

**WESTCHESTER – PUTNAM
WORKFORCE INVESTMENT BOARD
<LWIB>**

BY-LAWS



DATE: July 1st, 2003

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By Laws

PREAMBLE

The Workforce Investment Act (WIA) was created to integrate, coordinate and improve education, training and employment systems. The new legislation mandates the creation of a State Workforce Investment Board (SLWIB) and local Workforce Investment Boards as the vehicle to develop and guide the implementation of a streamlined and effective strategy for addressing workforce development issues for each designated local Workforce Investment Area.

ARTICLE 1 – NAME

The name of this organization shall be known as the **Westchester-Putnam Workforce Investment Board** (hereinafter referred to as the “**LWIB**”).

ARTICLE II – RESPONSIBILITIES

The WIB shall perform such functions and satisfy any and all broad-based planning, advisory and policy-making responsibilities. As such, the LWIB shall:

Section 2.01. Design, develop and submit to the Governor of the State of New York (the "Governor") a Five-Year Local Workforce Investment Plan for Westchester-Putnam Local Workforce Investment Area (LWIA) that coordinates workforce policies, programs and services into an integrated single labor market system.

Section 2.02. The LWIB will function as a policy-making and advisory body for the LWIA providing workforce development readiness system policy guidance.

Section 2.03. The LWIB in cooperation with the area’s Chief Local Elected Official(s) (CLEO) will design, develop and provide directions for the implementation of a One-Stop Career Center and Satellite system within Westchester and Putnam counties designated as a single Workforce Investment Area.

Section 2.04. The LWIB will develop and administer quality program performance standards (including customer service) and outcome measures in cooperation with the CLEO and the Governor.

Section 2.05. The LWIB will help individuals obtain the skills necessary for employability and help employers become competitive in a global economy by providing job-ready skilled workers who meet their needs.

Section 2.06. The LWIB will, in cooperation with the CLEOs, appoint a local Youth Council as a subgroup of the LWIB and coordinate workforce and youth plans and activities with the Youth Council, in accordance with WIA requirements.

Section 2.07. The LWIB will select eligible youth services providers based on the recommendations of the Youth Council and will identify eligible providers of adult and dislocated worker intensive services and training services and maintain a list of eligible providers with performance and cost information.

Section 2.08. The LWIB will facilitate and promote positive relationships with education, labor, business/industry, job training and community-based organizations and will 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 LWIA or through other organizations, to assist employers in meeting hiring needs.

Section 2.09. The LWIB will, in cooperation with the CLEO develop and enter into memorandum of understanding with One Stop partners.

Section 2.10. The LWIB will expand system services through new partnerships, resource development and fundraising and will coordinate workforce investment activities with economic development strategies and develop employer linkages.

Section 2.11. The LWIB will undertake research, data gathering and analysis of the labor market needs utilizing appropriate methods including use of local demographic data, employer input and obtain the perspectives and input from the community at large for the purpose of assisting the Governor in developing the Statewide employment statistics system under the Wagner-Peyser Act.

Section 2.12. The LWIB will promote the general welfare and prosperity of all citizens of the two-county area to lessen the burdens of government, and to act in the best public interest.

Section 2.13. The LWIB will develop a budget for the purpose of carrying out the duties of the LWIB, subject to the approval of the CLEO.

Section 2.14. The LWIB will engage in all lawful activities including those which are not otherwise stated in these By-Laws and that are incidental to and in furtherance of any of the above stated purposes and others proposed by the CLEO in conjunction with the LWIB.

ARTICLE III – MEMBERSHIP

Section 3.01. Appointment. Members of the LWIB shall be appointed by the CLEO, in accordance with the WIA requirements. Such appointments shall be made in writing. A majority of the membership of the LWIB shall consist of representatives of businesses located in the LWIA. Such representatives must be individuals who are current owners, chief executive officers, chief operating officers or other individuals with optimum policy-

making or hiring authority. Board members who depart the business or organization position from which they were initially appointed to the LWIB shall cease to be members of the Board, irrespective of their term of office, unless otherwise reappointed by the CLEO. The LWIB must also contain two (2) or more members representing local educational entities, labor organizations, economic development agencies, and community-based organizations. In addition, the LWIB must contain at least one (1) member representing each One-Stop partner. At least 51% of the members shall consist of representatives from the private sector. The chairperson of the Board shall be a representative of the private sector, appointed by the CLEO and the appointment forwarded to the WIB membership for consideration. The private sector representatives shall be executive level officers and/or employees with significant policy-making or hiring authority. Private sector entities shall be businesses that will provide employment opportunities. Representatives from organizations that have statutory role on the LWIB shall serve at the pleasure of the CLEO, or until they depart the organization statutorily represented on the Board.

Section 3.02. Term of Office. At the discretion of the CLEO, members shall be appointed for fixed and staggered terms, and each shall serve until his/her successor is chosen by the CLEO and qualified, or until his or her death, or until he/she resigns, or until he/she is removed in the manner herein provided.

Section 3.03. Compensation. Members of the LWIB shall serve without compensation.

Section 3.04. Resignation. Any member may resign at any time by giving written notice to the CLEO through the chairperson of the Board. The resignation will take effect upon receipt and acceptance thereof by the CLEO, or at such time as specified in the notice.

Section 3.05. Vacancies. The chairperson of the Board shall notify the CLEO as to vacancies. The CLEO will then fill the vacancy in the same manner as provided herein for the appointment of new members. Any member so appointed shall be representative of the same group as the resigning member, and shall hold office for the remaining term, or until his/her death, or resignation, or removal in the manner herein provided.

Section 3.06. Termination of Membership. Any member may be removed from the Board, whenever in its judgment (in cooperation with the CLEO), the best interest of the LWIB would be served. The removal of a member shall be affected by an affirmative vote by two-thirds of the total Board members after discussion at a meeting called for this purpose. Any appointed member may be removed by the CLEO from the LWIB whenever in the CLEO's judgment the best interest of the LWIB would be served.

Section 3.07. Place of Meetings. The LWIB may hold its meetings at any location it chooses within Westchester or Putnam counties, New York.

Section 3.08. Regular Meetings. The LWIB shall hold regular meetings at a time and place determined by the Board or at the request of the CLEO. Meetings shall be conducted in accordance with Robert's Rules of Order.

Section 3.09. Annual Meetings and Elections. The Annual meeting of the Board shall be held during a regular scheduled monthly meeting within sixty (60) business days following

the beginning of a new fiscal year. At the annual meeting, the members shall elect the chairperson (Business Representative) as recommended by the CLEO, other officers and conduct any other necessary business. Notices of the annual meeting will be provided in writing not less than ten (10) days prior to the meeting.

Section 3.10. Special Meetings. Special meetings may be called by the LWIB chairperson, the CLEO, or by a majority of the members of the Executive Committee. Notice of special meetings shall be mailed via ordinary mail to each Board member's residence or place of business at least five (5) days before the scheduled meeting date, or delivered personally or by telephone not less than two (2) days before the meeting. The notice shall include the time and place of meeting, but need not state the purposes of the meeting unless otherwise provided herein and shall be conducted in accordance with the Open Public Meeting Act.

Section 3.11. Quorum/Manner of Acting. Unless as otherwise provided by statute or these By-Laws, a majority of the whole membership of the Board shall constitute a quorum at a meeting duly held by the Board, or at any duly adjourned meeting of such meeting, or at any meeting duly held upon reasonable notice to all members, and the act of not less than a majority of the whole membership of the Board at such meeting shall be the vote of the LWIB. In the absence of a quorum, a majority of those present may adjourn the meeting, and the notice of which need not be given..

Section 3.12. Voting and Proxies. Only those members appointed to the Board by the CLEO in writing may vote at Board meetings. Each member shall have one vote. A member may, in writing or telephone call to the chairperson of the Board, designate an alternate to serve in his or her absence, but the alternate cannot vote on his/her behalf. Such designated alternate may attend meetings only to gather information on matters before the Board and shall be counted for the purpose of establishing a quorum. If a quorum is present, absent members may vote by proxy. Proxy votes must however, be in writing, signed by the absent member, and specifically address the exact items of business that will be voted during that meeting. Youth Council members, not otherwise appointed to the Board, are voting members of the Youth Council, and non voting members of the LWIB.

Section 3.13. Conflict of Interest. No Board members shall vote on any proposed or agenda item in which he/she has financial or other personal interest(s), direct or indirect. Any conflict or possible conflict of interest on the part of a member or a designated alternate shall be disclosed to the Board or committee thereof. Any board member having a conflict of interest must abstain from voting on the respective agenda items incidental to the conflict of interest.

Section 3.14. Order of Business. The Order of Business at all meetings of the LWIB shall be as follows:

1. Roll Call
2. Approval of the Minutes of the Preceding Meeting
3. Addition to Agenda Items for Consideration by the Board
4. Report of Committees/Officers
5. Old and Unfinished Business
6. New Business
7. Good and Welfare

8. Adjournment

ARTICLE IV. Officers

Section 4.01. Designation. The officers of the LWIB shall be a Chairperson, a Vice Chairperson, a Secretary and a Treasurer, and if the Board chooses any other Officers. Any two offices, other than those of Chairperson, Vice Chairperson or Treasurer may be held by the same person.

Section 4.02. Election, Term of Office, Qualification. All officers shall be elected annually by a majority of the membership of the LWIB. Elected officials shall serve terms of one year, but may not serve no more than two consecutive terms in the same position. The Chairperson shall be elected from among those who represent the local business community. The CLEO shall submit name(s) of a candidate(s) for consideration by the LWIB members to serve as chairperson. The Vice Chairperson may be elected from among those who represent either the public or private sector. Nominations will be accepted from the CLEO and from the Floor. A simple majority of Board members voting shall suffice to elect.

Section 4.03. Resignations. Any officer may resign by giving a written notice to the CLEO directly or through the LWIB Chairperson. The resignation shall become effective upon receipt thereof by the CLEO or Chairperson, or at such time as specified in the notice.

Section 4.04. Removal. Any officer may be removed by the CLEO, with or without cause. The LWIB may recommend to the CLEO the removal of an officer. This must be done by an affirmative vote by two thirds of the entire Board a special meeting called for that purpose. The resulting vacancy shall be filled in the manner previously specified herein.

Section 4.05. Vacancies. All vacancies for offices shall be filled for the unexpired portion of the term in the manner prescribed in these By-Laws for election or appointment to such office.

Section 4.06. Chairperson. The Chairperson shall conduct meetings of the LWIB and the Executive Committee, and shall serve as an ex-officio member of all committees. The Chairperson shall guide general direction of the business of the Board, and shall delegate responsibilities to other officers and committee chairpersons as may be necessary. The Chairperson shall have the authority to appoint *ad hoc* committees to address specific issues within a specific time frame, as the Chair deems necessary, to accomplish the business of the Board.

Section 4.07. Vice Chairperson. The Vice Chairperson shall perform, in the absence or incapacity of the Chairperson, or when requested by the Chairperson, perform the duties of the Chair of the LWIB and such duties as may be delegated by the Board.

Section 4.08. Treasurer. The Treasurer shall assist in the development and directing of the operations, policies, and plans governing financial transactions of the LWIB. Duties shall

include periodic reports to the Board as to the financial status of the LWIB, program audits, and such duties as may from time to time be assigned by the Chairperson of the Board.

Section 4.09. Secretary. The Secretary of the LWIB shall record the proceedings of the meetings of Board, give notice of and attend all meetings and ensures that a record of actions, reports and other business correspondences are kept. The Secretary maintains the current list of Board members and also performs other duties as are assigned by the members of the LWIB, Executive Committee or chair and other to duties usually incident to the Office of Secretary.

Section 4.10. Other Offices. The Board may appoint other officers and agents as may be deemed necessary. Their appointments, duties and terms shall be determined by resolution of the Board.

Section 4.11. Staff. Staff employed by the Administrative Entity through the use of WIA funds shall be considered as WIA program staff, with the Director responsible for the day-to-day direction of program operations, planning and development. The Director shall, in the implementation of approved plans and programs, represent the administrative entity and assist the LWIB in carrying out the purposes and objectives of the program.

ARTICLE V – COMMITTEES

Section 5.01. Structure. By resolution adopted by a majority of the membership of the LWIB, and upon the recommendation of the Chairperson, the Board may create and appoint standing committees of the Board, including but not limited to.

- Executive Committee
- Youth Council Committee
- Putnam Partnership Committee
- One-Stop Services Committee

The chairperson of the Board may appoint committee members and the chairperson of each committee from among its members, or delegate to a committee authority to select someone among them to serve as Chairperson. Individuals with expertise and support resources from the community may be appointed to the Board Committees, but must be approved by the Chairperson. Meetings may be called by the chairperson of the respective committee. One-third of an entire committee, or three (3) members, whichever is greater, shall constitute a quorum, except one (1) member shall constitute a quorum in any one-person committee.

Section 5.02. Executive Committee. The Executive Committee shall be considered a standing committee of the Board. Members shall consist of the Officers of the Board, Chairs of each standing committee any two at-large members if the Chairperson of the Board so chooses. Except as otherwise provided by law, the Executive Committee shall have all the authority of the Board and may act on behalf of the LWIB in any matter when the Board is not in session, reporting to the Board for its ratification of their action at each regular or special meeting called for that purpose. Three (3) members of the Executive Committee shall constitute a quorum for the transaction of business. A vote of a majority of those present shall carry all questions.

Section 5.03. One Stop Services Committee. Recommends strategies for the implementation of the one-stop service delivery system in both counties and make recommendations to the LWIB.

Helps identify resource and service needs of the one-stop systems and its customers and recommends strategies to secure these resources/services. This may include identification of new partners, specific programs or partnership strategies with local agencies;

Reviews customer satisfaction and service strategies to determine compliance with the LWIB goals and develop corrective measures and recommendations where needed.

Section 5.04 Putnam Partnership Committee. The Putnam Partnership is a subcommittee of the LWIB and consists of One-Stop partners who were approved by the CLEO in accordance with WIA and an appointed LWIB member. The partnership has responsibility for the operation of the One-Stop Center in Carmel, Putnam County. One member of the Partnership is appointed to the LWIB and has responsibility for presenting the Partnerships' recommendations to the LWIB for action and to update the LWIB on the activities and customers of that center. The Putnam member is appointed by the CLEO of Putnam County.

Section 5.05. Youth Council. The local Youth Council serves as the Workforce Investment Board's architect for a complete resource map of available youth services in the area; develops a coordinated, comprehensive service delivery system in the local area. Specific duties include: programming policy recommendations/advise; strengthening linkages between existing local youth services; developing the youth portion of the Workforce Plan; recommending youth service providers to the LWIB; and providing oversight of the youth service providers.

ARTICLE VI – PARLIAMENTARY AUTHORITY

The rules contained in “Robert’s Rules of Order Revised” shall govern this organization in all cases to which they are applicable, and in which they are not inconsistent with these By-Laws or applicable Federal and State statutes and regulations.

ARTICLE VII – AMENDMENT TO BY LAWS

These By Laws or any part thereof may be amended or changed, or repealed in conjunction with the CLEO by two-thirds vote of the entire Board of Directors at any regularly scheduled meeting after notice that such action is a purpose of the meeting. The proposed amendment or changes must be in written form and distributed to all members within the notice of scheduled meeting. Amendment of such proposals on first reading shall be deemed as applicable provided, however that said amendments shall be distributed to all members of the LWIB in advance of the meeting an amendment is to be acted upon.

ARTICLE VIII – EFFECTIVE DATE

These By Laws shall take effect on July 1st, 2003, and shall remain in effect until amended or repealed in accordance with Article VII.

BY LAWS ADOPTED: _____

Signed: _____ 6/26/03
Chairperson Date

Print Name: Peter G. Wilcox

Signed: _____ 6/26/03
Secretary Date

Print Name: Richard Biondi