Tri-County Workforce Board Bylaws

September 2013

Article I

Statement of Purpose

The purpose of the Tri-County Workforce Board (the "Board") shall be to provide quality assurance and recommended policy guidance for the Workforce Investment Act programs operated by Jefferson, Gilpin, and Clear Creek counties.

The purpose of these Bylaws shall be to establish the organizational rules and responsibilities of the Board.

Article II

Authority

The Board was established by the Board of County Commissioners of Jefferson County by Resolution No. CC97-107 dated February 25, 1997. Policy 1.1.5 of the County Policy Manual provides guidance for the Board.

Article III

Membership

Section 1. Membership Requirements

Membership shall be in compliance with the Federal Workforce Investment Act (WIA) and in accordance with the Tri-County Workforce Board Policy.

Board membership, at a minimum, shall include representatives from: 1) local businesses, 2) local education, 3) labor organizations, 4) community organizations, 5) economic development agencies, and 6) one-stop partners.

Section 2. Appointments

All nominations for Board membership must be reviewed by the Board with recommendations for appointment forwarded to the respective Board of County Commissioners. The Board of County Commissioners of Jefferson, Gilpin, and Clear Creek counties have full appointment and discharge authority over their respective counties.

Section 3. Tenure

The Board has the discretion to recommend to the Board of County Commissioners of Jefferson County the retention of a board member who has served four (4) consecutive terms.

Section 4. Change of Status

Members represent different sectors to comply with WIA. Whenever a member's status changes and the member no longer represents the sector that he/she was appointed to represent, a vacancy will exist in that position. The member may petition to the Board to be reappointed through the membership process. During that petition process, his/her membership will change to *ex-officio* status with no voting rights until reappointment is either granted or denied.

Section 5. Vacancies

The Board will accept resignations, which will be forwarded to the respective Board of County Commissioners. Vacancies will be filled in the same manner as provided for in the Tri-County Workforce Board Policy and these Bylaws.

Section 6. Removal for Absenteeism / Misconduct

The Board meets a minimum of six (6) times per year. Members shall attend meetings regularly. Unexcused absences for more than two (2) meetings in twelve (12) months may result in a recommendation to the Boards of County Commissioners of the member's removal. In order for a member to be excused from a Board meeting, a member must notify either the Board Chair or Vice-Chair prior to the meeting. Any member may be recommended for removal at any time, for cause, including conduct injurious to the best interests of the Board, by the affirmative vote of two-thirds (2/3) of all the members, provided that the notice of the meeting where such action is taken specifies that one of the items on the agenda for said meeting shall be the proposed removal of such member.

Section 7. Resignation

Any member may resign at any time by delivering a written resignation to the Board Chair. Resignation will be effective upon receipt of letter and forwarded to the Board of County Commissioners of Jefferson County.

Section 8. Allowable Board Expenses

Board members may be reimbursed, with prior approval of the Board Chair and Workforce Director, for expenses incurred on behalf of the Board, provided expenses are appropriate and in accordance with the Board's operating budget.

Section 9. Compensation

Board members shall not receive any compensation.

Article IV
Officers and Staff

Section 1. Officers

The elected officers shall be a Chair and Vice Chair. The Chair shall be a member from the private sector as required by the Acts.

Section 2. Terms

A member may serve no more than three (3) consecutive two-years terms in each office. If a member is appointed to fill an unexpired term, that officer shall be considered to have filled one term provided that the appointment is for eight (8) or more months.

Section 3. Staff

Jefferson County shall provide staff to the Board. To accomplish the purposes of the Board, staff shall provide services, information, and other necessary professional assistance.

Section 4. Duties of Officers

1. Chair
The Chair shall preside over all meetings of the Board and, with the approval of the Board, by a simple majority, shall appoint all standing and ad hoc committees.

2. Vice Chair
The Vice Chair shall assume the duties of the Chair in his/her absence.

Article V
Election of Officers

The Board shall elect, by simple majority, a Chair and Vice Chair once every two (2) years on odd years at the regular meeting prior to July 1. It is the Board's decision whether to use a Nominating Committee or hold elections with nominees from the floor. If a Nominating Committee is used, they shall bring a slate of nominees to the meeting prior to the election meeting. Nominations may be made from the floor at the election meeting.

Article VI
Regular Meeting

Section 1. Regular Meetings

The Board shall meet semi-monthly at a mutually convenient location determined by the Board.

Section 2. Agenda

All proposed agenda items that require action shall be submitted to the Workforce Director to be included on the agenda of any regularly scheduled meeting. Information, if any, on any item

requiring action shall be prepared and communicated by mail, facsimile, or electronic mail no later than seven (7) calendar days prior to the announced Board meeting.

Section 3. Special Meetings

Special meetings of the Board may be called by the Chair. Notice of meetings shall be made by mail, facsimile, or electronic mail to each member by the staff. At any special meeting no business other than that stated in the notice shall be transacted.

Section 4. Open Meetings

The Board shall ensure public access (including individuals with disabilities) to all open meetings. The Board shall make available to the public information regarding the activities of the Board, including information regarding the local plan prior to submission of the plan to the Colorado Department of Labor & Employment, and regarding membership, the designation and certification of workforce operators, and the award of grants or contracts to eligible providers of youth activities, and upon request, minutes of formal meetings of the Board.

Section 5. Quorum

The Chair will determine if a quorum is present at each meeting. The quorum needed to transact business must include 51% of private sector members.

Section 6. Voting

All board members present shall vote verbally. Proxy voting is allowed so long as the Chair is notified one (1) day prior to the board meeting. Voting through electronic mail is allowed so long as the Chair is notified (1) day prior to the board meeting.

Article VII
Committees

Section 1. Appointment

The Board Chair shall establish committees as necessary to carry out the responsibilities of the Board.

Article VIII
Amendment of Bylaws

These Bylaws may be amended at any scheduled meeting of the Board by a simple majority vote of a quorum of Board members provided that the amendment is not in conflict with any applicable county, state and federal laws and regulations. The Board shall have adequate time (10 days prior) to review amendments before being asked to vote.

Article IX
Conflict of Interest

A member of the Board shall avoid conflict of interest, actual or perceived, by not: 1) voting on a matter under consideration by the Board a) regarding the provision of services by such member (or an entity that such member represents); or b) that would provide direct financial benefit to such member or the immediate family of such member; or 2) engaging in any other activity determined by the Governor to constitute a conflict of interest as specified in the State Workforce Investment Plan.

Article X
Recertification

Section 1. Policy

The Governor, as required under WIA, shall certify the Board every two (2) years beginning July 1, 2012. Submittal of required materials shall be due to the State as required by the Local Plan guidelines. The Colorado Workforce Development Council (CWDC) shall issue a schedule and instructions for submission of materials as part of the annual Local Plans.

Section 2. Requirements

Recertification will be, at a minimum, based on: 1) compliance of local board composition, 2) the Board's ability to meet fiduciary responsibilities during the previous two (2) years, and 3) the Board's ability to meet current state WIA performance standards.