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## **Waccamaw Workforce Development Board**

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### **BYLAWS**

#### **Article I** **Name**

The name of the Board shall be the Waccamaw Workforce Development Board hereinafter referred to as “WWDB.”

#### **Article II** **Statement of Purpose**

The WWDB was created through a Consortium Agreement between Georgetown County, Horry County and Williamsburg County that included the formation of a joint Local Workforce Development Board established in accordance with the Workforce Innovation and Opportunity Act. The Consortium Membership is comprised of the Chair of the County Council in each of the Consortium Counties.

The Consortium Agreement designates Waccamaw Regional Council of Governments as the sub recipient/fiscal agent and administrator for Workforce Innovation and Opportunity Act funds.

The WWDB shall, in partnership with the Chief Elected Officials (CEOs) and Waccamaw Regional Council of Governments, establish and oversee the workforce system in the three-county area in accordance with legislative requirements of the Workforce Innovation and Opportunity Act, State Workforce Board policy and Department of Employment and Workforce requirements.

The Waccamaw Regional Council of Governments in its role as administrator shall be staffed by a Workforce Development Director who shall be designated as the point of contact for the WWDB and be responsible for all records, materials and other information deemed necessary by the WWDB.

#### **Article III** **Duties and Responsibilities**

The WWDB shall according to the Workforce Innovation and Opportunity Act legislative requirements and State Workforce Board policy:

- A. In partnership with the CEOs and the Waccamaw Regional Council of Governments:
  - i. Develop and submit a local workforce business plan consistent with the Workforce Innovation and Opportunity Act, South Carolina State Integrated Plan, State Workforce Board and other state administrative entity requirements; and
  - ii. Select the local workforce system operator according to the South Carolina One-Stop Delivery System Policy; and

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## Waccamaw Workforce Development Board

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### BYLAWS

- iii. Select eligible youth service providers consistent with federal, state, and local procurement requirements; and
- iv. Select eligible providers of adult and dislocated worker career services and training services; and
- v. Assist the state administrative entity in maintaining a list of eligible training providers including cost and performance data through a local approval process; and
- vi. Conduct oversight of the one-stop delivery system including all Workforce Innovation and Opportunity Act activities; and
- vii. Negotiate local performance measures.

#### B. Other WWDB roles and responsibilities:

- i. Select a private-sector business representative as WWDB chairperson; and
- ii. Create an annual report that must be submitted to the State Workforce Board as per guidelines established by the State Workforce Board; and
- iii. Promote one-stop center programs and activities; and
- iv. Assist the state administrative entity in developing the statewide employment statistics system under the Wagner Peyser Act; and
- v. Coordinate economic development strategies and establish employer linkages with workforce development activities; and
- vi. Carry out regional planning responsibilities as required by the State Workforce Board and the state administrative entity; and
- vii. Promote private sector involvement in the statewide workforce investment system through effective connecting, brokering, and coaching activities through intermediaries, such as the one-stop operator in the local area, the local business services function, or through other organizations to assist employers in meeting hiring needs; and
- viii. Conduct business in an open manner by making available to the public information about the activities of the local board; this includes the local plan before submission, membership, designation of the local workforce system operator, the awards of grants or contracts, and minutes of WWDB meetings; and
- ix. Ensure that partner staff will be governed by their respective personnel laws and collective bargaining agreements in a one-stop center.

### **Article IV** **Membership**

#### **Section 1: Appointments**

Members of the Consortium will jointly bear the responsibility for meeting the standards for membership prescribed in the Act. Membership to the WWDB shall be made by appointment of the CEOs after solicitation of nominations in compliance with the Act. All vacancies or succeeding appointments will be made in a like manner.

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## Waccamaw Workforce Development Board

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### BYLAWS

#### **Section 2: WWDB Members**

Member appointments shall consist of:

##### **A. Private Sector Representatives**

- a. A majority, defined as greater than 50% of all WWDB membership, must be private business representatives. All business representatives must be owners of a business, chief executives, operating officers, or other business executives or individuals with optimum policy making or hiring authority and represent business with employment opportunities that reflect the employment opportunities of the local area. Business representatives will be appointed by the CEOs from among individuals nominated by local business organizations and business trade associations.

##### **B. Workforce Representatives**

- a. At least 20% must include: individuals who represent labor organizations; training directors of joint labor/management apprenticeship programs; or representatives of community-based organizations that have expertise in serving eligible youth or individuals with barriers to employment.

##### **C. Other Representatives**

- a. The balance of membership shall represent other stakeholders including: at least one (1) Wagner Peyser representative; at least one (1) Adult Education representative; at least one (1) Vocational Rehabilitation representative; at least one (1) Higher Education representative; and, at least one (1) Economic Development representative.

#### **Section 4: Term**

Initially all terms will be for three (3) program years as specified in the Consortium Agreement. Following the initial three (3) year period, all members shall be appointed for a term of two (2) program years. (A program year runs from July 1 – June 30.)

After consulting with the Consortium Members, the CEOs shall make the appointments.

#### **Section 5: Member Compensation**

WWDB members shall serve without compensation except for reimbursement for travel and subsistence expenses.

#### **Section 6: Vacancies**

Vacancies shall be filled in the same manner as regular appointment.

#### **Section 7: Resignations**

WWDB members may resign by submitting a written notice to the WWDB Chair.

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## Waccamaw Workforce Development Board

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### BYLAWS

#### **Section 8: Removal for Cause**

WWDB members must be removed by the CEO of the county from which they were appointed if any of the following occurs:

- a) Documented violation of conflict of interest.
- b) Failure to meet WWDB representation requirements defined in the Workforce Innovation and Opportunity Act and State Workforce Board policy.
- c) Documented proof of malfeasance, fraud or abuse.

In addition, WWDB members may be removed from the WWDB for cause if a two-thirds (2/3) majority of the WWDB approves such actions at a legally constituted meeting.

### **Article V** **Meetings**

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

The WWDB shall meet no less than four (4) times a year and at least quarterly.

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

The WWDB Chairperson may call a special meeting at any time with at least a forty-eight (48) hour notice. In addition, a special meeting may be called with a majority vote of active WWDB members with at least a forty-eight (48) hour notice. All special meeting notifications must follow appropriate FOIA, State and Federal Open Meeting Laws.

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

A simply majority of the currently appointed WWDB membership shall constitute a quorum. Phone participation or web-based participation is permitted, however, no proxies or alternates are permitted and do not count toward a quorum.

#### **Section 4: Voting**

Each appointed member of the WWDB shall have one vote. A simple majority vote of WWDB members participating is required to pass a motion. Members unable to attend may send a representative as a public member of the audience, but such representative is not allowed to vote or participate in the WWDB discussions unless part of a public period on the agenda.

#### **Section 5: Conflict of Interest**

WWDB members must adhere to the following in regard to conflict of interest.

- A. A WWDB member may not vote on any matter that would provide direct financial benefit to the member or the member's immediate family, or on matters of the provision of services by the member or the entity by which the member is employed.
- B. A WWDB member must avoid even the appearance of a conflict of interest. Prior to taking office, WWDB members must provide to the WWDB Chairperson a written declaration of all substantial business interests or relationships they, or their immediate families, have with all businesses or organizations that have received,

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## Waccamaw Workforce Development Board

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### BYLAWS

currently receive, or are likely to receive contracts or funding from the WWDB. Such declarations must be updated at least annually or within thirty (30) days of the time which a member becomes aware of a conflict of interest or appearance of a conflict to reflect any changes in such business interests or relationships. The WWDB must appoint an individual to timely review the disclosure information and advise the WWDB Chairperson and appropriate members of potential conflicts before and during meetings.

- C. Prior to a discussion, vote, or decision on any matter before the WWDB, if a member, or a person in the immediate family of such member, has an interest in or relationship to a business entity, organization, or property that would be affected by an official WWDB action, the member must disclose the nature and extent of the interest or relationship and must excuse themselves from the room so they may abstain from discussion and voting on or in any other way participating in the decision on the matter. All abstentions must be recorded in the minutes of the WWDB meeting and be maintained as part of the official record.
- D. It is the responsibility of the WWDB members to monitor potential conflicts of interest and bring such conflicts to the WWDB's attention in the event a member does not make a self-declaration.
- E. WWDB members or the organizations with whom they are employed or in which they have financial interest may receive services as a customer of a local workforce service provider or workforce system partner, however, such members may not participate in discussions or votes that directly or indirectly impact their participation as a customer.

#### **Section 6: Rules**

Roberts Rules of order shall govern the WWDB actions, unless inconsistent with these Bylaws and Consortium Agreement or applicable laws or regulations.

#### **Section 7: South Carolina Open Meeting Laws**

All meetings of the WWDB, including regular, special, standing committee, and ad hoc committees shall comply in form and manner as required by the South Carolina Open Meeting Law and FOIA.

#### **Section 8: Agendas**

WWDB meeting agendas are prepared by the WWDB Chairperson in consultation with the Workforce Innovation and Opportunity Act Workforce Development Director. WWDB members may propose agenda items in writing to the WWDB Chairperson and/or the Workforce Development Director at least ten (10) working days prior to the date of the meeting. Other agencies, groups, organizations, and individuals desiring to place items on the agenda may present the request, with a statement of purpose, to the WWDB Chairperson at least ten (10) working days in advance of the meeting. The WWDB Chairperson will have the final decision on whether an item is placed on the agenda

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## Waccamaw Workforce Development Board

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### BYLAWS

#### Section 9: Minutes

Minutes and agendas will be kept of all WWBD regular and special meetings and distributed to members five (5) days prior to regular meetings. Distribution shall, at a minimum, include the CEOs and WWBD members. Minutes must state if a quorum was present at the meeting to conduct business.

### Article VI

#### Operating Procedures

#### Section 1: Committees

- a. Standing Committees
  - i. The WWBD will have five (5) standing committees: Executive, Eligible Training Provider, One-Stop Services, Youth Services, and Disability Services.
  - ii. The WWBD Chairperson may establish additional standing committees or ad hoc committees to carry out the business of the WWBD as he or she deems appropriate.
  - iii. Each WWBD Member must participate in at least one (1) committee.
  - iv. The WWBD Chairperson may appoint non-WWBD members to committees.
  - v. A simple majority of committee members shall constitute a quorum.
  - vi. A simple majority vote of a quorum will constitute committee action.
- b. Committee Appointments
  - i. The WWBD Chairperson shall appoint members to all standing committees and ad hoc committees except the Executive Committee which shall be elected by the WWBD.
  - ii. The WWBD Chairperson shall appoint a Chair for each Committee.
  - iii. Each standing committee must have at least three (3) members
- c. Committee Authority
  - i. All actions of a WWBD committee shall be advisory to the full WWBD, with the exception of the Executive Committee that may conduct business between Board meetings if necessary. Business conducted by the Executive Committee shall be reported at the next coming WWBD meeting.
- d. Executive Committee
  - i. The Executive Committee shall be chaired by the WWBD Chairperson.
  - ii. The Executive Committee shall be comprised of three elected officers: the WWBD Chairperson, the WWBD Vice-Chairperson, and the WWBD Secretary, elected by a simple majority vote.
  - iii. The Vice-Chairman on the Executive Committee shall be from a county not represented by the Chairman.

### Article VII

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## Waccamaw Workforce Development Board

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### BYLAWS

#### Officers

##### **Section 1: Presiding Officer**

The presiding officer of the WWDB shall be called the Chairperson. The CEOs will appoint the initial Chair and Vice-Chair to serve the first portion of the program year. Following the first program year the WWDB Chair and Vice-Chair will be elected by a simple majority vote at a regular or special meeting of the WWDB with a quorum present.

##### **Section 2: Officer Terms**

The initial term of the Chair and Vice-Chair shall be from October 2015 to June 30, 2016. After the initial program year, the Chair, Vice-Chair, and Secretary shall serve a term of two (2) year from July 1 through June 30. The foregoing shall not prohibit the WWDB officers from serving additional terms. Officers elected to fill mid-year vacancies shall complete the vacated term and serve the full term from the following July 1 through June 30.

##### **Section 3: Chair**

The Chair shall be from the private sector WWDB membership. The Vice Chair shall be selected from the WWDB membership and represent a county not represented by the Chairperson.

##### **Section 4: Officer Duties**

The duties of the officers shall include, but not be limited to, the following:

Chair: Shall approve WWDB agenda, preside at all WWDB regular and special meetings and when authorized by formal action of the WWDB or the Executive Committee, shall sign all documents on behalf of the WWDB.

Vice-Chair: Shall perform the duties of the Chair when the Chair is unable to do so and to represent the WWDB at meetings at the request of the Chair.

Secretary: Shall be responsible for reviewing the minutes and making motions to accept or correct them. Secretary shall preside over meetings in the absence of the Chair and Vice-Chair and to represent the WWDB at meetings at the request of the Chair.

### Article VII

#### Adoption and Amendments

##### **Section 1: Adopted**

These Bylaws are hereby adopted on this \_\_\_\_ day of \_\_\_\_\_, 2015, and shall become effective July 1, 2015.

##### **Section 2: Amendment or Repeal**

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**Waccamaw Workforce Development Board**

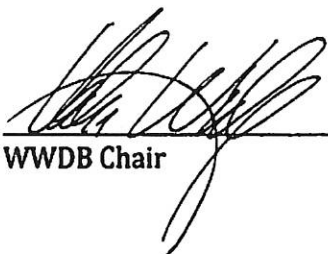
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**BYLAWS**

The Bylaws may be amended or repealed in part or in whole only by a majority vote of the members at a regular or special meeting with a quorum present.

**Article IX**  
**Compliance with the Law**

In execution of its business, the WWDB must comply with the Workforce Innovation and Opportunity Act and its regulations as well as policies and directives from the state administrative entity and the State Workforce Board.



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WWDB Chair

3-2-16

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Date