

Rev. A: 1/17/01

BY-LAWS

ANNE ARUNDEL COUNTY WORKFORCE INVESTMENT BOARD

ARTICLE I - Name

The name of the organization shall be the Anne Arundel County Workforce Investment Board (hereinafter referred to as the "WIB").

ARTICLE II – Authorization

The Workforce Investment Act (Public Law 105-220, hereinafter referred to as "WIA") authorizes the creation of a Workforce Investment Board to provide policy guidance and programmatic oversight in each designated Workforce Investment Area. The WIB is also charged with developing a unified strategic plan for the labor market area pursuant to guidance from the State. Lastly, WIA requires a partnership between the WIB and the local elected officials of Anne Arundel County government, both of which are subject to all provisions of the WIA legislation.

ARTICLE III – Workforce Investment Area; Administrative Entity

The Workforce Investment Area, as defined under WIA and regulations promulgated thereunder, is Anne Arundel County, Maryland, a political subdivision. The WIB, in partnership with the County Executive of Anne Arundel County, has designated the Business and Workforce Development Center of Anne Arundel County, Inc. (hereinafter known as the "BWDC"), a Maryland nonprofit corporation, to act as the administrative entity and grant recipient and to serve as the One-Stop operator with regard to activities funded under WIA.

ARTICLE IV – Purpose

The WIB will review and evaluate the county's programs funded under WIA for the following purposes:

1. To determine how these programs might best contribute to the economic development of the county;
2. To determine how the activities under these programs might best be coordinated in order to operate in the most cost-effective manner possible; and

3. To determine how these programs might best meet the needs of those with special barriers to employment, in order to enhance the self-sufficiency of such persons.

ARTICLE V – Role and Function

The role of the WIB is to be a primary vehicle in creating a workforce development system that is customer-driven, tied to economic development planning, and integrates programs and resources into a seamless delivery system. It is responsible for approving the local plan, designating one-stop centers for workforce services, overseeing the performance of local service providers, and negotiating performance measures for the local delivery system.

1. The WIB shall provide policy guidance to BWDC on matters pertaining to the provision of services under WIA.
2. The WIB shall give direction, make recommendations, and approve the Unified Plan and the Workforce Investment Area plan developed by the staff, pursuant to WIA.
3. The WIB shall assure that appropriate research and development assistance is available on issues critical to the operation of a workforce development system such as economic trends and indicators, short- and long-term employment trends, available training and placement resources, and targeting unemployed populations with the greatest need for assistance.
4. The WIB shall ensure the engagement of local business and industry representatives in the design of program services to employers and job seekers in Anne Arundel County.
5. The WIB shall construct its own by-laws.

ARTICLE VI – Conflict of Interest Policy

1. WIB members are prohibited from soliciting and/or accepting gratuities, favors, or anything of monetary value from suppliers or potential suppliers of goods/services.
2. *WIB members must sign a Conflict of Interest Policy (Attachment A), which shall be maintained by the Administrative Agent as a matter of record.*

ARTICLE VII – Membership

1. Composition. A minimum of 51% of the WIB shall be from the private sector ranks, and the balance from non-business entities representing local education agencies, labor, economic development, vocational rehabilitation, employment service, and community-based organizations.
2. Appointment Process. The WIB will solicit private sector nominations from businesses or business organizations serving Anne Arundel County. Non-business members may be nominated by community organizations or the government or service sector that they represent. Individuals may be recommended by the WIB for consideration by the County Executive for membership on the WIB. Business members should be CEOs or

have substantive policy-making authority. Non-business members should be in top leadership positions.

3. Terms of Appointments. Terms of appointments will vary between one and three years. The County Executive shall appoint the WIB Chair and Vice-Chair from among private sector members of the Board for a three-year term. The WIB shall select nominees to be recommended for appointment by the County Executive by a majority vote. The Vice-Chair shall function in the Chair's role on the occasion of his/her absence.
4. Cessation of Membership. WIB membership shall cease when:
 - (a) the member delivers a written resignation to the WIB Chair;
 - (b) the member is not reappointed following completion of a term;
 - (c) the organization, if any, which the member represents withdraws the member's name from membership by notifying the WIB Chair of such withdrawal;
 - (d) the member no longer meets the necessary criteria for the membership slot for which the member was originally appointed; and
5. Vacancies. Upon notification and recommendation by the WIB, the County Executive may approve and appoint a designee of his/her choice to fill a vacated position. Composition of the WIB shall be duly reviewed on a bi-annual basis. Individuals appointed to fill vacated slots must represent the same sector as being vacated. Changes to the composition of the WIB must adhere to the procedural requirements of the Act and must be approved by the County Executive and Governor.

ARTICLE VIII – Structure

1. Officers. The officers of the WIB shall be a Chair and a Vice Chair. The Chair and Vice Chair shall always be a representative of the private sector. Officers shall serve until the expiration of their respective terms as members of the WIB. An officer whose term is expiring may be recommended again for an appointment if he/she is, or may be, up for reappointment as a member of the WIB.
2. Duties of the Officers.
 - (a) Chair. The Chair shall execute, in the name of the WIB, all instruments and documents on behalf of the WIB and/or Executive Committee as shall be necessary and proper. The Chair shall preside at all meetings of the WIB and Executive Committee. The Chair shall make any committee and/or task force appointments, and shall designate committee and task force chairs. 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 of the WIB shall have such powers and duties as from time to time may be assigned by the Chair or the members, including all duties of the Chair during the absence or disability of the Chair.
3. Standing Committees. At a minimum, there shall be an Executive Committee, a Membership Committee, and a Youth Council. Chairs for all standing committees shall be appointed by the WIB Chair, however, the WIB Chair may not serve as chair of any standing committee. All chairs

shall be representatives from the private sector. In addition, the WIB Chair may appoint such other committees as may be necessary to carry out the purpose and functions of the WIB. Non-WIB members may serve on such committees as deemed appropriate. The WIB may establish additional committees by majority vote, at any regular meeting that has a quorum.

- (a) Executive Committee. There shall be an Executive Committee consisting of the WIB Chair, the Vice Chair, and the WIB members representing the County Executive and the Administrative Agent. Between WIB meetings, the Executive Committee may act for the WIB, except in matters concerning the election of officers or the adoption, repeal, or amendment of these by-laws.

The Executive Committee shall review all program plans, reports, and other documents which the WIB, by law, must review and act upon, and shall make recommendation concerning such items, and any actions taken on behalf of the WIB by the Executive Committee, to the WIB.

- (b) Membership Committee. The Membership Committee shall recruit for and review persons nominated, or proposed, for membership on the WIB and shall make recommendations to the County Executive. The recommendations of the Membership Committee shall be supplemental to any other procedure adopted by the County Executive for selection of WIB members.
- (c) Youth Council. The Workforce Investment Act requires the establishment of a Youth Council to make recommendations to the WIB with regard to youth funded activities. The WIB Chair shall appoint the chair of the Youth Council. Whenever possible, the candidate for Youth Council chair shall be a representative of the business community.

ARTICLE IX – Meetings

1. Regular Meetings. Regular meetings of the WIB shall be held at least quarterly. Any and all business may be transacted at a regular meeting of the members.
2. Special Meetings. Special meetings of the members may be called at any time for any purpose or purposes by the Chair. Notice of a special meeting shall state the purposes of the meeting. Business transacted at all special meetings of members shall be confined to the purpose(s) stated in the notice of the meeting.

Written notice of all meetings of the members shall be mailed to each member in advance of each meeting. Each such notice shall state the place, day, and hour at which the meeting is to be held and, in the case of any special meeting, shall state briefly the purpose(s) for the special meeting.

3. Voting. At all WIB meetings, every member entitled to vote shall have one vote. A simple majority of the Board's voting membership shall constitute a quorum, if all Board members were duly notified. Vote by proxy will not be allowed. A simple majority vote will suffice to approve motions brought before the membership.

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 questions.

ARTICLE X – Sundry Provisions

- A. Amendments – These by-laws may be altered or repealed and new by-laws may be adopted by a two-thirds (2/3) vote of a quorum of the voting membership, by a meeting called together for that purpose. All proposed amendments to the by-laws shall be circulated in writing to the entire membership at least seven (7) days in advance of the vote.
- B. Administrative Support Services - The Business & Workforce Development Center of Anne Arundel County, Inc. (BWDC) has been designated as the fiscal and administrative agent for the Workforce Investment Act. Administrative staff support to the Board, as necessary to fulfill its mission, shall be provided by BWDC, subject to available appropriations.

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