

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

231



FROM: Economic Development Agency

SUBMITTAL DATE:
June 8, 2009

SUBJECT: Workforce Development Board Bylaws

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve resolution No. 2009-214 which includes the amended bylaws for the Workforce Investment Board as provided in Attachment "A".
2. Approve the name change from the Workforce Development Board to the Workforce Investment Board for branding purposes.

BACKGROUND: On December 10, 2002, the Board Supervisors approved Resolution No. 2002-365 whereby the agreement provides for the reappoint of the local Workforce Development Board members. The WDB, operating in its eighth year under the WIA seeks to incorporate amendments in the Responsibilities of the Workforce Development Board, Appointment, Reappointment, and Disqualification of Member; Functions of WDB Officers; Committee Structure; and Staff, Office and Budget sections (See Attachment "A") of the WDB Bylaws to operate at an optimal level. Effective April 15, 2009, the Executive Committee of the Workforce Development Board approved the change in name from the Workforce Development Board to Workforce Investment Board for branding purposes.

Robert Field

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	No
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	2008

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: No

SOURCE OF FUNDS: N/A	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

Jennifer L. Sargent

County Executive Office Signature

Jennifer L. Sargent

Prev. Agn. Ref.:	District:	Agenda Number:
		3.23

FORM APPROVED COUNTY COUNSEL
BY: NEAL R. KIPNIS DATE: 6/10/09
Departmental Concurrence

Policy
 Consent
 Policy
 Consent
 Dept. Recomm.:
 Per Exec. Ofc.:

REGISTERED 5/15/09

RESOLUTION NO. 2009-214

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE WHICH PROVIDES FOR THE DESIGNATION AND OPERATION OF A LOCAL WORKFORCE INVESTMENT BOARD

WHEREAS, the Workforce Investment Act (WIA) of 1998, Public Law 105-220 (hereinafter the Act), authorizes the expenditure of federal funds for workforce development programs in designated Local Workforce Investment Areas (LWIAs); and

WHEREAS, the State of California has designated the County of Riverside (County) as a Local Workforce Investment Area, hereinafter referred to as LWIA; and

WHEREAS, the Act requires the establishment of a Workforce Investment Board to provide policy guidance and oversight of the workforce development system for the LWIA.

NOW, THEREFORE, the Board of Supervisors of the County (Board of Supervisors) hereby establishes the Workforce Investment Board (WIB) to serve in accordance with the provisions of the Act, as follows:

I. RESPONSIBILITIES OF THE WIB

The WIB shall have the following responsibilities:

- A. Provide policy guidance in the development of the 5-year local workforce investment plan (Local Plan) and provide oversight on the One-Stop system, youth activities and employment and training activities under Title I of WIA, in partnership with the chief elected official;
B. Select One-Stop operators with the agreement of the chief elected official;
C. Develop a budget for the purpose of carrying out the duties of the WIB, subject to the approval of the Board of Supervisors;
D. In cooperation with the Board of Supervisors, appoint a Youth Council as a subgroup of the WIB and coordinate workforce and youth plans and activities with the Youth Council;

FORM APPROVED COUNTY COUNSEL BY: Neal R. Kipnis DATE 6/13/09

- 1 E. Select eligible youth service providers based on the recommendations of the Youth Council,
2 identify eligible providers of adult and dislocated worker intensive services and training services,
3 and maintain a list of eligible providers with performance and cost information, as required in 20
4 CFR part 663, subpart E;
- 5 F. Negotiate and reach agreement on local performance measures with the Board of Supervisors
6 and the Governor;
- 7 G. Assist the Governor in developing the statewide employment statistics system under the Wagner-
8 Peysner Act;
- 9 H. Coordinate workforce investment activities with economic development strategies and developing
10 business linkages;
- 11 I. Promote private sector involvement in the statewide workforce investment system through
12 effective connecting, brokering, and coaching activities through intermediaries such as the One-
13 Stop operator in the local area or through other organizations to assist businesses in meeting
14 hiring needs; and
- 15 J. Serve in an advisory capacity to the Board of Supervisors on all matters relating to workforce
16 development and training not covered by Title I of the WIA.

17 **II. APPOINTMENT, REAPPOINTMENT AND DISQUALIFICATION OF MEMBERS**

- 18
- 19 A. The WIB shall consist of at least 25 members appointed by the Board of Supervisors in
20 accordance with the provisions of Section 117 of the Act.
- 21 B. The WIB shall be a business-led board with at least 51% members from the private sector with
22 each member of the Board of Supervisors appointing at least four representatives from their
23 district. At their discretion, each Board of Supervisor may affirm as many additional private sector
24 members as such Board of Supervisor may consider appropriate.
- 25 C. Additional appointments shall be made by the Board of Supervisors, and such appointments shall
26 represent Title I partners and other optional partners as follows:
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1. Five local education representatives who shall respectively be one representative from the University of California, Riverside; three representatives of the community colleges; and one representative of the K-12 system, of which one must represent adult education and literacy activities under Title II of WIA;
 2. Two representatives from Community-Based Organizations, (i.e., private nonprofit organizations which are representative of communities or significant segments of communities) of which one must serve veterans, and one must serve disabled persons;
 3. At least four representatives from Organized Labor;
 4. Two representatives from the public or non-profit economic development entities.
 5. One representative from each of the following nine organizations:
 - Operator of adult and dislocated worker programs under Title I of the WIA
 - Title V of the Older Americans Act;
 - State Department of Rehabilitation;
 - Economic Development;
 - Riverside County Department of Public Social Services;
 - Department of Community Action;
 - State Employment Development Department representing WIA programs: Wagner-Peysner, North America Free Trade Act, Trade Adjustment Act, Migrant Seasonal Farm Workers, Unemployment Insurance and Veterans;
 - Job Corps;
 - Operator of Housing and Urban Development Training programs if such programs are available in the County
 - Native American Program; and
 - Migrant Seasonal Farmworker Program
- D. Members shall be appointed for two-year terms and serve at the pleasure of the Board of Supervisors.
- E. Each member of the WIB shall be entitled to one vote during a regular or called meeting in which said member is present and provided a quorum, as set forth in Section VI (C.), is present at the time the vote is taken, except that no member having financial interest shall cast a vote or engage in discussion on any matter which has direct bearing on services to be provided by that member or their parent organization; this agreement shall not provide for alternate membership.
- F. Membership on the WIB shall cease in case of death, resignation, disqualification, failure to be reappointed, and may cease based on attendance. The right of a member to vote and all of his/her rights, title and interest in and to the WIB shall cease based on the above mentioned.

1 Removal or resignation may be a result of:

- 2 1. A member is not reappointed after completion of a term;
- 3 2. Members shall offer their resignation in writing to the WIB Chairperson, with a
4 copy to the Chairman of the County Board of Supervisors; and
5 not adhering to attendance requirements.
- 6 3. A member does not attend meetings (WIB, Executive Committee and Regional Adhoc
7 Committee meetings):
 - 8 a. All members must attend at least one-half of meetings (50%). There are at least
9 three meetings held each calendar year. Each board member is to join one
10 Regional Adhoc Committee; each Regional Adhoc Committee meets up to six
11 times annually.
 - 12 b. WIB public sector members are permitted to designate a non-voting
13 representative to attend the Regional Adhoc Committee (West, East, Mid-County
14 and Southwest) meetings in their place.
 - 15 c. Executive Committee members, who are also members of Regional Adhoc
16 Committees, must attend 60% of the adhoc committee meetings.
- 17 4. Members may be removed by action of the Board of Supervisors.

18 G. In the event of the occurrence of a vacancy in the membership of the WIB, the following
19 procedure shall be followed:

- 20 1. The WIB shall immediately inform the County, through the WIB Staff, of the occurrence of
21 such vacancy;
- 22 2. The staff assigned to the WIB will assist the County to solicit nominations for membership
23 as defined in the Act;
- 24 3. Nominations to fill any such vacancy, together with appropriate disclosure statements
25 and documentation, shall be submitted to the Board of Supervisors for consideration and
26 appointment;
- 27 4. The County shall proceed to fill such private sector representative vacancies within 60
28 days in accordance with the provisions of Section 102(d) of the Act, CUI Code Section
15031(e) and the California Government Code, Sections 54970 through 54975. In
addition, a WIB member resigning from the board may nominate their organization's
replacement.

H. Notwithstanding any provisions of law to the contrary, WIB members, as public officials, shall be
fully subject to any and all provisions of conflict of interest law, whether state, federal or local,
including, but not by way of limitation, the provisions of Government Code Section 1090 et seq.,
Government Code Section 87100 et seq., and Riverside County Ordinance No. 440.

1 **III. FUNCTIONS OF WIB OFFICERS**

2 The presiding officers of the WIB shall be called Chairperson and Vice Chairperson and shall serve a
3 one-year term. The Chairperson and a Vice Chairperson shall be elected by the WIB from the private
4 sector membership. In no instance shall a Chairperson serve more than four consecutive terms or four
5 consecutive years as Chairperson.

6 **A. Functions and responsibilities of the Chairperson shall be as follows:**

- 7 1. Shall be the official representative and spokesperson of the WIB;
- 8 2. Shall preside at all meetings of the WIB and the Executive Committee of the WIB (as
9 established in Section 1);
- 10 3. Shall coordinate with the Riverside County Economic Development Agency (EDA)
11 Director of the Workforce Division (WD) and/or WIB assigned staff in preparing the
12 agenda for WIB meetings;
- 13 4. Shall call regular and special meetings of the WIB Executive Committee;
- 14 5. Shall appoint adhoc committee(s) of the WIB to include the Chairperson and Vice
15 Chairperson;
- 16 6. Shall sign on behalf of the WIB all necessary documents; and
- 17 7. Perform other responsibilities as determined by the WIB.

18 **B. Functions and responsibilities of the Vice Chairperson shall be as follows:**

- 19 1. Shall assume all responsibilities of the Chairperson in his/her absence;
- 20 2. Shall serve as member-at-large on the Executive Committee; and
- 21 3. Perform other responsibilities as directed by the Chairperson.

22 **IV. COMMITTEE STRUCTURE**

23 The Chairperson may create Adhoc Committees as deemed necessary and appropriate to conduct the
24 process for nominating and electing officers to the WIB; review and make recommendations for
25 amendments to the bylaws; and for other purposes. The Chairperson may also create Regional Adhoc
26 Committees addressing specific programs, strategic initiatives, and issues of concern to the Board.
27 Unless specified otherwise, Regional Adhoc Committees shall serve in an advisory capacity only. The
28 Chairperson shall appoint a private-sector member for Chairperson and a private-sector or public-sector
member or non-member for Vice Chairperson of the Regional Adhoc Committees. The Chairperson may
appoint individuals, including board members and non-members, to various Regional Adhoc Committees
of the WIB, as appropriate. A staff member of the Administrative Entity/Staff will be assigned to work with

1 the respective committees. Regional Adhoc Committees shall report on their activities to the WIB
2 Executive Committee on a regular basis and may be dissolved at any time by the Chairperson of the WIB.

3 A. Executive Committee

4 The Executive Committee shall be composed of the Chairperson, and Vice Chairperson of the
5 WIB, the Chairpersons of the Regional Adhoc Committees, a private sector member from the
6 CYD, the past Chairperson and three at-large WIB members (one labor, one education and one
7 at-large representative) appointed by the Chairperson. In the event that one individual is qualified
8 to hold two seats on the Executive Committee, the WIB Chairperson will appoint a private sector
9 replacement from the WIB.

10 The functions and responsibilities of the Executive Committee shall be as follows:

- 11 1. Shall act on behalf of the WIB on matters needing action during the time between WIB
12 meetings;
- 13 2. Shall, in the absence of the Chairperson and Vice Chairperson, designate a member of
14 the Executive Committee to preside over the WIB and Executive Committee meetings;
- 15 3. Shall receive standing and ad-hoc committee reports and act on recommendations for
16 the WIB;
- 17 4. Shall assist the Chairperson in setting agendas for regularly scheduled WIB meetings;
- 18 5. Shall coordinate WIB activities with the County through the WIB Coordinator;
- 19 6. Shall oversee the participation of WIB members and recommend to the WIB those
20 members who should be removed for cause as outlined herein;
- 21 7. Fulfill legislative requirements of the Workforce Investment Act; and
- 22 8. Perform other responsibilities as may be designated by the WIB.

23 B. Council for Youth Development (CYD)

24 The WIA Section 117(g) of the Act requires a Youth Council be established as a subgroup of the
25 WIB.

26 The Chairperson and Vice Chairperson for the CYD shall be elected from the membership of the
27 CYD. The CYD is comprised of members with special interest or expertise in youth policies and
28 other representatives. CYD members who are not members of the WIB shall be voting members
of the CYD only. The CYD consists of at least 20 members; at least two members of the WIB,
one of which being the Job Corps representative, and at least 18 other members representing the
following:

- Youth Participants
- Youth service agencies;
- Juvenile justice and law enforcement agencies;
- Public Housing Authority;
- Parents of eligible youth seeking service under Title I of WIA;
- Organizations having expertise relating to youth activities;
- Representative(s) from the Board of Supervisors Youth Commission and/or Legislative Intern Program;
- Current or former customers of youth programs, and
- Apprenticeship Labor Organization.

The functions and responsibilities of the CYD are as follows:

1. Develop and align youth related strategies with the WIB Strategic Plan;
2. Review funding Request For Proposals for youth-related activities;
3. Recommend funding awards to carry out youth activities;
4. Monitor the progress of funded youth programs;
5. Broaden the youth employment and training focus in the community; and
6. Coordinate youth workforce activities in the County.

V. STAFF, OFFICE AND BUDGET

A. The following EDA WD positions will be designated as staff to the WIB:

1. WIB Executive Director
2. Community Partnerships Manager
3. WIB Coordinator
4. CYD Coordinator
5. Secretary to the WIB

B. County shall establish the staff positions for the WIB, designating such positions as County may deem appropriate. The County may solicit applications for employment and hire and employ persons to fill such positions in accordance with the established personnel procedures of the County.

C. The Assistant Director of County's EDA also known as the WIB Executive Director shall direct said WIB staff and office support, in accordance with the personnel policies and procedures of County, shall select and hire said staff, the members of which shall be employees of County.

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- 2 D. The County shall annually adopt an operational budget that shall provide for the necessary staff,
3 office and material support for grant administration and program support.
- 4 E. Such operational budget shall provide the necessary staff, office and material support determined
5 by the County and the WIB to be necessary for the proper and effective discharge of the WIB
6 functions and duties as contained herein.

7 **VI. OPERATIONAL PROCEDURES**

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9 A. WIB as a Public Entity

10 The County is a public entity created and existing under California law, and the WIB shall,
11 therefore, operate as a public body, consistent with the laws of the State of California which
12 govern public meetings and State conflict of interest laws, and specifically including the provisions
13 of the Ralph M. Brown Act (Government Code Sections 54950 et seq.);

14 B. Meeting Schedules of Actions

15 The WIB shall meet not less than two times a year at such place as the Chairperson may
16 designate on the date set by resolution for the transaction of such business as may properly
17 come before the meeting. All meetings of the WIB, the WIB Executive Committee and the CYD
18 including and without limitations, regular, adjourned regular and special meetings shall be called,
19 noticed, held and conducted in accordance with the provisions of the Ralph M. Brown Act,
20 California Code 54960 et seq., as amended.

21 C. Quorum for the WIB, the Executive Committee and the CYD (Youth Council) shall be at least
22 51%, and action may be taken provided such a quorum is preserved.

23 D. The Administration of Grants and Funds

24 The administration of all grants or other funds awarded to the County shall be the responsibility of
25 the County, whose responsibility shall include expressing grant interest and submission of grant
26 applications, preparation and submittal of grant documents, receipt of funds or awards, dispersal
27 of funds, auditing of funds, audit resolutions, reporting, monitoring, evaluating and the closing out
28 of programs.

E. Reimbursement of Expenses

WIB members shall be entitled to mileage reimbursement to and from all WIB activities, and for all other reasonable expenses incurred while on WIB business. Said reimbursement shall be in the form and manner of reimbursement provided to County department heads.

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Attachment "A"

The specific amendments in aforementioned sections are as follows:

Responsibilities of the Workforce Development Board

- Workforce Development Board (WDB) name change to Workforce Investment Board (WIB)

Appointment, Reappointments, and Disqualification Section

Section A

- The number of WDB members were reduced to the least, allowable number to allow the Workforce Development Board to operate at an manageable level

Section B

- Corrections made to show the proper name of the Board of Supervisor

Section C

- Adjustment to actual number of appointments allowing the WDB to appoint the least number of members to remain in compliance with the Workforce Investment Act
- Revised the actual number of private members to a percentage of private members
- California Senate Bill (SB293) enforces state-level requirements pertaining to Workforce Investment Act policies and procedures. SB293 requires the WDB's membership composition contain at least 10-15% of Organized Labor (identified by the labor federation) and two public or non-profit economic development representatives. The Youth Council (Council for Youth Development) membership must have youth serving apprenticeship representation.

Section F

- WDB meeting requirements
- Executive Committee members attendance requirement
- Adherence of the WDB public sector members to appointment staff to attend Regional Adhoc Committee meetings.
- Executive Committee member Regional Adhoc Committee meeting requirements

Functions of WDB Officers

- Correction of Chair name which is Chairperson
- Correction of the Riverside County Economic Development Agency (EDA) Director of the Workforce Division

Committee Structure

- The WDB dissolved the Community & Governmental Relations, Business Outreach and Career Development Committees.
- The creation of Adhoc Committees with advisory capacity only.

WDB and Regional Committee Leadership

- The WDB Chairperson remains as Past Chairperson on the Executive Committee for one year.
- The WDB Adhoc Committee Vice-Chairperson position may be filled with a public or private sector regional committee member or non-member.