

BOARD OF SUPERVISORS
Yolo County, California

Date: December 15, 2015

To: HHSA ✓

50.

Adopt resolution establishing the Yolo County Workforce Innovation Board, adopting the Yolo County Workforce Innovation Board Bylaws and repealing the Yolo County Workforce Investment Board Bylaws. (No general fund impact) (Planell)

Minute Order No. 15-178: Approved recommended actions by **Resolution No. 15-146.**

MOVED BY: Saylor / SECONDED BY: Provenza
AYES: Provenza, Chamberlain, Villegas, Saylor, Rexroad.
NOES: None.
ABSTAIN: None.
ABSENT: None.



County of Yolo

www.yolocounty.org

To: Supervisor Matt Rexroad, Chair
and Members of the Board of Supervisors

Regular-Health & Human Services # 50.

Board of Supervisors

Service Centers

Meeting Date: 12/15/2015

Brief Title: WIOB Bylaws and Roster

From: Joan Planell, Director, Health and Human Services Agency

Staff Contact: Lisa Vincent, Sr. Admin Services Analyst, Health and Human Services Agency,
x4458

Subject

Adopt resolution establishing the Yolo County Workforce Innovation Board, adopting the Yolo County Workforce Innovation Board Bylaws and repealing the Yolo County Workforce Investment Board Bylaws. (No general fund impact) (Planell)

Recommended Action

A. Adopt resolution establishing the Yolo County Workforce Innovation and Opportunities Act (WIOA) of 2014 (Public Law 113-128) and the Yolo County Workforce Innovation Board (WIB) Bylaws; and repeal Resolution 08-77

B. Approve Workforce Innovation Board (WIB) roster.

Strategic Plan Goal(s)

Operational Excellence
Thriving Residents

Reason for Recommended Action/Background

On July 22, 2014, President Obama signed the Workforce Innovation and Opportunities Act (WIOA), replacing the Workforce Investment Act of 1998 (WIA). WIOA is designed to help job seekers access employment, education, training and support services to succeed in the labor market and match employers with the skilled workers they need to compete in the global economy. WIA and WIOA regulations require that each local area establish a workforce development board, known as the Workforce Investment Board under WIA and as the Workforce Innovation Board under WIOA. The workforce development board is charged with oversight of State of California authorized grants to fund Dislocated Worker, Adult, Youth, Rapid Response, discretionary funds and competitive grants, among other things.

Workforce Innovation Board (WIB) and Bylaws:

On May 8, 2008, the Board adopted Resolution 08-77 establishing the Workforce Investment Board Bylaws as required by WIA. With the transition to WIOA, the Workforce Investment Board

and Bylaws must be repealed and replaced with the Workforce Innovation Board and Bylaws, as required by WIOA. On March 27, 2015, the Board adopted Resolution 15-28, repealing Resolution 00-53, which established the Workforce Investment Board. Approval of this item will establish the Workforce Innovation Board, as required by WIOA; repeal Resolution 08-77, which established the Workforce Investment Board Bylaws; and approve the resolution to establish Workforce Innovation Board Bylaws.

Workforce Innovation Board Roster:

With the creation of the new Workforce Innovation Board under WIOA, the Board of Supervisors must approve the roster. The Workforce Innovation Board members serve 4 year terms and serve as an intermediary to assist the local service administration to respond to the business community. Members provide direction for the establishment of programs designed to prepare eligible youth, dislocated workers, and unskilled adults for entry into the labor force.

Collaborations (including Board advisory groups and external partner agencies)

WIB partners

Fiscal Information

No Fiscal Impact

Fiscal Impact of this Expenditure

Total cost of recommended action

Amount budgeted for expenditure

Additional expenditure authority needed \$0

On-going commitment (annual cost)

Source of Funds for this Expenditure

General Fund \$0

Attachments

- [Att. A. WIB Roster](#)
- [Att. B. Member Applications](#)
- [Att. C. Resolution](#)

Form Review

Inbox	Reviewed By	Date
Joan Planell	Nancy OHara	12/02/2015 11:04 AM
Carolyn West	Carolyn West	12/02/2015 02:30 PM
County Counsel	Hope Welton	12/02/2015 02:50 PM
Form Started By: Kacey Dominguez		Started On: 07/22/2015 08:40 AM
Final Approval Date: 12/02/2015		

FILED

DEC 21 2015

BY Ruiter Ramirez
DEPUTY CLERK OF THE BOARD

COUNTY OF YOLO
Resolution No. 15-146

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF YOLO, ESTABLISHING THE YOLO COUNTY WORKFORCE INNOVATION BOARD PURSUANT TO THE WORKFORCE INNOVATION AND OPPORTUNITY ACT OF 2014 (PUBLIC LAW 113-128), ADOPTING THE YOLO COUNTY WORKFORCE INNOVATION BOARD BYLAWS AND REPEALING THE YOLO COUNTY WORKFORCE INVESTMENT BOARD BYLAWS

WHEREAS, the Yolo County Workforce Investment Board was established pursuant to the Workforce Investment Act of 1988; and

WHEREAS, on May 8, 2008, this Board adopted Resolution 08-77, which provided for, among other things, the establishment of the Yolo County Workforce Investment Board Bylaws; and

WHEREAS, the Workforce Innovation and Opportunity Act ("WIOA") of 2014, Public Law 113-128, signed into law on July 22, 2014, and effective July 1, 2015, superseded the Workforce Investment Act; and

WHEREAS, the WIOA is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy; and

WHEREAS, the WIOA requires the establishment of a workforce development board which replaces the Workforce Investment Board; and

WHEREAS, because the WIOA supplanted the Workforce Investment Act and requires the establishment of a workforce development board to replace the Workforce Investment Board, this Board adopted Resolution 15-28 on March 27, 2015, which provided for, among other things, the establishment of the Yolo County Workforce Development Area and repealed Resolution No. 00-53 which established the Workforce Investment Board under the Workforce Investment Act of 1998; and

WHEREAS, it appears in the best interest of Yolo County, its residents and clients to establish a workforce development board to be known as the Workforce Innovation Board and Bylaws as set forth in Exhibit A, attached to and incorporated into this Resolution by reference.

NOW, THEREFORE, IT IS HEREBY FOUND, ORDERED AND RESOLVED by the Board of Supervisors of the County of Yolo as follows:

1. The Yolo County Workforce Investment Board Bylaws established by Resolution No. 08-77 are repealed.
2. The Yolo County workforce development board known as the Workforce Innovation Board ("WIB") is established pursuant to the terms and provisions of the Workforce Innovation and

Opportunity Act ("WIOA") of 2014, Public Law 113-128, for all the purposes authorized in the WIOA.

3. The WIB shall carry out the functions described in Section 107(d) of the WIOA (and any functions specified for the local board under WIOA or the provisions establishing a core program) for the designated local area, and any other applicable federal or State law.

4. The Board of Supervisors approve and adopt the Yolo County Workforce Innovation Board Bylaws attached to and incorporated into this Resolution as Exhibit "A" ("Bylaws").

5. The membership requirements and composition of the WIB shall comply with the requirements set forth in Section 107 of WIOA and the Bylaws.

6. Members shall be appointed for four-year terms and serve at the pleasure of the Board of Supervisors.

7. This Resolution shall take effect immediately upon its adoption by the Board of Supervisors.

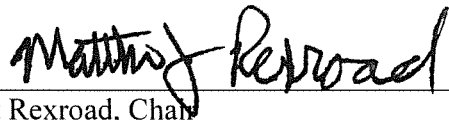
PASSED AND ADOPTED by the Board of Supervisors of the County of Yolo, State of California, this 15th day of December, 2015 by the following vote:

AYES: **Provenza, Chamberlain, Villegas, Saylor, Rexroad.**

NOES: **None.**

ABSTAIN: **None.**

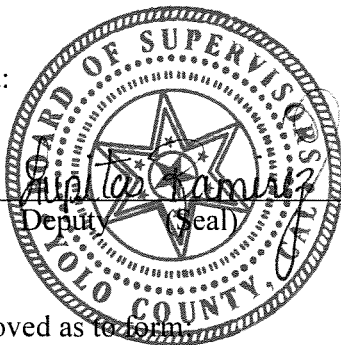
ABSENT: **None.**



Matt Rexroad, Chair
Yolo County Board of Supervisors

Attest:

By: _____



Approved as to form
Philip J. Pogledich, County Counsel

By: _____

Carrie Scarlata, Asst. County Counsel

EXHIBIT “A”

YOLO COUNTY WORKFORCE INNOVATION BOARD BYLAWS

1. Created: The State of California, pursuant to the Federal Workforce Innovation and Opportunity Act of 2014 (WIOA), under section 107(c)(4)(B)(i), has designated the Yolo County Workforce Innovation Board as the entity responsible for the direction and oversight of employment and training programs at the local level. Federal and State rules and regulations provide for program activities and require the Yolo County Board of Supervisors, as Chief Local Elected Officials, for the Yolo County Workforce Development Area to appoint a local workforce development board, known as the Workforce Innovation Board (WIB).
2. Duties and Responsibilities: The WIB shall have the following duties and responsibilities, specified as functions in Section 107(d) of WIOA, subject to the approval of the Yolo County Board of Supervisors:
 - a) Develop a local plan to be approved by the Yolo County Board of Supervisors and submitted to the Governor of California and collaborate with other local boards in the planning region in the preparation and submission of a regional plan.
 - b) Conduct workforce research and regional labor market analysis to assist in the development and implementation of the local plan.
 - c) Convene, broker and leverage stakeholders to assist in the development of the local plan and identify non-Federal expertise and resources to leverage support for the workforce development activities.
 - d) Lead efforts to engage with a diverse range of employers and entities in the region.
 - e) Lead efforts in the local area to develop and implement career pathways within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment.
 - f) Lead efforts in the local area to identify and disseminate information on proven and promising strategies and initiatives for meeting the needs of employers and workers and jobseekers (including individuals with barriers to employment) in the local workforce development system, including providing physical and programmatic accessibility, in accordance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990, to the one-stop delivery system.
 - g) Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, and workers and jobseekers.
 - h) Conduct program oversight in partnership with the Yolo County Board of Supervisors.
 - i) Negotiate and reach agreement on local performance accountability measures in partnership with the Yolo County Board of Supervisors and the Governor.

- j) Select operators and providers with the approval of the Yolo County Board of Supervisors.
- k) Coordinate activities with education and training providers in the local area.
- l) Develop a budget subject to the approval of the Yolo County Board of Supervisors for the activities of the local board in the local area, consistent with the local plan and duties of the local board.
- m) Assess the physical and programmatic accessibility of the one-stop centers annually in accordance with applicable nondiscrimination provisions under Title 1 of the WIOA and the Americans with Disabilities Act.

3. Membership Composition: Membership of the WIB shall be appointed by and serve at the discretion of the Yolo County Board of Supervisors, as the governing body of the local workforce development area, and met all requirements of Section 107(b)(2) of WIOA, including, but not limited to:

- a) Business Representatives. At least the majority (51%) of the WIB membership must be representatives of business in the local area, who:
 - (i) Are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority;
 - (ii) Represent businesses, including small businesses, or organizations representing businesses described in this clause, that provide employment opportunities that, at a minimum, include high quality, work-relevant training and development in in-demand industry sectors or occupations in the local area; and
 - (iii) Are appointed from among individuals nominated by local business organizations and business trade associations.
- b) Workforce/Labor Representatives. Not less than 20% of the WIB membership must be from the workforce of the local area, of which 15% must be from labor organizations. Workforce/labor membership must be representatives in the local area, who:
 - (i) Shall include representative of labor organizations (for a local area in which employees are represented by labor organizations), who have been nominated by local labor federations, or (for a local area in which no employees are represented by such organization) other representatives of employees;
 - (ii) Shall include a representative, who shall be a member of a labor organization or a training director, from a joint labor–management apprenticeship program, or if no such joint program exists in the area, such a representative of an apprenticeship program in the area, if such a program exists;
 - (iii) May include representatives of community based organizations that have demonstrated experience and expertise in addressing the employment needs of individual with barriers to employment, including organizations that serve veterans or that provide or support competitive integrated employment for individuals with disabilities; and
 - (iv) May include representatives of organizations that have demonstrated experience in addressing the employment, training, or education needs of eligible youth, including representatives of organization that serve out-of-school youth.
- c) Adult Education and Literacy Representatives. The WIB shall include representatives of entities administering education and training activities in the local area, who:

- (i) Shall include a representative of eligible providers administering adult education and literacy activities under title II;
- (ii) Shall include a representative of institutions of higher education providing workforce investment activities (including community colleges);
- (iii) May include representatives of local educational agencies, and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment.
- d) Governmental, Economic and Community Development Representatives. WIB membership shall include representatives of governmental and economic and community development entities serving the local area, who:
 - (i) Shall include a representative of economic and community development entities;
 - (ii) Shall include an appropriate representative from the State employment services office under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) serving the local area;
 - (iii) Shall include an appropriate representative of the programs carried out under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.) other than section 112 or part C of that title (29 U.S.C. 732, 741), serving the local area;
 - (iv) May include representatives of agencies or entities administering programs serving the local area relating to transportation, housing, and public assistance; and
 - (v) May include representatives of philanthropic organizations serving the local area; and
- e) The WIB may include such other individuals or representative of entities as the chief elected official in the local area may determine to be appropriate.
- f) Members shall, to the extent possible, have optimum policy making or hiring authority within their organizations, agencies or entities.

6. Membership: Appointment.

The Yolo County Board of Supervisors shall make all appointments to the WIB after considering recommendations by the WIB and other interested parties.

7. Membership: Expectation.

- a) Regularly attend meetings of the WIB and/or WIB committee to which they are appointed.
- b) Be prepared for meetings by staying informed about board matters and reviewing materials sent in advance of the meetings.
- c) Accept committee assignments or other tasks in a cooperative spirit.
- d) Keep the WIB informed of the status and progress of their relevant activities as a WIB member.
- e) Maintain a professional and business-like approach to all WIB matters.
- f) Recuse themselves from influencing, voting or otherwise participating in any WIB decisions in which they have a conflict of interest.
- g) Represent the WIB as authorized, in the local community, before bodies of elected and appointed officials, and in the media.
- h) Refrain from intervening directly in the administrative implementation (application) of the WIB's and County's policies.
- i) Participate in strategic and/or business planning sessions.
- j) Make timely updates of member information records.
- k) Desire to make a positive contribution to the region's economy by helping shape a

workforce development system that meets the needs of employers and job seekers.

8. Membership: Terms of Office.

- a) The term of office for each WIB member is four years from the date of appointment by the Board of Supervisors.
- b) Members who are no longer actively involved in the work of his/her membership category within the County of Yolo shall be required to resign from his/her WIB seat.
- c) Members shall immediately inform the WIB of a change in employer or employment status, or other change in membership category, at which time it shall be determined if the member is eligible to continue serving on the WIB.

9. Membership: Absence.

The term of office of a WIB member who has three consecutive unexcused absences from the regular meetings of the WIB and/or WIB committee meetings may be terminated by the Board of Supervisors upon the recommendation of the WIB Chair. The WIB Chair shall only recommend removal of a WIB member upon a majority vote of the WIB. Upon adoption of such a recommendation, the WIB Chair shall forward the recommendation to the Board of Supervisors. The vacancy thereby created shall be filled by appointment in the same manner as the member being replaced.

10. Officers.

At the first meeting of the WIB, and annually thereafter, the members shall elect a Chair, Vice-Chair, Second Vice-Chair, and such other officers as the WIB may deem necessary.

11. Officers: Chair.

- a) The Chair shall be elected from among local business representatives for a one-year term, and shall serve no more than two consecutive one-year terms in the position.
- b) The duties of the Chair are to:
 - (i) Preside at all meetings of the WIB;
 - (ii) Represent the WIB at public functions whenever the occasion demands;
 - (iii) Call special meetings with appropriate advance notification to all members;
 - (iv) Establish the agenda for each WIB meeting in partnership with the WIB administrative entity;
 - (v) Execute necessary documents on behalf of the WIB; and
 - (vi) Act as the official representative of the WIB.
 - (vii) The Chair shall also serve as the Chair of the Executive Committee.
 - (viii) If the Chair position becomes vacant prior to the expiration of the term of office, the Vice-Chair shall succeed as Chair for the remainder of the term of office, and the WIB shall elect another of its local business members to succeed the Vice-Chair for the remainder of that term of office.

12. Officers: Vice-Chair.

- a) The Vice-Chair shall be elected from among local business representatives for a one-year term, and shall serve no more than two consecutive one-year terms in the position.
- b) The duties of the Vice-Chair are to:
 - (i) Assume all the powers and duties of the Chair in the absence of the Chair.

- (ii) Serve as a member of the Executive Committee.
 - (iii) If the Vice-Chair position becomes vacant prior to the expiration of the term of office, the WIB shall elect another of its local business members to succeed the Vice-Chair for the remainder of that term of office.
13. Officers: Second Vice-Chair.
- a) The Second Vice-Chair shall be elected from among the Workforce/Labor representatives for a one-year term, and shall serve no more than two consecutive one-year terms in the position.
 - b) The duties of the Second Vice-Chair are to:
 - (i) Serve as a member of the Executive Committee.
 - (ii) If the Second Vice-Chair becomes vacant prior to the remainder of the term of office, the WIB shall elect another of its workforce/labor members to succeed the Second Vice-Chair for the remainder of that term of office.
14. Standing Committee: Executive Committee.
- a) There shall be a committee of the WIB called the Executive Committee.
 - b) The Executive Committee shall consist of, at a minimum, the WIB Chair, Vice Chair, Second Vice-Chair, any additional WIB officers, and all standing Committee Chairs.
 - c) The term of the Chair of the Executive Committee shall be for one year, concurrent with the term of the Chair of the WIB.
 - d) The WIB may also appoint other WIB members to serve on the Executive Committee, provided that the total Executive Committee membership shall be less than a majority of the full WIB membership.
 - e) The Executive Committee may make such recommendations to the WIB as it deems necessary and appropriate.
 - f) The Executive Committee may act on behalf of the entire WIB in those situations where immediate action is required to address WIB business and there is insufficient time for such action to be taken at the next regularly scheduled WIB meeting or where delay would be detrimental to the local workforce investment system, subject to the following:
 - (i) A majority of the members of the Executive Committee shall constitute a quorum of the Executive Committee for action to be taken pursuant to this subsection.
 - (ii) A majority vote of those present and constituting a quorum shall be required for any action by the Executive Committee pursuant to this subsection.
 - (iii) Such meetings shall be subject to the provisions of the Ralph M. Brown Act.
 - (iv) Notification of such a meeting shall be sent to all WIB members, who may attend and whose views will be taken into consideration before the Executive Committee may take action on an item.
 - (v) Approval of expenditures may be made only when there is a need for immediate action, and shall not exceed a total of \$5,000 per occurrence.
 - (vi) Any action by the Executive Committee pursuant to this subsection shall include a notation that it is subject to review, and ratification or rejection, by the entire WIB at its next regular or special meeting.
 - (vii) The Executive Committee will provide written notice of any such action taken at the next regularly scheduled meeting of the full WIB.
 - (viii) Any such action will be brought to the WIB for consideration at its next regular or

special meeting. The WIB shall either ratify or disapprove the Executive Committee's action pursuant to this subsection. If the WIB ratifies the Executive Committee's action, such action shall be considered to have been approved by the WIB as of the date of the Executive Committee's action and shall be in full force and effect. If the WIB disapproves the Executive Committee's action, such action shall be considered null and void, and of no force or effect.

15. Subcommittees: Ad hoc workgroups.

- a) The Executive Committee of the WIB may appoint ad hoc subcommittees as it deems appropriate and necessary for the fulfillment of its duties and responsibilities to make recommendations in connection with any subject pertaining to the matters within the jurisdiction of the WIB.
- b) Such ad hoc subcommittees shall be chaired by a member of the WIB.
- c) Ad hoc subcommittees may include other WIB members as long as the total number of WIB members is less than the number that constitutes a WIB quorum.
- d) Ad hoc subcommittees may include Executive Committee members as long as the total number of Executive Committee members is less than the number that constitutes an Executive Committee quorum.
- e) Ad hoc subcommittees may include other individuals appointed by the Executive Committee of the WIB who are not members of the WIB and who the Executive Committee determines have appropriate experience and expertise.

16. Recommendations.

Recommendations of the WIB shall be submitted to the Director of Health and Human Services Agency or her/his designee, Employment Development Department, California Workforce Development Board, and/or the Yolo County Board of Supervisors, as appropriate.

17. Meetings: Date.

- a) Meetings of the WIB shall be held bi-monthly (January, March, May, July, September, and November) on a regular date set by the WIB at the Yolo County Health and Human Services Agency or at such other facility as the Chair shall determine.
- b) Meetings of the Executive Committee of the WIB shall be held bi-monthly (February, April, June, August, October, and December) on a regular date set by the Executive Committee at the Yolo County Health and Human Services Agency or at such other facility as the Chair shall determine.
- c) Either the Chair or a majority of the appointed members may call special meetings as necessary

18. Meetings: Quorum.

- a) A minimum of one more than one-half (1/2) of the currently appointed members of the WIB shall constitute a quorum for the transaction of business.
- b) A minimum of one more than one-half (1/2) of the currently appointed members of the Executive Committee of the WIB shall constitute a quorum for the transaction of business.
- c) A majority of the votes of the members present and voting on any issue shall be required for any action.

19. Meetings: Conduct.

- a) Meeting shall be conducted by the Chair.
 - i. The Chair shall recognize every motion made by a member, or call for a motion should a request come from outside the membership.
 - ii. A lack of a second shall cause the motion to fail.
 - iii. A vote shall be taken if there is a second and a quorum as required herein.
 - iv. A motion shall pass if it is approved by a majority of the members present, provided that the necessary quorum and notice requirements are met.
 - v. Any motion not receiving a second or failing to receive a majority vote shall be noted in the minutes as having failed to pass.
 - vi. By proper motion, any defeated motion may be placed on a future agenda for new motions and presentation of further information.
 - vii. There shall be no absentee voting.
 - viii. A member shall declare a conflict of interest and shall abstain from voting on any motion or consideration that (a) has direct bearing on services to be provided by the member or any organization with which that member is associated, (b) if that member or that member's spouse or minor child is an employee, administrator, board member, or likely to garner personal gain from the motion or issue under consideration or (c) would otherwise be the basis for a conflict of interest, as outlined in these Bylaws in Section 22.
 - ix. All meetings of the WIB and Executive Committee of the WIB shall have a posted agenda, shall be open to the public and in all ways adhere to the Ralph M. Brown Act (the Brown Act), California Government Code section 54950—54963.

20. Meetings: Minutes.

- a) The Director of Health and Human Services Agency or her/his designee shall designate a staff member to serve as secretary to the WIB, Executive Committee, and Subcommittees.
- b) Minutes shall include a record of attendance, a listing or reports received, and all action taken and recommendations adopted.
- c) The secretary shall file a copy of all minutes with the Clerk of the Board of Supervisors.

21. Staff.

- a) The WIB will receive professional, technical and clerical staff support from the Yolo County Health and Human Services Agency. The Director of Health and Human Services Agency or her/his designee shall act as a County Liaison to the WIB.

22. Conflict of Interest.

No member of the WIB shall vote on any matter before the WIB if he or she has a legal conflict of interest. A legal conflict of interest means a conflict as defined by applicable statutory and case law. Any possible legal conflict of interest on the part of a member shall be declared before discussion commences on the agenda item in question. If it is unclear whether a member has a legal conflict of interest the question shall be referred to County Counsel for determination of whether the member has a legal conflict of interest, and if so, to what extent the member may participate, if at all, in the discussion and voting on the agenda item.

23. Economic Interest.

Each member of the WIB shall file a Statement of Economic Interest promulgated by the Fair Political Practices Commission as a condition of assuming membership, annually while serving as a member, and upon leaving membership of the WIB, in compliance with applicable law.

24. Severability.

If any part of these Bylaws is held to be null and/or void, the validity of the remaining portion of the Bylaws shall not be affected.

25. Enactment.

These Bylaws shall become effective upon adoption by a majority vote of the WIB and approval of the BOS, and shall remain in effect until dissolution of the WIB.