

**BY-LAWS**  
**WEST CENTRAL ARKANSAS WORKFORCE DEVELOPMENT BOARD**

**Section I-Name:**

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

**Section II -Workforce Development Board Service Delivery Area.**

The service delivery area of West Central Arkansas shall consist of the counties of Clark, Conway, Garland, Hot Spring, Johnson, Montgomery, Perry, Pike, Pope, and Yell.

**Section III – Authorization**

The West Central Arkansas Workforce Development Board is organized under the provision of the Workforce Innovation and Opportunity Act (Public Law 113-128), and is required to be recertified every two years, by the Governor of Arkansas.

**Section IV– Mission Statement**

The vision of the West Central Arkansas Workforce Development Board is to serve as a strategic leader and conveners of local workforce development system stakeholders. The West Central 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.

The members must participate in their area’s community activities which may include, but not limited to roundtables, community coffees, and any other community activities as much as possible. During the New Business agenda item at each local board meeting board members will be afforded the opportunity to discuss WIOA activities in their communities.

**Section V - Purpose:**

The purpose of the West Central 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, and effectiveness of the services provided.

**Section VI – Functions of the Board:**

The West Central Arkansas Workforce Development Board must:

- A. Develop and submit a 4-year local plan for the West Central Workforce Development Area, herein after known as “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 West Central 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 local area.

The Process for the board to actively participate in convening stakeholders and brokering relationships as par of workforce development activities will be:

- ❖ Board members will participate as much as possible by attending and participating in the local board and committee meetings.
- ❖ Board members will continue to participate in the various local community events of their choosing that can promote workforce development.
- ❖ Board members will report at the local workforce development board meetings on the various activities they have participated in with other boards such as the Chamber of Commerce, Rotary Clubs etc.
- ❖ Board members will reach out to other non-profit organizations, private for profit and public entities to build relationships to leverage support for workforce development activities;

- D. Lead efforts to engage with a diverse range of employers and other entities in theregion in order to:

- (1) Promote business representation (particularly representatives with optimum policy-making or hiring authority from employers whose employment opportunities reflect existing and emerging employment opportunities in the region in the local area.;
- (2) 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 investment activities;

- (3) Ensure that workforce investment 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
  - (4) 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;
- E. With representatives of secondary and post-secondary education programs, lead efforts 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;
- F. Lead efforts in the local 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 by:
- (1) 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;
  - (2) Facilitating access to services provided through the one-stop delivery system involved, including access in remote areas;
  - (3) 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
  - (4) Leveraging resources and capacity within the local workforce development system, including resources and capacity for services for individuals with barriers to employment;
- H. In partnership with the Chief Elected Officials for the West Central Arkansas Workforce Development Area:
- (1) conduct oversight of youth workforce investment activities authorized under WIOA sec. 129(c), adult and dislocated worker employment and training activities under WIOA secs. 134(c) and (d), and the entire one-stop delivery system in the local area;
  - (2) Ensure the appropriate use and management of the funds provided under WIOA subtitle B for the youth, adult, and dislocated worker activities and one-stop delivery system in the local area; and

- (3) Ensure the appropriate use management, and investment of funds to maximize performance outcomes under WIOA sec. 116;
- 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 local area in accordance with 678.715 of this chapter or must notify the Governor if they fail to reach agreement at the local level and will use a State infrastructure funding mechanism;
  - K. Select the following providers in the local area, and where appropriate terminate such providers in accordance with 2 CFR part 200:
    - (1) Providers of youth workforce investment activities through competitive grants or contracts based on the recommendations of the youth standing committee (if such a committee is established); however, if the Local WDB determines there is an insufficient number of eligible training providers in a local area, the Local WDB may award contracts on a sole-source basis as per the provisions at WIOA sec. 123(b);
    - (2) Providers of training services consistent with the criteria and information requirements established by the Governor and WIOA sec. 122;
    - (3) Providers of career services through the award of contracts, if the one-stop operator does not provide such services; and
    - (4) One-stop operators in accordance with 678.600 through 678.635 of this chapter;
  - L. In accordance with WIOA sec. 107(d)(10)(E) work with State 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 local area, including:
    - (1) Reviewing applications to provide adult education and literacy activities under WIOA title II for the local area to determine whether such applications are consistent with the local plan;
    - (2) Making recommendations to the eligible agency to promote alignment with such plan; and
    - (3) (Replicating and implementing cooperative agreements to enhance the provision of the services to individuals with disabilities and other individuals, such as cross training of staff technical assistance, use and sharing of information, cooperative efforts with employers, and other efforts at cooperation, collaboration, and coordination;
  - N. Develop a budget for the activities of the Local WDB, with approval of the Chief Elected Officials and consistent with the local plan and the duties of the Local WDB;
  - O. Assess, on an annual basis, the physical and programmatic accessibility of all one-stop centers

in the Local area, in accordance with WIOA sec.188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); and

P. Certification of one-stop centers in accordance with 678.800 of this chapter

### **Section VII - Membership**

A. Membership in this organization shall be established by the Chief Elected Officials of the West Central Arkansas Development Area, consistent with Arkansas Act 907 of the Regular Session of 2015. Pursuant to the provision of Act 907 membership of the Board shall include:

1. At least 51% of the members of the West Central 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 West Central Arkansas Workforce Development Board must be representatives of labor organizations 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 West Central 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 West Central Arkansas Workforce Development Board must be a representative from Economic and community development entities;
5. At least one member of the West Central 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 West Central 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 West Central 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 West Central Arkansas Workforce Development Board may include representatives of philanthropic organizations serving the local area; and

9. The membership of the West Central Arkansas Workforce Development Board may include such other individuals or representatives of entities as the Chief Elected Officials in the West Central Arkansas area may determine to be appropriate.

B. All representatives of the West Central Arkansas Workforce Development Board must have optimum policy-making authority within the entities they represent.

**Dual sector representation**

An individual member may be a representative of more than one sector or category described in the CEO Membership Guide for Local Workforce Development Boards - Required Categories **IF** the individual meets all the criteria for each entity, they intend on representing.

**Section VIII-Nomination to the Board:**

A. Chief Elected Officials shall accept nominations for appointments from nomination organizations located within the political boundary of the county in which the organization is located. The CEO will submit a letter of appointment to the Board staff appointing the new member.

B. When the appointment letter is received by the CEO, the board staff will submit the Workforce Development Board Member Appointment form to the nominating entity to complete. The nominating organizations shall complete and submit the Workforce Development Board Member Appointment form provided by Arkansas Division of Workforce Services to the board staff. The Board staff will submit the Board Member Appointment Form along with back up documentation to the Chief Elected Official representative for signature.

C. Nominee documentation shall be kept on file by the staff of the West Central Arkansas Workforce Development Board.

D. Reference: CEO Membership Guide:

<https://dws.arkansas.gov/wp-content/uploads/CEO-Membership-Guide-8.17.21-10.28.22-wForms.pdf>

E. Timeline- After staff of the West Central Arkansas Workforce Development Board has received signed Board Member Appointment Form, 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 West Central 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 West Central Arkansas Workforce Development Board occurs, the Board Chair 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 phone call followed by an email 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 West Central Arkansas Workforce Development Board and staff.
- B. The 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 West Central 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. West Central Arkansas Workforce Development Board members who miss three (3) consecutive Workforce Development Board meetings without good cause during the program year (July 1 - June 30), shall be removed from the board. Good Cause is defined as: business conflict, illness, vacation, and any other valid excuse accepted by the local board. The affected members may submit their requests in writing, calling, texting, or emailing to the Chair and or board staff. The full board will vote on these excused absence requests at the beginning of each board meeting.
- E. Members shall be appointed for staggered terms of four (4) years and shall serve until a replacement has been appointed.
- 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.

**Section XI - Officers:**

The Workforce Development Board shall elect from and by the general membership of the Board a Chair, a Vice-Chair, 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. These officers will have the following indicated duties:

- A. Chair - The Chair shall be selected from the Business Representative category, who shall be selected by majority vote from among the West Central Arkansas Workforce Development Board. The Chair 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 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 Chair shall serve as ex-officio on each standing committee.

- B. Vice-Chair – The Vice Chair shall be selected from the Business Representative category. In the event of the absence of the Chair, the Vice-Chair shall function as Chair with all the rights, privileges, and powers as if he had been the duly elected Chairperson.
- C. Secretary- All meeting minutes and financial reports shall be made available to this officer upon request. This officer shall also have other duties, powers, and responsibilities as are assigned by the Chairperson, the Board, or these By-Laws.

### **Section XII – Executive and Standing Committees:**

Executive Committee shall have the following membership:

1. Board Chair, who shall serve as Chairperson of the executive committee;
2. Vice- Chair;
3. Secretary; and
4. Chairperson of each of the standing committees.

Executive Committee Meetings - The Executive Committee shall hold meetings, as the Chairperson deems it necessary to conduct the affairs and business of the Committee after appropriate notice, according to the Freedom of Information Act.

Authority - The Executive Committee shall have the authority of the Board to act during the interim between Board meetings but shall defer to the Board, whenever practical, action on matters of major policy implications. Executive Committee decisions will be implemented immediately and will be ratified at the next full Board meeting. Between Board meetings, the Executive Committee shall review and coordinate the work of the other committees. All Board functions not specifically enumerated and assigned to another committee by these by-laws shall be the responsibility of the full Board and the Executive Committee unless the function is assigned by the Chairperson to another standing or ad hoc committee.

Standing Committees - the Chair and or Executive Committee may establish standing committees as it deems prudent and shall have such powers and duties as are assigned or as are necessary to perform its stated purpose. The Chairperson shall appoint committee membership. Chairpersons of the committees shall become members of the Executive Committee. The standing committees shall consist of One Stop Systems Oversight, Performance/Planning/Finance, Rehabilitation and Youth Council. Ad Hoc committees may be appointed on an as needed basis.

### **Section XIII – Meetings**

- A. Regular meetings will be held bi-monthly unless extenuating circumstances occur. The meeting will be on the second (2<sup>nd</sup>) Thursday of August, October, December, February, April, and June or at the discretion of the Chairperson. Once a quorum is obtained, it shall be retained for the duration of the meeting.
- B. A minimum of seven (7) 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. Specially called meetings shall serve in the manner described 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. The West Central Arkansas Workforce Development Board members may participate in regular board meetings or committee meetings 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 Chair before the meeting of the subject he/she wishes to address and shall be limited to a 5-minute presentation, unless granted by the Chair to extend it.

#### Section XIV - Compensation:

The West Central 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 Chair 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 West Central 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 West Central Arkansas Workforce Development Board member within 90 days of their appointment, by the Workforce Development Board staff.
- B. An annual board member training meeting will be held for the West Central Arkansas Workforce Development Board members.
- C. West Central 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 West Central Arkansas Workforce Development Board members will be provided by the Arkansas Division 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 of the Board shall be a simple majority or as declared by the Chairperson. A quorum shall be necessary for the transaction of any official business. Each member shall have one (1) vote.

#### Section XVII:

The Workforce Development Board chooses not to use proxies at all, therefore there will be no process of designating a proxy and alternative designee.

Section XVIII - Vote Required for Board Action:

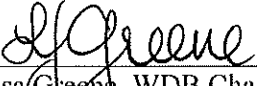
- A. A West Central Arkansas Workforce Development Board member shall not cast a vote on, nor participate in any decision making capacity or the provision of services by such member (or any other organization which that member directly represent), nor on any matter in which the Workforce Development 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.
  
- B. All members must complete an annual Conflict of Interest Form to report any possible conflict of interest.

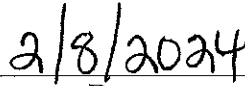
Section XIX – By-Laws Amendments:

These by-laws may be altered or amended or may be repealed at any meeting of the membership after a seven (7) day written notice to the members of the proposed changes.

Such proposed changes should first be submitted to the Workforce Development Board or Executive Committee for consideration and recommendation.

APPROVED:

  
\_\_\_\_\_  
Lisa Greene, WDB Chair

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Judge Jimmy Hart, Chief Elected Official's Representative

  
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Date