

**Greater Nebraska Workforce Investment Board
Bylaws**

**Article I.
NAME AND PURPOSE**

Section 1. NAME

The name of this organization shall be the Greater Nebraska Workforce Investment Board hereinafter sometimes referred to as the "GNWIB" or the "Board".

Section 2. OFFICE OF THE GNWIB

The principal office of the GNWIB shall be located at the office of the Nebraska Workforce Investment Liaison, currently the Commissioner of Labor, Nebraska Workforce Development, Department of Labor, 550 South 16th Street, Lincoln, Nebraska 68509.

Section 3. PURPOSE

The purpose of the Greater Nebraska Workforce Investment Board shall be to carry out such duties and functions as shall be delegated to it by the agreement established between the Greater Nebraska Chief Elected Officials (hereinafter "CEOB") and GNWIB under the Nebraska Workforce Investment Act (*Neb. Rev. Stat. §48-1616 et seq.*) and such other duties as may be authorized under Section 117(d) of the federal Workforce Investment Act of 1998 (PL 105-220), as amended or any subsequently enacted statutory authority.

**ARTICLE II.
MEMBERSHIP**

Section 1. COMPOSITION OF THE GNWIB

In accordance with *Neb. Rev. Stat. §48-1620* and Section 117(b)(2)(A) and (B) of the federal Workforce Investment Act, the board shall consist of the following members with representation as follows:

- (a) representatives of business in the local area;
- (b) representatives of local educational entities;
- (c) representatives of labor organizations in the local area;
- (d) representatives of community-based organizations for a local area;
- (e) representatives of economic development agencies, including private sector economic development entities;
- (f) representatives of each of the mandatory one-stop career center partners; and
- (g) such other individuals or representatives of entities as the CEOB determines appropriate.

Section 2. APPOINTMENT AND REMOVAL

Subsection a. The Chief Elected Officials Board (CEOB) shall make all appointments to the GNWIB, which shall conform to the requirements of Section 117 of the federal Workforce Investment Act and state statute. The CEOB may remove any member, at any time, with or without cause. Absence from three (3) consecutive Board meetings may result in removal from the Board.

Subsection b. Individuals serving on the Board who subsequently retire or no longer hold the position that made them eligible board members may not continue to serve on the Board as a representative of that segment.

Section 3. TERM OF APPOINTMENTS

Except as provided in Section 2 above, all members shall serve for a term of three years.

Section 4. RESIGNATION

When members deem it necessary to resign from their appointment to the GNWIB, they shall tender their resignation to the CEOB with copies to the Chair. Such resignation shall be deemed effective upon acceptance of the CEOB. In the event that the Chair resigns, the Vice-Chair shall serve as Acting Chair until such time as the local board elects a new Chair.

Section 5. VACANCY

In the event of a vacancy, the CEOB shall appoint another individual to serve, for the remainder of the unexpired term, in accordance with Section 2 herein.

Section 6. COMPENSATION

Members of the Board shall not receive compensation for their services, but may be reimbursed actual and necessary expenses directly related to the discharge of the Board's affairs.

ARTICLE III. OFFICERS

Section 1. CHAIR

The GNWIB shall elect a Chair who is a representative from business and industry, that serves at the pleasure of the GNWIB. The Chair shall preside at all meetings of the Board and appoint Chairs and members of all standing and special committees and task groups as deemed necessary or desirable unless otherwise specifically provided for within these Bylaws. The Chair shall represent the Board and has the authority to speak on its behalf before the Governor, Legislature and at all public meetings and functions. The Chair shall have the authority to and shall perform such other duties and functions as may be required by the GNWIB, its bylaws, applicable state and federal statutes, and regulations.

Section 2. VICE-CHAIR

The GNWIB shall elect the Vice-Chair who is a representative from business and industry that serves at the pleasure of the GNWIB. At the request of, or in the absence of the Chair, the Vice-Chair shall perform the duties of the Chair and perform other duties assigned by the Chair or by the Board. The Vice-Chair shall have the authority to and shall perform such other duties and functions as may be required by the GNWIB, its bylaws and applicable state and federal statutes and regulations.

Section 3. ABSENCE OF GNWIB OFFICERS

In the event that the Chair and Vice-Chair are going to be absent from a meeting, the Chair shall designate a member of the GNWIB as the Acting Chair, who shall preside at such meeting only.

Section 4. VACANCIES

Vacancies in the offices of Chair or Vice-Chair shall be filled by election by the GNWIB.

ARTICLE IV. MEETING PROCEDURES, VOTING RIGHTS, AND QUORUM

Section 1. MEETING TIME AND PLACE

The GNWIB shall hold meetings at least annually and at such other times and places as determined by the Board. Additional meetings may be held at the call of the Chair or Executive Committee.

Section 2. MEETING NOTICE

Notice of all meetings requiring public notice shall be in accordance with the Nebraska Public Meetings law, *Neb. Rev. Stat. §84-1408, et seq.* Written notice of each meeting shall be sent to members prior to the scheduled meeting along with a copy of the proposed minutes of the previous meeting. The notice shall specify the time, date, location, and proposed agenda for the meeting.

Section 3. ANNUAL MEETING

Unless otherwise determined by the Board, the annual meeting shall be held in November of every calendar year. The agenda shall include any business to be conducted.

Section 4. PUBLIC MEETINGS

All meetings of the GNWIB and its committees shall be conducted in accordance with the Nebraska Public Meetings law, *Neb. Rev. Stat. §84-1408, et seq.*

Section 5. CONDUCT OF MEETINGS

Subsection a. Unless the Board, by majority vote, shall direct otherwise, the order of business at regular meetings shall be:

1. Call to Order
2. Roll Call
3. Documentation of Compliance With Notice Requirements
4. Approval of Minutes
5. Old Business
6. New Business
7. Time and Location for Next Board Meeting
8. Adjournment

Subsection b. Non-members of the GNWIB shall be permitted to comment on any agenda item(s) requiring action by the Board at such time as "public comment" is solicited by the presiding officer, which, in any event, shall occur at least once prior to the time that any formal action is taken on the item. Non-members may also submit written comment on any agenda item(s), which comment shall be made a part of the permanent record of the meeting. The presiding officer, unless otherwise prescribed by rules adopted by majority vote, may in his/her discretion, limit the amount of time for discussion on any particular agenda item, which limit shall be announced at the time that the agenda items is brought up for discussion.

Subsection c. Each member present shall be allowed to cast one vote.

Subsection d. The rules contained in the current edition of Robert's Rules of Order, Newly Revised, shall govern the conduct of the Board's meeting unless those rules are inconsistent with law, these bylaws, or they are waived by majority vote.

Section 6. MANNER OF VOTING

The vote on all questions duly moved and seconded shall be by roll call vote. No question shall be deemed to have passed unless it has received a majority vote. Proxy voting is not permitted.

Section 7. QUORUM

A majority of the members shall constitute a quorum. No non-members may be seated at the Board as a representative of a member, nor shall any such representative be counted for purposes of determining a quorum.

Section 8. CONFLICT OF INTEREST

Subsection a. All members shall comply with the provisions of *Neb. Rev. Stat.* §§49-1499 through 49-14,103.03.

Subsection b. No GNWIB member may receive anything of value as a result of a benefit conferred by the GNWIB upon any person, business or organization.

Subsection c. A Board member must disclose with particularity the nature and extent of any financial interest in or affiliation with any person, business or organization that is seeking anything of value from the GNWIB prior to consideration of the request by the Board.

Subsection d. No member shall vote on a question in which he or she has a direct or indirect personal or pecuniary interest not common to other members of the GNWIB. The minutes of the meeting shall record compliance with this requirement. The interested member may briefly state his or her position regarding the subject or may answer questions of other members, since his or her knowledge may be of assistance.

ARTICLE V. STANDING COMMITTEES AND SPECIAL COMMITTEES

Section 1. CREATION OF STANDING COMMITTEES

Subsection a. There shall be designated the following standing committees:

1. Executive
2. Policy, Planning and Oversight
3. One Stop
4. ITA and "Eligible Providers"

Subsection b. There shall be created as a special subcommittee of the Board a Youth Council which shall be constituted in accordance with *Neb. Rev. Stat. §48-1621*.

Subsection c. The GNWIB Chair may create special committees or task force groups as he/she deems necessary or desirable.

Section 2. APPOINTMENT OF CHAIR

The Chair of the GNWIB shall serve as Chair of the Executive Committee. The Chair of all other committees shall be representatives of business and industry elected by a majority vote of each committee.

Section 3. APPOINTMENT OF MEMBERS

Subsection a. The CEOB shall designate the members of the Executive Committee. Said members to include:

- (a) Chair of GNWIB
- (b) Vice-Chair of GNWIB
- (c) Chair of each standing committee
- (d) Representative of local educational entities category
- (e) Representative of labor category
- (f) Representative of community based organization
- (g) Representative of Economic Development Agency
- (h) One representative of business and industry category
- (i) Representative of One-Stop Partners, provided, one person may be designated to represent more than one One-Stop Partner

Subsection b. The Chair of the GNWIB shall appoint the members to all other committees from the general membership.

Section 4. VOTING RIGHTS

Subsection a. Only GNWIB members appointed to serve on any standing or special committee or subcommittee shall have voting rights on those committees.

Subsection b. All actions or recommendations shall be by majority vote.

Section 5. COMMITTEE MEETINGS

Subsection a. Standing or special committees or task groups shall meet on an "as needed" basis subject to the call of the Chairperson of the GNWIB and/or the committee Chairperson.

Subsection b. When required by Nebraska Public Meetings law, notice of all meetings shall be in accordance with the Nebraska Public Meetings law, *Neb. Rev. Stat. §84-1408, et seq.* Written notice of each meeting shall be sent to members prior to the scheduled meeting along with a copy of the proposed minutes of the previous meeting. The notice shall specify the time, date, location, and proposed agenda for the meeting.

Section 6. EXECUTIVE COMMITTEE

There shall be an Executive Committee consisting of the GNWIB Chair and Vice-Chair Chairs of the standing committees, one representative from local educational entities, labor, community-based organizations, economic development agency and one-stop partners, and one or members from business and industry. The majority of the Executive Board shall be made up of members of business and industry. The Executive Committee shall have the authority to act on behalf of the GNWIB on issues that require action to develop or implement the local plan between scheduled Board meetings, and may exercise such other powers and perform such other duties or functions as may be authorized by majority vote of the Board. In addition, the Executive Committee shall have the authority to investigate and make recommendations to the GNWIB or to act on any issues relating to the following sections of the federal Workforce Investment Act of 1998:

- (a) §117(d)(3)(B)(ii)--the employment of staff
- (b) §117(d)(3)(B)(iii)--the solicitation of grants and donations from sources other than state and federal funds
- (c) §117(d)(6)--the local board shall assist the Governor in developing the statewide employment statistics system described in section 15(e) of the Wagner-Peyser Act

Section 7. POLICY, PLANNING AND OVERSIGHT COMMITTEE

The Standing Committee on Policy, Planning and Oversight will have the authority to investigate and make recommendations to the GNWIB or the Executive Committee on any issues relating to the following sections of the federal Workforce Investment Act of 1998:

- (a) §117(d)(1)--consistent with section 118, the Board, in partnership with the Chief Elected Official Board, shall develop and submit a local plan to the Governor;
- (b) §117(d)(3)(A)--the Board shall develop a budget for the purpose of carrying out the duties of the local board under this section, subject to the approval of the Chief Elected Official Board;
- (c) §117(d)(3)(B)(i)(III)--the local grant recipient or an entity designated under subclause (II) of §117(d)(3)(B)(i) shall disburse such funds for workforce investment activities at the direction of the local board, pursuant to the requirements of this title, if the direction does not violate a provision of this Act. The local grant recipient or entity designated under subclause (II) shall disburse the funds immediately on receiving such direction from the local board;
- (d) §117(d)(5)--the Board, the Chief Elected Official Board, and the Governor shall negotiate and reach agreement on local performance measures as described in section 136(c); and,
- (e) §117(d)(4)--the Board, in partnership with the Chief Elected Official Board, shall conduct oversight with respect to local programs of youth activities authorized under section 129, local employment and training activities authorized under section 134, and the one-stop delivery system in the local area.

Section 8. ONE-STOP COMMITTEE

The Standing Committee on One-Stop will have the authority to investigate and make recommendations to the GNWIB or the Executive Committee on any issues relating to the following sections of the federal Workforce Investment Act of 1998:

- (a) §117(d)(2)(A)--consistent with section 121(d), the Board, with the agreement of the Chief Elected Official Board:
 - (i) shall designate or certify one-stop operators as described in section 121(d)(2)(A); and,
 - (ii) may terminate for cause the eligibility of such operators;
- (b) §117(d)(7)--the Board shall coordinate the workforce investment activities authorized under the federal Workforce Investment Act of 1998 and the Nebraska Workforce Investment Act and carried out in the local area with economic development strategies and develop other employer linkages with such activities; and,
- (c) §117(d)(8)--the Board shall promote the participation of private sector employers in the statewide workforce investment system and ensure the effective provision, through the system, of connecting, brokering, and coaching activities, through intermediaries such as the one-stop operator in the local area or through other organizations, to assist such employers in meeting hiring needs.

Section 9. INDIVIDUAL TRAINING ACCOUNT (ITA) AND ELIGIBLE PROVIDERS COMMITTEE

The Standing Committee on ITA and Eligible Providers will have the authority to investigate and make recommendations to the GNWIB or the Executive Committee on any issues relating to the following sections of the federal Workforce Investment Act of 1998:

- (1) §117(d)(2)(B)--consistent with §123, the local board shall identify eligible providers of youth activities in the local area by awarding grants or contracts on a competitive basis, based on the recommendations of the youth council
- (2) §117(d)(2)(C)--consistent with §122, the local board shall identify eligible providers of training services described in §134 (d)(4) in the local area
- (3) §117(d)(2)(D)--if the one-stop operator does not provide intensive services in a local area, the local board shall identify eligible providers in intensive services described in §134(d)(3) in the local area by awarding contracts

**ARTICLE VI
AMENDMENTS**

Section 1. AMENDMENTS

These bylaws may be amended or repealed by a vote of two-thirds of the members present at any regular or special meeting of the Board.

Section 2. WRITTEN NOTICE

Written notice of proposed bylaw changes shall be sent to members at least ten days in advance of the meeting at which they are to be acted upon. Such notice shall include both the proposed change and the section that it supersedes.

**ARTICLE VII
SUSPENSION OF BYLAWS**

Section 1. SUSPENSION OF BYLAWS

The Board may, by a vote of two-thirds of the members present, suspend all or any part of these bylaws when to do so would not be in conflict with the laws of the State of Nebraska or applicable federal laws.

**ARTICLE VIII
EFFECTIVE DATE**

Section 1. EFFECTIVE DATE

These bylaws shall become effective immediately upon approval.

Adopted by the Greater Nebraska
Workforce Investment Board on
the _____ day of March, 2003.

**ARTICLE V.
STANDING COMMITTEES AND SPECIAL COMMITTEES**

Section 1. CREATION OF STANDING COMMITTEES

Subsection a. There shall be designated the following standing committees:

1. Executive
2. Community Outreach
3. Compliance

Subsection b. There shall be created as a special subcommittee of the Community Outreach and Compliance Committees a Youth Council which shall be constituted in accordance with *Neb. Rev. Stat.* §48-1621.

Subsection c. The GNWIB Chair may create special committees or task force groups as he/she deems necessary or desirable.

Section 2. APPOINTMENT OF CHAIR

The Chair of the GNWIB shall serve as Chair of the Executive Committee. The Chair of all other committees shall be representatives of business and industry elected by a majority vote of each committee.

Section 3. APPOINTMENT OF MEMBERS

Subsection a. The CEOB shall designate the members of the Executive Committee. Said members to include:

- (i) Chair of GNWIB
- (ii) Vice-Chair of GNWIB
- (iii) Chair of each standing committee
- (iv) Representative of local educational entities category
- (v) Representative of labor category
- (vi) Representative of community based organization
- (vii) Representative of Economic Development Agency
- (viii) One or more representatives of business and industry category
- (ix) Representative of One-Stop Partners, provided, one person may be designated to represent more than one One-Stop Partner

Subsection b. The members of the GNWIB shall designate a preference as to the committee on which they wish to serve, with the GNWIB Chair making the final determination for balanced representation on all other committees.

Section 4. VOTING RIGHTS

Subsection a. Only GNWIB members appointed to serve on any standing or special committee or subcommittee shall have voting rights on those committees.

Subsection b. All actions or recommendations shall be by majority vote.

Section 5. COMMITTEE MEETINGS

Subsection a. Standing or special committees or task groups shall meet on an “as needed” basis subject to the call of the Chairperson of the GNWIB and/or the committee Chairperson.

Subsection b. When required by Nebraska Public Meetings law, notice of all meetings shall be in accordance with the Nebraska Public Meetings law, *Neb. Rev. Stat. §84-1408, et seq.* Written notice of each meeting shall be sent to members prior to the scheduled meeting along with a copy of the proposed minutes of the previous meeting. The notice shall specify the time, date, location, and proposed agenda for the meeting.

Section 6. EXECUTIVE COMMITTEE

There shall be an Executive Committee consisting of the GNWIB Chair and Vice-Chair, Chairs of the standing committees, one representative from local educational entities, labor, community-based organizations, economic development agency and one-stop partners, and one or more members from business and industry. The majority of the Executive Board shall be made up of members of business and industry. The Executive Committee shall have the authority to act on behalf of the GNWIB on issues that require action to develop or implement the local plan between scheduled Board meetings, and may exercise such other powers and perform such other duties or functions as may be authorized by majority vote of the Board. In addition, the Executive Committee shall have the authority to investigate and make recommendations to the GNWIB or to act on any issues relating to the following sections of the federal Workforce Investment Act of 1998:

- (a) §117(d)(3)(B)(ii)--the employment of staff;
- (b) §117(d)(3)(B)(iii)--the solicitation of grants and donations from sources other than state and federal funds;
- (c) §117(d)(6)--the local board shall assist the Governor in developing the statewide employment statistics system described in section 15(e) of the Wagner-Peyser Act; and
- (d) legislative issues affecting the delivery of the WIA services in the local-area.

Section 7. COMMUNITY OUTREACH COMMITTEE

The Community Outreach Committee will have the authority to investigate and make recommendations to the GNWIB or the Executive Committee on any issues relating to the following sections of the federal Workforce Investment Act of 1998:

- (a) §117(d)(2)(A)--consistent with section 121(d), designation, certification or termination of one-stop operators as described in section 121(d)(2)(A);

- (b) §117(d)(7)--coordination of workforce investment activities authorized under the federal Workforce Investment Act of 1998 and the Nebraska Workforce Investment Act and carried out in the local area with economic development strategies and develop other employer linkages with such activities;
- (c) §117(d)(8)--promoting the participation of private sector employers in the statewide workforce investment system, and ensuring the effective provision, through the system, of connecting, brokering, and coaching activities, through intermediaries such as the one-stop operator in the local area or through other organizations, to assist such employers in meeting hiring needs;
- (d) planning and implementing marketing efforts including any web site used in coordination with such marketing efforts;
- (e) coordination and promotion of economic development including but not limited to labor market information, linkages and the participation of private-sector employers; and
- (f) coordination of Youth Council activities including but not limited to out of school dropouts, foster care and juvenile justice and in school youth special job and educational assistance.

Section 8. COMPLIANCE COMMITTEE

The Compliance Committee will have the authority to investigate and make recommendations to the GNWIB or the Executive Committee on any issues relating to the following sections of the federal Workforce Investment Act of 1998 and the delivery of WIA services in the local area:

- (a) §117(d)(2)(B)--consistent with §123, identifying eligible providers of youth activities in the local area for the award of grants or contracts by the GNWIB on a competitive basis, based on the recommendations of the Youth Council;
- (b) §117(d)(2)(C)--consistent with §122, identifying eligible providers of training services described in §134 (d)(4) in the local area;
- (c) §117(d)(2)(D)--if the one-stop operator does not provide intensive services in a local area, identifying eligible providers in intensive services described in §134(d)(3) in the local area for the award of contracts by the GNWIB;
- (d) the annual budget and the establishment and monitoring of performance measures;
- (e) identifying its providers and youth contractors based on recommendations of the Youth Council;
- (f) continuous improvement including but not limited to local planning, obtaining business input, youth outreach, and coordination of any web sites established in coordination therewith.

Section 9. YOUTH COUNCIL

The Youth Council shall act as a special subcommittee to the Compliance and Community Outreach Committees of the Greater Nebraska Workforce Investment Board and carry out those duties established under *Neb. Rev. Stat.* §48-1621 and section 117(h) of the federal Workforce Investment Act of 1998, 29 U.S.C. 2832(h).

- A. The Youth Council is responsible for:
- (1) Developing recommendations for the portions of the local plan relating to eligible youth;
 - (2) Subject to the approval of the local board and consistent with section 123 of the federal Workforce Investment Act of 1998, 29 U.S.C. 2843:
 - (i) Recommending eligible providers of youth programs authorized under section 129 of the federal Workforce Investment Act of 1998, 29 U.S.C. 2854, to be awarded grants or contracts on a competitive basis by the local board to carry out the youth programs; and
 - (ii) Conducting oversight with respect to the eligible providers of youth activities in the local area;
 - (3) Coordinating youth activities authorized under section 129 of the federal Workforce Investment Act of 1998, 29 U.S.C. 2854, in the local area;
 - (4) The coordination of career preparation programs; and
 - (5) Other duties determined to be appropriate by the Chair of the local board.
- B. The membership of the Youth Council shall include:
- (1) Members of the Greater Nebraska Workforce Investment Board (GNWIB) with special interest or expertise in youth policy;
 - (2) Representatives of youth service agencies, including juvenile justice and local law enforcement agencies;
 - (3) Representatives of local public housing authorities;
 - (4) Parents of youth, including, but not limited to, parents of eligible youth seeking assistance under the Nebraska Workforce Investment Act;
 - (5) Individuals, including former participants, and representatives of organizations, that have experience relating to youth activities;
 - (6) Representatives of the Job Corps, as appropriate; and
 - (7) Representatives of local kindergarten through grade twelve school boards, community colleges, and such other individuals as the chairperson of the local board, in cooperation with the chief elected official, determines to be appropriate.
- C. The GNWIB shall, in consultation with the Chief Elected Officials Board, make all appointments to the Youth Council, which shall conform to the requirements of Section 117 of the federal Workforce Investment Act of 1998 and *Neb. Rev. Stat. §48-1621*. The GNWIB may remove any member, at any time, with or without cause. Absence from three (3) consecutive Board meetings may result in removal from the Council.
- D. Individuals serving on the Council who subsequently retire or no longer hold the position that made them eligible council members may not continue to serve on the Council as a representative of that segment.

Greater Nebraska Workforce Investment Board
Articles of Amendment
Bylaws

Pursuant to Article VI of the bylaws of the Greater Nebraska Workforce Investment Board, the Greater Nebraska Workforce Investment Board adopts the following articles of amendment to its bylaws.

Article I.

Whereas the members of the Greater Nebraska Workforce Investment Board desire to amend and restate Article V of the bylaws of the Greater Nebraska Workforce Investment Board as attached.

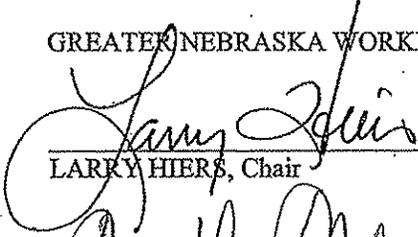
Article V of the bylaws of the Greater Nebraska Workforce Investment Board, are hereby amended and restated by striking Article V of the original by-laws as amended and substituting therefore the attached Article V of the bylaws, so that the bylaws are amended and restated. Article V shall read as follows:

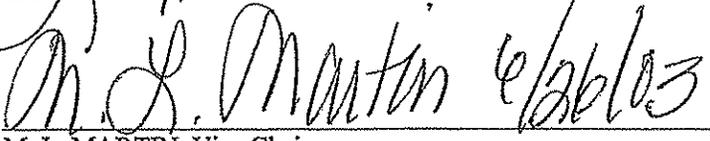
(see attached)

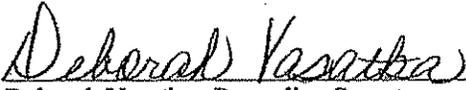
Notice of this proposed amendment to the by-laws, was mailed out to the members of the Greater Nebraska Workforce Investment Board on June 12, 2003 and this amendment to the by-laws of the Greater Nebraska Workforce Investment Board was adopted by a vote of 27 in favor, 0 in opposition, and 0 abstaining, the same constituting more than two-thirds of those members of the Greater Nebraska Workforce Investment Board present on June 26, 2003 at the regular meeting of the Greater Nebraska Workforce Investment Board.

RESOLVED FURTHER, THAT SAID AMENDMENT IS HEREBY ADOPTED AND APPROVED.

GREATER NEBRASKA WORKFORCE INVESTMENT BOARD


LARRY HIERS, Chair


M. L. MARTIN, Vice Chair


Deborah Vasatka, Recording Secretary