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Chair

Pamela Lancaster  
CEOB Chair

## **Greater Nebraska Workforce Development Board Bylaws**

### **Article I. NAME AND PURPOSE**

#### **Section 1. NAME**

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

#### **Section 2. OFFICE OF THE GNWDB**

The principal office of the GNWDB shall be located at the office of the Nebraska Workforce Development 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 Development Board shall be to carry out such duties as delegated to it by the memorandum of understanding established between the Greater Nebraska Chief Elected Officials (hereinafter "CEOB") and GNWDB, and the duties said forth under the provisions of the Workforce Innovation and Opportunity Act Section 107 (a) and (b), as amended, or any subsequently enacted statutory authority.

### **ARTICLE II. MEMBERSHIP**

#### **Section 1. COMPOSITION OF THE GNWDB**

In accordance with Section 107(b)(2)(A) and (B) of the federal Workforce Innovation and Opportunity Act, the board shall consist of the following members with representation as follows:

1. A majority of the members shall be representatives of business in the local area, with a minimum of two members representing small businesses as defined by the U.S. Small Business Administration, who:
  - Are owners of businesses, chief executives, or operating officers of business, or other business executives or employers with optimum policy making or hiring authority; and
  - Represent businesses that provide employment opportunities that include high-quality work-relevant training and development in in-demand industry sectors or occupations in the local area.
2. Not less than 20 percent of the members of the local board shall be workforce representatives. These representatives must include:
  - Two or more representatives of labor organizations, where such organizations exist in the local area. Where labor organizations do not exist, representatives must be selected from other employee representatives;

Lisa Wilson  
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- One or more representatives of a joint labor-management, or union affiliated, registered apprenticeship program within the area who must be a training director or a member of a labor organization. If no union affiliated registered apprenticeship programs exist in the area, a representative of a registered apprenticeship program with no union affiliation must be appointed, if one exists.
- 3. The local board shall include at least one eligible training provider administering adult education and literacy activities under WIOA title II.
- 4. The local board shall include at least one representative from an institution of higher education providing workforce investment activities, including community colleges.
- 5. The local board shall include at least one representative from each of the following governmental and economic and community development entities:
  - Economic and community development entities;
  - The State Employment Service office under the Wagner-Peyser Act serving the local area; and
  - The programs carried out under title I of the Rehabilitation Act of 1973.

The local board may also include such other individuals or representatives of entities as the CEOB determines appropriate.

The members of the local board shall represent diverse geographic areas of the State of Nebraska, including urban, rural, and suburban areas.

## Section 2. APPOINTMENT AND REMOVAL

Subsection a. The Chief Elected Officials Board (CEOB) shall make all appointments to the GNWDB, which shall conform to the requirements of Section 107 of the federal Workforce Innovation and Opportunity Act and state statute, including the Nebraska Workforce Innovation and Opportunity Act. 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. The CEOB and administrative staff will solicit nominations. All nominations that meet the required membership criteria will be reviewed by the CEOB. The CEOB will then appoint the most suitable candidate, ensuring:

- Business representatives are appointed from individuals who are nominated by local business organizations and business trade associations;
- Labor representatives are appointed from individuals who are nominated by local labor federations; and
- Will solicit nominations from all eligible providers in the local area of adult education and literacy activities and higher education seats to review for appointment.

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Subsection c. 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. Appointments will be staggered to ensure that the terms of only a portion of the total membership expire in a given year.

### Section 4. RESIGNATION

When members deem it necessary to resign from their appointment to the GNWDB, 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 GNWDB shall elect a Chair who is a representative from business and industry that serves at the pleasure of the GNWDB. 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 GNWDB, its bylaws, applicable state and federal statutes, and regulations.

### Section 2. VICE-CHAIR

The GNWDB shall elect the Vice-Chair who is a representative from business and industry that serves at the pleasure of the GNWDB. 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

Lisa Wilson  
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the Board. The Vice-Chair shall have the authority to and shall perform such other duties and functions as may be required by the GNWDB, its bylaws and applicable state and federal statutes and regulations.

### Section 3. ABSENCE OF GNWDB 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 GNWDB 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 CEOB.

### Section 5. PARTICIPATION

Board members will actively participate in convening the one-stop delivery system stakeholders, brokering relationships with a diverse range of employers, and leveraging support for workforce development activities. Members will ensure active participation through the creation and use of Memorandums of Understanding, the Regional and Local Plan and One-stop Operator.

## **ARTICLE IV. MEETING PROCEDURES, VOTING RIGHTS, AND QUORUM**

### Section 1. MEETING TIME AND PLACE

The GNWDB 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 Open Meetings Act, (Neb. Rev. Stat. §84-1407 through 84.1414). 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. PUBLIC MEETINGS

All meetings of the GNWDB and its committees shall be conducted in accordance with the Nebraska Open Meetings Act.

### Section 4. CONDUCT OF MEETINGS

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

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

Subsection b. Non-members of the GNWDB 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 5. 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.

## Section 6. PROXY

A proxy may be designated by a member in the board member's absence. The member must send the proxy's name and title to the Chair prior to a scheduled board meeting.

The proxy/ designee must meet the following requirements:

- (a) If the alternative designee is a business representative, he or she must have optimum policy-making hiring authority.
- (b) Other alternative designees must have demonstrated experience and expertise and optimum policy-making authority.

Proxy voting is not permitted.

## Section 7. QUORUM

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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

- (a) All members shall comply with the provisions of §§49-1499 through 49-14,103.03 Nebraska Revised Statutes.
- (b) No GNWDB member may receive anything of value as a result of a benefit conferred by the GNWDB upon any person, business or organization.
- (c) A Local 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 GNWDB prior to consideration of the request by the Local Board. A disclosure period will be provided to the members.
- (d) When a potential conflict exists, the Local Board Member must prepare a written statement describing the matter requiring action or decision and the nature of the potential conflict, and if he or she will not abstain from voting, deliberating, or taking other action on the matter, the statement shall state why, despite the potential conflict, he or she intends to vote or otherwise participate; and deliver a copy of the statement to the Board Chair, who shall cause the statement to be filed as a matter of public record.
- (e) 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 GNWDB. The member of the State Board may abstain from voting, deliberating, or taking other action on the matter on which the potential conflict exists. 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.

## Section 9. TECHNOLOGY

The use of technology, such as web-based meetings, may be used to promote board member participation, to the extent allowable under the Nebraska Open Meetings Act.

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

### Section 1. CREATION OF STANDING COMMITTEES

- (a) There shall be an Executive Committee, and two subcommittees of the Local Board:  
1) System Coordination Committee, and 2) Strategic Planning Committee.
- (b) The CEOB or the NWDB Chair may create special committees, ad hoc committees, task forces, or similarly designated groups, as he or she deems necessary or desirable

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## Section 2. APPOINTMENT OF CHAIR

The Chair of the GNWDB 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

The CEOB shall designate the members of the Executive Committee, consisting of seven members. A majority of Executive Committee members will represent business. Said members to include:

- (a) Chair of GNWDB
- (b) Vice-Chair of GNWDB
- (c) Chair of each standing committee
- (d) Representative of Labor category
- (e) Representative of One-Stop Partners, provided, one person may be designated to represent more than one One-Stop Partner
- (f) Additional representatives from the general membership as needed to complete the seven member body and ensure a majority of representatives are from business.

The Chair of the GNWDB shall appoint the members to all other committees from the general membership.

## Section 4. VOTING RIGHTS

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

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

## Section 5. COMMITTEE MEMBERSHIP

GNWDB members may serve on more than one committee, subcommittee, special committee, ad hoc committee, task force, or other group that currently exists or that may be created under these bylaws.

## Section 6. COMMITTEE MEETINGS

- (a) Committees, subcommittees, special committees, or groups created under these bylaws shall meet on an "as needed" basis subject to the call of the Chair of the GNWDB and/or the committee or group Chair.
- (b) When required by Nebraska Open Meetings Act, notice of all meetings shall be in accordance with the Nebraska Open Meetings Act. Written notice of each meeting

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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.

- (c) Pursuant to the Nebraska Open Meetings Act, subcommittees created under these bylaws, including but not limited to the System Coordination Committee and the Strategic Planning Committee, can take no formal action, hold no hearings, have no policy making authority, and shall not be considered public bodies for the purposes of the Nebraska Open Meetings Act.

## Section 7. EXECUTIVE COMMITTEE

There shall be an Executive Committee consisting of seven GNWDB members, including the GNWDB Chair and Vice-Chair Chairs, Chairs of each Subcommittee, one representative of labor, one one-stop provider representative, and any other members required from business and industry in order to ensure that the majority of Executive Committee members represent business. The Executive Committee shall have the authority to act on behalf of the GNWDB 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. The Executive Committee, as a public body, is subject to Nebraska's Open Meetings Act.

## Section 8. SYSTEM COORDINATION COMMITTEE

There shall be a System Coordination Committee consisting of members appointed by the Chair in accordance with these bylaws. The System Coordination Committee shall be a subcommittee of the Local Board. This subcommittee shall be assigned duties and responsibilities associated with Performance, Roles and Resources associated with One-Stop Partners, Youth Program, Accessibility, Staff Training, Continuous System Improvement, Policy Alignment, Technology Solutions, Public Sector Partnerships, System-related Grant Applications, Local Area Plans, and other duties as assigned by the Chair of the Local Board. As provided in Section 6 of Article V, the System Coordination Committee, as a subcommittee of GNWDB, is not a public body and is not subject to the Nebraska Open Meetings Act.

## Section 9. STRATEGIC PLANNING COMMITTEE

There shall be a Strategic Planning Committee consisting of members appointed by the Chair in accordance under these bylaws. The Strategic Planning Committee shall be a subcommittee of the Local Board. This subcommittee shall be assigned duties and responsibilities associated with Employer Engagement, Industry-focused Sector Strategies, Career Pathways, Connecting Workforce Efforts, Regional Plans, Bylaw Review, Financial Monitoring, Workforce-related Grant Applications, and other duties as assigned by the Chair of the Local Board. As provided in Section 6 of Article V, the Strategic Planning Committee, as a subcommittee of GNWDB, is not a public body and is not subject to the Nebraska Open Meetings Act.

## ARTICLE VI.



Lisa Wilson  
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## 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 BY LAWS

### Section I. SUSPENSION OF BYLAWS

The GNWDB with the approval of the CEOB 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 I. EFFECTIVE DATE


These bylaws shall become effective immediately upon approval of two-thirds (2/3) of the members present at the meeting of the CEOB and GNWDB.

Notice of these Bylaws was sent to the members of the CEOB and GNWDB on May 23<sup>rd</sup>, 2019. These Bylaws of the Greater Nebraska Workforce Development Board were adopted by a vote of 15 in favor, 0 in opposition, and 0 abstaining, the same constituting more than two-thirds of those members of the CEOB present on May 23<sup>rd</sup>, 2019, and adopted by a vote of 5 in favor, 0 in opposition, and 0 abstaining, the same constituting more than two-thirds of those members of the GNWDB present on May 23<sup>rd</sup>, 2019 at the regular meeting of the Greater Nebraska Workforce Development Board and Chief Elected Officials Board.

5/23/2019  
Date

  
Lisa Wilson, Chair

5-23-2019  
Date

  
Pam Lancaster, CEOB Chair