

**TOMPKINS COUNTY  
WORKFORCE DEVELOPMENT BOARD  
BYLAWS**

**ARTICLE I – NAME**

The name of the organization shall be the Tompkins County Workforce Development Board.

**ARTICLE II – AUTHORIZATION**

The Workforce Development Board shall be authorized by the Tompkins County Legislature to oversee, monitor, and administer employment and training programs for and on behalf of the County of Tompkins pursuant to the Workforce Innovation and Opportunity Act of 2014.

**ARTICLE III – MISSION STATEMENT**

The Workforce Development Board will enhance the productivity and competitiveness of Tompkins County by developing and coordinating resources that meet employer workforce needs, and facilitate employment and development opportunities for individuals.

**ARTICLE IV – PURPOSES**

The purposes of the Tompkins County Workforce Development Board, hereinafter referred to as the “Board,” are:

- (a) To oversee workforce development programs for and on behalf of the County of Tompkins pursuant to the Title I of WIOA, in partnership with the Tompkins County Legislature;
- (b) To research the future employment needs of the private and public sectors;
- (c) To increase the involvement of the business community in the planning, development, and implementation of employment needs of the private sector;
- (d) To promote the general welfare and prosperity of Tompkins County, and to work toward assuring that all Tompkins County residents able to work earn a wage that they can live on;
- (e) To develop a comprehensive plan in accordance with the appropriate Federal and State laws;
- (f) To select eligible youth-service providers based on the recommendations of the Youth Oversight Committee, and identify eligible providers of those services authorized under WIOA; and
- (g) To develop a budget for the purpose of carrying out the duties of the Board, subject to the approval of the Tompkins County Legislature.

**ARTICLE V – BOARD MEMBERS**

1. **Board Membership:** Shall be appointed by the Chairperson of the Tompkins County Legislature in accordance with the Workforce Innovation and Opportunity Act ; Sec. 107. Local Workforce Development Boards, (attached and made part herein). Workforce Development Board members shall be individuals with optimum policymaking [or hiring] authority within their respective organizations, agencies, or entities. Appointments to the WFDB will be based upon an individual’s organization, business or agency locating or providing services in Tompkins County. Up to five of the

employer appointments may be made without regard to the place of residence of the individuals named to represent those employers. Appointments shall be made that will support the County's Affirmative Action policies.

If the private sector membership of the Workforce Development Board drops below 51%, the Workforce Development Board can legally transact business for a period of 90 days. The Chairman shall provide notice to the Chairperson of the Tompkins County Legislature and to the State Workforce Development Board (SWDB) within 20 calendar days of such event. Such notice shall include: the name of the Workforce Development Board member, the category represented, and the effective date of the resignation, termination, or other event causing the vacancy. The Chairperson of the Tompkins County Legislature shall fill a vacancy in a required category, in the same manner as the original appointment, within 90 calendar days from the effective date of the resignation, termination, or other event causing a vacancy. During the 90-day period, the Workforce Development Board will be able to act as a body and conduct business provided it meets the quorum requirements of the By-laws. Any action taken by the Workforce Development Board with a vacancy in a required category, beyond such 90-day period shall be void.

2. Officers: The officers of the Board shall consist of a Chairperson, who shall be elected from the private sector, Vice-Chairperson, Secretary, and Treasurer. The Chairperson shall represent the Board to other organizations and the public, call meetings of the Board and the Executive Committee, propose agendas, appoint committees as required, and serve as an ex-officio member of all committees. The Vice-Chairperson shall perform the duties of the Chairperson in his/her absence and shall perform other duties as delegated by the Chairperson.

3. Terms: Officers shall serve a one (1) - year term. Board members shall serve three (3) - year staggered terms expiring June 30<sup>th</sup>.

4. Removal of Members: At any meeting of the Board, upon written notice to the members, any member may be removed from membership, with cause, by vote of three-fourths (3/4) of the entire Board.

5. Resignation: A member may resign at any time by giving written notice to the Board or Chairperson. Unless otherwise specified in the notice, the resignation shall take effect upon receipt thereof by the Board or such officer and formal acceptance of the resignation will not be required to make it effective. Three (3) consecutive verified unexcused absences of a member shall constitute a resignation from the Board.

## **ARTICLE VI – MEETINGS**

1. Regular Meetings: The Board shall meet a minimum of five times per year, at such time, date, and place as fixed by the Board.

2. Executive Committee Meetings: Executive Committee shall meet either monthly or in those months when the Board does not meet.

3. Committee Meetings: Comprised of members of the Board, and "ad hoc" members (as designated by the individual committees). The chairperson for each committee will be selected by the Board Chairperson annually at the first meeting of the year. The Director of Workforce Development, or staff designee, shall provide technical assistance at the committee meetings. Any action required or permitted to be taken by a committee may be taken without a meeting if all appointed members of

the committee consent in writing to the adoption of a committee resolution authorizing the actions. The resolution and the written consent thereto by the members of the committee shall be filed with minutes of the proceedings of the committee.

4. Special Meetings: May be called at any time by the Chairperson or Workforce Development Director, or by any member of the Board upon written demand of not less than one-fifth (1/5) of the entire Board.

5. Quorum: A majority of the appointed members (51%) shall constitute a Quorum for the transaction of business at any regular or special meeting of the Board. A majority of the members present, whether or not a Quorum is present, may adjourn the meeting for a period of not more than two (2) weeks from the date scheduled. The Workforce Development Director, or staff designee, shall cause a notice of the re-scheduled date of the meeting to be sent to all members. If a quorum is not present, business may not be conducted. However, if a quorum is present, absent members may vote by proxy. Proxy votes must be in writing, signed by the absentee members, and specifically address the exact items of business that will be voted on during that meeting. Blank proxies are not allowed. No alternate/designee is allowed for the business membership.

6. Action of the Board:

- (a) Unless otherwise required by law, the vote of a majority (51%) of the full membership shall be an Act of the Board.
- (b) Videoconferencing can be used if public notice is given that indicates videoconferencing will be used along with the sites where the public may attend.

7. Open Meetings and Executive Session:

- (a) Every meeting of the Workforce Development Board and its committees shall be open to the general public, except where an executive session upon a majority vote of the total membership, taken in an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered.
- (b) The Workforce Development Board or its committees may conduct an executive session for the below enumerated purposes only, provided, however, no action by formal vote shall be taken to appropriate public monies:
  - a. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
  - b. discussions regarding proposed, pending or current litigation;
  - c. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
  - d. the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.
- (c) Attendance at an executive session shall be permitted to any member of the Board and any other persons authorized by the Board.
- (d) Minutes shall be taken at all open meetings of the Board which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. Minutes shall be taken at executive sessions of any action that is

taken by formal vote which shall consist of a record or summary of the final determination of such action, and the date and vote thereon. Approved minutes of all committees of the board shall be made available electronically on the Tompkins Workforce New York website.

## **ARTICLE VII – COMMITTEES OF THE BOARD**

1. **Executive Committee:** The Chairperson shall appoint from among the Board an Executive Committee, the majority of which must be from the private sector. Except as otherwise provided by law or Section (4) hereof, the Executive Committee shall total a minimum of five (5) members. and shall include the officers of the Board. The Executive Committee shall have all the authority of the Board and may act on behalf of the Board in any matter when the Board is not in session and shall report such acts to the Board. A majority of the Executive Committee shall constitute a Quorum of the Executive Committee. The Chairperson of the Board shall serve as chairperson of the Executive Committee.

2. **Governance and Membership Committee:** The Chairperson shall appoint a standing Governance and Membership Committee annually to recruit and train new board members, develop a slate of officers annually and review and recommend changes in the by-laws as appropriate.

3. **One-Stop Operations Committee:** The Chairperson shall appoint a One-Stop Operations Committee annually to provide information and assist with operational and other issues relating to the one-stop delivery system including Career One-Stop Center Certification. Members may include any voting and non-voting member of the Board and also include representatives of the one-stop partners.

4. **Youth Oversight Committee:** The Chairperson shall appoint a Youth Oversight Committee annually to advise on the administration of funds to deliver program services, recommend providers of youth services to be awarded contracts or grants on a competitive basis, and conduct oversight with respect to providers of youth services. Members may include any voting and non-voting member of the Board and also include community-based organizations and foundations with a demonstrated record of success in providing oversight of programs serving youth.

5. **Services to Individuals with Disabilities Committee:** The Chairperson shall appoint a standing committee annually to provide information and to assist with operational and other issues relating to the provision of services to individuals with disabilities, including issues relating to compliance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding providing programmatic and physical access to the services, programs, and activities of the one-stop delivery system, as well as appropriate training for staff on providing supports for or accommodations to, and finding employment opportunities for, individuals with disabilities. Members may include any voting and non-voting member of the Board and also include community-based organizations with a demonstrated record of success in serving individuals with disabilities.

**Special Committees:** The Board at any time and from time to time, by Resolution adopted by a majority of the entire Board, may create such special committees as may be deemed desirable, to serve at the pleasure of the Board, the members of which shall be appointed from the Board by the Chairperson of the Board with consent of the Board. These committees shall have only the lawful powers specifically delegated to them by the Board, except that no such committee shall have powers that are not authorized for any standing committees of the Board under section (4) hereof and by law.

Limitation of Authority of Both Standing and Special Committees: No committee shall have the authority as to the following matters:

- (a) The filling of vacancies in the Board or any Committee;
- (b) The amendment or repeal of the Bylaws or the adoption of new Bylaws;
- (c) The amendment or repeal of any Resolution of the Board except one which by its terms shall be so amendable or repealable by a Committee; and
- (d) The adoption or revocation of the required five (5) - year Plan.

### **ARTICLE VIII – STAFF**

The Board may employ staff as necessary to carry out the functions and purposes of the Board upon approval of the County Administrator and Tompkins County Legislature.

1. Workforce Development Director: The Workforce Development Director shall, by majority of the Board, be recommended for hire by the County Administrator. Duties of the Workforce Development Director are as stated in the civil service job description. Furthermore, the Workforce Development Director shall:

- (a) Prepare and present to the Board, monthly and annual progress reports (program and fiscal);
- (b) Prepare monitoring materials required for compliance review of service providers for review by the Board, and shall submit for review and approval by the Board, all monitoring reports or summaries thereof prepared;
- (c) Report monthly, or more frequently if warranted or requested, to the appropriate committee of the Tompkins County Legislature and, as appropriate, to the full Tompkins County Legislature; and
- (d) Undertake other duties, powers, and functions as may be assigned by the Board, subject to the approval of the County Administrator.
- (e) In accordance with WIOA sections 101(h)(3) and 107(f)(3), the Local Board director (and staff) are subject to the limitations on the payment of salary and bonuses described in WIOA section 194(15).

2. Other Staff: Creation of additional County positions, upon recommendation of the Workforce Development Director, Workforce Development Board, and County Administrator, shall be subject to the approval of the Tompkins County Legislature. The hiring and supervision of staff shall be handled in accordance with County policies and procedures.

### **ARTICLE IX – AMENDMENT OF BYLAWS**

These Bylaws shall be adopted, amended, or repealed only by the affirmative vote of a majority of the entire Board, subject to the approval of the Tompkins County Legislature.

### **ARTICLE X – CONFLICT OF INTEREST**

A member appointed to the Board may not vote on a matter under consideration by the Board regarding the provision of services by that particular member, or by an entity that the member represents.

A member may not vote on any matter that would provide direct financial benefit to him or herself, or to the immediate family of such member.

Thus, federal law does not prohibit Board members or organizations and businesses they may represent to contract with and receive funds from Workforce Development in the absence of fraud. Federal law does not allow Workforce Development Board members to vote on such grants and contracts and matters related to provision of services under them.

A member **must** fully disclose his or her private financial interest in the contract to the Board prior to the vote.

**Members are also subject to the County's Code of Ethics.**

The Board shall not directly or indirectly participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

**This herein constitutes the Bylaws of the  
Tompkins County Workforce Development Board**