

BYLAWS

SANTA ANA WORKFORCE INVESTMENT BOARD

Article I. Creation of the Workforce Investment Board

Pursuant to the legislative mandates outlined in the Workforce Investment Act of 1998 (WIA), Public Law 105-220, Section 117, and State of California implementing legislation and/or Executive Orders, a Workforce Investment Board, hereinafter known as the "WIB", has been created, and its members appointed by the elected officials of the City of Santa Ana, hereinafter known as the "City", for the Workforce Investment System of Santa Ana. The WIB does hereby establish and ordain these Bylaws, for the purpose of providing operational authority for the WIB.

Article II. Purpose

Section 1. The purpose of the WIB shall be to insure the involvement of the business and industrial community, including small businesses, minority business enterprises, education, labor organizations, community-based organizations, economic development agencies and one-stop delivery system partners in workforce investment activities.

Section 2. The purpose of the WIB shall also be to oversee a local cooperative relationship with the City that will most effectively satisfy the labor demand needs of the business community and enhance the economic well being of individuals in need of workforce investment services.

Article III. Functions of the WIB

Section 1. The WIB, in partnership with the City, shall provide policy guidance for and exercise oversight with respect to activities contained in the Workforce Investment Plan for Santa Ana and the WIB Strategic Work Plan.

Section 2. The WIB shall approve, and refer to the Santa Ana City Council for concurrent approval, an effective Workforce Investment Plan that will provide a coordinated mix of services that best meet the workforce investment needs of the local labor market. The WIB and the City shall jointly submit the Plan to the Governor of the State of California.

Section 3. The WIB shall establish performance criteria and provide oversight of the activities conducted to ensure their efficient and effective operation.

Section 4. The WIB will direct activities designed to actively solicit public and private support for, and participation in, WIA programs.

Section 5. The WIB shall perform other functions and duties as required by WIA or State of California implementing legislation and/or Executive Orders and shall act in accordance with the Act and the Agreement entered into between the WIB and the City.

Article IV. WIB Membership

Section 1. The WIB members shall be appointed by the Santa Ana City Council.

Section 2. The WIB shall have a minimum of thirty-five (35) members, with members in the various categories as required by law, as amended from time to time. Additional members representing the business community may be added to the Board at the discretion of the WIB and approval of the City Council. At a minimum, the membership shall include nineteen (19) business representatives including economic development agencies and sixteen (16) at large representatives of the following groups:

members)	Local Educational Entity/Carl D. Perkins/Adult Ed.	(2
members)	Organized Labor (4= 11% meets min. 10%)	(4
member)	Community-Based Organizations (disabilities)	(1
members)	Community-Based Organizations (at large	(2
(1 member)	Rehabilitation Agency	
	Wagner-Peyser/Social Security Act/Trade Act/ State Unemployment/Veterans	(1 member)
	County Welfare Agency/Cal Works	(1 member)
	Community Services Block Grant	(1 member)
	City appointee representing WIA Title I/ Housing & Urban Development	(1 member)
	Older Americans Act	(1 member)

Local Education Agency/School Board

(1 member)

Section 3. The constituent membership of the WIB may be changed through additional appointments by the Santa Ana City Council if ratified by a 2/3 vote of the WIB. Under no circumstances shall the

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WIB exceed 45 members, unless such number is revised due to changes in the governing law .

Section 4. Membership shall be for four (4) years with the exception that original membership shall be staggered with one-third of the members serving for two, three or four year terms. The length of term shall be determined by lot.

Section 5. Appointment to unexpired terms shall be made by the Santa Ana City Council and the successor shall serve out the remainder of the term of the original appointment.

Section 6. An excused absence shall be recorded in the WIB minutes when a WIB member or his designee notifies the WIB secretary at least 72 hours in advance of the scheduled WIB meeting.

Section 7. If a member absents himself from two (2) regular meetings, consecutively, unless by permission of such board expressed in its official minutes or fails to attend at least one-half (1/2) of the regular meetings of such board or commission within a calendar year or is convicted of a crime involving moral turpitude, the office shall become vacant and shall be declared by the city council. Also see Article IX for Removal of Members.

Article V. WIB Officers

Section 1. The WIB shall have a Chairperson, a Vice-Chairperson and a Secretary-Treasurer. The Chairperson and Vice-Chairperson shall be elected annually for a one-year term, said term to be on a calendar year basis. The WIB shall conduct an election for, and select persons for said positions during the last quarter (October, November, or December) of each calendar year. These positions shall be filled by membership among the representatives of business and industry. The Vice-Chairperson shall act on behalf of the Chairperson during the Chairperson's absence. In the event a WIB officer resigns from the Board during their term of office, the full Board, at its next regularly scheduled meeting shall elect a qualified WIB member to serve the

remaining term of the office.

The Administrator of the Workforce Investment System shall serve as Secretary-Treasurer of the WIB. The Secretary-Treasurer shall have the authority to sign all documents previously approved by the WIB on behalf of the WIB. The Secretary-Treasurer shall not be a member of the WIB and shall have no voting privileges on the WIB.

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Section 2. The Chairperson shall appoint all standing committee chairpersons, subject to ratification by the WIB or the Chairperson may be elected by the committee. The Chairperson, in concert with the Executive Committee, shall appoint all members to standing committees.

Section 3. The Chairperson shall set the agenda for WIB meetings, preside at all meetings of the WIB and in general perform all duties incident to the office as directed by the WIB.

In the absence of both the Chairperson and Vice-Chairperson, the Secretary-Treasurer or designee shall open the meeting and call for nominations of a Chairperson for that specific meeting.

Article VI. Executive Committee

Section 1. There shall be an Executive Committee comprised of the Chairperson; Vice-Chairperson, the immediate past-Chairperson, if a current WIB member; and the Chairpersons and Vice-Chairpersons of both the standing and ad hoc committees as specified in Article VII. The Secretary/ Treasurer shall serve as an ex-officio, non-voting member of the Executive Committee.

Section 2. The Chairperson of the WIB shall serve as the Chairperson of the Executive Committee.

Section 3. The Executive Committee shall meet bi-monthly (every other month opposite WIB), or as deemed necessary by the Chairperson and the WIB.

Section 4. The purpose of the Executive Committee shall be to:

- a) Provide recommendations regarding regular agenda items of the WIB as deemed necessary by the Executive Committee or WIB;
- b) consult with WIB support staff;

- c) formulate policy recommendations concerning all aspects of the Board's responsibilities and the Workforce Investment System's operation for consideration and action by the WIB; maintain the Bylaws and develop/submit necessary modifications of the Bylaws to the WIB for approval; and,
- d) complete activities contained in the WIB Strategic Work Plan and act as a clearinghouse for all of the committees of the WIB by reviewing and making recommendations on all items to be presented

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to the full WIB; develop a communication plan to provide continuous communication with local, state and federal elected officials and the press to promote successes and encourage WIB members to communicate regularly with local elected officials.

Section 5. Whenever appropriate, due to time constraints or other factors, the Executive Committee shall have decision-making authority on behalf of the WIB. Such actions taken by the Executive Committee shall be ratified by the WIB at its next regularly scheduled meeting. Such actions shall be noticed to all WIB members within seven (7) working days. In the event a WIB member takes exception to said action of the Executive Committee, the Chairperson shall convene a special meeting of the WIB to resolve the issue.

Article VII. Standing Committees of the WIB

Section I. The number and names of the Standing Committees shall be determined by the WIB Strategic Work Plan, with a Standing Committee assigned to each goal area contained in the Plan. Additionally, a Youth Council, as mandated in the Act, will function as a Standing Committee to the WIB. There shall be five (5) Standing Committees, named and functioning as follows:

a. Marketing Committee

Develop the written marketing plan for the WIB to promote services funded with WIA funds. Convene task forces, focus groups and conducts telephone surveys to determine incentives and obstacles for businesses to use the One-Stop Center's services. Review, evaluate and make recommendations on the current marketing materials being used by the One-Stop Center and the WIB.

Develop a written plan to recruit and retain business members on the WIB. Bring potential new board members to the WIB for

their consideration. Function as the nominating committee for WIB officers each year.

b. Employer and Customer Service Committee

Study the disparity between business expectations and the services offered by the One-Stop Center. Develop a plan to resolve issues of meeting expectations of the business community, federal mandated performance requirements, and

the use of limited funds to accomplish these goals. Identify areas where federal and business expectations are met and where they are lacking. Define business service training from the business perspective. Define basic skills from the One-Stop' s perspective.

Develop policy or position papers on what training and services should be offered by the One-Stop Center. Identify gaps between the One-Stop and business services and determine what programs could be funded to fill those gaps.

d. Oversight and Data Committee

Identify data necessary for effective WIB oversight of the One-Stop Center. Develop categories of data required to collect for this evaluation including cost, performance, programs/services, and return on investment.

Conduct global issues gap analysis based on WIB priorities and available research resources.

e. Youth Council

Membership on the Youth Council shall include members of the WIB with a special interest or expertise in youth policy, representatives of youth services agencies including juvenile justice and local law enforcement, local public housing authority as appropriate, parents of local youth seeking assistance under WIA, former youth participants (in-school and/or out-of-school), representatives of organizations that have experience relating to youth activities, representatives of the Job Corps as appropriate, and other individuals who are deemed appropriate by WIB Chair in cooperation with the chief local elected official.

Performs all the functions mandated by the Act including planning, procurement, presenting recommendation to the WIB on funding youth programs and oversight of the programs approved for funding. The Youth Council also markets, coordinates and collaborates with Youth Council members' organizations and other community agencies whose primary function is to serve local youth. Develops and creates an advocacy program to promote early workforce preparation of Santa Ana youth.

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Section 2. Standing committees and ad hoc committees shall meet on a bi-monthly basis, or as deemed necessary by the Committee Chairperson to conduct the business of the committee.

Section 3. The Chairperson of each standing committee or ad hoc committee shall be a member of the WIB, and be appointed by the WIB Chairperson or elected by the members of the individual committee. The Executive Committee shall oversee seating of all members of standing and ad hoc committees toward a goal of a mix of public and private members and avoidance of a real or perceived conflict of interest.

Section 4. The Committee Chairperson shall select a Vice-Chairperson from among the WIB members assigned to the committee. The Committee Chairperson and Vice-Chairperson shall each be members of the Executive Committee. The Vice-Chairperson shall chair the committee, and perform other duties as necessary, in the absence of the Chairperson.

Section 5. Every member of the WIB shall actively participate as a member of at least one (1) standing committee. WIB members may select committee participation, or are assigned by the Executive Committee. Non-WIB members may actively participate on standing committees at the invitation of the Committee Chairperson, including voting privileges at committee level, but shall have no voting privileges on WIB.

Section 6. Other ad-hoc committees may be created by the WIB for such particular purposes as may be deemed necessary or desirable to enhance or assist the WIB in carrying out its functions and furthering the purposes of WIB.

Article VIII. Meeting Procedures

- a. The WIB shall provide for its regular, adjourned regular, and special meetings provided however, it shall hold at least four regular meetings each fiscal year. The dates upon which and the hour and place at which any regular meeting shall be held shall be set annually and a copy of the yearly meeting schedule shall be filed with the City.
- b. All meetings of the WIB including without limitation, regular, adjourned regular, and special meetings shall be called, noticed, held and conducted in accordance with the Ralph M. Brown Act, Chapter 9, Division 3, Title 5 of the California Government Code commencing with Section 54950.

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- c. Chairperson of the WIB shall cause to be kept minutes of the regular, adjourned regular and special meetings excepting closed sessions and once minutes are approved cause a copy of the minutes to be posted on the website and made available to any interested party making a special request therefore.
- d. The majority of the WIB members shall constitute a quorum for the transaction of business.
- e. Special meetings of the WIB may be called by the Chairperson or by the signed petition of one-third of the members of the WIB.
- f. The WIB will conduct its meetings according to Robert's Rules of Order, except where Robert's Rules of Order conflict with these Bylaws, in which case these Bylaws shall apply.

Section 2. Voting Privileges

- a. Each member shall be entitled to cast one vote.
- b. The presiding Chairperson shall cast a vote only if it is required to resolve a tied vote.
- c. No member of the WIB or Youth Council appointed by the Board, shall cast a vote on any matter in which it has direct bearing on services to be provided by that member or any organization, which such member represents or that would provide direct financial benefit to such member or the immediate family of such

member.

- d. WIB members and Youth Council members appointed by the Board shall comply with all requirements of State and Federal Law representing conflict of interest and financial disclosure, as applicable and as specified in the State Plan.

Article IX. Removal of Members

WIB members shall be removed by the City Council for cause upon the initiative of the City Council or upon consideration of removal recommendations from the WIB:

- a. For the member's violation of the Conflict of Interest Code or laws or failure to complete or declare applicable financial disclosure.

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- b. When the member ceases to be representative of the category for which appointment was made.
- c. For the member's failure to meet attendance requirements (Article IV., Sec. 7).
- d. For the member's refusal to report to or consult with the member's appointing authority.

Article X. Reimbursement

WIB members shall be reimbursed for their necessary and actual expenses incurred in the performance of their duties connected with the activities or responsibilities under the Act, State of California implementing legislation and/or Executive Orders in accordance with the approved travel and expense policy of the Workforce Investment System.

Article XI. WIB Bylaw Adoption and Amendments to Bylaws

According to Robert' s Rules of Order, the Bylaws may be amended as follows:

- a) Previous notice, then a 2/3 vote of approval by those present and voting at the meeting; or

b) If no previous notice, then a majority of the entire membership.

“ Previous notice” means that notice of the proposal to be brought up, at least briefly describing its substance, must be announced at the preceding meeting or must be included in the agenda that is distributed to all members of the organization a reasonable time in advance of the meeting.

Article XII. Severability

Should any part, term, portion or provision of these Bylaws be decided to be in conflict with any law or otherwise unenforceable or ineffectual, the remaining parts, terms, portions or provisions shall be deemed severable and their validity shall not be affected thereby, provided such remaining portions or provisions can be construed in substance to constitute the provisions that the members intended to enact in the first instance.

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Article XIII. General Provision

Nothing in these Bylaws shall be construed to take precedence over Federal, State or local laws or regulations or to constrain the rights or obligations of the City.

Modified by WIB – March 13, 2009
(WIB BYLAWS 3-09 revised by WIB)

