



Bylaws

Adopted by the Workforce Development Board June 3, 2015,  
Revised and approved 4-5-2017  
Revised and approved 6-6-2018  
Revised and approved 2-6-2019

## Table of Contents

|  |    |
|--|----|
| Mission Statement.....                                   | 4  |
| ARTICLE I IDENTITY.....                                  | 4  |
| ARTICLE II PRINCIPAL OFFICE & OPERATOR.....              | 4  |
| Section 1: Principal Office.....                         | 4  |
| Section 2: Operator.....                                 | 4  |
| ARTICLE III PURPOSE AND FUNCTIONS.....                   | 4  |
| Section 1. Purpose.....                                  | 4  |
| Section 2. Functions.....                                | 5  |
| ARTICLE IV WDB MEMBERSHIP.....                           | 8  |
| Section 1. Appointment Authority.....                    | 8  |
| Section 2. Required Members/Composition.....             | 8  |
| Section 3. Nomination Process.....                       | 10 |
| Section 4. Appointment Process.....                      | 10 |
| Section 5. Removal and Resignation.....                  | 10 |
| ARTICLE V OFFICERS AND THEIR DUTIES.....                 | 10 |
| Section 1. Officers.....                                 | 10 |
| Section 2. Duties of the Chair.....                      | 11 |
| Section 3. Duties of the Vice-Chair.....                 | 11 |
| Section 4. Duties of the Immediate Past Chair.....       | 11 |
| Section 5. Duties of the Secretary.....                  | 11 |
| Section 6. Election of Officers.....                     | 11 |
| ARTICLE VI MEETINGS.....                                 | 12 |
| Section 1. Regular Meetings.....                         | 12 |
| Section 2. Notice of Regular and Committee Meetings..... | 12 |
| Section 3. Special Meetings.....                         | 12 |
| Section 4. Meetings Open to the Public.....              | 12 |
| Section 5. Meeting Minutes.....                          | 13 |
| Section 6. Quorum.....                                   | 13 |
| ARTICLE VII EXECUTIVE COMMITTEE.....                     | 13 |
| Section 1. Members of the Executive Committee.....       | 13 |
| Section 2. Chair.....                                    | 13 |
| Section 3. Duties.....                                   | 13 |

|  |    |
|--|----|
| ARTICLE VIII COMMITTEES.....                             | 14 |
| Section 1. Structure.....                                | 14 |
| ARTICLE IX CONFLICT OF INTEREST AND CONFIDENTIALITY..... | 15 |
| Section 1. Voting Prohibited.....                        | 15 |
| Section 2. Confidentiality.....                          | 16 |
| ARTICLE X RECORDKEEPING.....                             | 16 |
| Section 1. Minutes and Actions of the WDB.....           | 16 |
| Section 2. Miscellaneous Records.....                    | 16 |
| ARTICLE XI NON-DISCRIMINATION .....                      | 17 |
| ARTICLE XII AMENDMENTS.....                              | 17 |
| ARTICLE XII SEVERABILITY.....                            | 17 |
| Exhibit A.....   | 18 |
| ATTACHMENTS.....   | 19 |

## **Mission Statement**

*The Workforce Development Board facilitates, advocates, and allocates resources for workforce solutions resulting in employer engagement and improved quality of life in the Region.*

## **Vision**

A thriving regional economy supported by diverse employment opportunities and a highly trained and sustainable workforce.

All Workforce Development Board (WDA) proceedings may follow the Roberts Rules of Order.

## **ARTICLE I IDENTITY**

These are the Bylaws of the Ozark Region Workforce Development Board, a Board formed under the Workforce Innovation and Opportunity Act of 2014 serving the counties of Christian, Dallas, Greene, Polk, Stone, Taney, and Webster.

## **ARTICLE II PRINCIPAL OFFICE & OPERATOR**

### **Section 1: Principal Office.**

The principal office of the Ozark Region Workforce Development Board (WDB) shall be located within the seven county Region.

### **Section 2: Operator.**

The WDB together with the Council of Elected Officials (CLEO) shall select the one stop operator via a competitive procurement in accordance with WIOA. The City of Springfield, Department of Workforce Development, shall be designated the Operator of the Workforce Innovation and Opportunity Act (WIOA) programs. An Executive Director shall be appointed by the WDB.

## **ARTICLE III PURPOSE AND FUNCTIONS**

### **Section 1. Purpose.**

The purpose of the WDB, in Partnership with the Council of Local Elected Officials (CLEO) of the seven-county region, shall be consistent with those purposes that are identified for a regional Workforce-Development Board under the Workforce Innovation and Opportunity Act of 2014 and amendments thereto, in accordance with public law. The WDB shall be responsible for strategic planning, policy development, and oversight of the local workforce investment system.

- A. The WDB shall study and make recommendations regarding the improvement of the Region's employment and training delivery network, including improved federal and state resources use and expanded coordination of job training and employment activities with other related activities.
- B. The WDB shall together with the CLEO develop and adhere to the Ozark Region Plan of Service.

- C. The WDB shall serve as a forum for public and private sector representation to encourage cooperative uses of employment and training funding, facilities, and staff resources for a more comprehensive and coordinated regional service delivery system.

## **Section 2. Functions.**

The functions of the WDB shall be consistent with those that are identified for a Regional WDB under WIOA Section 107 and any amendments thereto, including, but not limited to:

- A. Developing and submitting the Ozark Region Plan of Service to the Governor in partnership with the CLEO. If the Ozark local area is part of a planning region, the local board shall collaborate with the other local boards and chief elected officials in the preparing and submission of a regional plan.
- B. Providing policy guidance and review for all employment and training programs in the Region. Developing appropriate linkages with other programs to assure non-duplication among the programs and activities; coordinating activities with local Missouri Career Center (MCC) Partners.
- C. Regularly:
  - 1. Analyzing (i) local economic conditions, (ii) the knowledge and skills needed by workers and employers for jobs in the local area, (iii) the workforce activities, education and training needed in the region.
  - 2. Assisting the Governor in developing, and collecting labor market information
  - 3. Analyzing the use of the statewide workforce and Wagner Peyser labor market information system.
  - 4. Conducting research, data collection, and analysis related to the workforce needs of the regional economy after receiving input from stakeholders as needed to carry out the board's functions.
- D. Convening local workforce system stakeholders to assist in developing the local plan and identifying non-Federal expertise and resources to leverage support for workforce development activities.
- E. Engaging employers to:
  - 1. Promote business representation on the local Board.
  - 2. Develop effective linkages with employers including through intermediaries which may be WDB staff.
  - 3. Support employer use of the local workforce system and workforce activities.
  - 4. Enhance communication, coordination, and collaboration among employers, economic development entities, and service providers to ensure workforce activities meet employer needs and support economic growth.
  - 5. Develop and implement strategies to meet the employment and skill needs of workers and employers such as through industry and sector partnerships that provide the skilled workers

for employers and expand employment and career advancement for workers in in-demand industry sectors or occupations.

- F. Developing and implementing career pathways together with secondary and postsecondary education input by aligning employment, training, education, and support services needed by adults and youth especially those with barriers.
- G. Identifying and promoting strategies and initiatives to meet employer, worker and jobseeker needs including providing physical and programmatic accessibility, in the one-stops and identifying and sharing best practices of other local areas meeting such needs.
- H. Developing strategies for using technology to maximize the accessibility and effectiveness of the local workforce system for employers, workers and jobseekers by:
  - 1. Facilitating connections among the intake and case management information systems of the one-stop partners to support a comprehensive workforce development system.
  - 2. Facilitating access to one-stop services including in remote areas.
  - 3. Identifying strategies that augment traditional services to meet the needs of individuals with barriers to employment, and increase access to services and programs such as improving digital literacy skills.
  - 4. Leveraging resources and capacity of the workforce system.
- I. Conducting oversight in partnership with the CLEO, over youth, adult, dislocated worker, and one stop WIOA activities ensuring the appropriate use and management of the funds and that the funds are used to maximize performance outcomes.
- J. Together with the chief elected official negotiating and reaching agreement on local performance accountability measures with the Governor.
- K. Except as provided in Article II section 2, above, with the agreement of the chief elected official and consistent with section 121(d), the board shall designate or certify one-stop operators on a competitive basis and may terminate one stop operators for cause.
- L. The WDB may elect not to procure Youth Services and, in that event, the WDB may request the City to provide some or all Youth Services directly, as provided for by rule. If awarded on a competitive basis, the WDB has the authority to terminate contract if deemed necessary. If there is a youth standing committee the WDB shall consider the recommendations of the youth standing committee on selection and termination of youth providers.
- M. Identifying eligible providers of training services consistent with WIOA section 122.
- N. Identifying eligible career services providers by awarding contracts or by appointment.
- O. Working with the State to ensure there are sufficient numbers and types of providers of career services and training services, and assuring services are provided in a manner that maximizes

consumer choice, and offer opportunities for integrated employment for individuals with disabilities consistent with section 122 and paragraphs (2) and (3) of section 134(c).

- P. Coordinating activities with education and training providers, adult education and literacy activities, providers of career and technical education and local agencies administering plans under title I of the Rehabilitation Act of 1973.
  - 1. Reviewing the applications to provide adult education and literacy activities to determine whether the applications are consistent with the local plan.
  - 2. Making recommendations to the eligible agency to promote alignment with the plan.
  - 3. Replicating and implementing cooperative agreements in accordance with the Rehabilitation Act to enhance 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.
- Q. Developing a budget for the board's activities, consistent with the local plan and the WDB's duties subject to the approval of the chief elected official.
- R. Soliciting and accepting grants and donations from non-federal sources.
- S. Negotiating the one-stop memorandum of understanding with the one-stop partners, assessing and certifying the one-stop in accordance with state and local criteria.
- T. Annually, assessing the physical and programmatic accessibility, of all one stop centers in the local area.
- U. Reviewing plans of all Ozark Region and MCC Partner agencies providing employment, training and related services, and providing comments and recommendations to the Partners on the relevancy and effectiveness of employment, training, and related WIOA service delivery systems in the Region.
- V. Advising the Partners and CLEO on the implementation status of the Local Workforce Plan and reviewing the consistency of such plan with criteria developed for coordination of activities under WIOA with other federal, state and local employment related programs.
- W. Reviewing the operation of programs conducted within the Region and the availability, responsiveness and adequacy of regional workforce development services; and making recommendations to the CLEO, Partners and service providers, MOWDB and the general public with respect to ways to improve the effectiveness of such programs or services.
- X. Developing and submitting reports as deemed necessary by the Governor. Such reports may include input from WDB and CLEO members as well as regional employment and training partners; and shall be considered a public document.

## ARTICLE IV WDB MEMBERSHIP

### Section 1. Appointment Authority.

The Local Workforce Development Board is appointed by the Council of Local Elected Officials in accordance with WIOA 107 (c) and shall be certified by the Governor every two years.

### Section 2. Required Members/Composition.

The required membership and composition of Local Workforce Development Board shall be consistent with guidelines set forth in WIOA section 107, and State of Missouri DWD policy titled: *Policy for Local Workforce Development Board Membership Requirements and Certification/Recertification Procedures under the Workforce Innovation and Opportunity Act (WIOA or Act), dated June 5, 2015 or as it may be amended* . Voting members shall include:

- A. Local Area Business Representatives – who shall comprise 51% of the membership of the WDB. The business representatives shall be owners, chief executive or operating officers, or other business executives, or employers with optimum policymaking or hiring authority. They should represent businesses that provide employment opportunities in the local area in demand industry sectors or occupations with optimum decision making authority. Nominations should reasonably represent the industrial and demographic composition of the Region’s business community by industry type to include two representatives of small businesses, as defined by the Small Business Administration, and the DWD, including minority businesses, and shall be made by local business organizations, business trade associations, or Chambers of Commerce and shall include two members representing small business.
- B. 20% of the WDB members shall be appointed from workforce representatives. These representatives:
  - 1. Must include two or more representatives of labor organizations, where such organizations exist in the local area. Where labor organizations do not exist, representatives must be selected from other employee representatives.
  - 2. Must include one or more representatives of a joint labor-management, or union affiliated, registered apprenticeship program within the area who must be a training director or a member of a labor organization. If no union affiliated registered apprenticeship programs exist in the area, a representative of a registered apprenticeship program with no union affiliation must be appointed, if one exists.
  - 3. May include one or more representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training or education needs of individuals with barriers to employment, including organizations that serve veterans or provide or support competitive integrated employment for individuals with disabilities or representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.
- C. The WDB must also include:



- 1 At least one eligible provider administering adult education and literacy activities under WIOA Title II.
  - 2 At least one representative from an institution of higher education providing workforce investment activities, including community college.
  - 3 At least one representative from each of the following governmental and economic and community development entities:
    - a) Economic and community development entities
    - b) The State employment service office under the Wagner-Peyser Act serving the local area
    - c) The programs carried out under title I of the Rehabilitation Act of 1973, other than sec. 112 or part C of that title
- D. The CLEO may include individuals or representatives of other appropriate entities in the local area.
- 1 Entities administering education and training activities who represent local educational agencies or community-based organizations with demonstrated expertise in addressing the education or training needs for individuals with barriers to employment
  - 2 Governmental and economic and community development entities who represent transportation, housing, and public assistance programs
  - 3 Philanthropic organizations serving the local area; and
  - 4 Other appropriate individuals as determined by the chief elected officials.
- E. WDB appointees may represent more than one category; however, shall only have one vote per issue.
- F. WDB members shall continue in their positions once their terms have expired until their term is renewed or a new member has been appointed to their seat.
- G. Nominating entities shall be determined eligible by the CLEO. Entities seeking approval to nominate representatives to the WDB must complete an Application for Certification of Nominating Entity and receive prior approval of the CLEO to participate in the process.

### **Section 3. Nomination Process.**

Personal bios or resumes must be submitted along with required data on each nominee. Nominees to the Board that represent organizations, agencies, or entities shall be individuals with optimum policymaking authority within the organizations, agencies, or entities. Optimum policy making authority is defined as “an individual who can reasonably be expected to speak affirmatively on behalf of the entity he or she represents and to commit that entity to a chosen course of action.”

### **Section 4. Appointment Process.**

- A. **Appointments:** All WDB members are appointed by the CLEO in accordance with the process set forth in WIOA and DWD policy issuance 2014-14.
- B. **Term:** Appointments will be made for fixed two (2) year terms. Terms shall commence upon official certification of the Governor and will continue until replacement appointments are made.
- C. **Vacancies Exceeding 90 Days:** In the event that appointment responsibilities are not fulfilled, the Chair of the CLEO is authorized to make appointments in fulfillment of regulatory requirements. If the designated County member seat cannot be filled within ninety (90) days of a vacancy, that position may be filled with an At-Large candidate with the stipulation that the at-large member not be from Greene County, but must come from one of the outlying counties.

### **Section 5. Removal and Resignation.**

- A. Any member may be removed by the CLEO with or without cause. Any member with unexcused absences from one-half of the meetings in any program year, and/or more than three (3) consecutive meetings of the WDB may be terminated. The WDB Executive Committee shall review circumstances and recommend termination or retention of a member. A majority vote of the WDB is required to formally recommend to the CLEO termination of a member. To be excused, members may notify the chair or the clerk.
- B. Any member may resign at any time by giving written notice to the Executive Committee, the Chair of the WDB, or the WDB Executive Director. Any such resignation shall take effect at the time specified in the member’s written notice, and unless the resigning member otherwise specifies, the Chair’s, Executive Committee’s or WDB’s acceptance of the members resignation shall not be necessary to make it effective.

## **ARTICLE V OFFICERS AND THEIR DUTIES**

### **Section 1. Officers.**

The officers of the WDB shall be a Chair, Vice-Chair, Immediate Past Chair, and Secretary. The officers shall be elected by the WDB as presented by a nominating committee. The Chair and Vice-

Chair must be elected from private sector representatives. The nominating committee may recommend co-chairs.

## **Section 2. Duties of the Chair.**

The Chair shall preside at all meetings of the WDB and the WDB Executive Committee. A meeting schedule shall be set each calendar year and shall be approved at the last meeting of the preceding year. The Chair shall also call meetings of the Executive Committee. The WDB Executive Director shall prepare the Agenda and any related back up or supporting documents in accordance with Exhibit A which sets forth the list of items under the purview of the WDB. Further, the WDB Executive Director or any member of the WDB may recommend a matter to be included on an Agenda with the approval of the Chair. The Chair shall appoint members and chairs of all committees and act as coordinator of committees. The Chair shall perform such other duties as are incident to the Chair's office or properly required by the WDB.

## **Section 3. Duties of the Vice-Chair.**

The Vice-Chair shall assist the Chair in conducting WDB business. In the Chair's absence, disability, or resignation, the Vice-Chair of the WDB shall assume the position of, and perform the duties, of the Chair with all the power and authority of the Chair's office. Further, the Vice-Chair of the WDB shall have such powers and discharge such duties as may be properly assigned to the Chair, from time to time, by the Chair. In the event the Vice-Chair assumes the position of Chair, or the Vice-Chair resigns, a special election will be held to fill the vacancy for the balance of the unexpired term for the position of the Vice-Chair.

## **Section 4. Duties of the Immediate Past Chair.**

The Immediate Past-Chair shall perform duties of the Chair in the absence of both the Chair and the Vice-Chair. Further, the Immediate Past Chair shall have such powers and discharge such duties as may be assigned by the Chair.

## **Section 5. Duties of the Secretary.**

The Secretary shall be responsible for certifying WDB meeting minutes and results of elections. The Secretary shall also verify quorum for WDB meetings and shall monitor attendance and provide reports to the WDB Executive Committee on attendance. In the event the Secretary resigns, a special election will be held to fill the vacancy for the balance of the unexpired term for the position of the Secretary.

## **Section 6. Election of Officers.**

The normal term of office for all officers shall be two (2) years. Officers shall be seated on July 1. Elections will be held at the WDB meeting prior to June 30th of the year immediately preceding the expiration of current term of office.

## **ARTICLE VI MEETINGS**

### **Section 1. Regular Meetings.**

Regular meetings of the WDB will be held every other month with additional meetings set by the Chair as appropriate and necessary.

### **Section 2. Notice of Regular and Committee Meetings.**

All meetings of the WDB and its committees shall be open to the public in accordance with WIOA and Missouri open meeting laws and shall be noticed accordingly. The WDB Executive Director shall make available to the public, on a regular basis through its open meetings, information regarding the activities of the WDB, including information regarding the Regional Plan prior to submission of the Plan, information regarding membership and, upon request, minutes of formal meetings of the WDB.

Meetings or portions of meetings may be closed to the general public by the Chair of the WDB only in compliance with the exemptions granted by the open meetings provisions of section 610.021, RSMo.

### **Section 3. Special Meetings.**

Special meetings of the members may be called by the Chair, Executive Committee, or upon written application of at least one-third of the members entitled to vote at a full Board meeting.

- A. Notice. All WDB members shall be informed in writing of special meetings a minimum of forty-eight (48) hours in advance of the special meeting. Such notice shall include a description of the matter(s) for which the special meeting is called.
- B. Limitations. At any special meeting only business specified in the special meeting notice may be transacted.

### **Section 4. Meetings Open to the Public.**

All meetings of the WDB and its committees shall be open to the public. The WDB shall make available to the public, on a regular basis through its open meetings, information regarding the activities of the WDB, including information regarding the Regional Plan of Service prior to submission of the Plan, information regarding membership and, upon request, minutes of formal meetings of the WDB.

- A. Meetings or portions of meetings may be closed to the general public by the Chair of the WDB or a Committee Chair, but only in compliance with the exemptions granted by the open meetings provisions of section 610.020, RSMo.
- B. All meetings of the WDB shall be publicly announced in compliance with the open meetings provisions of section 610.020, RSMo.

## **Section 5. Meeting Minutes.**

Minutes of the WDB meetings shall be taken and shall be distributed to all WDB members at or before the next regular meeting of the WDB.

## **Section 6. Quorum.**

- A. Full WDB Meetings. A quorum shall be present when 51% of voting members are in attendance in person, by Internet or other electronic means, or by telephone. When a quorum is declared, a majority of the voting members present (in person or other allowable means) shall decide any question, including the election of officers. No formal action may be taken by the WDB unless a quorum is declared. WDB vacancies shall not be considered in the determination of a quorum. Voting by proxy shall not be allowed.
- B. Committee Meetings. A majority vote by the voting members present (or by phone) for any Committee meeting shall decide any question. Committee members may be counted in attendance at the committee meetings by appearing either in person or by electronic means.

## **ARTICLE VII EXECUTIVE COMMITTEE**

### **Section 1. Members of the Executive Committee.**

The Executive Committee shall be composed of the WDB Chair, the WDB Vice-Chair, Immediate Past Chair, Secretary, the Chairs of the committees referenced in Article VIII of the Bylaws, and two voting members elected by the WDB.

### **Section 2. Chair.**

The Chair of the WDB shall be the Chair of the Executive Committee.

### **Section 3. Duties.**

The Executive Committee shall have the following duties:

- A. Conduct matters of routine business for the WDB when it is not feasible for the full WDB to be convened.
- B. Develop and recommend policies and procedures for the WDB and its committees. The Executive Committee, unless the Chair chooses to waive this requirement, shall also review any studies, reports, policy recommendations, or other documents submitted by regular or special committees before such studies, reports, policy recommendations or other documents are brought before the full WDB.
- C. Recommend the appointment and/or dissolution of regular and special committees.
- D. Recommend the appointment of the Executive Director of the WDB.
- E. Review periodically the progress of all regular and special committees.

- F. Perform such other duties or matters of business that are not explicitly vested in the other standing committees or that may be properly assigned to the Executive Committee from time to time by the WDB or the Chair of the WDB.

## ARTICLE VIII COMMITTEES

### Section 1. Structure.

The WDB shall be supported by the Executive Committee; Committees, as identified herein; and any special committees the Chair deems appropriate for the conduct of its business. Each Committee shall be comprised of WDB members. WDB members may serve on any committee of their choosing. All WDB members shall serve on at least one standing committee of the WDB. The Committee Chair shall be a WDB member and shall be appointed by the WDB Chair. The WDB Chair may appoint non-board members to the Youth Committee or ad hoc committee of the WDB so long as there is Board representation on the committee. The Youth Committee and any ad hoc committee must report any action items or funding requests to the Executive Committee.

- A. **Planning & Oversight Committee.** Assignments as determined by the WDB Chair. Has primary responsibility for the development of the Ozark Region WIOA Plan of Service and assisting with the establishment and negotiations of performance standards and measures for the Ozark Region. Other responsibilities may include, but not be limited to, reviewing labor market information and trends; identifying area employment and training needs; recommending programs and activities to meet identified employment and training needs; and making recommendations to the WDB on WIOA-funded and appropriate non-WIOA funded employment and training programs and activities carried out within the service area. In addition, the Committee shall review and evaluate project/program performance and outcomes and recommend performance-related changes and/or modifications as necessary. The Committee shall have the responsibility for the development and any revision to the WDB Strategic Plan and the Ozark Region Plan of Service for presentation to the WDB for approval. The Committee may also review any other issues related to economic development and workforce issues of the region. The Planning and Oversight Committee shall also serve as the One Stop Committee and Committee on Disabilities and have primary responsibility for oversight and certification of the Missouri Career Center services and assuring accessibility as required under the WIOA.
- B. **Finance Committee.** Assignments as determined by the WDB Chair. Has primary responsibility for reviewing WIOA-funded and appropriate non-WIOA budgets; reviewing service provider budgets; reviewing budgets associated with other employment and training programs operating within the service delivery area as may be appropriate; and making formal recommendations to the WDB on the above budgets and the annual budget.

- C. **Marketing Committee/State of the Workforce Committee.** Assignments as determined by the WDB Chair. Has primary responsibility for development and oversight of a comprehensive public relations and marketing plan for the Workforce Development Board and the Missouri Job Center services. The State of the Workforce is a permanent subcommittee of the Marketing Committee and has responsibility for planning the annual MOmentum Survey and luncheon.
- D. **Youth Committee.** This committee has primary responsibility for the development and oversight of WIOA-funded youth activities operating within the Ozark Region. At least one committee member shall be from a Community Based Organization serving youth in the region.
- E. **Nominating Committee.** Appointment to this Committee shall be determined by the WDB Chair for recommending to the WDB potential candidates for officers of the WDB. The Chair of the committee shall be appointed by the Board Chair.
- F. The Chair may appoint Ad-hoc or special committees to serve the needs of the Board. Ad hoc committees shall be appointed for a specific purpose. The committee shall be dissolved when their business is completed.

## **ARTICLE IX CONFLICT OF INTEREST AND CONFIDENTIALITY**

### **Section 1. Voting Prohibited.**

- A. WIOA prohibits a member of the WDB from voting on a matter under consideration by the WDB when:
  - 1. the matter concerns the provision of services by the member or by an entity that the member represents; or
  - 2. the matter would provide direct financial benefit to the member or the
  - 3. Immediate family of the member; or
  - 4. the matter concerns any other activity determined by the WDB to constitute a conflict of interest as specified in the Regional Plan.
- B. WDB's Policy. Members of the WDB are expected to avoid unethical behavior in the course of performing their official duties. The WDB not only expects its members to avoid impropriety, but also to avoid the appearance of impropriety whether or not any actually exists. Members must avoid:
  - 1. using their position for private gain or influence;
  - 2. giving preferential treatment to any person or entity;
  - 3. losing their independence or impartiality in making decisions; or
  - 4. acting in any way that might erode public confidence in the integrity of the WDB.
- C. Abstention. WDB members shall individually abstain from voting on issues and matters that will result in a direct, indirect conflict of interest, or perceived conflict of interest.

Abstentions, and the general reasons therefore, should be duly recorded in the minutes of the meeting.

## **Section 2. Confidentiality.**

All information, whether transmitted orally or in writing, that is of such a nature that it is not, at that time, a matter of public record or public knowledge is deemed confidential by the WDB. Members shall not disclose confidential information obtained in the course of or by reason of his or her membership on the WDB to any person or entity not directly involved with the business of the WDB. Further:

- A. No member shall use confidential information obtained in the course of or by reason of his or her membership on the WDB in any matter with intent to obtain financial gain for the member, the member's immediate family or any business with which the member is associated.
- B. No member shall disclose confidential information obtained in the course of or by reason of his or her membership on the WDB in any manner with the intent to obtain financial gain for any other person

## **ARTICLE X RECORDKEEPING**

### **Section 1. Minutes and Actions of the WDB.**

The WDB shall maintain, at its principal office, permanent record of the minutes of all formal meetings of the WDB and its committees, a record of all actions taken by the WDB without a meeting, and a record of all actions taken by the WDB and its committees.

### **Section 2. Miscellaneous Records.**

A copy of the following records shall be maintained at the WDB's principal office:

- A. Bylaws and all amendments thereto;
- B. Resolutions of the WDB;
- C. All written communications to all members within the past three years;
- D. A list of the names, businesses/organizations, and contact information of the members and officers currently serving on the WDB; and
- E. Any written reports, studies, recommendations, plans or other documents approved and adopted by the WDB in the course of carrying out its duties and purposes.



## **ARTICLE XI NON-DISCRIMINATION**

The WDB shall not discriminate against any employee, agent or provider of consulting or contract services, or applicant for employment, agency or consulting or contract services on the basis of race, color, religion, sex, national origin, disability or veteran status. It shall be the policy and practice of the WDB to comply fully with federal and state laws, regulations and requirements governing non-discrimination, affirmative action, equal employment and civil rights.

## **ARTICLE XII AMENDMENTS**

The Bylaws may be amended at any regular meeting of the WDB with prior electronic notice having been given to all members of the WDB. Approval of any amendment to the Bylaws requires two-thirds vote of the members present.

## **ARTICLE XII SEVERABILITY**

If any of the provisions of these Bylaws shall be found void or unenforceable for whatever reason by any court of law or equity, it is expressly intended that such provision(s) be severable and the remainder of the Bylaws shall remain in full force and effect.

**Exhibit A**

## ATTACHMENTS

- Attestation
- Candidacy Form

## Chart of Responsibilities

| <b>Elected Officials</b>                               | <b>Elected Officials/Workforce Board</b>   | <b>Workforce Board</b>   |
|--|--|--|
| Identify the chief local elected official              | Approval of non mandatory OS partners  | Elects their Chair   |
| Enter into agreements with each other                  | Comment on the State Plan  | Create standing committees and appoint members   |
| Serve as or designate a sub-grant recipient            | Negotiate the performance measures   | Direct the activities of the standing committees   |
| Grant voting privileges to non- board members          | Regional planning  | May solicit and accept grants and donations from non-federal sources                         |
| Select the fiscal agent                                | Set policy for the local area  | Determine and contract for Career Services Providers (may be the City)                       |
| Request local area designation from the State          | Enter into an agreement with each other regarding their roles and responsibilities | May incorporate, and may operate as a not for profits  |
| Create By-laws with respect to the appointment process | Work with the Governor in a disaster   | May hire staff subject to salary caps  |
| Appoint Workforce Board members                        | Develop the local four-plan and two-year modifications                             | Must annually assess the physical and program accessibility of all local OS centers          |
|  | Oversight  | Determine local procedures regarding approval and performance of eligible training providers |
|  | Select and Terminate One-Stop Operator (OS)  | Implement pay for performance contracts for the 14 youth elements                            |
|  | Agree to the Board serving as the one stop operator                                | Transfer funds between Adult and Dislocated Worker with State approval                       |
|  | Develop Board budget   | Set the Adult priorities – must be in the plan   |
|  | Develop and enter into an MOU with the OS partners                                 | Determine occupations in demand  |
|  | Approve optional OS partners   | Decide to award class size training contracts  |
|  | Negotiate OS infrastructure costs  | Decide On-the-Job Training (OJT) reimbursements  |
|  |  | Decide to set aside funds for incumbent worker training                                      |
|  |  | Decide non federal contribution for incumbent worker training                                |
|  |  | Decide to use 10% of the Adult / DW allocation for transitional jobs                         |

### Chart of Responsibilities

| Elected Officials | Elected Officials/Workforce Board | Workforce Board   |
|-------------------|-----------------------------------|---|
|                   |                                   | Use funds for employer services in collaboration with the OS                                      |
|                   |                                   | Decide to offer services on a fee basis   |
|                   |                                   | Analyze economic conditions, analyze and use statewide Wagner Peyser labor market information     |
|                   |                                   | Research, data collection, and analysis of the local workforce needs with input from stakeholders |
|                   |                                   | Engage Employers  |
|                   |                                   | Convene stakeholders  |
|                   |                                   | Lead efforts to develop and implement career pathways   |
|                   |                                   | Identify and promote strategies and initiatives to meet employer, worker, and jobseekers needs    |
|                   |                                   | Share proven and promising best practices   |
|                   |                                   | Facilitate OS Partner Integration   |
|                   |                                   | Leverage local resources and capacity   |
|                   |                                   | Provide framework for Youth services  |
|                   |                                   | Select and terminate Youth Providers  |
|                   |                                   | Review Adult Education provider applications  |
|                   |                                   | Implement Cooperative Agreements with the Core Partners   |



**Bylaws Attestation Form**

---

I acknowledge that I have read and agree to abide by the Bylaws established for the Ozark Region Workforce Development Board. I also understand the confidentiality and conflict of interest standards listed in the Bylaws and will strictly abide by those standards.

Name printed \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Date \_\_\_\_\_

Name & Title \_\_\_\_\_

Business/Organization \_\_\_\_\_

Federal Employer Identification Number (FEIN) \_\_\_\_\_  
*Required but will not be published for in-house use only*

Address \_\_\_\_\_  
 Street City Zip

Phone \_\_\_\_\_  
 (Office/home) (Cell) (FAX)

Email \_\_\_\_\_

County of residence or business:

- Christian  
  Dallas  
  Greene  
  Polk  
  Stone  
  Taney  
  Webster

Referred by (if applicable): \_\_\_\_\_

Please provide a brief bio in the space below (you may attach additional sheets if necessary):

| Office use only                            |                              |                             |
|--|------------------------------|-----------------------------|
| Chamber or organization contact date _____ |                              |                             |
| Letter of recommendation received _____    | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| County Commission contact date _____       |                              |                             |
| Letter of recommendation received _____    | <input type="checkbox"/> Yes | <input type="checkbox"/> No |