

Greater Raritan Workforce Development Board Bylaws

I. OFFICES

The principal office of the Greater Raritan Workforce Development Board, hereinafter referred to as the GRWDB, shall be located 27 Warren St., Somerville, NJ 08876.

II. PURPOSE

The GRWDB is required to implement the Workforce Innovation and Opportunity Act of 2014 (WIOA). WIOA provides a framework for a unique system designed to meet the needs of businesses and job seekers in Hunterdon and Somerset counties and mandates local areas to establish Workforce Development Boards, hereinafter referred to as WDBs. This legislation allocates funding to states, contains regulations in governing the use of funds, directs membership categories for Workforce Development Boards, defines required Board committees (Operations, Youth, Disability, Literacy), sets performance standards, and establishes categories of funding (Dislocated Worker, Adult, Youth) among many other provisions and designated functions.

The legislation states that a WDB is expected to act as a Board of Directors to identify the needs of the local job market, leverage resources, oversee One-Stop Career Centers, and otherwise direct workforce investment programs in their area. WDBs work in conjunction with economic development and related organizations to promote economic growth and ameliorate worker dislocations. They work with community colleges, K-12 school systems, other providers and community organizations to improve services and curriculum for dislocated workers, incumbent workers and new entrants to the workforce.

The GRWDB acts as a catalyst in establishing a collaborative partnership among the business, public, labor, education, job training and community-based organizations and institutions in Somerset and Hunterdon counties. Through this alliance, the GRWDB coordinates the bi-county customer-oriented One-Stop System, with offices at 27 Warren St. in Somerville, NJ, 75 Veterans Memorial Drive in Somerville, NJ, and 6 Gauntt Place in Flemington, NJ.

III. FUNCTIONS

A. *Description*

The GRWDB is a local partnership of private and public sector representatives that provide coordinated planning, policy, guidance and oversight for all workforce readiness programs in Somerset and Hunterdon Counties. Through policy, oversight, and planning, the GRWDB ensures that workforce training and education investments are responsive to and meet the needs of employers and jobseekers.

B. *Role*

The GRWDB shall influence program management and resource allocation by analyzing local needs and opportunities and thus coordinating federal, state, regional and local resources to meet established goals. The GRWDB serves as a mechanism to communicate local priorities to the responsible local, regional and state government agencies to influence the allocation of workforce investment resources. GRWDB members set strategic priorities and generate policy by:

- Focusing on sector strategies consistent with the New Jersey State (Economic Development) Plan and the New Jersey Unified Workforce Investment Plan.
- Building strategic alliances with partners, including those in the economic development arena.
- Coordinating outreach to the business community among the various entities currently engaged in contacting businesses.
- Focusing strategies on career paths versus simply employment.
- Recognizing the role that transportation plays in employment.
- Developing additional revenue streams as needed to support local workforce programs.
- Developing, hosting, and promoting career-related programming and resources as appropriate for job seekers and businesses.

C. *Responsibilities*

The GRWDB is responsible for developing a local delivery system reflecting employer and job seeker needs. The GRWDB has also been given the responsibility of:

- Overseeing the investment of federal and state training funds for in-demand occupations training and education to meet local employer and jobseeker needs through the One-Stop Career Centers and other related workforce programs.
- Serving as a unifying agent for the two-county business sector, especially for small- and medium- sized businesses.
- Fostering high-skill, high-wage jobs for all populations, especially for individuals with disabilities and those in adult literacy programs
- Helping people on public assistance move into employment.
- Guiding disadvantaged and at-risk youth to career paths and opportunities.
- Ensuring that adults have the basic education to maintain a sustainable living.

D. *Relationship between the GRWDB and Chief Elected Officials (CEO)*

As described in the Memorandum of Understanding between the GRWDB and Chief Elected Officials of Somerset and Hunterdon Counties Boards of County Commissioners, Somerset County will assume the role of grant recipient and fiscal agent of WIOA allocations and WFNJ funds as related to WOIA functions.

IV. MEMBERSHIP

A. *Requirements*

The GRWDB is comprised of no more than 23 members, appointed by the Chief Elected Officials of each county – four (4) appointments are joint (community college, Division of Vocational Rehabilitation, Wagner-Peyser and organized labor), 13 are appointed by Somerset County and six (6) are appointed by Hunterdon County.

To fulfill required membership guidelines, the GRWDB board is representative of those who have optimum policy making authority and input within the following categories, as mandated by the Workforce Investment Opportunity Act of 2014, and NJ SETC Resolution #2015-01:

- *Business/Private Sector (51% of membership)* – Private sector members must represent the industrial and demographic composition of the local and regional

pool of employers. Whenever possible, at least one-half should be from small business (500 employees or less) including minority business. Business membership should be drawn from the following groups: (business owners, chief executives or chief operating officers of non-governmental employers, or other private sector executives who have optimum policy-making, knowledge of workforce development policy, or hiring authority. Representatives from private not-for-profit entities that operate as businesses and are employers also may be considered business sector members. All business sector representatives should align with the key industry sectors Hunterdon and Somerset counties, as identified in the Local Area and Regional plans.

- *Organized Labor/Community Based Organizations* (minimum 20%) – Labor members should reflect the various type of industries that have substantial employment in the local or regional area. Community Based Organization refers to a private nonprofit organization (including faith-based) that is representative of a community or a significant segment of a community and has demonstrated expertise and effectiveness in the field of workforce development. Representatives from CBOs may also have experience and expertise working with individuals with disabilities, veterans and youth.
- *County Economic Development Agencies* – *Must have at least one representative from either county*
- *Title II Adult Education and Literacy provider*
- *County Vocational/Technical Schools*
- *Community College Administration*
- *Manager from the Division of Vocational Rehabilitation*
- *Manager representing State Employment Service (Wagner-Peyser)*

Other members may include the county Board of Social Services, a K-12 schools superintendent, representatives of local educational agencies, a local Housing Authority representative, a representative of Carl D. Perkins programs, local Community Services Block Grant, and the Human Services Advisory Council Director/Coordinator/Chair.

B. *Appointment and Term*

The Chief Elected Officials from Somerset and Hunterdon counties, with full consideration of the each county's needs, will appoint GRWDB members for a term of three years from the date of appointment unless otherwise provided by the Board of County Commissioners. The expiration of such terms shall be distributed evenly over the first three years after appointment. Continued membership is subject to reappointment. Continuous membership shall require reappointment at the expiration of a representative's term of the GRWDB.

C. *Voting*

All appointed members or designated alternates of the GRWDB shall have the right to vote on all matters affecting the operation of the GRWDB. All members may cast votes digitally via email should matters arise that require board review in between the regular quarterly meetings.

D. *Alternates*

Alternate members must be identified by the appointed GRWDB member and must also be an individual who will bring knowledge and decision-making ability that is comparable to that of the GRWDB member. Alternate members are encouraged to attend and entitled to vote on matters before the GRWDB in the absence of the regular voting members.

E. *Committees/Subcommittees*

GRWDB members and/or their alternates and other leaders representative of the Counties serve on GRWDB Committees and Subcommittees upon recommendation of the Committee/Subcommittee Chairperson. The GRWDB Chairperson will appoint all committee Chairpersons. Committee membership is not subject to appointment or term restrictions.

Standing Committees of the GRWDB are as follows:

- Executive Committee, with a focus on business engagement and governance
- Literacy Committee
- Disability Committee
- Youth Committee
- Operations Committee

F. *Vacancies*

Recommendation to the Somerset and Hunterdon Counties Board of County Commissioners to fill vacancies on the GRWDB as a result of incapacity, resignation, or removal may be made by staff to the Somerset and Hunterdon Counties Board of County Commissioners. The person appointed by their respective freeholder boards shall serve a three-year term, ending on Dec. 31 of the term, and be in the same category as the member replaced.

G. *Attendance Requirements*

Board members are required to notify GRWDB by email or phone when they cannot attend a meeting. Whenever a member of the GRWDB has three or more unexcused absences from the full meeting of the GRWDB in a twelve-month period, the GRWDB may, in its discretion, recommend to the Somerset and Hunterdon Counties Board of County Commissioners in writing that such member be removed from the GRWDB. Such a recommendation requires a majority vote at a GRWDB meeting where a quorum of members is present.

Whenever there is a change in a GRWDB member's status, he/she shall notify the GRWDB Chairman and the Boards of County Commissioners in writing of the change in status.

VI. OFFICERS

Officers of the GRWDB shall consist of a Chairperson, one or more Vice Chairpersons, and such other officers which may be provided for and whose duties may be fixed by the GRWDB.

A. *Election and Term of Office*

The GRWDB members shall elect by majority vote a Chairperson and a Vice Chairperson who shall serve in their respective capacities for two-year periods. The Chairperson and the Vice-Chairperson of the GRWDB shall represent alternate counties and rotate by county on a biannual basis as detailed in the Memorandum of Understanding.

In the event that an officer resigns or is removed from office, the GRWDB shall, by majority vote elect a replacement for the balance of the term. The election of officers shall be held at the September board meeting. Term of office shall begin at the start of the following calendar year, and officers may serve up to two consecutive terms with approval from the Chief Elected Officials from Hunterdon and Somerset Counties.

B. *Removal*

Any officer of the GRWDB may be recommended for removal to the appointing Chief Elected

Official by a majority vote of the GRWDB members at a Full Board meeting where a quorum is present.

C. *Vacancies*

The GRWDB Board may, by majority vote, appoint a GRWDB member to any vacant office with the exception of the Chair for the unexpired term of the office. The Chair shall be elected to office by majority vote of the full GRWDB Board at the earliest full Board meeting.

D. *Chairperson*

The Chair shall preside at all meetings of the GRWDB and advise other members of general policy. The Chair, subject to these rules shall decide all points of order and matters of procedure governing the meetings in accordance with the current edition of "Robert's Rules of Order".

E. *Vice-Chairperson*

The Vice-Chairperson(s) shall, in the absence of the Chairperson or in the event of the Chair's inability to act, perform the duties of the Chairperson. This position will be held by a business sector representative from the alternate county of the Chairperson.

V. MEETINGS

The GRWDB shall meet quarterly with a minimum of four meetings every year.

The Executive Committee shall meet as needed. Standing Committees shall meet at least three times per year, or as needed for special projects. Meetings shall be at such time, date and place fixed by the Chairperson of the GRWDB or the Committee.

All Board and Committee meetings will have a virtual meeting / call-in option for those members who cannot be present in person.

A. *Special Meetings*

The Chairperson may call a special meeting of the GRWDB. All members shall be given advance notice of special meetings in compliance with the Open Public Meetings Act. (N.J.S.A. 10:4-6 et seq. - http://www.njstatelib.org/LDB/Library_Law/lwopnmtg.php).

B. *Quorum*

A quorum is required to conduct business at all full meetings of the GRWDB. A quorum shall be defined as one-third of the total number of appointed GRWDB Members. Committee/Subcommittees are not required to meet quorum to conduct business matters.

C. *Order of Business*

The order of business at GRWDB meetings shall be as follows:

- *Roll Call*
- *Approval of the minutes of the preceding meeting*
- *Presentations by state or other partners*
- *Reports of the Chair and Director*
- *Reports of Committees*
- *Old Business*
- *New Business*
- *Public comments*
- *Adjournment*

D. *Committees*

The GRWDB Chairperson shall appoint the Chair of each Standing Committee of the GRWDB, with appointment priority and preference given to members from the private business sector. GRWDB Officers, and up to 3 WDB Members-at-Large will constitute the GRWDB Executive Committee. Other Committee Chairs and GRWDB members may also attend as needed and time permits.

The Executive Committee will be responsible for the oversight of the organizational and operational activities of the GRWDB. The Executive Committee may review and recommend the approval of grants, contracts, and operational matters at the earliest feasible date subject to ratification by the GRWDB at the next regularly scheduled meeting. The Executive Committee also will be responsible for business/employer engagement and attraction.

Other interested parties may be appointed by the Chairperson through the committee structure, work groups, task forces, and other ways developed by the GRWDB. No committee shall exercise the authority of the GRWDB except as noted above. No action shall be taken on any business of the GRWDB, except by way of motion, adopted at public meeting in accordance with the provisions of the Open Public Meetings Act, (N.J.S.A- 10:4-1 et seq.).

The Chairperson may, with the approval of the GRWDB, appoint such committees or task forces for such particular purposes as may be deemed necessary or desirable to enhance or assist the members in carrying out its duties and furthering the objectives of the GRWDB or as deemed necessary pursuant to State guidelines. These committees or task forces may be drawn from GRWDB members or relevant community partners. Any committee so appointed shall have such powers and authority as are explicitly delegated by the Chair and consistent with the inherent purpose for which the Committee was formed.

VII. STAFF

The GRWDB, in the event that it seeks to maintain staff to assist the Workforce Development Board in carrying out its responsibilities and sufficient funds are available in the GRWDB-generated and board-approved budget, the GRWDB permits Somerset County as Fiscal Agent/Grant Recipient and employer of GRWDB staff. The GRWDB agrees to adhere to Somerset County's generally accepted Human Resources policies and practices for advertising and soliciting candidates for the GRWDB Director and additional staff positions that are approved in the GRWDB generated and board-approved budget.

The GRWDB will appoint a Special Committee to assist Somerset County in interviewing candidates and make recommendations for hiring the Director of the GRWDB. This Special Committee shall be made up of the WDB Chairperson and representatives of both Hunterdon and Somerset Counties. The GRWDB agrees that the Board Chair will assist the Somerset County Administrator in evaluations of the GRWDB Director, using the policies, practices and forms for general County Government employees.

The GRWDB Director reports dually to the GRWDB Chairperson and the Somerset County Administrator. All other staff of the GRWDB are selected by report to and are evaluated by the GRWDB Director using the accepted policies and procedures for Somerset County Government employees.

Staff members shall have no voting privileges at GRWDB meetings. Staff members shall not serve as elected officers of the GRWDB.

VIII. FISCAL YEAR

The fiscal year of the GRWDB shall begin on the first day of July of each year and end on the 30th day of June of the following year.

IX. INDEMNIFICATION

A. *Right to Indemnification*

The County of Somerset shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding either civil, criminal, administrative or investigative by reason of the fact that such person is or was a member, officer or employee of the GRWDB against expenses (including attorney's fees), judgements, fines and amounts paid in settlement actually and reasonably incurred by such person in connection with such action, suit or proceeding to the extent that such person is not insured or otherwise indemnified and the power to so indemnify has been or may be granted by statute.

B. *Indemnification*

The foregoing indemnification shall not be deemed exclusive of any other right to which a GRWDB member, appointee or employee may be entitled, both as to action in an official capacity and as to action in another capacity while holding such office, and shall inure to the benefit of the heirs, executors and administrators of any such person.

X. CONFLICT OF INTEREST

Each GRWDB member and staff shall disclose in writing to the GRWDB Director a list of all businesses or other organizations of which the member or any members of his or her immediate family is an officer member, owner, employee, or agent with which the GRWDB has, or might reasonably in the future enter a relationship or transaction in which the member will have a real or apparent conflict of interest.

No GRWDB member or employee or members of his immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity which is in direct conflict with the proper discharge of his/her duties in the public interest.

If any matter should come before the GRWDB or any committee thereof, in such a way as to give rise to a conflict of interest, the affected member shall make known the potential conflict and if advisable, withdraw from the meeting for so long as the matter shall continue under discussion, except to answer any questions that might be asked of him or her. Should the matter be brought to a vote, the affected member shall not vote on it. In the event, that when advisable, he or she fails to withdraw voluntarily, the Chairperson shall require the member to remove himself or herself from the room during the discussion and vote on the matter.

Notwithstanding the above, the affected member shall bring to the attention of the Director any business transaction involving such conflict of interest.

The GRWDB and the staff will impartially represent the interests of each participating agency while developing a system that targets resources to the customers.

XI. AMENDMENT OF ADMINISTRATIVE POLICIES AND PROCEDURES

These Administrative Policies and Procedures may be altered, amended or repealed by the GRWDB at any meeting of the GRWDB after 30 days-notice that such action is a purpose of or any part of the meeting by majority vote of a quorum following consultation with Somerset County Counsel.