provide oversight of eligible providers and the WIA System for eligible youth activities to ensure compliance with contractual agreements and WIA.

SECTION IV: The establishment of the committee, subcommittees, and Youth Council, and the cross section of Board members that is represented, will ensure the enhancement of integrated services provided in the one-stop system.

ARTICLE VII

MEETINGS, QUORUM AND VOTING

SECTION I: **MEETINGS**

Meetings of the LCWIB shall be held on a quarterly basis, or more often if deemed necessary. All meetings of the LCWIB shall be made open to the public and preceded by adequate public notice.

Sufficient written minutes of LCWIB 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 Program Administrator and shall be approved at the next meeting of the Board.

Substitute representation of a LCWIB member's absence at Board meetings is acceptable. Adequate notice should be provided the Program Administrator for coordination purposes of meetings held by the LCWIB.

A. PUBLIC NOTICE

The Program Administrator shall be responsible for ensuring that the public is notified of all LCWIB meetings at least five (5) calendar days prior to such meeting. **Public notice shall be in the form of notice on a public bulletin board located within the workforce investment area.**

B. Executive Committee shall meet at least quarterly during the program year. No substitute representation shall be allowed. Proxies may be provided to the Program Administrator or LCWIB Chairperson prior to a called meeting provided such proxy is in writing.

C. Youth Council shall meet at least quarterly during the program year. No substitute representation shall be allowed. Proxies may be provided to the Program Administrator or Youth Council Chairperson prior to a called meeting provided such proxy is in writing.

D. Subcommittees of the LCWIB shall meet, at a minimum, two (2) times during the program year or shall convene a called meeting when necessary to ensure compliance and oversight of program and board issues. No substitute representation of a member shall be allowed unless proxy provided to the Program Administrator or a subcommittee Chairperson prior to a called meeting and such proxy is in writing.

SECTION II: QUORUM

An official quorum shall consist of fifty-one percent (51%) of the active members, which is defined as a total membership minus any member vacancies at the time of voting. Proxies received prior to or at voting will count toward the 51%.

Should an insufficient amount of members are present to satisfy the quorum requirements, the Program Administrator shall solicit votes from the absent members to satisfy the voting requirement established under these bylaws. In these cases, the method of solicitation and the Board member's response shall be documented in writing.

SECTION III: VOTING

Each LCWIB member, or his/her designated representative, shall cast one vote. All business of the LCWIB shall be decided by a majority vote.

Should a voting member be unable to attend a meeting of the LCWIB, and substitute representation is unavailable, the following method(s) will be allowed:

- A proxy submitted from the absent member for voting purposes prior to the LCWIB meeting for which the proxy is to be used; or,
- Telephonic or receipt of mailed motions to the absent member. Votes received telephonically shall be documented in writing.

Should issues discussed, or voted upon, present a possible conflict of interest to a member, said member shall disclose the nature of the conflict and abstain from voting of said issue.

ARTICLE VII

REMOVAL OF LCWIB MEMBER (S)

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

- a) the member fail to honor the memorandum of understanding for services under the workforce investment system;
- b) the member willfully fail to acknowledge a conflict of interest or potential conflict of interest on issues being addressed by the LCWIB;
- c) who accept gratuities, favors, or anything of monetary value from WIA/WtW suppliers or potential suppliers (including subcontractors); and,
- d) no longer meet the requirements for LCWIB membership.

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

- 1) The Program Administrator shall be responsible for notifying the LCWIB Chairperson and Chief Elected Official, in writing, of any member who fails to meet the requirements as a LCWIB member;
- 2) If the LCWIB member's organization fail to honor the WIA 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 LCWIB member will be removed, and efforts made by the Program Administrator to ensure the LCWIB continues to comply with the requirements of WIA.
- 3) If a LCWIB 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 LCWIB 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 investment system shall serve on the Executive Committee.**

ARTICLE X

REPORTS

SECTION I: All committees, subcommittees, and Youth Council shall make oral reports of their meetings at each Executive Committee meeting.

The Executive Committee shall make oral reports of its meetings and actions taken by the Committee on behalf of the LCWIB, at each meeting of the LCWIB.

SECTION II: The Official Office of Record for the Lower Chattahoochee Workforce Investment Board shall be the Program Administrator's Job Training Division, which shall be responsible for the provision of all statistical data and other background information required by the LCWIB, or its subcommittees, for reports and/or studies.

ARTICLE XI

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 LCWIB membership, at any regular or called meeting; provided, however, LCWIB members are provided no less than five (5) working days written notice of such proposed amendments.

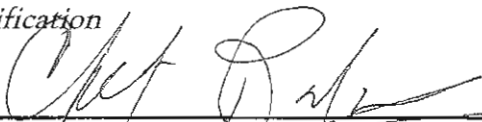
SECTION II: The Chief Elected Official(s) who possess such delegated authority, shall at any time, amend this Agreement, for the purpose of accommodating changes in local circumstances and/or the Workforce Investment Act.

ARTICLE XII

ADOPTION OF BYLAWS

These bylaws supersedes existing bylaws of 2006 and is agreed to and adopted by a two-third majority vote of the Lower Chattahoochee Workforce Investment Board, this 19 day of March, 2009, and shall remain in affect unless otherwise amended, supplemented, or superseded.

Certification



*Chester Randolph, Chairperson
Lower Chattahoochee Workforce Investment Board*

I hereby certify, as Chief Elected Official of the Lower Chattahoochee Workforce Investment Area, that I have reviewed the above Bylaws for the Lower Chattahoochee Workforce Investment Board, and concur in its adoption.



*James "Jim" Wetherington, Mayor of Columbus
Chief Elected Official, WIA-14
City of Columbus (Columbus Consolidated Government)*

3/24/09