

**LAKE COUNTY WORKFORCE DEVELOPMENT BOARD
BY-LAWS**

Approved: November 25, 2020

**ARTICLE I
GENERAL PROVISIONS**

Section 1. Name

The name of this board shall be the Lake County Workforce Development Board, (hereinafter referred to as the “Board”).

Section 2. Principal Office

The official office location and mailing address shall be the Lake County Workforce Development Board, 1 N. Genesee Street, Waukegan, Illinois 60085.

Section 3. Authority

The Board shall act as the Workforce Development Board for the local Workforce Development Area described in Article I, Section 4 of the by-laws. The Board shall conduct and engage in activities as set forth in the federal Workforce Innovation and Opportunity Act of 2014 (hereinafter referred to as “WIOA”), (Public Law 113-128) et seq. as from time to time amended, and other applicable federal, state, and local regulations and federal, state, and local law.

Section 4. Workforce Development Area

Lake County is the designated workforce development area and has been so designated by the Governor of Illinois as Local Workforce Development Area#1.

Section 5. Lake County Workforce Development Department

Lake County is the local grant recipient for the funds authorized under WIOA Title I- and is liable for any misuse of the funds allocated to Lake County. The Lake County Workforce Development Department is the Lake County department assigned to carry-out the County’s responsibilities under the Workforce Innovation and Opportunity Act. The responsibilities of the Lake County Workforce Development Department will be as determined by Lake County and in compliance with the State of Illinois’ Local Workforce Innovation and Opportunity Board Staffing Policy.

ARTICLE II
PURPOSE AND DUTIES

Section 1. Mission

The mission of the Lake County Workforce Development Board is to ensure a workforce ready for today and prepared for tomorrow.

Section 2. Purpose

The Lake County Workforce Development Board shall ensure the integration of services to prepare individuals to meet the local needs of business and industry. The Board shall take a leadership role in advocating, planning, evaluating, and developing local workforce resources to enable individuals and businesses to reach their full potential in a changing global marketplace. The vision of the Lake County Workforce Development Board is to build a quality and diverse workforce that meets the employment and training needs of employers and individuals in a compassionate, timely, and efficient manner through a committed Lake County workforce network.

Section 3. Duties

The Board shall perform the duties as described in WIOA Section 107(d), including at a minimum:

- A. In partnership with the Chief Elected Official, develop and submit a four-year local plan to the Governor in accordance with WIOA Section 108, and participate in the development and submission of a four-year regional plan in accordance with WIOA Section 106(c)(2).
- B. Conduct regular research, data collection, and analysis of the economic conditions in the local and regional areas to ascertain the skills of the workforce, the knowledge and skills needed by employers and the available education and training opportunities.
- C. Convene and engage the local workforce development system in the development of the local and regional plans, and to provide support for workforce development activities.
- D. Develop relationships with the local employer base to: promote business representation on the Board, support use of the local workforce system, ensure that local employer needs are being addressed, support economic growth, and expand employment and career opportunities for workforce development system participants.
- E. Lead local efforts to develop and implement career pathways and supportive services.
- F. Identify and promote use of proven and promising best practices for meeting the needs of employers, workers, and jobseekers.
- G. Develop strategies for using technology to maximize accessibility and effectiveness of the local workforce development system.
- H. In partnership with the Chief Elected Official, conduct oversight of the local workforce system to ensure that funds are used and managed appropriately, specifically youth funds authorized under WIOA Section 129(c), and employment and training activities authorized under WIOA Sections 134(c) and (d).

- I. Negotiate local performance accountability measures in partnership with the Governor and Chief Elected Official.
- J. Designate or certify a One-Stop Operator(s) consistent with WIOA Section 121(d)(2)(A).
- K. Recommend award of contract(s) or agreement(s) to youth service providers pursuant to WIOA Section 123 for youth workforce investment activities.
- L. Identify eligible training providers of training services pursuant to WIOA Section 122.
- M. Identify, as needed, eligible career services providers.
- N. Work to maximize consumer choice in types of providers of career and training services.
- O. Coordinate activities with local education and training providers, including Adult Education and Carl D. Perkins programs.
- P. Subject to approval by the Chief Elected Official, develop a budget for the Board, consistent with the local plan and its enumerated duties and responsibilities.
- Q. Annually assess the physical and programmatic accessibility of the One-Stop Center(s) in the local workforce area.

ARTICLE III MEMBERSHIP

Section 1. Appointment

The Chief Elected Official of Lake County shall appoint members of the Lake County Workforce Development Board per WIOA Section 107(b)(2). All members serve at the pleasure of the Chief Elected Official of Lake County.

Section 2. Membership Terms

The Chief Elected Official of Lake County shall determine the initial term of membership for all members. Thereafter, members may be appointed for a three (3) year term at the discretion of the Chief Elected Official of Lake County. Approximately one-third of the member terms will expire each year.

Section 3. Composition

The Board shall reflect demographic, ethnic, and business composition of Lake County.

Section 4. Business Representatives

Board representatives of the business sector shall constitute the majority of the membership of the Board as defined in WIOA Section 107(b). Individual representatives must be individuals who are owners of businesses, chief executives or operating officers of business, and other business executives with optimum policymaking or hiring authority as outlined in WIOA Section 107(b)(2)(A). At least two (2) business members must meet the requirements of a small business as defined by the Small Business Administration.

Section 5. Workforce Representatives

Members of this category shall constitute at least twenty percent (20%) of the membership. The members shall include at least two (2) representatives of labor organizations and one (1) representative of registered apprenticeship programs (if they exist in the area); may include representatives from community-based organizations that have demonstrated experience and expertise addressing the employment needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive integrated employment for individuals with disabilities; and may include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.

Section 6. Education and Training Representatives

Local educational program representatives which shall include an eligible provider of adult education and literacy activities, and a representative of institutions of higher education providing workforce investment activities (including community colleges). The members may include entities administering education and training activities that represent local education agencies and community-based organizations with demonstrated expertise addressing the education or training needs of individuals with barriers to employment. No single member of a local board shall serve as a representative of the adult education and literacy activities under Title II and the institution of higher education providing workforce investment activities.

Section 7. Governmental and Economic and Community Development Representatives

Entities shall include economic and community development entities, Wagner-Peyser, Title I of the Rehabilitation Services Act of 1973. Members in this category may include a representative that administers local programs providing transportation, housing and public assistance in the local area or a representative of philanthropic organizations serving the local area.

Section 8. Other Sector

May include such other individuals or representatives of entities as the CEO(s) may determine to be appropriate.

Section 9. Representation

An organization which administers two or more of the programs carried out by the one-stop partners as outlined in WIOA Section, may be represented on the Board by a single individual. Said member shall only be entitled to one (1) vote on any issue. However, a representative of higher education may not simultaneously represent adult education and literacy activities under Title II of WIOA. The ICCB-approved Adult Education and Family Literacy representative, preferably the Project Director or the Project Coordinator, must have direct oversight of the adult education program.

Section 10. Participation

To ensure Board members actively participate in board functions, each member will actively serve on a committee. The Executive Committee will survey the membership as to their interest and appoint members to the committees.

Section 11. Vacancies

Any vacancy occurring on the Board before the expiration of a member's term shall be filled by appointment by the Chief Elected Official of Lake County. The Workforce Development Board staff shall be responsible for informing the Chief Elected Official of any vacancy. Said vacancy shall be filled within thirty (30) days of the notice being filed. The appointment must satisfy the membership composition requirements of WIOA Section 107(b)(2). Upon appointment, the member shall serve the unexpired term of the member whose vacancy he/she is filling.

Section 12. Removal

The Board may recommend that the Chief Elected Official of Lake County remove a member for failure to perform the duties of a Board member. This does not preempt the rights or obligations of the Chief Elected Official of Lake County to retain the power to remove members on his/her own recommendation.

- A. Three (3) consecutive absences from regularly scheduled meetings of the Lake County Workforce Development Board without excuse from the Chairperson shall constitute a de facto resignation of the Board member.

- B. Should a Board member cease to represent the category to which he/she was appointed to fill on the Board through change in status, said Board member shall be removed and replaced pursuant to Section 7 of this Article.

- C. In the event that a Board member becomes unable to perform his/her duties on the Board, the Board may recommend that the Chief Elected Official of Lake County remove and replace the member.

Section 13. Voting Privileges

All Board Members appointed to the Board shall be afforded voting rights on the Board and any standing committee or ad hoc committee to which they are named. Those voting rights can be delegated to a proxy under the following:

- A. A member may designate, in writing, one person to the Co-Chairs as the member's proxy. A proxy, so designated, may represent the member at any Board meeting , and may vote on behalf of the board member on any motion taken.
- B. A member Proxys shall have similar interests in the workforce and education systems as the board members they represent and shall have no apparent or perceived conflict of interest to the proceedings of the meeting that they are attending.
- C. Proxy designation should be limited to two occurrences per year for each appointed board member.

**ARTICLE IV
OFFICERS OF THE BOARD**

Section 1. Officers

The officers of the Board shall include a Chairperson and Vice-Chairperson. Additional officers of the Board may be created if deemed necessary. Any additional officers of the Board must be created by an amendment to these by-laws.

Section 2. Qualifications, Election, and Tenure

The Chairperson and Vice-Chairperson of the Board shall be selected from among the Board's business representatives. Officers shall be nominated for election through an ad-hoc nominating committee appointed by the Board Chairperson. The officers of the Board shall serve for a one-year term and may be reelected for up to a third one-year term upon nomination by the ad-hoc nominating committee and subsequent election by the Board.

Section 3. Vacancy

A vacancy in office for one of the officers of the Board shall be filled upon nomination by an ad-hoc nominating committee appointed by the Board Chairperson and subsequent election by the Board. Any officer so appointed shall serve for the remainder of the unexpired term of office.

Section 4. Powers and Duties of the Officers

The Chairperson shall have the following powers and duties:

1. Shall preside at all Board and Executive Committee meetings;
2. Shall establish agenda for each Board and Executive Committee meeting;
3. Shall sign on behalf of the Board, all necessary legal documents;
4. Shall appoint all chairs of the standing committees and any ad-hoc committees;
5. Shall be the official representative of the Board, as required;
6. May call special meetings of the Board.

The Vice-Chairperson shall have the following powers and duties:

1. Shall assume all duties and responsibilities of the Chairperson in the Chairperson's absence;
2. Shall serve as official Parliamentarian for the Board.

Section 5. Removal

Any officer may be removed by an affirmative vote of two-thirds (66%) of the entire Board whenever in its judgment the best interests of the Board may be served thereby.

**ARTICLE V
STANDING COMMITTEES**

Section 1. Committees

Pursuant to WIOA Section 107(b)(4), the standing committees of the Lake County Workforce Development Board shall be the Executive, Finance and Compliance, Operations, Employer Connections, and Talent Pipeline Committees. The Board Chairperson may designate other standing and ad hoc committees as determined appropriate.

Section 2. Committee Rules

The following rules shall apply to all standing and ad hoc committees of the Board:

- A. The Chairperson of each standing committee shall be selected by the Board Chairperson from among the members of the Board. The Board Chairperson shall serve as Chairperson for the Executive Committee.
- B. Committee members shall be selected by the Board Chairperson and the Chairperson of the respective standing committee. Membership on any ad-hoc committee shall be selected by the Board Chairperson.
- C. Committee membership must include private sector business and public sector representatives who are not Board members. All members of a committee shall be afforded voting privileges for that committee.
- D. The Board Chairperson and the Lake County Board member representative are ex-officio members of all standing committees.
- E. For Committee meetings, a quorum of a Committee is established when more than half of the members of the Committee are present.

Section 3. Description and Duties of the Executive Committee

The Executive Committee shall consist of the officers, the chairs of the standing committees, the Lake County Board member representative, and a representative from the Lake County Workforce Development Department, the College of Lake County, and the Illinois Department of Employment Security, and other voting Board members as selected by the Board Chairperson. The majority of the committee's membership shall be business representative members of the Board. The Board Chairperson shall appoint members who represent both business and non-business representatives, as well as individuals who are not Board Members.

- A. Members of the Executive Committee who are not members of the Lake County Workforce Development Board shall be voting members of the Executive Committee, but shall not be voting members of the Lake County Workforce Development Board.
- B. The Executive Committee duties shall include the following:
 - 1. Make recommendations to the Board on policies necessary to address the workforce issues in the Workforce Development Area.
 - 2. Review and recommend for approval to the Board the following:

- (a) The four (4) year local plan required by WIOA Section 108;
 - (b) Annual financial budget for Board activities, including but not limited to: Board trips and training, association membership, and hiring of consultants for specific Board authorized projects;
 - (c) Requests for certification from training providers pursuant to WIOA Section 122;
 - (d) Approval for training service provider exceptions as authorized under WIOA and relevant state regulations;
 - (e) Selection and designation of a One-Stop Operator following a competitive procurement process undertaken pursuant to WIOA Section 107(d)(10), definition of duties, and if warranted and necessary, decertification of operators.
 - (f) Approval of a Memoranda of Understanding for programs and services offered by the One-Stop Center Partners.
3. Review reports, recommendations, etc. from internal or external monitoring and inform and/or recommend to the Board any corrective action.
 4. Identify groups involved with workforce development and determine how the Board can work with these groups to eliminate duplication and maximize effectiveness.
 5. Develop employer linkages and coordinate economic development strategies so that Lake County possesses a strong economy with diverse businesses and quality job opportunities.
 6. Identify potential nominees on an on-going basis for board vacancies.
 7. The Executive Committee also may perform the following functions:
 - (a) When expedient action is warranted, exercise all powers and duties of the Board, except amendment of these by-laws. The Executive Committee shall not act in conflict with actions or policies of the Board or the Chief Elected Official of Lake County. Reports of action taken by the Executive Committee shall be distributed to Board members within seven (7) days of such action for confirmation by the Board at its next regular meeting.
 - (b) Assist the Board Chairperson with setting the Board meeting agenda.

Section 4. Description and Duties of the Talent Pipeline Committee

The Talent Pipeline Committee shall include members and non-members of the Board with special interest or expertise in youth and adult workforce development policy including youth and adults with a disability; youth and adult activities; youth and adult service agencies, including juvenile justice and local law enforcement agencies; agencies serving individuals with a disability, and agencies serving the underserved and vulnerable populations; public housing authorities; and Job Corps as appropriate; and

other individuals as deemed appropriate by the Board Chairperson. The Chairperson of the Talent Pipeline Committee shall be selected from among the business representative members of the Board.

- A. Members of the Talent Pipeline Committee who are not members of the Lake County Workforce Development Board shall be voting members of the Talent Pipeline Committee, but shall not be voting members of the Lake County Workforce Development Board.
- B. The Talent Pipeline Committee duties shall include the following:
 - 1. Coordinate youth activities in the local area as authorized under WIOA Section 129(c).
 - 2. Coordinate adult activities in the local area as authorized under WIOA Section 134(b).
 - 3. Recommend policies for individual training accounts such as maximum amount and duration.
 - 4. Collect and provide information on programs and services to be made available for individuals with disabilities.
 - 5. Pursuant to relevant federal and state regulations, define worker eligibility policies and priority groups for receiving WIOA funded services.
 - 6. Subject to the approval of the Board, the Talent Pipeline Committee also may be charged to:
 - (a) Recommend eligible providers of youth activities to be awarded grants or contracts on a competitive basis by the Board to carry out the youth activities per WIOA Section 123.
 - (b) Recommend eligible providers of adult activities to be awarded grants or contracts on a competitive basis by the Board to carry out the youth activities per WIOA Section 122.
 - (c) Conduct performance oversight with respect to the eligible providers of youth activities, in the local area per WIOA Section 116(b)(2)(A)(ii).
 - 7. Other duties as assigned by the Board Chairperson.

Section 5. Description and Duties of the Employer Connections Committee

The Employer Connections Committee shall include members and non-members of the Board with special interest or expertise in delivery of training, labor market trends and demands, and the hiring and workforce needs of employers. The Chairperson of the Employer Connections Committee shall be selected from among the business representative members of the Board.

- A. Members of the Employer Connections Committee who are not members of the Lake County Workforce Development Board shall be voting members of the Employer Connections Committee, but shall not be voting members of the Lake County Workforce Development Board.

- B. The Employer Connections Committee duties shall include the following:
1. Review labor market data and make recommendations on further localization of labor market information.
 2. Review requests for certification from training providers to ensure training is tied to labor market trends and demands.
 3. Promote the participation of employers in the workforce system.
 4. Promote employer sponsored on-the-job training, customized training, and skill upgrading as a job and business retention tool.
 5. Create menu of employer services that can be customized to serve business or industry cluster needs.
 6. Other duties as assigned by the Board Chairperson.

Section 6. Description and Duties of the Operations Committee

The Operations Committee shall include members and non-members of the Board with special interest or expertise in workforce services who represent the required one-stop partners as outlined in WIOA Section 121(b). In addition, a minimum of three of the members of the Committee must be business members of the Board. The Chairperson of the Operations Committee shall be selected from among the members of the Board.

- A. Members of the Operations Committee who are not members of the Lake County Workforce Development Board shall be voting members of the Operations Committee but shall not be voting members of the Lake County Workforce Development Board.
- B. The Operations Committee duties shall include the following:
1. Make recommendations to the Board on policies necessary to establish a local one-stop service-delivery system which fulfills the Board’s vision, mission and goals. This shall include negotiation of Memoranda of Understanding between the one-stop partners as required under WIOA Section 121(c), with the agreement of the Chief Elected Official of Lake County. Such negotiations shall include provisions for:
 - (a) The services to be provided through the one-stop system;
 - (b) How the costs of such services and the operating costs of the One Stop Center will be funded;
 - (c) Methods for the referral of individuals between the one-stop operators and the one-stop partners for the appropriate services and activities; and
 - (d) The duration of the Memoranda and the procedures for amending the Memoranda during its term.

2. Provide oversight of programmatic and physical access to the One-Stop Center(s) and provision of appropriate training for staff.
3. Other duties as assigned by the Board Chairperson.

Section 7. Description and Duties of the Finance and Compliance Committee

The Finance and Compliance Committee shall include of members of the Board with special interest or expertise in finance, grant compliance, and workforce development. The Chairperson of the Finance and Compliance Committee shall be selected from among the business representative members of the Board.

- A. Members of the Finance and Compliance Committee who are not members of the Lake County Workforce Development Board shall be voting members of the Finance and Compliance Committee but shall not be voting members of the Lake County Workforce Development Board.
- B. The Finance Committee provides financial analysis, advice, and oversight of the organizations budget. Their sole responsibility is to ensure the organization is operating with the financial resources it needs to provide programs and services to the community.
- C. The Finance and Compliance Committee duties shall include the following:
 1. Make recommendations to the Board on policies necessary to address the workforce issues in the Workforce Development Area.
 2. Review and recommend for approval to the Board the following:
 - (a) Annual financial budget and budget modifications
 - (b) Special Grants
 - (c) Approval of the Memorandum of Understanding Cost Sharing Agreement
 3. Review grant financial reports and report financial performance to the Board.
 4. Review reports, recommendations, etc. from internal or external monitoring and inform and/or recommend to the Board any corrective action.
 5. Other duties assigned by the Board Chairperson.

Section 8. Nominating Committee

The ad-hoc Nominating Committee shall meet at least annually for the purposes of nominating Board officers and recommending potential Board members to fill terms that are expiring. Members of the ad-hoc Nominating Committee shall be appointed by the Board Chairperson.

Section 9. Other

Other ad-hoc committees may be established by the Board Chairperson as necessary.

**ARTICLE VI
MEETING PROCEDURES**

Section 1. Meeting and Notice

Regular meetings of the Lake County Workforce Development Board shall be held at such times and as often as necessary in a location compliant with provisions of the Americans with Disabilities Act (ADA). Notwithstanding, the Board shall meet at least four (4) times per year. Notice of regular meetings shall be given at the beginning of the calendar year and shall state the date, time, and place of the meetings. If a change is made to the notice of regular meetings, such change shall be given at least ten (10) days prior to the change.

- A. Special meetings may be held at any time upon call of the Board Chairperson or by a petition signed by not less than thirty-three percent (33%) of the membership of the Lake County Workforce Development Board setting forth the reason for calling such a meeting. Notice of special meetings shall be given at least forty-eight (48) hours before the date of the meeting and shall state the date, time, and place of the meeting.
- B. All Board and Committee meetings shall be subject to the Open Meetings Act of the State of Illinois and federal sunshine laws, and to provisions of the Americans with Disabilities Act (ADA).
- C. Electronic written notice of each meeting shall be sent to the Board members at such times and as often as the Board may deem necessary.
- D. Minutes of all Board and Committee meetings shall be kept by and be available in the Lake County Workforce Development Board office.
- E. The public shall be informed of meetings through notice which shall state the date, time, and place. Special meeting notices shall state the purpose of the meeting and whether it has been called by the Chairperson or by petition.
- F. A quorum of the Board shall exist when (1) forty percent (40%) of the voting members are present at any meeting of the Board and (2) forty percent (40%) of the quorum are business representatives of the Board.
- G. Each member shall have one (1) vote.
- H. The Illinois Open Meetings Act (5 ILCS 120/2.01) as amended requires that all public meetings be held at specified times and places which are convenient and open to the public. It also requires that a quorum of members of a public body must be physically present at the location of an open meeting. A member may participate by telephone during a meeting if a quorum is physically present. Such participation shall include discussion and voting privileges. The member must advise the Workforce Development Board staff at least 48 hours in advance of the meeting in order to make the necessary arrangements for the member to participate. Staff shall inform the Chair of the Board or Committee in advance of the member's notice of intent to participate by telephone.

The minutes for the meeting shall note that a member participated by telephone.

Section 2. Conflict of Interest

A member of the Board may not vote on a matter in which that Board member has a conflict of interest. A conflict of interest shall exist when a matter under consideration by the Board involves:

1. the provision of services by such member (or by an entity that such member represents); or
 2. that would provide direct financial benefit to such member or the immediate family of such member.
- A. A member of the Board may not engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the State plan.
- B. Any member having a conflict of interest should declare, and the meeting minutes shall note, the member's conflict prior to any discussion on the matter.

**ARTICLE VII
MISCELLANEOUS**

Section 1. Rules of Order

When parliamentary procedures are not covered by these by-laws, Robert’s Rules of Order, Revised, shall prevail.

Section 2. Amendment of By-Laws

These by-laws may be amended by an affirmative vote of two-thirds of the membership at any regular or special meeting of the Board. Proposed amendments shall be given to the Executive Committee, who will then recommend the proposed amendment to the Board. A proposed amendment that is not recommended by the Executive Committee can be submitted to the Board upon any Board member’s motion to consider the amendment and two-thirds vote of the Board. Proposed amendments shall be submitted by written notice to the Board at least ten (10) days prior to voting on the proposed amendment.

Section 3. Conflict

Nothing in these by-laws shall be construed to take precedence over federal, state, or local laws or regulations, or to constrain the rights or obligations of the Chief Elected Official of Lake County.

**ARTICLE VIII
ENACTMENT**

These by-laws shall become effective after approval by a two-thirds vote of the Board after due notice. Said notice shall be made no less than ten (10) days prior to the meeting at which these by-laws are enacted.