



**BYLAWS OF THE  
WORKFORCE DEVELOPMENT BOARD  
OF VENTURA COUNTY**

**As Amended September 2020**

## **BYLAWS**

### **WORKFORCE DEVELOPMENT BOARD OF VENTURA COUNTY (As Amended September 2020)**

#### **I. RECITALS**

- A. The State of California, pursuant to the Federal Workforce Innovation and Opportunity Act of 2014 (“Act”), has designated the County of Ventura (“County”) as a local Workforce Development Area (LWDA) for the administration of employment and training programs at the local level.
- B. The State and Federal rules and regulations adopted under the Act require the County’s Board of Supervisors to establish a local Workforce Development Board, which the Board of Supervisors did in 2000.
- C. The Federal rules and regulations under the Act require the Governor of the State, in consultation with chief elected officials and local boards, to establish a local Workforce Development Board in place of a local Workforce Investment Board, effective July 1, 2015 (the Act, Sec. 106[b][A][iii]). On July 1, 2015, the Ventura County Board of Supervisors renamed the Workforce Investment Board as the WDB and adopted the Workforce Investment Board Bylaws as the WDB Bylaws. These Bylaws are amended as of September 1, 2020.

#### **II. NAME**

The name of this body will be the Workforce Development Board of Ventura County, hereinafter referred to as the WDB.

#### **III. PURPOSE AND FUNCTION**

- A. The WDB is, and will exercise the powers and responsibilities of, the “local board” as defined by the Act and any corresponding federal regulations. The WDB’s purposes and functions include:
  - 1. Support a vision to develop a high quality, appropriately skilled workforce that is ready and able to support the changing business needs of employers in a dynamic, competitive, global economic environment. The regional workforce strategy will support skills attainment in regional growth industry sectors and clusters and will

address business-driven demands and worker needs for well-paid, steady employment.

2. Ensure that job training opportunities for youth, adults and dislocated workers are accessible through providers of career services who are responsive to the need of all local job seekers;
  3. Ensure that the job training system satisfies the needs of local employers, both large and small, and that the system is driven by the demands of the market and of employers;
  4. Develop and maintain a partnership with leaders in business, economic development, education, government and community organizations that will effectively contribute to the economic well-being of the community and address local workforce needs; and
  5. Ensure that the local employment and training system is guided by vigorous standards of performance accountability in such areas as customer satisfaction, rates of job placement, job retention, and earnings.
- B. In conjunction with the County, the functions of the WDB shall be those listed in section 107, subdivision (d) of the Act (codified at 29 U.S.C. § 3122, subdivision (d)). In addition to those functions, the WDB will:
1. Direct the activities of the WDB Executive Director in carrying out the priorities of the WDB, in conformity with the WDB's Memorandum of Understanding with the County Board of Supervisors; and
  2. Encourage appropriate collaboration with other agencies, public and private, both within and outside the County of Ventura.
- C. The WDB will enter into written Memoranda of Understanding (MOUs), or Agreements, clarifying the roles and responsibilities of the WDB and relevant, related entities. Such MOUs will include, but not be limited to, the following:
1. A MOU with the County's Board of Supervisors to define the parties' separate and shared responsibilities in the administration of the LWDA;
  2. A MOU with the system partners to define and secure the partners' contributions to the system. Separate Cost Sharing Agreements will also be concluded with appropriate partners;
  3. A MOU with the One-Stop Operator to define the responsibilities of the One-Stop Operator.

- D. The WDB will perform other duties, responsibilities and functions deemed appropriate by the WDB, in accordance with the Act and related governing agencies.

#### IV. MEETINGS AND QUORUMS

- A. The WDB will meet at least four (4) times annually. Regular attendance at meetings is expected for each Board member.
- B. The WDB will adopt a schedule of meetings and transmit that schedule to its members, the County Board of Supervisors, the County Executive Officer, and the public.
- C. At least fifty percent (50%) plus one (1) of the total appointed WDB members must be present in person to create a quorum. A quorum of the WDB, once attained in a meeting, will be considered as retained throughout the meeting. WDB action may be taken by a simple majority of those present and voting, provided that a quorum has been established. If a quorum is not present, members in attendance may not vote or act but may continue to meet for discussion, including taking public testimony on agenda items.
- D. All meetings of the WDB and its committees are subject to, and must be conducted in conformity with, the Ralph M. Brown Act (Government Code Section 54950 *et seq.*).
- E. Robert's Rules of Order shall govern the conduct of all WDB meetings unless they are inconsistent with these Bylaws, with any special rules of order that the WDB may adopt, or with any applicable State and federal laws and regulations.

#### V. MEMBERSHIP

- A. WDB members may be appointed and reappointed by the Board of Supervisors of the County of Ventura, after the Board of Supervisors' consideration of a recommendation by the WDB.
- B. The WDB staff will maintain an official membership list, a record of attendance, and a record of actions taken by WDB members.
- C. Composition

1. The WDB will consist of no fewer than 19 and no more than 45 members and will be appointed from the following four categories, with the goal of pursuing regional, demographic, and ethnic diversity:
  - a. Category I: The majority (50%+1) of WDB members will include representatives of the private (business) sector. These members must satisfy the following criteria:
    - 1) They will be individuals with policymaking and/or hiring authority within their organizations (for example, owners of businesses, chief executives or operating officers of businesses, or human resources executives).
    - 2) They will represent businesses with private sector employment opportunities.
  - b. Category II: At least two (2) representatives will be chosen from education and training institutions: one from adult education and one from higher education.
  - c. Category III: At least 20% of the members will be representatives of workforce entities within the LWDA. This category will include at least two (2) representatives from labor organizations and at least one (1) representative from an apprenticeship program. This category may also include representatives of community organizations that have demonstrated expertise in addressing employment or training needs.
  - d. Category IV: At least one member from each of the following: economic development organizations; the state employment services office serving the local area under the Wagner-Peyser Act; and organizations providing rehabilitation activities.
2. The Board may appoint additional members in any category as it deems appropriate.
3. Staff to the WDB, fiscal agent staff, staff employed by One-Stop Operators, and contracted service providers should be discouraged from suggesting the nomination of a member to the board to avoid the appearance of a conflict of interest.
4. Any prospective member in any of the four categories above will have, for an initial appointment, a letter of recommendation from their manager or an individual in a management role demonstrating the prospective member's qualifications, optimum policymaking authority, and ability to serve.

5. Non-voting members in any number may be added to the Board under the same terms and in the same way as regular members. Non-voting members will have all the privileges and responsibilities of regular members, but they may not vote and will not be counted for purposes of a quorum.
6. Members of the WDB may not appoint alternates to serve on their behalf.
7. Members must attend a meeting to cast a vote. Under no circumstances shall the WDB permit absentee or proxy voting.

D. Term

1. The term for all WDB members will be for three (3) years from the date of their initial date of appointment. WDB members will be appointed continuously as the need arises to maintain the minimum number of WDB members, with the result that membership terms will be staggered.
2. All members in all categories may be reappointed indefinitely for three-year terms, if they remain in positions, or offices, that qualify them to serve in the category for which they were originally appointed.
3. A member whose term has ended may continue to serve until reappointment or replacement by the County Board of Supervisors, but in no event will such a member serve more than 60 days beyond the expiration date of his term.

E. Change of Status

1. WDB members may resign for any reason upon written notice, which includes the effective date of resignation, to the WDB Executive Director or the WDB Chair.
2. WDB members are responsible for notifying the WDB Executive Director of any change in their status that would affect their eligibility to serve on the Board.
  - a. Members who no longer qualify for the category for which they were appointed will, within 30 days of the change in status, either resign their membership or petition the WDB through the Executive Director to remain on the WDB for additional time, up to the end of their regular three-year term or until they are replaced, whichever period is less.

- b. The Executive Director of the WDB will notify the Executive Committee of the WDB of such petitions and will forward them to the full WDB, which may accept or deny them. This action does not require the approval of the Board of Supervisors.
- c. Members who no longer qualify for WDB membership and who, within 30 days of their change of status, neither resign their membership nor petition the WDB to request to serve additional time, are deemed by the WDB to have voluntarily resigned their WDB membership and are automatically removed from the WDB without the approval of the Board of Supervisors; and their seat on the WDB is then deemed vacant.

F. Removal of Members

- 1. The WDB's Chair, in concurrence with the Executive Committee, may request the written resignation of any member of the WDB for neglect of any duty required by law, these Bylaws, or failure to perform WDB responsibilities. This action does not require the approval of the Board of Supervisors.
- 2. Any member of the WDB may be removed by the Board of Supervisors for cause, as provided in Government Code section 1770.

G. Filling of Vacancies

- 1. Notice will be given to the Clerk of the Board of Supervisors within ten (10) days after the WDB Chair or Executive Director receives notice of a WDB member's resignation or other reason for the vacancy.
- 2. All vacancies in WDB membership will be filled as soon as possible in accordance with the procedures for nominations established by the WDB and communicated through the Membership Committee.

## VI. OFFICERS AND THEIR ELECTION

A. Chair

- 1. The Workforce Development Board will elect one (1) private-sector (business) member as Chair.
- 2. The term of office for the Chair will be one year, and the Chair may be re-elected for a second consecutive term. After serving as the Chair for a one-year term or, if re-elected, to a second consecutive term, a

member must wait one year before the member is eligible to be elected Chair again.

3. The Chair will preside over all regular meetings and may call special meetings, if necessary.
4. The Chair will be an ex-officio member of all committees.
5. The Chair and WDB Executive Director will have the responsibility of preparing the agenda for WDB meetings and managing the business of the WDB.
6. The Chair, or in the Chair's absence, the Vice Chair, will be the signatory for all official WDB business; but the Executive Director is empowered to sign all documents that do not specifically require the Chair's signature.
7. The WDB Chair will appoint Committee Chairs from the WDB membership. The WDB Chair will be the Chair of the Executive Committee.

B. Vice Chair

1. The WDB will elect one (1) private-sector member as the Vice Chair, and his/her term of office will be one year. The Vice Chair may be re-elected for a second consecutive term. After serving as the Vice Chair for a one-year term or, if re-elected, to a second consecutive term, a member must wait one year before the member is eligible to be elected Vice Chair again.
2. The Vice Chair will assume the position of Chair upon the resignation or removal of the Chair.
3. In the absence of the Chair, the Vice Chair will serve as the WDB Chair and will assume his/her responsibilities.
4. In the absence of both the Chair and the Vice Chair, the WDB will, at the beginning of its meeting, designate by majority vote a Chair *pro tem* to serve as presiding officer of that meeting. Such a Chair *pro tem* must be a private-sector representative.

C. Election Process for Chair and Vice Chair

1. The election of the Chair and election of the Vice Chair will take place at the WDB meeting prior to June 30<sup>th</sup> of the year, immediately preceding the expiration of current term of office.



2. Officers shall be seated on July 1.
3. Upon resignation or removal of the Chair, the Vice Chair will assume the duties of the Chair for the remainder of the Chair's current term.

## VII. COMMITTEES

- A. The WDB will operate with a committee structure. The WDB may create, in addition to the standing committees, any committee or committees needed for the performance of its work; and these committees will continue to function if they are needed.
- B. The WDB Chair may create ad hoc committees, and the chairs of ad hoc committees may create subcommittees.
- C. The committee chairs will be appointed or removed by the Chair of the WDB. In the event of resignation or removal of a committee chair, the WDB Chair will appoint a new committee chair.
- D. Each committee will also have a vice chair. The committee vice chair will assume the responsibilities of the Committee Chair in his or her absence.
- E. Committee members must include WDB members, non WDB members, and others who are deemed appropriate by the WDB Chair. The chair and vice chair of all committees will be regular voting members of the Board.
- F. At least fifty percent (50%) plus one (1) of the total appointed committee members must be present in person to create a quorum. A quorum of a committee, once attained in a meeting, will be considered as retained throughout the meeting. Committee action may be taken by a simple majority of those present and voting, provided that a quorum has been established. If a quorum is not present, members in attendance may not vote or act but may continue to meet for discussion, including taking public testimony on agenda items.
- G. All WDB committees may hold meetings by telephone, video conferencing, or by other available technological means. Public notice for all committee meetings must be given as required by the Ralph M. Brown Act, and accommodation for public access must be provided by every member of the Committee who is at a remote site.

## VIII. STANDING COMMITTEES

- A. Standing committees are constituted to perform continuing functions and are permanent committees of the WDB. A standing committee shall have a minimum of five members in addition to the chair and vice chair of the committee. A standing committee is established or discontinued through an amendment to these bylaws. Except for the Executive Committee, the Chair shall designate the chair, vice chair, and members of a standing committee annually, subject to the ratification by the WDB.
- B. Executive Committee
  - 1. Members of the Executive Committee will be the Chair and Vice Chair. The membership of the Executive Committee shall reflect the membership of the full WDB. The membership must include representation of the standing committees and include a minimum of four Category I members, one Category II member, one Category III member, and one Category IV member. The WDB Chair shall have the discretion to appoint additional members to the Executive Committee as deemed appropriate.
  - 2. The Executive Committee shall meet at the call of the Chair, as required by WDB meetings, issues, activities, and workflow. It shall provide recommendations to the WDB regarding committee assignments; coordinate the work of standing, special, and ad hoc committees; develop agendas for WDB meetings; and be empowered to act on behalf of the full Board in instances where the Executive Committee has determined that urgency and time constraints do not permit items to be acted upon by the WDB. All such actions and commitments shall be reported to the WDB at its next regularly scheduled meeting.
- C. Performance and Evaluation Committee
  - 1. The Performance and Evaluation Committee provides programmatic oversight of the WDB's America's Job Center of California (AJCC) System, including youth services and special projects. The Committee oversees the development of a quality AJCC System, coordination of services, performance measure attainment, workforce development policy implementation, accessibility in accordance with the Americans with Disabilities Act and partnership facilitation. In addition, the Performance and Evaluation Committee oversees the negotiation and maintenance of MOUs and Resource Sharing Agreements, measures customer satisfaction, manages the AJCC Certification process and identifies potential affiliate sites and points of service.
  - 2. The Committee must be chaired by a member of the WDB; may include other members of the WDB; and must include other individuals

appointed by the WDB who are not members of the WDB and who have demonstrated experience and expertise in accordance with 20 CFR § 679.340(b) and as determined by the WDB.

D. Finance and Resource Development Committee

1. The Finance and Resource Development Committee's purpose is to assist the WDB in overseeing the:
  - a. Budget for the WDB;
  - b. Reliability of the financial statements and disclosures;
  - c. Development of financial operational guidelines;
  - d. Compliance with financial legal and regulatory requirements;
  - e. Audit activity;
  - f. Development and progress of the organization's resources; and
  - g. Exploration of new and more efficient resources.
2. The Committee must be chaired by a member of the WDB; may include other members of the WDB; and must include other individuals appointed by the WDB who are not members of the WDB and who have demonstrated experience and expertise in accordance with 20 CFR § 679.340(b) and as determined by the WDB.

IX. CONFLICT OF INTEREST

- A. To avoid all conflicts of interest and any apparent conflicts of interest, WDB members (except for non-WDB members of any committee) must comply with applicable provisions of the Political Reform Act of 1974 (Government Code section 81000 *et seq.*), Government Code Sections 1090 and 1091.2, the Conflict of Interest Code for the WDB, and any other applicable provision of federal, state, or local law.
- B. The WDB members are required to file statements of economic interests with the County of Ventura. The statements of economic interests are governed by state law and include the specific kinds of financial information members of the WDB must disclose.
- C. WDB members as well as non-WDB members may not participate in discussions of, or decisions about, matters before the WDB that pertain to

organizations that they represent, own, are employed by, or in which they otherwise have a financial or legally-controlling interest.

- D. Neither membership on the WDB or its committees nor the receipt of Act funds to provide training and related services constitutes, by itself, a conflict of interest.
- E. Neither the WDB nor any of its committee members may promote, directly or indirectly, any political party, political candidate or political activity by using the name, their affiliation with the WDB, emblem or any other identifier of the Ventura County WDB.
- F. No assets or assistance provided by the County to the WDB may be used for sectarian worship, instruction, or proselytism, except as permitted by law.

#### X. AMENDMENTS

- A. Amendments to these Bylaws will be effective upon approval by a majority vote of the WDB quorum at any regular meeting of the WDB and after approval by the Ventura County Board of Supervisors, provided that the amendment is not in conflict with any state and federal laws and regulations.

#### XI. EFFECT

These Bylaws will take effect after adoption by a majority vote of the WDB quorum and after approval by the Board of Supervisors. Nothing in these Bylaws may be construed to take precedence over federal, state or local laws or regulations.

Adopted by the Workforce Development Board of Ventura County on

\_\_\_\_\_  
**DATE**

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**CHAIR, WORKFORCE DEVELOPMENT BOARD  
OF VENTURA COUNTY**

Approved by the County Board of Supervisors on

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**CHAIR, BOARD OF SUPERVISORS  
COUNTY OF VENTURA**