

BY-LAWS OF THE UNION COUNTY WORKFORCE DEVELOPMENT BOARD

ARTICLE I – NAME

The name of the organization shall be the Workforce Development Board of Union County. The principal offices of the Workforce Development Board shall be located in the Union County Administration Building, 10 Elizabethtown Plaza, 4th Floor, Elizabeth, New Jersey 07207.

ARTICLE II – PURPOSE

The Workforce Development 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 Development 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 Innovation & Opportunity Act of 2014. 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 Development Board to accomplish its workforce readiness objectives.

The Workforce Development 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 Development 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 Development 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 Development Board shall be controlled and administered by its members.

SECTION 2: ROLES & RESPONSIBILITIES

The responsibilities of the Workforce Development Board, as well as the overall vision and mission, are defined in the Strategic Five-Year Unified State Plan for New Jersey's Workforce Development System, produced by the NJ State Employment & Training Commission. The Workforce Development Board shall

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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 Workforce Area Strategic Plan. The responsibility of the Workforce Development 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.

The Workforce Development Board shall:

- A. Establish the local Workforce Development Board governance structure, processes and policies including establishing Workforce Development Board councils/committees to facilitate the work of the Workforce Development Board.
- B. Develop and execute Memorandum of Understanding (MOU) with American Job Center Partners.
- C. Develop a budget for the purpose of carrying out duties of the local board under the Workforce Innovation & Opportunity Act, with the approval of the local Chief Elected Official.
- D. Direct the local Chief Elected Official to disburse funds for Workforce Innovation & Opportunity Activities pursuant to the requirements of the Workforce Innovation & Opportunity Act.
- 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 American Job Center Operator and /or terminate an American Job Center Operator for cause, with the agreement of the local Chief Elected Official.
- G. Conduct oversight of the local American Job Center 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 Development Council Members.
- J. Coordinate Workforce Innovation & Opportunity 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 Innovation and Opportunity Act and make available to the public on a regular basis.

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- L. Establish local Workforce Development Board By-Laws which at a minimum include board/committee officers election/selection process, standing Workforce Development 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 Development Board and local Chief Elected Official roles and responsibilities, budgeting process and process for approval and removal of Workforce Development Board members.
- 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 Development 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 American Job Center.
- 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 Development Board Certification process to ensure preparedness to meet Certification requirements.
- U. Provide quarterly summary monitoring reports to the local Chief Elected Official on American Job Center System performance.
- V. Prepare an Annual Report that includes elements as required by the State Employment & Training Commission and set forth in the Workforce Development Board Member Handbook.
- W. Create and maintain a local Workforce Development Board website. Contents to minimally include: Workforce Development Board Members, Meeting Minutes, Staff contact information.

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- 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 Development 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 Development 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.
- 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 Development 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 Development Board will influence both program management and resource allocation based upon local needs.

Memoranda of Understanding between the Workforce Development Board and the appropriate elected official(s) and American Job Center Partners shall further delineate the responsibilities of the Workforce Development Board. The Workforce Development Board has full authority over the American Job Center Operator and its activities.

ARTICLE IV – MEMBERSHIP

SECTION 1: MEMBERSHIP

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

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

SECTION 2: ALTERNATES

Alternate attendees designated by Workforce Development Board members must have prior approval by the Chairperson to function in that member's capacity. A written request from the Workforce Development 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 3: COMPOSITION OF THE WORKFORCE DEVELOPMENT BOARD

REPRESENTATIVES OF BUSINESS (WIOA SECTION 107(B)(2)(A))

The majority of the members of the Local Board must be representatives of business in the local area. At a minimum, two members must represent small business as defined by the U.S. Small Business Administration. Business representatives serving on Local Boards may also serve on the State Board. Each business representative must meet the following criteria:

- be an owner, chief executive officer, chief operating officer, or other individual with optimum policymaking or hiring authority;
- provide employment opportunities in in-demand industry sectors or occupations, as those terms are defined in WIOA section 3(23); and provide high-quality, work-relevant training and development opportunities to its workforce or the workforce of others (in the case of organizations representing business as per WIOA Sec. 107(b)(2)(A)(ii); and
- are appointed from among individuals nominated by local business organizations and business trade associations.

REPRESENTATIVES OF WORKFORCE (WIOA SECTION 107(B)(2)(B))

Not less than 20 percent of the members of the Local Board must be workforce representatives. These representatives:

- must include **two or more representatives of labor organizations**, where such organizations exist in the local area. Where labor organizations do not exist, representatives must be selected from other employee representatives;
- must include **one or more representatives of a joint labor- management, or union affiliated, registered apprenticeship** program within the area who must be a training director or a member of a labor organization. If no union affiliated registered apprenticeship programs exist in the area, a

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representative of a registered apprenticeship program with no union affiliation must be appointed, if one exists; and **may include:**

In addition to the representatives enumerated above, the Board may include the following to contribute to the 20 percent requirement:

- **one or more representatives of community-based organizations** that 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 provide or support competitive integrated employment for individuals with disabilities; and
- **one or more representatives of organizations that 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.

REPRESENTATIVES OF EDUCATION AND TRAINING (WIOA SECTION 107(B)(2)(C)) THE BALANCE OF LOCAL BOARD MEMBERSHIP MUST INCLUDE:

- **At least one eligible provider** administering adult education and literacy activities under WIOA title II;
- **At least one representative from an institution of higher education** providing workforce investment activities, including community colleges; and
- **At least one representative from each of the following governmental and economic and community development entities:**
 - Economic and community development entities; The state Employment Service Office under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) serving the local area; and
 - The programs carried out under title I of the Rehabilitation Act of 1973, other than sec. 112 or Part C of that title.

In addition to the representatives enumerated above, the CLEO may appoint other appropriate entities in the local area, including:

- Entities administering education and training activities who represent local educational agencies or community-based organizations with demonstrated expertise in addressing the education or training needs for individuals with barriers to employment;
- Governmental and economic and community development entities who represent transportation, housing, and public assistance programs;
- Philanthropic organizations serving the local area; and Other appropriate individuals as determined by the chief elected official.

SECTION 4: QUALIFICATIONS

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Workforce Development 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 5: MANNER OF APPOINTMENT

Individuals shall be appointed to the Workforce Development Board in accordance with the Workforce Innovation and Opportunity Act and vis-à-vis procedures outlined herein these by-laws.

SECTION 6: 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 1st through June 30th. Terms of office must be staggered to ensure that no more than half of the Workforce Development Board can have terms which expire during the same year.

SECTION 7: 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 Development 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 8: REMOVAL

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

- A. A board member who has missed three consecutive regular meetings shall be considered to have resigned unless a vote of the Workforce Development 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.

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- C. A member or officer shall be removed for good cause by a majority vote of the Workforce Development 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 Development Board shall be a Chairperson, a Vice Chairperson, and a Secretary. All officers of the Workforce Development Board shall be members of the private sector.

SECTION 2: OFFICERS DUTIES

The duties of the respective Workforce Development 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 American Job Center Operator and the Workforce Development Board Director so as to effectively implement the policies established by the Workforce Development Board.
3. Develop policies that are driven by the labor-market needs.
4. Observes Robert's Rules of Order in conducting Workforce Development Board and Executive Committee meetings.
5. Facilitate and run a predetermined number of Workforce Development 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 Innovation & Opportunity Act.
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

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proper leadership to help move the Workforce Development 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 Development 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 Development Board roll and calling the roll when required.
4. Maintaining all official Workforce Development 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 Development Board, which shall take place in the month of December or at a time and place that the Workforce Development 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.

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SECTION 4: VACANCIES

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

ARTICLE VI – STAFF SUPPORT

The County of Union shall provide appropriate staff to the Workforce Development Board. At minimum, staff to the Workforce Development Board shall be comprised of a Director and other staff as deemed necessary for the operation of the Board. The Workforce Development 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 Development Board.

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

The Workforce Development 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 Development 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 Development 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, in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 to 10:4-2.

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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, in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 to 10:4-2.

SECTION 3: QUORUM

One third of the entire Workforce Development 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 Development Board member may vote by proxy. (See also Article IV, Section 3: Alternates)

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 Development Board. All members of the Workforce Development 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.

ARTICLE VIII – COMMITTEES

Workforce Development Boards may set up other Committees that focus on key issues in their communities and accomplish the key objectives of the Board.

Workforce Development 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 Development 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 Development Board's mission and goals.
- Analysis of all local and public resources that support the Workforce Development System.

The Board must ensure that every Committee has a substantial number of business representatives serving so that the business or employer perspective is

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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 Development Board shall be appointed by the Workforce Development Board Chairperson. The Chair of each standing committee shall be ratified by the Workforce Development Board; members may be approved by the Executive Committee. Members of committees need not be Workforce Development Board members; however the Chair of a standing committee must be a Workforce Development Board private sector representative. All committees of the Workforce Development 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.

SECTION 1: EXECUTIVE COMMITTEE

The composition of the Executive Committee of the Workforce Development Board shall include: the Officers of the Workforce Development 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 Development 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 Development Board to resolve and ratify agreements between Workforce Development 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 Development 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 Development 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.

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- Attending local and State meetings that support the work of the Board and enhance the leadership of the Workforce Development Board.

No individual or organization acting as a vendor or with the intentions of acting as a vendor with the American Job Center may serve on the Executive Committee.

SECTION 2: YOUTH DEVELOPMENT COMMITTEE

A Youth Development Council is required by the State plan. The Workforce Development Board shall appoint the council with ratification by the Board of Chosen Freeholders. The role of the Youth Development 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 Development 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:

- 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 Development 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.

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SECTION 3: AMERICAN JOB CENTER COMMITTEE

The American Job Center Committee is charged with oversight of the local American Job Center Delivery System including monitoring performance and program enrollments, ensuring Workforce Development Board Plans are being carried out as they relate to American Job Center 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 American Job Center Delivery System. *American Job Center Partners cannot serve on this Committee.*

Goals and objectives of the American Job Center Committee include:

- Establish standards for the performance of the American Job Center system.
- Establish annual program enrollment projections.
- Conduct an annual evaluation of the local American Job Center 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 American Job Center Operator reports (prepared by the American Job Center Operator)

SECTION 4: 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.

SECTION 5: DISABILITIES COMMITTEE

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

SECTION 6: AD HOC COMMITTEES

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

ARTICLE IX – FINANCES

Section 1: Budget - The Union County Workforce Development 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 Development Board shall create an annual Master Budget including all funds under Workforce Development Board jurisdiction: Workforce Innovation & Opportunity 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 Development Board shall develop an annual Master Budget for the purpose of carrying out duties of the local board under the Workforce Innovation & Opportunity Act, with the approval of the Chief Elected Official(s).

The Union County Workforce Development Board shall annually adopt its Master Budget. The County of Union is the recipient for all Workforce Innovation & Opportunity 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 Development Board for Workforce Innovation & Opportunity Activities pursuant to the requirements of the Workforce Innovation & Opportunity Act. The Workforce Development 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 Development Board and the Local Elected Officials, and must be developed with the support of the Workforce Development 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 Development Board and signed off on by the Workforce Development Board Chair for subsequent submission to the local Chief Elected Official.

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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 Development Board in carrying out its responsibilities as defined in the State Unified Plan, State Employment & Training Commission policies, Workforce Development Board Member Handbook and local Annual Plan.

The Fiscal/Budget Development must be assigned to a Workforce Development Board Committee. The committee responsible must submit quarterly performance and fiscal reports to the Workforce Development 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 Development Board Chair and the local Chief Elected Official.

SECTION 2: REMUNERATION

Members shall receive no compensation for participation in the activities of the WDB. However, by prior resolution of the WDB, 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 Development 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 Development 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 Development 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.

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- Each grant recipient and Workforce Development 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 Development 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.
- 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 Development Board may enter into contract or transactions with Workforce Development Board members and other affiliated persons on condition that:

- A. The nature and extent of the interest is disclosed to the WDB.
- 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 Development 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 Development Board and any Committees of the Workforce Development Board.

ARTICLE XI – NON-DISCRIMINATION

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The Union County Workforce Development Board shall not discriminate against or exclude from participation in any activity of the WDB, 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 XII - 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 Development Board in all cases to which they are applicable provided they are not inconsistent with Federal or State regulations, or these by-laws.

ARTICLE XIII - AMENDMENT TO BYLAWS

These by-laws may be amended by a two-thirds vote of the total Workforce Development 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.