

**SOUTHEAST ARKANSAS WORKFORCE DEVELOPMENT BOARD
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southeastarkansas.org/services/workforce/

BY-LAWS
OF THE
SOUTHEAST ARKANSAS WORKFORCE DEVELOPMENT BOARD
Origination Date: 8/19/15

Section I – Name:

This organization shall be known as the Southeast Arkansas Workforce Development Board. This organization shall not have a corporate seal.

Section II - Service Delivery Area:

The service delivery area of Southeast Arkansas Workforce Development Board shall consist of the counties of Arkansas, Ashley, Bradley, Chicot, Cleveland, Desha, Drew, Grant, Jefferson and Lincoln Counties.

Section III - Authorization:

The Southeast Arkansas Workforce Development Board is organized under the provision of the Workforce Innovation and Opportunity Act, and is required to be recertified every two years, by the Governor of Arkansas.

Section IV - Vision:

The vision of the Southeast Arkansas Workforce Development Board is to serve as a strategic leader and conveners of local workforce development system stakeholders. The Southeast Arkansas Workforce Development Board partners with employers and the workforce development system to develop policies and investments that support public workforce system strategies that support regional economies, the development of effective approaches including local and regional sector partnerships and career pathways, and high quality, customer centered service delivery and service delivery approaches.

Section V - Purpose:

The purpose of the Southeast Arkansas Workforce Development Board is to:

- A. Provide strategic and operational oversight in collaboration with the required and additional partners and workforce stakeholders to help develop a comprehensive and high-quality workforce development system in the local area and larger planning region;
- B. Assist in the achievement of the State's strategic and operational vision and goals as outlined in the Unified State Plan or the Combined State Plan; and
- C. Maximize and continue to improve the quality of services, customer satisfaction, effectiveness of the services provided.

Section VI - Functions:

The Southeast Arkansas Workforce Development Board must:

- A. Develop and submit a 4-year local plan for the local area in partnership with the Chief Elected Officials and consistent with WIOA sec. 108;

Local plan must be submitted to the Governor and approved/jointly submitted by the Board and the Chief Elected Officials.

- B. In order to assist in the development and implementation of the local plan, conduct workforce research and regional labor market analysis of Southeast Arkansas;
- C. Convene local workforce development system stakeholders to assist in the development of the local plan and identifying non-federal expertise and resources to leverage support for workforce development activities; This shall be done through the process and use of collaborative meetings/information sharing amongst members of the standing committees, community leaders, educational institutions, local chamber executives and economic developers and other stakeholders in the SEAWDA.
- D. Lead efforts to engage with a diverse range of employers and other entities in the region;
- E. With representatives of secondary and post-secondary education programs, lead efforts to develop and implement career pathways within the Southeast Arkansas Workforce Area by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment;
- F. Lead efforts in the Southeast Arkansas Workforce Area to identify and promote proven and promising strategies and initiative for meeting the needs of employers, workers and

job seekers and identify and disseminate information on proven and promising practices carried out in other local area for meeting such needs;

- G. Develop strategies for using technology to maximize the accessibility and effectiveness of local workforce development system for employers, and workers and job seekers;
- H. In partnership with the Chief Elected Officials for the Southeast Arkansas Workforce Development Area, conduct oversight of youth workforce investment activities, adult and dislocated worker employment and training activities, and the one-stop delivery system;
- I. Negotiate and reach agreement on local performance indications with Chief Elected Officials and the Governor;
- J. Negotiate with Chief Elected Officials and required partners on the methods for funding the infrastructure cost of one-stop centers in the Southeast Arkansas Workforce Development Area;
- K. Select providers of youth workforce investment activities, providers of training services, providers of career services and One-stop operator; and where appropriate terminate such providers in accordance with 2 CFR part 200;
- L. Work with State of Arkansas to ensure there are sufficient numbers and types of providers of career services and training services serving the local area and providing the services in a manner that maximizes consumer choice, as well as providing opportunities that lead to competitive integrated employment for individuals with disabilities;
- M. Coordinate activities with education and training providers in the Southeast Arkansas Workforce Development Area;
- N. Develop a budget for the activities of the Southeast Arkansas Workforce Development Board, with approval of the Chief Elected Officials and consistent with the local plan and the duties of the Southeast Arkansas Workforce Development Board;
- O. Assess on an annual basis the physical and programmatic accessibility of all one-stop centers in the Southeast Arkansas Workforce Development Area and applicable provisions of the Americans with Disabilities Act of 1990; and
- P. Certification of one-stop centers.

To ensure that the Workforce Development Board fulfills its required roles and functions, the board will participate in an annual self-evaluation exercise that assesses each function/role. The assessment will measure board performance in each area by identifying tangible outcomes as a result of each function. The assessment will also identify areas where improvement is needed. The

board will develop a plan to address any area of deficiency and continue practices that were proven to be effective.

Section VII: Membership:

- A. The membership of the Southeast Arkansas Workforce Development Board is appointed by the Chief Elected Officials of the Southeast Arkansas Workforce Development Area in accordance with Arkansas Act 907 of 2015. Pursuant to the provision of Act 907, membership of the board shall consist of:
1. At least 51% of the members of the Southeast Arkansas Workforce Development Board must be representatives of businesses in the local area, who are owners of businesses, chief executives or chief operating officers or other business executives or employers with optimum policymaking or hiring authority. Such members shall represent businesses with employment opportunities of the local area; and which have been nominated by local business organization and business trade associations; and
 2. At least 20% of the members of the Southeast Arkansas Workforce Development Board must be representatives of labor organizations (for a local area in which employees are represented by labor organizations), who has been nominated by local labor federation, or (local area in which no employees are represented by such organization) other representatives of employees; must include a representative, who must be a representatives of joint labor-management or union affiliated, registered apprenticeship program, who must be a training director or a member of a labor organization; may be a representative of community-based organization that demonstrate experience and expertise in addressing employment, training or education needs of individuals with barriers to employment; and may include representative of organizations that have demonstrated experience and expertise in addressing employment, training or education needs of eligible youth; and
 3. At least one member of the Southeast Arkansas Workforce Development Board must be a representative of an eligible training provider administering adult education and literacy activities and institute of higher education providing workforce investment activities; and
 4. At least one member of the Southeast Arkansas Workforce Development Board must be a representative from Economic and community development entities;

5. At least one member of the Southeast Arkansas Workforce Development Board must be a representative from the State Employment Service office under the Wagner-Peyser Act serving the local area; and
 6. At least one member of the Southeast Arkansas Workforce Development Board must be a member of the programs carried out under title I of the Rehabilitation Act of 1873, other than sec.112 or part C of that title; and
 7. The membership of the Southeast Arkansas Workforce Development Board may include representatives of agencies or entities administering programs serving the local area relating to transportation, housing, and public assistance; and
 8. The membership of the Southeast Arkansas Workforce Development Board may include representatives of philanthropic organizations serving the local area; and
 9. The membership of the Southeast Arkansas Workforce Development Board may include such other individuals or representatives of entities as the Chief Elected Officials in the Southeast Arkansas area may determine to be appropriate.
- B. All representatives of the Southeast Arkansas Workforce Development Board must have optimum policy-making authority within the entities they represent.

Dual sector representation

A single individual representing more than one WDB membership sector, is permissible.

Section VIII – Nomination to the Board:

- A. Chief Elected Officials shall accept nominations for appointments from nomination organizations located within the political boundary for the county in which the organization is located.
- B. When nominating an individual to serve on the Southeast Arkansas Workforce Development Board, all nominating organizations shall complete and submit the Workforce Development Board Member Appointment form provided by Arkansas Department of Workforce Services to a Chief Elected Official within the political boundary for the county in which the nominating organizations is located. The Chief Elected Official will review the Member Appointment Form and accompanying documentation to select and appoint Southeast Arkansas Workforce Development Board members. The member shall be appointed by one of the Chief Elected Officials from the county in which the nomination is received. Chief Elected Officials shall complete, sign and forward the Workforce Development Board Certification form to Southeast Arkansas Workforce

Development Board staff, who will forward to Arkansas Department of Workforce Services.

- C. Nominee documentation shall be kept on file by the staff for the Southeast Arkansas Workforce Development Board.

- D. Reference: CEO Membership Guide:

<https://www.dws.arkansas.gov/wp-content/uploads/2016/05/CEO-Membership-Guide-for-Local-Workforce-Development-Boards-Rev-6-23-15.pdf>

- E. Timeline- After staff of the Southeast Arkansas Workforce Development Board has submitted nomination information to Arkansas Department of Workforce Services, a letter will be sent to the newly appointed Workforce Development Board member, within 30 days, notifying the member of his/her appointment and the tentative date of the next official board meeting. Orientation for the newly appointed board member shall be provided within 90 days of his/her appointment notification.

Section IX – Board Membership Reappointments:

- A. Chief Elected Officials are responsible for all reappointments. Reappointments must be handled in the same process as an original nomination and appointment.
- B. Chief Elected Officials shall process reappointments within 60 calendar days from the effective date of the term expiration. During the 60 calendar-day period, the Southeast Arkansas Workforce Development Board will be able to legally act and conduct business. If the Chief Elected Officials fail to reappoint a Board member in a required category within 60 calendar days, the Board will be out of compliance with its membership composition, and any business conducted may not be considered legal.

Section X – Board Membership Vacancies:

- A. If a vacancy on the Southeast Arkansas Workforce Development Board occurs, the Board Chairman or the Workforce Development Board staff shall provide notice to the Chief Elected Officials, within 30 days of the vacancy. The notice shall be sent via email or certified mail and include the name of the Board member, the category represented and the effective date of resignation or removal. A copy of the correspondence shall be kept on record for the SEAWBD and staff.
- B. Vacancy shall be limited to the resignation of a member, or the removal of a member by the Chief Elected Officials and shall be filled in the same manner as the original appointment. Members changing occupations and no longer representing their original sector shall be removed from the Southeast Arkansas Workforce Development Board or reappointed in accordance with the provisions set forth above.

- C. A member, whose category changes adversely impacts the majority business threshold of 51%, that member shall be required to resign from Workforce Development Board; however, if that member's category change does not cause the business majority to drop below the threshold of 51%, that member may continue to serve on the Workforce Development Board.
- D. Southeast Arkansas Workforce Development Board members who miss three (3) consecutive Workforce Development Board meetings without written explanation or during the fiscal year (July 1 – June 30), shall be *removed from the board.
- E. Members shall be appointed for staggered terms of two (2) years and shall serve until a replacement has been appointed. The initial staggered terms will be established by a lot.
- F. Members may be reappointed and continue to serve on the Board with the approval of the Chief Elected Officials.
- G. The occurrence of a vacancy shall be limited to the resignation of a member, or the removal of a member by the Chief Elected Officials and shall be filled in the same manner as the original appointment.

H. *Removal

A SEAWDB member may be removed from the board if the member's conduct or action, in his/her capacity as a member or personal/professional dealings, is having or will have a severe detrimental effect on the ability of the SEAWDB to conduct its business.

The removal may be based on the following: (a) Three (3) consecutive Workforce Development Board meetings without written explanation, during the fiscal year (July 1 – June 30). (b) Should a Board member cease to represent the category to which he/she was appointed to fill on the Board through change in status, said Board member shall be removed pursuant to these bylaws. (c) In the event that a Board member becomes unable to perform his/her duties on the Board.

Procedures for Removal by SEAWDB

1. A removal shall be proposed and discussed at an Executive Committee meeting called for that purpose.
2. The recommendation for removal from the Executive Committee shall be brought before the full SEAWDB for discussion and vote;
3. Removal from the SEAWDB shall require a two-thirds majority and affirmative vote of the SEAWDB at a regularly scheduled meeting, at which a quorum has been established; and
4. The SEAWDB shall forward the recommendation for removal to the Chief Elected Officials for approval.

Procedures for Removal by Chief Elected Officials:

1. Removal from the SEAWDB shall require a two-thirds majority and affirmative vote of the CEOs at a regularly scheduled meeting, at which a quorum has been established.

Section XI - Officers:

The Workforce Development Board shall elect from and by the general membership of the Board a Chairman, a Vice-Chairman and a Secretary for one-year terms expiring on June 30 of each year. Officers may continue to serve until their replacement has been named. Board Officers, including Chairman, may be re-elected to serve additional terms. These officers will have the following indicated duties:

- A. Chairman - The Chairman shall be selected from the Business Representative category, who shall be selected by majority vote from among the Southeast Arkansas Workforce Development Board. The Chairman shall preside at all Workforce Development Board meetings, shall appoint all committees, have access to program and financial reports and certificates as required by law, and advise with the other officers of the Board on matters of policy. He or she shall have the powers and perform other such duties as may be incidental to the office, as are given by these By-Laws or may be assigned by the Board. The Chairman shall serve as ex-officio on each standing committee.
- B. Vice-Chairman - In the event of the absence of the Chairman, the Vice-Chairman shall act as Chairman with all the rights, privileges and powers as if had been he duly elected Chairperson. In addition, the Vice-Chairman shall serve as Parliamentarian for the Board.
- C. Secretary - The Secretary shall keep minutes of the proceedings of the Board in appropriate books provided for that purpose, see that all notices are duly given as required by the Board and perform such other duties incidental to the office of Secretary and such duties as may be assigned or delegated by the Chairman or Board.

Section XII - Committees:

- A. The Board shall have an Executive Committee and four standing committees: The Planning Committee, the One Stop Operations Committee, Services to Persons with Disabilities and Youth Services. Ad Hoc Committees may be used when deemed necessary by the Chairman. Each standing committee shall elect a chairman, who must be a member of the Southeast Arkansas Workforce Development Board. Committees will meet on the regularly scheduled day of full Workforce Development Board Meeting, prior to the convening of the full board. Each committee Chairman shall make a report to the full board of activities and action taken within the committee meeting. Committees reserve the right to also meet for special called meetings, by the committee chair, as necessary.

- B. An Executive Committee may consist of the Chairman, Vice Chairman, Secretary, and the chairman from each of the standing committees. The Chairman of the Southeast Arkansas Workforce Development Board shall serve as Chair of the Executive Committee. The Executive Committee may act on behalf of the Southeast Arkansas Workforce Development Board between regularly scheduled meeting. Such action by the Executive Committee shall be reported to the Workforce Development Board and shall be ratified by affirmative vote of the full Board at its next regularly scheduled meeting.
- C. A quorum shall be at least 51% of the membership of the committee. The committees shall function as follows:
1. Planning Committee
 - a) The Planning Committee shall draft the local plan and all alterations to the local plan.
 - b) The Planning Committee shall develop the local area budget with input from all standing committees.
 - c) The budget developed by the Planning Committee must be approved by the Board and Chief Elected Officials.
 - d) The Planning Committee shall review and recommend action on eligible training providers in accordance with state procedures.
 2. One Stop Operations Committee
 - a) The One Stop Operations Committee shall be responsible for the overall design and maintenance of the one stop system.
 - b) It shall develop the memorandums of understanding with the various partnering agencies.
 - c) It shall be responsible for negotiating with the partnering agencies to leverage resources to support the system.
 - d) It shall be responsible for overseeing the one-stop operator and Title I-B Service Provider selection process.
 3. Services to Persons with Disabilities Committee:
 - a) The Committee shall be responsible for the direction and oversight of services to persons with a disability with the overall program design.

- b) The Committee shall review and recommend action on eligible training providers in accordance with the Americans' with Disabilities Act and the actions of the Planning Committee.
 - c) The Committee shall review and recommend action on performance to the targeted population.
4. Youth Services Committee:
- a) The Youth Committee shall be comprised of members of the Board and additional non-voting members as specified in the Act. The additional members shall be nominated by the Board and approved by the Chief Elected Officials.
 - b) It shall be responsible for the design and implementation of the youth services and activities.
 - c) It shall recommend to the Board the approval or disapproval of requests for funding from various providers.
5. Ad Hoc Committees shall be designated as necessary for specific purposes.

Section XIII - Meetings:

- A. The Southeast Arkansas Workforce Development Board meetings shall occur as needed, but at minimum frequency of at least once a quarter of each calendar year. The meetings shall be called by the Board Chairman, a majority of the Chief Elected Officials or the Chairman of the Chief Elected Officials.
- B. A minimum of nine (9) days' notice of all meetings shall be given to each member of the Board. All meeting materials shall be hand delivered, mailed, emailed or by phone to the members with the meeting notice and the agenda. Special called meetings shall serve in the manner describe above with no less than 24-hour notice before such meeting.
- C. All meetings of the Board will be held at a place and time reasonably accessible to all Board members.
- D. All meetings will be conducted in an open manner and operate under the "Sunshine provision" of WIOA and adhere to "FOIA" regulations.
- E. Southeast Arkansas Workforce Development Board members may participate in a meeting of the Workforce Development Board or committee by telephone or similar communication device or by Web-based video. Such participation in a meeting shall be deemed present in person at such meeting.

- F. Only members, staff or invited guests listed on the agenda will be allowed to address the Board. Invited guests will be allowed to speak near the end of the meeting. Any other individual desiring to participate in the meeting must notify the Chairman before the meeting of the subject he/she wishes to address and shall be limited to a 5-minute presentation, unless granted by the Chairman to extend it.

Section XIV – Compensation:

The Southeast Arkansas Workforce Development Board members may be reimbursed for travel expenses to regular meetings, special called meetings and any other meeting deemed appropriate by the Chairman at the current federal per diem rate, only if the Workforce Board member is not reimbursed by any other agency for that same expense. No other compensation shall be paid to any Workforce Development Board member for participation in or attendance at any meeting of the Southeast Arkansas Workforce Development Board. Travel reimbursement shall be made within thirty (30) days of submission of a completed reimbursement form that will be provided by Workforce Development Board staff.

Section XV – Board Member Training:

- A. Orientation and training shall be provided to each new Southeast Arkansas Workforce Development Board member within 90 days of their appointment, by the Workforce Development Board staff.

After staff of the Southeast Arkansas Workforce Development Board has submitted nomination information to Arkansas Department of Workforce Services, a letter will be sent to the newly appointed Workforce Development Board member, within 30 days, notifying the member of his/her appointment and the tentative date of the next official board meeting. Orientation for the newly appointed board member shall be provided within 90 days of his/her appointment notification. The training shall consist of an overview of the Workforce Innovation and Opportunity Act, an explanation of the role of a workforce development board member, the functions of the board, the partnership agreement between the Chief Elected Officials and the Southeast Arkansas Workforce Development Board, the local plan and all pertinent information regarding board membership and involvement.

- B. An annual board member training meeting will be held for the Southeast Arkansas Workforce Development Board members.
- C. Southeast Arkansas Workforce Development Board members will also receive training sessions and development opportunities during the regularly scheduled Workforce Development Board meetings.

- D. Continued training opportunities for the Southeast Arkansas Workforce Development Board members will be provided by Arkansas Department of Workforce Services and the Workforce Development Board staff. The training options will be self-paced, classroom style or web-based.

Section XVI - Quorum:

A quorum shall consist of at least 51% of the total Board membership. Southeast Arkansas Workforce Development Board member proxies shall only be used for the purpose of establishing a quorum in committee meetings and in Workforce Development Board Meetings.

Section XVII - Vote Required for Board Action:

- A. Any action of the Board may be taken by a simple majority vote except for amendments of the By-Laws. An amendment to the By-Laws shall require a two-thirds majority of those members present at a Board meeting provided that notice of any proposed change has been submitted to the members nine (9) days prior to such meeting.
- B. Each member of the Southeast Arkansas Workforce Development Board shall have one vote. Proxies to vote are not authorized. Board members shall not vote at any meeting by proxy, nor shall alternates be permitted to sit as voting members at any meetings. Alternate representatives/designees may be required by a member to attend and participate in meetings on their behalf, for information and discussion purposes only. Alternate representatives/designees must represent the same organization and must have demonstrated experience and expertise and optimum policy-making authority.
- C. A Southeast Arkansas Workforce Development Board member shall not cast a vote on, nor participate in any decision making capacity or the provision of services by such member (or any other organization which that member directly represent), nor on any matter in which the Workforce Development Board member has an interest or which would provide any direct person financial benefit to that member. Board members shall abstain from such votes and the meeting minutes should record the abstention.

Section XVIII - Rules of Parliamentary Procedure:

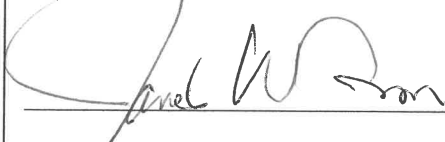
Roberts Rule of Order shall govern all meetings of the Southeast Arkansas Workforce Development Board.

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(Adopted on June 20, 2019)

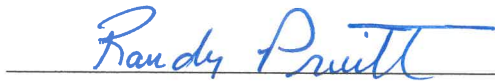
Authorized Signatures:



Mr. James Wilson, SEAWDB Chairman

3-17-21

Date



Judge Randy Pruitt, Chief Elected Officials of Southeast Arkansas Chairman

3/23/21

Date