

# **Union County Workforce Investment Board Bylaws**

## **ARTICLE I - NAME**

The name of the organization shall be the Workforce Investment Board of Union County. The principal offices of the Workforce Investment Board shall be located in the Union County Administration Building, 10 Elizabethtown Plaza, Elizabeth, New Jersey 07207.

## **ARTICLE II - PURPOSE**

The Workforce Investment Board is a local partnership of public and private sector participants organized to provide leadership in coordinating and developing federal, state, and local workforce readiness policies and programs into a seamless workforce delivery system. This system ought to be responsive to the needs of the local labor market with services delivered in a cost-effective manner. The Workforce Investment Board shall produce a locally delivered workforce readiness system and provide policy guidance and oversight for the entire local and regional employment, training and education communities, consistent with the requirements of the Workforce Investment Act of 1998 and Workforce Investment Act Final Rule, Federal Register, August 11, 2000. A Local Unified Workforce Strategic Plan for Union County—as required by the State Employment and Training Commission—will set the framework for the Workforce Investment Board to accomplish its workforce readiness objectives.

The Workforce Investment Board shall establish the service priorities and policies that govern workforce development programs to enhance the skill level of clients based upon the needs of employers (private sector). The Workforce Investment Board will also act to increase the involvement of the business community in the planning and implementation of employment and training programs in the Union County labor market area. The Workforce Investment Board will ensure that by influencing program management and by strategic allocation of resources it will carry out the workforce service priorities and policies.

## **ARTICLE III - POWERS AND RESPONSIBILITIES**

### **Section 1: Powers**

The business affairs of the Workforce Investment Board shall be controlled and administered by its members.

### **Section 2: Roles & Responsibilities**

The responsibilities of the Workforce Investment Board, as well as the overall vision and mission, are defined in the Strategic Five-Year Unified State Plan for New Jersey's Workforce Investment System, produced by the NJ State Employment & Training Commission. The Workforce Investment Board shall serve as a mechanism to communicate local priorities to responsible state and local government agencies to influence the allocation of workforce readiness resources to create a world-class workforce readiness system. This shall be conveyed through the development of a Local Unified Workforce Strategic Plan. The responsibility of the Workforce Investment Board is to provide guidance for and exercise oversight with respect to workforce readiness partners and activities according to the Local Unified Workforce Strategic Plan.

## **Union County Workforce Investment Board**

The Workforce Investment Board shall:

- A. Establish the local Workforce Investment Board governance structure, processes and policies including establishing Workforce Investment Board councils/committees to facilitate the work of the Workforce Investment Board.
- B. Develop and execute Memorandum of Understanding (MOU) with One-Stop Partners.
- C. Develop a budget for the purpose of carrying out duties of the local board under the Workforce Investment Act of 1998, with the approval of the local Chief Elected Official.
- D. Direct the local Chief Elected Official to disburse funds for workforce investment activities pursuant to the requirements of the Workforce Investment Act of 1998.
- E. Develop the local Unified Strategic Plan, including policies, standards and operational priorities for the local area. Update the Strategic Plan as required by the State Employment & Training Commission and the NJ Department of Labor & Workforce Development.
- F. Designate or certify the One-Stop Operator and /or terminate a One-Stop Operator for cause, with the agreement of the local Chief Elected Official.
- G. Conduct oversight of the local One-Stop Delivery System, including all adult, dislocated worker and youth activities, jointly or on behalf of the local Chief Elected Official.
- H. Recommend grants or contracts for program activities as appropriate.
- I. Appoint Youth Investment Council Members.
- J. Coordinate workforce investment activities with economic development strategies and other employer linkages.
- K. Conduct all business in an open manner as required by Section 117 (e) of the Workforce Investment Act of 1998 and make available to the public on a regular basis.
- L. Establish local Workforce Investment Board By-Laws which at a minimum include board/committee officers election/selection process, standing Workforce Investment Board councils/committees, conflict of interest policy, attendance policy, ethical code of conduct and annual meeting designation.
- M. Take the lead in developing a Memorandum of Understanding (MOU) that defines Workforce Investment Board and local Chief Elected Official roles and responsibilities, budgeting process and process for approval and removal of Workforce Investment Board members.

## **Union County Workforce Investment Board**

- N. Oversee the development of the Master Budget, and any modifications thereto, which creates a framework for the annual workforce development contract, for signoff by the Workforce Investment Board.
- O. Review annual budget for approval by the local Chief Elected Official with ratification by the Board.
- P. Review budget reports, including fiscal expenditures, on a quarterly basis.
- Q. Review and assess on a quarterly basis the State Employment & Training Commission Dashboard and other performance reports to monitor the local area's performance.
- R. Review and assess performance and activities of the local workforce system including oversight and evaluation of the local One-Stop Career Center(s).
- S. Monitor all contracts for services to ensure services provided as per contract, performance requirements are met, and contracts are in accordance with federal, state, and local laws and regulations.
- T. Responsible for the 2-year Workforce Investment Board Certification process to ensure preparedness to meet Certification requirements.
- U. Provide quarterly summary monitoring reports to the local Chief Elected Official on One-Stop System performance.
- V. Prepare an Annual Report that includes elements as required by the State Employment & Training Commission and set forth in the Workforce Investment Board Member Handbook.
- W. Create and maintain a local Workforce Investment Board website. Contents to minimally include: Workforce Investment Board Members, Meeting Minutes, Staff contact information.
- X. Address the employability concerns of traditionally marginalized populations such as women & minorities (who traditionally constitute the majority of new entrants into the workforce) through workforce specific strategies and activities designed to enhance their employment opportunities

The Workforce Investment Board shall establish standards for the procurement of services and to ensure that the standards have been incorporated into the procurement process. The standards for the procurement of services include:

- Ensure standards are incorporated into the process of procuring training providers and program contractors to provide core, intensive and training services.
- Oversee the evaluation process to ensure review and selection of contractors is based on the local plan and Workforce Investment Board standards.
- Ensure there is not a conflict of interest in the development, review, selection and/or ratification of contractors, and ensure that all federal, state and local regulations are followed.

## **Union County Workforce Investment Board**

- Carry out responsibilities for the Eligible Training Provider List (ETPL) as directed by the State Employment & Training Commission/NJ Department of Labor & Workforce Development.

To provide for active participation, each Board member must sit on at least one standing committee and/or sub-committee.

The Workforce Investment Board will not operate workforce programs but will participate in the planning, development, review and approval of the spending plan for these programs. The Workforce Investment Board will influence both program management and resource allocation based upon local needs.

Memoranda of Understanding between the Workforce Investment Board and the appropriate elected official(s) and One-Stop Partners shall further delineate the responsibilities of the Workforce Investment Board. The Workforce Investment Board has full authority over the One-Stop Operator and its activities.

### **ARTICLE IV - MEMBERSHIP**

#### **Section 1: Membership**

The members of the Workforce Investment Board shall be appointed by the Board of Chosen Freeholders in accordance with the requirements of the Workforce Investment Act of 1998. Said members are responsible for the recruitment of new board members.

No organization or business may have more than one representative on the Workforce Investment Board.

#### **Section 2: Nominations**

The Nominating Committee shall obtain nominations for vacancies in each of the required categories (See Section 4 below). Nominations for each category shall be sought from organizations and groups in compliance with the Workforce Investment Act of 1998.

The protocol for Workforce Investment Board nominations is as follows: The Nominating Committee's recommendations shall be submitted to the Executive Committee prior to the Workforce Investment Board for approval. Upon Workforce Investment Board approval, the nominations shall be forwarded to the Board of Chosen Freeholders for appointment to the Board. The appointments are then subject to the approval of the New Jersey State Employment and Training Commission (SETC). Upon appointment, the names of the appointed Workforce Investment Board members shall be sent to the NJ State Employment and Training Commission for certification. A Workforce Investment Board Certification Form shall accompany each name.

Individuals who have been properly nominated and are reappointed to a succeeding term or terms do not need to be renominated.

## **Union County Workforce Investment Board**

### **Section 3: Alternates**

Alternate attendees designated by Workforce Investment Board members must have prior approval by the Chairperson to function in that member's capacity. A written request from the Workforce Investment Board member is required to officially designate an alternate. Notice to designate an alternate must be received by the Chairperson prior to the next Board meeting.

### **Section 4: Composition of the Workforce Investment Board**

The Workforce Investment Act of 1998 mandates that the membership of Workforce Investment Boards be comprised of representatives from both the business sector and the non-business sectors. The business sector should be, at a minimum, 51% of the board.

Furthermore, the non-business members of the Union County Workforce Investment Board shall be capped at the minimum required by the Workforce Investment Act of 1998 and the State Employment & Training Commission. The purpose of this action is to meet or exceed the required 51% business sector participation on the Workforce Investment Board.

Below is a list of the membership categories and the respective number of members required by the Workforce Investment Act and the State Employment & Training Commission of New Jersey.

<b>NON-BUSINESS REPRESENTATIVES</b>	<b>NUMBER OF MANDATED SEATS</b>
Community Based Organizations	2
Organized Labor	2
Abbott School District Superintendent	1
Adult Education / Literacy	1
Economic Development	2
Board of Social Services	1
Community or County College	1
HSAC Chair	1
One Stop Operator	1
Superintendent of Schools	1
Vocational Technical School	1
Vocational Rehabilitation	1
Workforce New Jersey Manager	1
	16 - Not to Exceed 49%

**Chapter 2—Local Provisions, Section 117 of the Workforce Investment Act of 1998**, specifies the following as it relates to the composition of the Workforce Investment Board and business or private sector representation.

**“(2) Composition.--Such criteria shall require, at a minimum, that the membership of each local board--**

**(A) shall include—**

**(i) representatives of business in the local area, who—**

## **Union County Workforce Investment Board**

- (ii) are owners of businesses, chief executives or operating officers of businesses, and other business executives or employers with optimum policymaking or hiring authority;**
- (iii) represent businesses with employment opportunities that reflect the employment opportunities of the local area; and**
- (iv) are appointed from among individuals nominated by local business organizations and business trade associations;”**

The Union County Workforce Investment Board reserves the right to assign dual roles to its members who fit more than one membership category.

### **Section 5: Qualifications**

Workforce Investment Board members must reside in or represent a business, industry or other eligible entity located within Union County, or which employs many residents of Union County.

### **Section 6: Manner of Appointment**

Individuals shall be appointed to the Workforce Investment Board in accordance with the Workforce Investment Act of 1998 and vis-à-vis procedures outlined herein these by-laws.

### **Section 7: Terms**

The term of office for board members shall be fixed at three (3) years. Terms of office shall be effective from the fiscal year July 1<sup>st</sup> through June 30<sup>th</sup>. Terms of office must be staggered to ensure that no more than half of the Workforce Investment Board can have terms which expire during the same year.

### **Section 8: Vacancies**

Any vacancy in the membership of the Board shall be filled according to category, in the same manner as the original appointment. A vacancy shall be deemed to exist when:

- A. A member no longer represents the organization or business from which he or she was originally selected.
- B. A board member resigns by giving written notice to the Chairperson and the Board of Chosen Freeholders.
- C. A board member has moved their business or residence out of the Union County Workforce Investment Area.

Local elected officials are expected to fill all vacancies within 60 days from the time a vacancy occurs. The State Employment & Training Commission will be notified immediately about any change in membership.

### **Section 9: Removal**

A member shall be removed in accordance with the following procedure:

## **Union County Workforce Investment Board**

- A. A board member who has missed three consecutive regular meetings shall be considered to have resigned unless a vote of the Workforce Investment Board overrules or the Chairperson determines that such absences were for good cause.
- B. The Chairperson may remove any Board member who has missed three consecutive meetings, whether or not an alternate has attended.
- C. A member or officer shall be removed for good cause by a majority vote of the Workforce Investment Board, if written notice that such a vote will be taken is provided to all Board members at least seven days before the meeting.

### **ARTICLE V - OFFICERS**

#### **Section 1: Composition**

The officers of the Workforce Investment Board shall be a Chairperson, a Vice Chairperson, and a Secretary. All officers of the Workforce Investment Board shall be members of the private sector.

#### **Section 2: Officers Duties**

The duties of the respective Workforce Investment Board officers are as follows:

##### **A. Chairperson**

1. Coordinate and collaborate with the Union County Board of Chosen Freeholders in the development and implementation of workforce development, economic development and educational development policies that are responsive to the needs of both major employers and residents seeking employment within the Northern New Jersey Region.
2. Provide policy direction for the One Stop Operator and the Workforce Investment Board Director so as to effectively implement the policies established by the Workforce Investment Board.
3. Develop policies that are driven by the labor-market needs.
4. Observes Robert's Rules of Order in conducting Workforce Investment Board and Executive Committee meetings.
5. Facilitate and run a predetermined number of Workforce Investment Board and Executive Committee meetings during the year. All meetings should be limited to one hour each.
6. Ensure compliance with all Federal and State Regulations; i.e., having 51% of the board members from the private sector, as required by the Workforce Investment Act of 1998.

## **Union County Workforce Investment Board**

7. Help recruit and/or guide the staff in the recruitment efforts of more private sector individuals from major companies in the county and northern region.
8. *Leadership.* It is imperative to have the private-sector providing the proper leadership to help move the Workforce Investment Board in the direction of developing the workforce and economic development policies that create self-sustaining jobs for the residents of Union County.
9. Appoint members to the Executive Committee and to such other ad-hoc committees as determined necessary for the successful operation of the Board.
10. Appoint chairpersons and members of standing committees.

### **B. Vice Chairperson**

The Vice-Chairperson shall perform all the duties of the Chairperson in the event of the Chairperson's absence or incapacity. Accordingly, the Vice-Chair must be a private sector representative.

### **C. Secretary**

The duties of the Secretary shall include, but are not limited to, the following:

1. Keeping the minutes and official proceedings of the Workforce Investment Board.
2. Ensuring that all notices are given in accordance with the requirements of the law or these by-laws.
3. Maintaining the official Workforce Investment Board roll and calling the roll when required.
4. Maintaining all official Workforce Investment Board records and making the records available to members upon written request.

The Board may designate one or more staff to act as a Recording Secretary and to assist the Secretary in carrying out the duties of the position.

## **Section 3: Election and Terms of Office**

The officers shall be elected each year at the annual meeting of the Workforce Investment Board, which shall take place in the month of December or at a time and place that the Workforce Investment Board shall designate. Each officer shall hold office for one (1) year. No officer may serve more than two (2) years in the same office.

## **Section 4: Vacancies**

Vacancies occurring during the course of a term shall be filled by the Workforce Investment Board for the un-expired term of the office at any meeting for which seven days notice of the proposed action has been given.



## **Union County Workforce Investment Board**

### **ARTICLE VI - STAFF SUPPORT**

The County of Union shall provide appropriate staff to the Workforce Investment Board. At minimum, staff to the Workforce Investment Board shall be comprised of a Director and other staff as deemed necessary for the operation of the Board. The Workforce Investment Board members shall participate in an advisory capacity in the County process of hiring staff consistent with funding availability. Staff selected in this manner will be housed within the Union County Administration Building and shall be solely dedicated to meeting the needs of the Workforce Investment Board.

The Workforce Investment Board shall establish staff governance and staff reporting structures to safeguard autonomy of the local Workforce Investment Board and enable staff to carry out the local Workforce Investment Board's oversight function. The Workforce Investment Board Executive Director reports to the Workforce Investment Board. The Workforce Investment Board staff reports to the Workforce Investment Board Executive Director. Workforce Investment Board staff carries out the work of the Workforce Investment Board and its Committees, as well as other programs and services as determined by the State Employment & Training Commission as necessary.

The Workforce Investment Board is responsible for monitoring all contracts for services. As such, staff must be hired/assigned for this monitoring role and must report directly to the Workforce Investment Board Executive Director.

As the Board pursues discretionary grant funding, additional staff may be required. Additional staff support may be provided as in-kind contributions from all participating members to assist the staffing of the various committees.

### **ARTICLE VII -MEETINGS**

#### **Section 1: Regular Meetings**

The Workforce Investment Board shall meet a minimum of four (4) times annually at a date, place and time to be fixed by the Chairperson. Each member shall be notified at least seven (7) days prior to the meeting of the date, place, time and proposed agenda of the meeting.

#### **Section 2: Special Meetings**

The Chairperson may call a special meeting of the Board, provided that the Board members are notified at least seven (7) days prior to the meeting and the purpose of the meeting is made known at the time of notification.

#### **Section 3: Quorum**

One third of the entire Workforce Investment Board membership shall constitute a quorum. If a quorum is not present at a meeting, a majority of the members present may vote to reschedule the meeting within four (4) weeks.

#### **Section 4: Proxies**

A Workforce Investment Board member may not vote by proxy. (See also Article IV, Section 3: Alternates)

## **Union County Workforce Investment Board**

### **Section 5: Manner of Acting**

A vote may only be taken if a quorum is present. A majority of the votes by members present shall be necessary for the adoption of any measure before the Workforce Investment Board. All members of the Workforce Investment Board are entitled to vote except on matters where a conflict of interest or perceived conflict of interest may exist. All officially recognized alternate attendees, having prior approval granted by the Chairperson, have all the rights and privileges afforded to Board members during the meeting proceedings. All other alternate attendees will be excluded from voting.

### **ARTICLE VIII - COMMITTEES**

The State requires that the Workforce Investment Board must establish one mandatory Council and four (4) mandatory Committees in addition to the Executive Committee. Workforce Investment Boards may set up other Committees that focus on key issues in their communities and accomplish the key objectives of the Board.

Workforce Investment Board's must assign one or more of the following tasks to a Committee to ensure they are being addressed:

- Leadership, planning, and continuity of efforts toward achieving full implementation of the Workforce Investment Board Plan.
- Coordination with economic development.
- Collection and sharing of labor market information.
- Assessment of local programs to ensure they are in line with labor market needs.
- Marketing and communications with respect to the Workforce Investment Board's mission and goals.
- Analysis of all local and public resources that support the Workforce Investment System.

The Board must ensure that every Committee has a substantial number of business representatives serving so that the business or employer perspective is considered when carrying out the Committee's work. To provide for active participation, each Board member must sit on at least one standing committee and/or sub-committee.

All committee members of the Workforce Investment Board shall be appointed by the Workforce Investment Board Chairperson. The Chair of each standing committee shall be ratified by the Workforce Investment Board; members may be approved by the Executive Committee. Members of committees need not be Workforce Investment Board members; however the Chair of a standing committee must be a Workforce Investment Board private sector representative. All committees of the Workforce Investment Board shall include significant representation of the business community. A majority of the whole committee shall designate a quorum and a vote of the majority present shall constitute a valid act of the whole committee.

## **Union County Workforce Investment Board**

### **Section 1: Executive Committee**

The composition of the Executive Committee of the Workforce Investment Board shall include: the Officers of the Workforce Investment Board, the Immediate Past Chairperson, the Chairpersons of all standing committees and a Member At-Large.

Any actions taken by the Executive Committee must be ratified by the Workforce Investment Board at the next regular meeting or at a special meeting called for that purpose. However, a vote of the Executive Committee may constitute a valid act of the whole Workforce Investment Board to resolve and ratify agreements between Workforce Investment Board meetings. The Executive Committee shall also work closely with city, county, and state economic development agencies, as well as business leadership, to develop policy recommendations, which will coordinate and strengthen all economic development in the Workforce Investment Board.

The responsibilities of the Executive Committee shall include:

- Leadership and planning functions including the development of policy recommendations for overall workforce strategic planning.
- Ensure the continuity of the Workforce Investment Board's mission in all areas.
- Discussing and developing strategies for cultivating a strong relationship with the Board of Chosen Freeholders.
- Identifying and cultivating relationships with key leaders in the community.
- Reviewing periodic reports.
- Developing an annual Master Budget for approval by the Chief Elected Official with ratification by the Board and monitoring fiscal expenditures against the adopted annual budget.
- Reviewing and negotiating with the State on annual performance measures; reviewing performance reports on a frequent basis.
- Attending local and State meetings that support the work of the Board and enhance the leadership of the Workforce Investment Board.

No individual or organization acting as a vendor or with the intentions of acting as a vendor with the One-Stop may serve on the Executive Committee.

### **Section 2: Youth Investment Council**

A Youth Investment Council is required by the State plan. The Workforce Investment Board shall appoint the council with ratification by the Board of Chosen Freeholders. The role of the Youth Investment Council is to establish and implement a strategic plan for developing a system of youth services capable of preparing youth for further education and future employment.

The Youth Investment Council is responsible for developing a comprehensive, integrated and coordinated system of youth services that effectively prepares young people for higher education and future employment. Goals and objectives include:

## **Union County Workforce Investment Board**

- Developing and communicating a strategic vision for how the local area will ensure that its targeted youth are adequately prepared for education and employment opportunities. This vision is comprehensive and integrates all educational, employment and supportive service resources.
- Developing policies grounded in best practices for youth that support the State and local vision.
- Setting standards of service that clearly communicate high expectations, accountability and a focus on youth customers. These standards integrate best practices in youth and workforce development and focus specifically on ensuring that youth have the opportunity to develop career plans that will engage them in life-long learning and future employment.
- Development of a Youth Investment Strategic Plan.
- Engaging in ongoing dialogue with all stakeholders—businesses, schools, youth providers, parents and youth themselves—to identify needs, possible gaps in service and to map available resources.
- Forging strong partnerships with the K-12 system, providing resources about careers and labor market information and ensuring that youth and parents have the information they need to make informed choices about their education and future employment.
- Setting service priorities and determining how resources can best be used to meet the needs of young people.
- Coordinating local resources, programs and policies with Federal, State and Regional initiatives to make the most effective use of funds.

### **Section 3: Business & Industry Committee**

The Business & Industry Committee plans and oversees marketing and outreach services to business as well as evaluating how effectively business is being served as a customer of the One-Stop System. The goal of the Business & Industry Committee is to coordinate economic development and workforce development strategies that target effective utilization of resources to address the workforce needs of business and industry.

The Committee develops an overall business plan for business and industry development. The Committee will utilize the expertise of the Comprehensive Economic Development Strategy (EDA), the UC Freeholders Economic Development Committee, Chambers of Commerce, Employer Roundtables, Labor Market Information (LMI), Census data and pertinent reports to develop effective policy recommendations. The Committee will establish linkages with state and local Economic Development agencies to provide workforce services for new and expanding businesses, including supporting the work of the New Jersey Business Action Center. It will convene and facilitate the design of sector strategies for specific industries that represent significant employment in the local/regional workforce, in conjunction with state priorities and strategies.

**WIB Bylaws Approved April 17, 2012**

## **Union County Workforce Investment Board**

The Committee's principal goal is to design and execute a local business centric engagement process to recruit, service, educate and engage local employers and organized labor to support hiring needs, identify training and education requirements, inform skill gaps and educate on available programs and services. The objectives include establishing employer-based standards and processes for providing One-Stop Delivery System services.

### **Section 4: One-Stop Committee**

The One-Stop Committee is charged with oversight of the local One-Stop Delivery System including monitoring performance and program enrollments, ensuring Workforce Investment Board Plans are being carried out as they relate to One-Stop System services, and mediating disagreements among the Partners. Because of its oversight role, this Committee must be comprised of members who are "disinterested" parties to establish and monitor standards of performance for the local One-Stop Delivery System. *One-Stop Partners cannot serve on this Committee.*

Goals and objectives of the One-Stop Committee include:

- Establish standards for the performance of the One-Stop Career Center system.
- Establish annual program enrollment projections.
- Conduct an annual evaluation of the local One-Stop Delivery System.
- Monitor system performance through established common measures and/or other State Employment & Training Commission/NJ Department of Labor & Workforce Development designated performance metrics.
- Performance should be reviewed at least quarterly.
- Conduct "risk assessments" during the course of the year and at year-end, to review the performance of all training providers that impacted a performance measure falling below 90% of meeting the performance goal.
- Review One-Stop Operator reports (prepared by the One-Stop Operator)

### **Section 5: Literacy Committee**

Its primary mission is to provide active leadership engaging community stakeholders around local needs and priorities for literacy services. The Literacy Committee provides strategic direction and works in collaboration with other programs and initiatives in the local community to develop a comprehensive system of supports for developing the basic literacy skills of local residents.

The Committee's role is to lead the development of a literacy service system by working with stakeholders from the community. The Committee and its partners identify need, provide strategic direction, and establish priorities and overall plans for improving adult literacy.

## **Union County Workforce Investment Board**

### **Section 6: Disabilities Committee**

The Disabilities Committee is charged with ensuring that all services, including those at the comprehensive One-Stop Career Center, and external training sites, are accessible to persons with disabilities and that outreach efforts effectively reach this population.

### **Section 7: Ad Hoc Committees**

The Chairperson may appoint such Committees as deemed necessary to further the objectives of Workforce Investment Board.

## **ARTICLE IX - FINANCES**

Section 1: Budget - The Union County Workforce Investment Board shall establish priorities based on local area workforce system needs and identify key activities to direct the development of the annual Master Budget, and review priorities on an ongoing basis. The Union County Workforce Investment Board shall create an annual Master Budget including all funds under Workforce Investment Board jurisdiction: Workforce Investment Act (WIA), Temporary Assistance to Needy Families (TANF), Supplemental Literacy, Workforce Development Partnership (WDP), special federal and state grants and any other funds that come under local workforce area jurisdiction. The Union County Workforce Investment Board shall develop an annual Master Budget for the purpose of carrying out duties of the local board under the Workforce Investment Act of 1998, with the approval of the Chief Elected Official(s).

The Union County Workforce Investment Board shall annually adopt its Master Budget. The County of Union is the recipient for all Workforce Investment Act funds with all accorded rights and responsibilities for management of such funds. The County of Union will serve as the administrative entity for such funds, and such funds shall be disbursed at the direction of the Workforce Investment Board for workforce investment activities pursuant to the requirements of the Workforce Investment Act of 1998. The Workforce Investment Board shall monitor fiscal expenditures against the adopted annual budget.

The annual Master Budget creates the framework for the development of the annual workforce development contract between the State, the Workforce Investment Board and the Local Elected Officials, and must be developed with the support of the Workforce Investment Board Executive Director and the local Chief Elected Official's fiscal agent. The Master Budget and any modifications to the annual workforce development contract must be approved by the Workforce Investment Board and signed off on by the Workforce Investment Board Chair for subsequent submission to the local Chief Elected Official.

The budgeting process must take into consideration the specific requirements of various funding streams, and provide a fully transparent identification of staffing, overhead and program costs, all in adherence to the local area contract assurances and certifications. The budget must include the costs of administration, operations and staffing of the local Workforce Investment Board in carrying out its responsibilities as defined in the State Unified Plan, State Employment & Training Commission policies, Workforce Investment Board Member Handbook and local Annual Plan.

## **Union County Workforce Investment Board**

The Fiscal/Budget Development must be assigned to a Workforce Investment Board Committee. The committee responsible must submit quarterly performance and fiscal reports to the Workforce Investment Board and the local Chief Elected Official. Refusal of funds must be submitted in writing to the Commissioner of the NJ Department of Labor & Workforce Development and the State Employment & Training Commission Chair, and jointly signed by the Workforce Investment Board Chair and the local Chief Elected Official.

### **Section 2: Remuneration**

Members shall receive no compensation for participation in the activities of the WIB. However, by prior resolution of the WIB, members may be compensated for actual expenses. Such expenses and services must comply in all respects with the provisions of Article XI, "Conflict of Interest."

### **ARTICLE X - INDEMNIFICATION**

The County of Union shall indemnify and hold harmless all Directors, Trustees, or Officers of the Workforce Investment Board who are sued in their capacity as such against all claims damages, losses and expenses including attorney's fees resulting from the performance of their duties.

### **ARTICLE XI - CONFLICT OF INTEREST**

The Union County Workforce Investment Board "Conflict of Interest" policy is consistent with the State's policy. The State of New Jersey defines Conflict of Interest as:

- No member of any Council or Committee authorized under WIA shall cast a vote on the provision of services by that member, or any organization, which that member directly represents, or vote on any matter, which would provide direct financial benefit to that member or the immediate family of such member.
- Each grant recipient and Workforce Investment Board will maintain a written code of standards of conduct governing the performance of persons engaged in the award and administration of contracts and grants. To the extent permitted by State or local law or regulation, such standards of conduct will provide for penalties, sanctions, or other disciplinary actions for violations of such standards by the awarding agency's officers, employees, or agents, or by awardees or their agents.
- Each grant recipient and Workforce Investment Board will ensure that no individual in a decision-making capacity will engage in any activity, including participation in the selection, award, or administration of a grant or contract supported by WIA funds if a conflict of interest, real or apparent, would be involved.
- A conflict of interest would arise whenever a firm or organization is selected for an award and there is a financial or other interest in that firm or organization by: the individual, any member of the individual's immediate family, the individual's partner, or an organization which employs, or is about to employ, any of the above.
- The officers, employees, or agents of the agency and Workforce Investment Board members making the award will neither solicit nor accept gratuities, favors, or anything of monetary value from awardees, potential awardees, or parties to agreements.

## **Union County Workforce Investment Board**

- The term "immediate family," for conflict of interest, means an employee's spouse, child, legal ward, grandchild, foster child, father, mother, legal guardian, grandfather, grandmother, brother, sister, father-in-law, mother-in-law, and other relatives residing in the employee's household.

The Workforce Investment Board may enter into contract or transactions with Workforce Investment Board members and other affiliated persons on condition that:

- A. The nature and extent of the interest is disclosed to the WIB.
- B. Prior to participating in any discussion of the contract or transaction, the member acknowledges interest in the matter.
- C. The interested member may not discuss or vote on the matter.
- D. The Workforce Investment Board authorizes the contract by a two-thirds affirmative vote of those present and voting.

The provisions of this Article apply to all actions taken by the Workforce Investment Board and any Committees of the Workforce Investment Board.

### **ARTICLE XII – NON-DISCRIMINATION**

The Union County Workforce Investment Board shall not discriminate against or exclude from participation in any activity of the WIB, any person or employee on the basis of age, race, creed, color, national origin, ancestry, marital status, sex, or affectional or sexual orientation as outlined in the following federal regulations: Title VII, 1964 Civil Rights Act, Age Discrimination Employment Act, Equal Pay Act of 1963, Fair Labor Standard Act, Labor Management Act of 1947 (Taft Act), and Executive Order 11246 or as amended, and all state and federal regulations as applicable

### **ARTICLE XIII - PARLIAMENTARY AUTHORITY**

The rules of parliamentary practice contained in the current edition of "Robert's Rules of Order Newly Revised" shall be referenced to support the proceedings of the Workforce Investment Board in all cases to which they are applicable provided they are not inconsistent with Federal or State regulations, or these by-laws.

### **ARTICLE XIV - AMENDMENT TO BYLAWS**

These by-laws may be amended by a two-thirds vote of the total Workforce Investment Board provided the proposed amendment has been submitted in writing to all members at least ten (10) days prior to the meeting at which the vote is taken.