



## **BY-LAWS**

**As amended January 26, 2023**

### **ARTICLE I – Name and Offices**

The name of the organization shall be the *Anne Arundel County Local Workforce Development Board*, herein referred to as the “Local Board”. The Board shall maintain such offices as it deems necessary in Anne Arundel County, Maryland.

### **ARTICLE II – Purpose and Authorization**

The Workforce Innovation and Opportunity Act (Public Law 113-128, herein referred to as “WIOA”) was signed into law on July 22, 2014 and took effect on July 1, 2015. WIOA supersedes the Workforce Investment Act of 1998 and amends the Adult Education and Family Literacy Act, the Wagner-Peyser Act, and the Rehabilitation Act of 1973. WIOA is designed to help both job seekers and businesses. WIOA addresses the needs of job seekers through establishing a workforce system that helps them access the education, training and support services necessary to succeed in the labor market and obtain employment at a family sustaining wage. WIOA addresses employer needs by matching them to the skilled workers they need to compete in the global economy. (GWIB Policy Issuance 2015-01)

The Local Board consists of individuals representing a broad variety of stakeholders, businesses, and community organizations throughout Anne Arundel County. As such, the Local Board serves as a strategic convener to promote and broker relationships between the County Executive, the business community, and the various economic, education, and workforce partners throughout the County.

### **ARTICLE III – Roles and Functions**

The role of the Local Board is to develop a comprehensive and high-quality workforce development system that is committed to continuous improvement and promotes economic growth through collaboration with businesses, workforce, education and community partners in the County.

As specified by Section 107(d) and GWIB Policy Issuance 2015-01, the functions of the Local Board shall include:

1. Local Plan – The Local Board develops a Local Plan in partnership with the County Executive. The Local Plan must meet the requirements of Section 108 of WIOA.
2. Workforce Research and Regional Labor Market Analysis – The Local Board shall carry out analyses of the economic conditions in the region, the needed knowledge and skills for in-demand industries and occupations, the demographics of the workforce, and the available workforce development activities in the region.
3. Convening Stakeholders and Leveraging Resources and Expertise – The Local Board convenes system stakeholders to assist in the development of the Local Plan and in identifying expertise and resources to leverage support for workforce development activities.
4. Employer Engagement – The Local Board shall lead efforts to engage with a diverse range of employers and with industry groups, educational and community entities in the region:
  - a. To promote business representation on the Local Board;
  - b. To develop effective linkages with employers in the region to support employer utilization of the workforce development system;
  - c. To ensure that workforce development activities meet the needs of employers and support economic growth in the region, by enhancing communication, coordination, and collaboration among employer, economic development entities, and service providers;
  - d. To develop and implement proven and promising strategies for meeting the employment and skill needs of workers and employers, that provide the skilled workforce needed by employers in the region and that expand employment and career advancement opportunities for participant in in-demand industry sectors and occupations; and
  - e. To promote, develop, and implement industry sector strategies that address the challenges within in-demand industries in Anne Arundel County.
5. Implementation of Career Pathways Strategies – The Local Board, along with representatives of secondary and postsecondary education programs, leads efforts to develop and implement career pathways by aligning the training, education, and supportive services that are needed by adults and youth, particularly those with barriers to employment.
6. Proven and Best Practices – The Local Board shall lead efforts to:
  - a. Identify and promote proven and promising strategies and initiatives for meeting the needs of businesses, and workers and jobseekers in the system, including physical and programmatic accessibility to the Career Center system; and

- b. Identify and disseminate information on proven and promising practices carried out in other local areas for meeting such needs.
7. Use of Technology – The Local Board shall develop strategies for using technology to maximize accessibility and effectiveness of the system for businesses, workers and jobseekers, by:
  - a. Facilitating connections among the intake and case management information system of the Career Center partner programs to support a comprehensive system;
  - b. Facilitating access to services provided through the Career Center system, including facilitating access in remote areas;
  - c. Identifying strategies for better meeting the needs of individuals with barriers to employment, including strategies that augment traditional service delivery, and increase access to services and programs of the Career Center system, such as improving digital literacy skills; and
  - d. Leveraging resources and capacity within the system, including resources and capacity for individuals with barriers to employment.
8. Program Oversight – The Local Board, in partnership with the County Executive, conducts oversight for Title I activities and the local delivery in the region, ensures the appropriate use and management of funds, and ensures the use, management, and investment of said funds to maximize performance outcomes.
9. Negotiation of Performance Accountability Measures – The Local Board negotiates and comes to an agreement on local performance accountability measures with the County Executive and the Governor.
10. Selection of Operators and Providers – The Local Board shall select the one-stop operator with the agreement of the County Executive and shall select youth service providers, as well as identifying providers of training and career services in the region.
11. Coordination with Education Providers – The Local Board coordinates activities with education and training providers, including providers of career services, youth services, adult education and literacy, career and technical education, and the local Division of Rehabilitation Services office.
12. Budget and Administration – The Local Board may establish a budget for the activities of the Local Board, consistent with the Local Plan and the duties herein listed.
13. Accessibility for Individuals with Disabilities – The Local Board shall annually assess the physical and programmatic accessibility of all Career Centers in the Local Area.
14. Executive Director – The Local Board shall establish the qualifications for the Executive Director.

#### **ARTICLE IV – Membership**

1. Composition – Pursuant to WIOA Section 107(b)(2), appointments to the Local Board must, at a minimum, meet the following requirements:

- a. Authority – Members of the Local Board shall be officers, executives, or members with policy-making and/or decision-making authority within the organization that the member represents.
  - b. Representatives of Business – A majority of the members shall represent business in Anne Arundel County, and at least two of these members shall represent small business as defined by the U.S. Small Business Administration. Business representatives must meet all of the following:
    - i. Provide employment opportunities in high growth industries or occupations, as defined by the Anne Arundel County WIOA Local Plan; and
    - ii. Provide high-quality, work-relevant training and development opportunities to its workforce or the workforce of others.
  - c. Representatives of Workforce – At least 20% of the members shall represent workforce in Anne Arundel County. These representatives must include:
    - i. At least two representatives of labor organizations in Anne Arundel County; and
    - ii. At least one training director or member of a labor organization that represents a Registered Apprenticeship in Anne Arundel County.
  - d. Representatives of Education and Training – Board membership must include representatives of education and training institutions in the County. These representatives must include:
    - i. A representative of eligible Title II training providers;
    - ii. A representative of higher education institutions providing workforce investment activities; and
    - iii. A representative of eligible entities of Perkins Act Career and Technical Education providers in the County.
  - e. Representatives of Governmental and Economic Development – Board membership must reflect the governmental, economic, and community development entities in the County. These representatives must include:
    - i. A representative of economic and community development entities in Anne Arundel County;
    - ii. A representative of the Title I workforce development entity in the County;
    - iii. A representative of the Title III Wagner-Peyser office in the County;
    - iv. A representative of the Division of Rehabilitation Services office in the County; and
    - v. May include representatives of agencies or entities that provide programs relating to transportation, housing, and public assistance, as well as philanthropic entities serving Anne Arundel County.
2. Appointment of Members – Members are appointed by the County Executive.

3. Term of Membership – Terms shall be four years. The terms of members shall be staggered such that no more than one-third of members are up for appointment at one time. Terms shall begin July 1 and end June 30.
4. Cessation of Membership – Membership on the Local Board shall cease when any of the following occur:
  - a. The member delivers a written resignation to the Chair;
  - b. The member is not reappointed by the County Executive;
  - c. The organization, if any, which the member represents withdraws the member's name from membership by notifying the Chair of such withdrawal; or
  - d. The member no longer meets the necessary criteria for the membership slot for which the member was originally appointed.
5. Removal from Membership – Any member may be removed by the County Executive at any time. Otherwise, members may only be removed by a two-thirds vote of the Board for excessive absences, defined as two missed Boards meetings within a calendar year.
6. Vacancies – Upon notification of vacancy by the Chair, the County Executive shall appoint a new designee to fill a vacated position. The individual appointed must represent the same sector as being vacated. The designee shall serve the remainder of the term of the individual whom the designee replaced.
7. Change to Local Board Composition – Composition of the Local Board shall be reviewed on an annual basis for adherence to the specifications in Section 1 above. Any changes to the composition of the Local Board must adhere to the provisions of Section 107 of WIOA and must be approved by the County Executive and the Governor.

## **ARTICLE V – Structure**

1. Officers – The officers shall consist of a Chair and a Vice Chair. The members of Local Board shall elect their officers. Officers serve for two years, starting July 1 and ending June 30.
2. Nomination and Election of Officers – Members are nominated and elected through the following process:
  - a. Members representing business, pursuant to Article IV, Section 1(b) are eligible to serve as officers of the Local Board.
  - b. At the April Board Meeting, nominations shall be taken from the floor, according to Robert's Rules of Order.
  - c. Once nominations have been closed, the members of the Local Board shall vote, either by ballot or voice vote at the discretion of the Chair. If the Chair is nominated for re-election, then the vote must be conducted by the Vice Chair. Should the Vice Chair be nominated as well or absent, the vote must be conducted by the Executive Director or Parliamentarian (if any).

- d. The result of the vote must be announced at the end of April meeting and included in the minutes of the meeting.
3. Duties of the Officers
- a. Chair – It shall be the responsibility of the Chair to set the strategic vision of the Board and to develop and ensure implementation of action plans necessary to achieve the strategic vision. The Chair shall execute, in the name of the Local Board, all instruments and documents on behalf of the Local Board as shall be necessary and proper. The Chair shall preside at all meetings of the Local Board. The Chair shall make any committee and/or task force assignments and shall designate chairs for said committees and task forces. The Chair shall do and perform such other duties as from time to time may be assigned by the members.
  - b. Vice Chair – The Vice Chair shall have such powers and duties as from time to time may be assigned by the Chair or members, including all duties of the Chair during the absence or disability of the Chair.
4. Standing Committees – At a minimum, there shall be a Governance Committee, an Alignment Committee and a Business Engagement Committee. The Board may create additional committees as is deemed necessary to accomplish the purpose and functions of the Local Board. Such committees may be established by majority vote at any regular meeting where a quorum is present. A member of the Local Board shall serve as chair of the committee. With the exception of the Governance Committee, the Local Board Chair may not serve as chair of any committee. Non-Board members may serve on such committees as deemed appropriate by the Local Board Chair.
- a. Governance Committee – There shall be a Governance Committee consisting of the Local Board Chair, the Executive Director, and other members as deemed appropriate by the Board. Between Board meetings, the Governance Committee may act for the Board, except in matters concerning officers of the Board or the adoption, repeal, or amendment of these by-laws. The Governance Committee shall review all program plans, reports, and other documents which the Board, by law is required to review and act upon, and shall make recommendations concerning such items, and any actions taken on behalf of the Local Board by the Governance Committee, to the Local Board. The Governance Committee shall be responsible for engaging the Board, monitoring the composition of the Board, and ensuring Board performance.
  - b. Alignment Committee – There shall be an Alignment Committee consisting of the partners of the Career Center system, such partners designated by a Memorandum of Understanding (MOU). Specifically, the Committee shall:
    - i. Coordinate the strategic, operational, and other aspects relating to the Workforce Development System as expressed in the Local

Plan, the MOU, and other such documents as designated by the Local Board; and

- ii. Manage the strategic, operational, and other aspects relating to providing youth services and services to persons with disabilities as well as other targeted populations as determined by the Local Board.

To facilitate this work, the Committee shall establish such subcommittees as are deemed necessary to accomplish the work of the Committee.

- c. Business Engagement Committee – The Business Engagement Committee is tasked with creating career pathways within high-growth industries that lead to industry-recognized credentials that are portable and stackable. The Business Engagement Committee will oversee the performance of the Anne Arundel County Business Services Team to ensure that the Team is providing services to businesses in in-demand business sectors.

## **ARTICLE VI – Meetings**

1. Regular Meetings – Regular meetings of the Local Board shall be held at least quarterly. Any and all business may be transacted at a regular meeting of the members. Minutes shall be kept and posted on the Board website in accordance with the Open Meetings Act.
2. Committee Meetings – The Standing Committees and any committee or task force created under Article VII, Section 3 shall establish a regular schedule of meetings. Only business specifically related to committee purpose may be discussed at such meetings. Minutes shall be kept and be made part of the record for the next scheduled regular meeting of the Local Board.
3. Other Meetings – Special meetings of the members may be called at any time for any purpose(s) by the Local Board Chair. Notice of such meeting shall state the purpose(s) of the meeting and shall state the place, day, and hour which the meeting is to be held. Written notice shall be mailed and/or electronically transmitted to each member in advance of each meeting. Business transacted at the meeting shall be confined to the purpose(s) stated in the notice of the meeting. Minutes shall be kept and be made part of the record for the next scheduled regular meeting of the Local Board.
4. Virtual Attendance at Meetings – Members may attend meetings by teleconference or similar technology. Should a member be unable to attend in person, the member must provide sufficient notice to the Local Board Chair or relevant committee chairperson for arrangements to be made. A member attending virtually shall have the same rights and responsibilities as if the member was attending in person.
5. Voting – At all Local Board meetings, every member shall have one vote. A simple majority of the Local Board’s voting membership shall constitute a

quorum, if all Board members were duly notified. Vote by proxy shall be allowed as indicated in Section 6 below. A simple majority vote shall be sufficient to approve motions brought before the membership (except where required by Robert's Rules of Order). Potential conflict of interest must be declared and recorded in the minutes. Further, members in conflict must remove themselves from discussions and voting on the matter in question.

6. Proxy Voting – Proxy voting is allowed in certain limited situations. Proxies must be declared before the meeting in which the proxy shall be voting. To qualify as a proxy, the attendee must meet the requirements of a Board member as indicated in Article IV(1)(a) above and represent the same organization as the Board member being represented. Proxies may vote in all situations, except the following:
  - a. Adoption and amendment of by-laws;
  - b. Adoption and amendment of budgets;
  - c. Adoption and amendment of the required Local Plan; and
  - d. Approval of contracts or other agreements.

In these situations, the proxy shall be recorded as an abstention and shall count towards quorum requirements.

## **ARTICLE VII – Sunshine Provisions**

1. General Provisions – Per Section 107(e) of WIOA, Local Boards must make available to the public, on a regular basis using electronic means and open meetings, information regarding the activities of the Local Board, including, at a minimum:
  - a. Development of the Local Plan prior to its submission
  - b. Membership
  - c. Designation and certification of One-Stop Operators
  - d. Award of grants or contracts to eligible providers of youth workforce development activities.

On request, minutes of regular and special meetings should be provided.

2. Open Meetings Act – The Local Board shall comply with requirements of the Open Meetings Act. In general, the Act requires:
  - a. Hold meetings that the public can attend;
  - b. Provide adequate public notice of those meetings;
  - c. Allow the public to inspect meeting minutes and certain other records.

While the Open Meetings Act does permit the Local Board to discuss certain topics behind closed doors, the Local Board must make certain disclosures both before and after they meet in closed session. Furthermore, the Local Board adopts the Open Meetings Act's Model Regulations, which regulate the conduct of public attendees at such meetings.

3. Public Information Act – The Local Board shall be subject the provisions of the Public Information Act.

4. Conflict of Interest – A Local Board member may not vote on a matter under consideration by the Local Board if the matter:
  - a. Is regarding a service provided by that member (or by the organization that the member represents);
  - b. Would provide direct financial benefit to the member of the immediate family of the member;
  - c. Would constitute a conflict of interest under Maryland State Law; or
  - d. Would violate the Conflict of Interest policy established by the Local Board.
5. Appointment of a Parliamentarian – The Board may appoint a parliamentarian to assist the Board with the orderly conduct of meetings, voting processes, and compliance with the requirements of the sunshine provisions in this Article.

#### **ARTICLE IX – Designation of Administrative and Fiscal Entity**

Under Article 3, Title 14 of the Anne Arundel County Charter, the Anne Arundel Workforce Development Corporation, hereafter referred to as “AAWDC”, has been designated as the administrative and fiscal agent of workforce development grants awarded to Anne Arundel County. AAWDC is a 501(c)(3) not-for-profit, non-stock granting corporation, organized and operated under the laws of the State of Maryland. As administrative and fiscal agent, AAWDC provides the Local Board with the necessary staff to execute its purpose and functions as detailed in these by-laws.

#### **ARTICLE X – Amendments**

These by-laws, or any of them, may be amended or repealed, and new by-laws may be made or adopted, by a two-thirds vote of the members present at any meetings of the Local Workforce Development Board at which a quorum is present, provided that all member of the Local Board shall have been provided by hand delivery, first class mail, or electronic means, notice of the vote to amend or repeal these by-laws and/or to adopt new by-laws not less than seven (7) days prior to such meeting. The verbatim text of the proposal to be voted on shall accompany each notice.