

**Workforce Development Board Of Contra Costa County (WDBCCC)
Organization Bylaws**

ARTICLE I – NAME AND ADHERENCE TO THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)

The name of this organization shall be the Workforce Development Board of Contra Costa County, hereinafter referred to as the WDBCCC. The WDBCCC is established as the local workforce development board pursuant to the legislative mandates outlined in the Workforce Innovation and Opportunity Act of 2014 (WIOA), 29 U.S.C. 3101 et seq., Public Law 113-128, 128 Stat.1425). In accordance with 20 Code of Federal Regulations (CFR), Parts 678, 679, 680, 681,683, and WIOA Sections 106, 107, 108, 111, 121, 122, 123, 129 and 134 for the East Bay Workforce Development Area/Region, the functions of the WDBCCC shall be performed in partnership with the County Chief Elected Official (CEO).

ARTICLE II - SCOPE AND RESPONSIBILITIES

As set forth in the Workforce Innovation and Opportunity Act of 2014 (WIOA) and as an advisory body to the Contra Costa County Board of Supervisors, the responsibilities of the WDBCCC are:

- A. Work with the Contra Costa County Board of Supervisors and Chief Elected Official (CEO) to develop a vision and strategy to coordinate a workforce development network of public, private, community-based, and other partners to enhance the competitiveness of the local workforce and support economic vitality for Contra Costa County and the broader East Bay region.
- B. Develop and submit a local workforce development plan to the Governor, in partnership with the County Board of Supervisors, for the Contra Costa County Local Workforce Development Area (LWDA), as designated by the California Workforce Development Board (CWDB) to include the entirety of Contra Costa County, exclusive of the City of Richmond.
- C. Develop and submit a regional workforce development plan to the Governor, in partnership with other local LWDAs in the East Bay Regional Planning Unit. Other East Bay LWDAs include Alameda County, the City of Oakland, and the City of Richmond.
- D. With the agreement of the Contra Costa County Board of Supervisors, designate one-stop operator(s) and terminate the eligibility of such operator(s) for cause; identify eligible provider(s) of youth activities in the Contra Costa County LWDA by awarding grants or contracts on a competitive basis, based on recommendations of the WDBCCC; identify eligible providers of training services for adults and dislocated workers; and identify eligible one-stop operators and providers of career services by awarding contracts which may be on a competitive basis..
- E. Develop a budget for purposes of carrying out the duties of the WDBCCC subject to the approval of the Contra Costa County Board of Supervisors. The WDBCCC may solicit and accept grants and donations from sources other than federal funds.
- F. In partnership with the Contra Costa County Board of Supervisors, conduct oversight with respect to local programs of youth activities and local employment and training activities for employers,

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adults, and youth at the one-stop centers in the LWDA.

- G. Negotiate and reach agreement on WIOA local performance measures with the Contra Costa County Board of Supervisors and the Governor, and certify comprehensive One Stop Center(s).
- H. Assist the Governor in the development of a statewide employment statistics system (e.g., labor market information system pursuant to the Wagner-Peyser Act).
- I. Coordinate workforce development activities carried out in the LWIA with economic development strategies and develop other employer linkages.
- J. Promote the active participation of the private sector in the local workforce investment system.

ARTICLE III - MEMBERSHIP

- A. Members of the WDBCCC shall be appointed by the Contra Costa County Board of Supervisors in accordance with federal and state law, and as further described below in Article III, Paragraphs B, and C.
- B. Membership of the WDBCCC shall be composed as follows:
 - 1. Majority business members who are individuals with optimum policymaking or hiring authority on behalf of the entity he or she represents (50% + 1) and are:
 - a. Business owners, or
 - b. Chief executives, or operating officers, or
 - c. Other business executives, or
 - d. Employers.
 - 1. These representatives shall include a representative(s) of small businesses
 - 2. Private sector representatives may be from organizations representing businesses, that provide employment opportunities in the Contra Costa County workforce area, in in-demand industry sectors or occupations or provide employment opportunities that, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area
 - 2. Workforce representatives who shall comprise at least 20% of local board members, including the following provisions:
 - a. Two (2) or more of the members must be representatives of labor.
 - b. One (1) or more of the members must be representatives of a joint labor-management, or union affiliated, registered apprenticeship program in Contra Costa County, who is a training director or a member of a labor organization.
 - c. To meet the twenty percent (20%) requirement the Board may include one or more representatives of community-based organizations (CBO) who:

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1. 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;
 2. Provide or support competitive integrated employment for individuals with disabilities; or;
 3. Represent organizations with 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.
 3. Representatives of entities administering education and training activities in Contra Costa County, who shall include
 - a. A representative of eligible providers administering adult education and literacy activities under WIOA title II, and;
 - b. A representative of institutions of higher education providing workforce investment activities (including community colleges)
 1. This category of membership may include representatives of local educational agencies, and community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment.
 4. Representatives of governmental and economic and community development entities who shall include
 - a. A representative of economic and community development entities
 - b. A representative from the State Employment Service Office under the Wagner-Peyser Act
 - c. A representative of the programs carried out under title I of the Rehabilitation Act of 1973
 - d. This category of members may include representatives of agencies or entities administering programs in Contra Costa County relating to transportation, housing, and public assistance, or representatives of philanthropic organizations serving Contra Costa County
 5. Such other individuals or representatives of entities, as the chief elected official for Contra Costa County determines to be appropriate.
- C. To be eligible for appointment to the WDBCCC, members must be nominated as set forth below for the category to which they are appointed:
1. Nominations to the private sector seats on the WDBCCC shall:
 - a. Be made by business, professional and/or trade organizations in the Contra Costa County area. There shall be at least one nomination for each vacancy.
 - b. Be a result of recruitments from Chambers of Commerce, trade associations or other business organizations.

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- c. Be individuals with "optimum policy-making authority." These individual are expected to be able to speak affirmatively on behalf of the entity s/he represents and to commit the entity to a chosen course of action.
 - d. Include representatives from small business.
 - e. Include representatives from the industry clusters identified by Contra Costa County labor market information research.
 - f. Include representatives to provide for geographic representation from all parts of Contra Costa County.
 - g. Include representatives who have an expressed interest and expertise in the economy of the County.
- 2. Representatives of labor organizations shall be nominated by local labor federations or other representatives of employees where there are no labor federations.
- 3. Nominations to the Adult and Family Literacy seat shall be solicited from the local providers of Adult and Family Literacy in the Contra Costa County workforce development area. .
- 4. Economic development agency members shall be selected from:
 - a. An entity representing economic development in Contra Costa County
- 5. Appointment of such other representatives of organizations referred to in WIOA as flex seats shall be selected from:
 - a. An individual having "demonstrated experience and expertise" in the field of workforce development; and/or
 - b. An individual who contributes to the field of workforce development, human resources, training and development, or a core program function or;
 - c. An individual who the Local Board recognizes for valuable contributions in education or workforce development related fields.
- D. Members of the WDBCCC shall either reside in or be representatives of businesses, organizations or agencies with interests that are located within the LWDA boundaries.
- E. Seat terms shall be staggered and of four years' duration. The term of each seat will commence on July 1st and terminate on June 30th four calendar years later.
- F. The WDBCCC may recommend to the Contra Costa County Board of Supervisors changes to the size and composition of its membership, provided that two-thirds of its members have voted to recommend the change. Recommended changes to size and composition of the WDBCCC membership must be approved by the Contra Costa County Board of Supervisors.
- G. The members of the WDBCCC shall not be paid for their services, but shall be reimbursed for their necessary and actual expenses incurred in the performance of their duties connected with their activities or responsibilities under the WIOA and/or other programs under the purview of the

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WDBCCC. All requests for reimbursement must be submitted in accordance with approved travel and expense reimbursement policies and procedures of the WDBCCC's respective administrative entity.

ARTICLE IV: DUTIES OF MEMBERS

- A. Members shall attend meetings of the WDBCCC and of committees to which they are appointed. The Executive Committee shall routinely review member attendance at WDBCCC and committee meetings.
- B. Members shall notify the Executive Director and/or staff of the WDBCCC, of any expected absence for a meeting at least 48 hours before a regularly scheduled WDBCCC or Committee meeting, indicating good and sufficient reasons for the absence. Such notification may be direct or through staff of the WDBCCC.
- C. Each member of the WDBCCC should serve on at least one standing committee as necessary.

ARTICLE V - OFFICERS AND ELECTIONS

- A. At a minimum, there shall be a Chairperson and Vice-Chairperson. Additional officers (if any) shall be determined by the WDBCCC membership. Any two officer positions, except those of the Chairperson and Vice-Chairperson, may be held by the same person. Whenever possible, the outgoing Chair will continue to serve as an active board member as the Past Chair for at least one year.
- B. The Chairperson shall preside at all WDBCCC meetings, represent the WDBCCC whenever the occasion demands, appoint members to committees, and call special meetings at any time necessary.
- C. The Vice-Chairperson(s) shall assist the Chairperson and assume all the obligations and authority of the Chairperson in his/her absence, and shall chair the Executive Committee. In the event that the Vice-Chairperson(s) are not available, the Past Chair shall serve in this capacity.
- D. The Chairperson and Vice-Chairperson(s) of the WDBCCC will be selected from among business members. If there is no Vice Chairperson, the Chair shall appoint a Vice Chairperson on a quarterly rotating basis. In making such appointments, the Chair will give preference to eligible Committee Co-Chairs.
- E. A WDBCCC member may serve as Chairperson for a period of no longer than two (2) years and as a Vice-Chairperson for no longer than three (3) years.
- F. Any officer may be removed from office by the affirmative vote of fifty percent (50%) rounded-up, plus one (1) of the full membership for conduct, activities or interest detrimental to the interest of

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the WDBCCC, in accordance with Article X, Section C.

- G. A Nominating Committee shall be convened each fiscal year to designate a new slate of officers for the following fiscal year. The Nominating Committee shall be chaired by the Immediate Past Chairperson who shall appoint at least two (2) other Board members, a majority of whom shall represent the business community. In the event the position of Immediate Past Chairperson is vacant, the Chairperson shall appoint the Chair of the Nominating Committee.
- H. The period for officer nominations shall commence upon the establishment of the Nominating Committee and will close 30 days prior to the final regularly scheduled full board meeting of the fiscal year.
- I. A report from the Nominating Committee on selection of officers shall be provided to the members in advance of officer elections and made available to the public. Additional nominations from the floor will be accepted by the chair or acting chair of the WDBCCC before the vote takes place.
- J. An election of officers shall be held no later than the final regularly scheduled full WDBCCC meeting of the fiscal year, though the election date may be changed in any given year if formally determined necessary by the WDBCCC membership. Officers shall be elected by a majority vote of the members present.
- K. Officers' terms will commence on July 1 and end on June 30 of the following calendar year.

ARTICLE VI - VACANCIES

- A. The WDBCCC or its Executive Committee shall review scheduled and unscheduled membership vacancies as they occur and assess associated needs with appointing a replacement. The WDBCCC and Executive Committee shall consider applicable federal, state, and local membership guidelines in formulating a recommendation for review. A majority vote of members present at a WDBCCC or WDBCCC Executive Committee meeting is needed to affirm the recommendation.
- B. The WDBCCC Chairperson shall immediately report to the Contra Costa County Board of Supervisors any unscheduled vacancy.
- C. A vacancy in any officer position may be filled by the WDBCCC for the unexpired term of the position by a majority vote of the members attending a called meeting of the full WDBCCC membership or the WDBCCC Executive Committee.
- D. Nominations for appointment to the WDBCCC shall be made in accordance with the Workforce Innovation and Opportunity Act. Nominees will be presented by the WDBCCC to the appropriate committee of the Contra Costa County Board of Supervisors' for review and advancement to the Board of Supervisors for final appointment to the WDBCCC.

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ARTICLE VII – MEETINGS, QUORUM REQUIREMENTS, AND RULES OF PROCEDURE

- A. All WDBCCC meetings shall be open, public and noticed in conformance with the provisions of the Ralph M. Brown Act, California Government Code Section 54950 et seq., as amended and the Contra Costa County Better Government Ordinance (BGO). Meetings held at a location within Contra Costa County, California that satisfies the access requirements of the Americans with Disabilities Act.
- B. Regular meetings of the WDBCCC shall be held at least once each calendar quarter, and shall be conducted in accordance with all applicable federal, state and local laws.
- C. Special or emergency meetings of the WDBCCC may be called at any time by the Chairperson, the Executive Committee, or upon written request of at least a majority of WDBCCC members. Notice of a special or emergency meeting will include the time, date, place, and purpose. The notice, time permitting, shall be not less than one working day before such meeting date. All meetings will be subject to applicable laws and ordinances.
- D. Alternative technological means such as telephone or video conferencing may be used at a WDBCCC standing or ad hoc meeting as technological resource availability permits and as permissible by the Ralph M. Brown Act.
- E. Fifty percent (50%) rounded-up of the filled number of seats will constitute a quorum of the full WDBCCC or a WDBCCC committee. In the absence of 50 percent rounded-up in attendance, the meeting shall be cancelled no later than thirty (30) minutes after scheduled meeting time provided that entire WDBCCC has been given proper notice as stated in these bylaws.
- F. When issues arise that require members to recuse themselves from the voting process and there is not a quorum due to a conflict of interest, the vote shall be moved to another meeting when there are sufficient unconflicted members to vote.
- G. When a quorum is present, each regular voting member shall have one (1) vote when present. No proxies or absentee votes shall be permitted. A quorum must be maintained at all times for voting purposes. .
- H. All meetings of the WDBCCC and its committees shall be guided by the current edition of Roberts Rules of Order, Revised.
- I. The WDBCCC shall be governed in its activities by all applicable laws, regulations and instructions.

ARTICLE VIII - COMMITTEES

- A. The WDBCCC Chairperson may establish Standing Committees, Ad Hoc Committees and Task Forces as necessary and shall designate the chairpersons.

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- B. The size and purpose of each Standing or Ad Hoc Committee shall be determined by the WDBCCC Chairperson, in consultation with any designated Committee Chairperson(s). Every effort shall be made to ensure that each Standing committee is comprised of five (5) or more members of the WDBCCC.
- C. Each WDBCCC Standing Committee will have a minimum of one (1) chairperson with responsibility for conducting the regular business of that respective committee.
- D. Any WDBCCC member may serve as a Committee Chairperson or Co-Chairperson. WDBCCC members may serve as Chairs of a single WDBCCC Standing Committee for a period or no more than two (2) years.
- E. There shall be an Executive Committee composed of the WDBCCC Chairperson, the Vice-Chairperson(s), and a past WDBCCC Chairperson, one (1) to two (2) voting members-at-large, and the Chairpersons of Standing Committees. In the event a past Chairperson is not available, the Chair may appoint an additional member-at-large. At least fifty percent (50%) plus one of the Executive Committee members shall be business member representatives.
- F. The Executive Committee shall meet at a regularly scheduled time and is authorized to act on behalf of the Workforce Development Board on those matters delegated to it by the WDBCCC. For those matters not delegated to it by the WDBCCC, the Executive Committee is authorized to meet and act on behalf of the WDBCCC at such times as may be determined necessary by the Chairperson, provided that such actions taken by the Executive Committee shall be ratified by the WDBCCC at its next regularly scheduled meeting.

The responsibilities of the Executive Committee shall include:

- Approving annual budgets and forwarding to the WDBCCC for review;
- Obligating and approving awards of contracts, grants, and/or other funding related to programmatic and/or operational objectives (requires a 2/3 vote of Executive Committee members present for approval) before the recommendation to the Board of Supervisors;
- Hearing budget related matters and forwarding appropriate items to the WDBCCC
- Developing legislative/advocacy platforms and position statements
- Developing operational and policy objectives
- Appointing non-WDBCCC members to serve on WDBCCC Standing committees. These members may vote on matters put forth to the respective WDBCCC committee(s), but they are not voting members of the WDBCCC.
- Recommending membership appointments and resignations from the WDBCCC to the Board of Supervisors as necessary

At least once a year the Executive Committee will be charged with examining WDBCCC planning documents and priorities. The Executive Committee will coordinate committee activities, review committee reports and provide recommendations and advice to the WDBCCC on all matters within the jurisdiction of the bylaws.

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ARTICLE IX - STANDARDS OF CONDUCT AND CONFLICT OF INTEREST

Members of the Workforce Development Board will:

- A. Avoid situations which give rise to a suggestion that any decision was influenced by prejudice, bias, special interest, or personal gain by recusing themselves from the discussion and action taken.
- B. Exercise due diligence to avoid situations which may give rise to an assertion that favorable treatment is being granted to friends and associates.
- C. Disclose potential financial conflict of interest by filing Form 700 and all other necessary and required documents
- D. Not solicit or accept money or any other consideration from any person for the performance of an act reimbursed in whole or part with Workforce Innovation and Opportunity Act funds.
- E. Not participate nor vote on contracts or grants relating to services provided by that member or the entity he or she represents, if the member or the entity financially benefits from the decision.
- F. Abide by all conflict of interest codes and attend requisite training.

ARTICLE X - TERMINATIONS

Any member may be terminated from membership on the WDBCCC by one of the following actions:

- A. Resignation. Resignation of WDBCCC members should be effected by a written letter of resignation submitted to the Chairperson of the WDBCCC and the Contra Costa County CEO.
- B. Failure to attend three consecutive regularly scheduled full WDBCCC and/or committee meetings, excessive excused absences from regularly scheduled WDBCCC and/or committee meetings, or failure to resign when he/she ceases to be a representative of the group from which he/she was selected. Said conduct shall automatically be reviewed by the WDBCCC Executive Committee, which in turn shall present a recommendation to the WDBCCC. A majority vote of the WDBCCC membership is needed to affirm the recommendation.
- C. For conduct, activities, or interest detrimental to the purpose of the WDBCCC. Said conduct is subject to review by the Executive Committee, which in turn shall present a recommendation to the WDBCCC. An affirmative vote of fifty percent (50%) rounded-up, plus one (1) of the full membership is needed to ratify the recommendation.

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ARTICLE XI - AMENDMENTS

These bylaws may be altered, amended or repealed at any regular meeting of the WDBCCC by a vote of two-thirds (2/3) of the voting members present where there is a quorum, provided notice of the proposed change shall have been disseminated to each representative no less than seven (7) days prior to such meeting.

Adopted by Workforce Development Board on **August 2, 2016**

Approved by the Contra Costa County Board of Supervisors on **July 18, 2017**