

**BY-LAWS
OF
LOCAL WORKFORCE DEVELOPMENT BOARD #40**

ARTICLE I:

Name: Local Workforce Development Board #40

ARTICLE II:

Purpose: Local Workforce Development Board #40 (LWDB) is established in compliance with the Workforce Innovation and Opportunity Act to act as a full partner with the local Chief Elected Official to strengthen the workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs.

ARTICLE III:

Membership: The appointment of members of LWDB #40 shall represent both Private and Public Sectors. Representatives of the Private Sector are private business men and women in the local area who shall constitute a majority of the LWDB. Public Sector representatives shall represent, at a minimum, labor organizations; entities administering education and training activities; governmental and economic and community development entities; and other individuals or representatives of entities as the chief elected official in the local area may determine to be appropriate. Appointment to membership shall be in accordance with the following procedures:

A. Nomination Process

1. Private Sector Representative

- a. Eligible nominees shall be owners of businesses, chief executives or operating officers of businesses or other business executives or employers with optimum policy making or hiring

authority.

- b. Represents businesses, including small businesses, or an organization representing businesses, that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area.
- c. Appointed from among individuals nominated by local business organizations and business trade associations.

2. Public Sector Representative

- a. Not less than 20 percent of the members shall be representatives of the workforce within the local area who-
 - 1) Shall include representatives of labor organizations (for a local area in which employees are represented by labor organizations), who have been nominated by local labor federations, or (for local area in which no employees are represented by such organizations) other representatives of employees;
 - 2) Shall include a representative, who shall be a member of a Labor organization or a training director, from a joint labor-management apprenticeship program, or if no such joint program exists in the area, such a representative of an apprenticeship program in the area, if such program exists;
 - 3) May include representatives of community-based Organizations that have demonstrated experience and expertise in 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

- 4) 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.
- b. Representatives of entities administering education and training activities in the local area who-
- 1) Shall include a representative of eligible providers Administering adult education and literacy activities under title II of the WIOA;
 - 2) Shall include a representative of institutions of higher education providing workforce investment activities with priorities for community colleges (Louisiana Community and Technical College);
 - 3) May include representatives of local educational agencies, and/or community-based organizations with experience in addressing the education or training needs of individuals with barriers to employment.
- c. Representatives of government and economic and community development entities serving the local area who-
- 1) Shall include a representative of economic and Community development entities;
 - 2) Shall include an appropriate representative from the State

employment services office under the Wagner Peyser Act (29 U.S.C 49 et seq);

- 3) Shall include an appropriate representative of the Programs carried out under the title I of the Rehabilitation Act of 1973 (29 U.S.C. 732, 741);
 - 4) May include representatives of agencies or entities administering programs serving the local area relating to transportation, housing, and public assistance; and
 - 5) May include representative of philanthropic organizations.
- c. May include such other individuals or representatives of entities as the chief elected official may determine to be appropriate.
- B. Appointment of members shall be made by the Chief Elected Official from the nominations received.
- C. Replacement members shall be appointed in accordance with these procedures.
- D. The Local Workforce Development Board #40 (LWDB) shall be certified by the Governor or the Governor's designee. The Governor, in partnership with the State board, shall establish criteria for use by chief elected officials in the local areas for appointment of members of the local boards in such local areas in accordance with requirements of WIOA. Certification of the Board is required once every (2) years to ensure that workforce development system activities are carried out in the local area to enable the local workforce development system to meet established performance accountability measures and achieve sustained fiscal integrity as defined in the WIOA.

ARTICLE IV:

Length of Appointment: Initial members shall be appointed for staggered terms in the following manner and shall continue to serve until they are replaced:

- A. Private sector members will serve a 3-year term.
- B. Public sector members will serve a 2-year term.

ARTICLE V:

Removal of Members: Members may be liable for removal for good cause by a majority vote of the Local Workforce Development Board. Good cause may be defined as, but is not limited to, the following:

- A. Failure to attend three (3) regularly scheduled meetings without valid reason in a continuous twelve (12) month period.

Failure to provide a written or verbal explanation of the reason for the absence within thirty (30) days of the absence to the chairperson or his designee shall create a reputable presumption that said absence was “without valid reason”.
- B. If the member no longer represents the sector for which the member was appointed.
- C. Failure to sign or comply with Conflict of Interest Statement, Personal Financial Disclosure Statement, and Code of Governmental Ethics Training in compliance with Louisiana Ethics Laws.

ARTICLE VI:

Officers: Officers shall be elected by a majority vote of the seated members present at the first LWDB meeting of the program year (PY) in odd number years, or at any meeting called to fill a vacant position. The elected officers of Chairperson, Vice Chairperson, and Treasurer shall be elected from the representatives of the private sector. The Secretary may be elected from the

representative of private or public sector. The officers of the LWDB will be as follows:

- A. Chairperson
- B. Vice-Chairperson
- C. Treasurer
- D. Secretary

ARTICLE VII:

Standing Committees: The local board may designate and direct the activities of standing committees to provide information and to assist the local board in carrying out activities. Such standing committees shall be chaired by a member of the local board, may include other members of the local board, and shall include other individuals appointed by the local board who are not members of the local board and whom the local board determines to have appropriate experience and expertise. Such standing committees for the local area will include:

- A. Finance Committee – This committee shall be responsible for providing oversight of Local Workforce Development Board #40 funds. Responsibilities of this committee include, but are not limited to budgeting and financial planning, financial reporting, oversight of internal controls and accountability policies and procedures. The committee is a strong indication that LWDB #40 is committed to good stewardship and is actively building and preserving the financial resources necessary to support the accomplishment of the mission, both for the short and the long term.
- B. One-Stop Delivery System Committee – This committee shall be responsible for the oversight of the organization, staff personnel, one-stop delivery system, and review of by-laws.
- C. Youth Committee – Established to provide information and to assist with planning, operations, and other issues relating to providing services to youth, which shall include community-based organizations with demonstrated records of success in serving youth.

- D. Region IV Business Services Coordination Committee – This committee shall be comprised of Local Workforce Development Area #40 and will ensure maximum communication and coordination among providers and the best possible service to companies and individuals in need of workforce services; provide businesses throughout the region with the best trained workforce; and reach the highest possible employment rate.

This committee will:

- Promote business representation (including representatives with optimal policymaking or hiring authority from employers who reflect existing and emerging employment opportunities in the region) on the local board;
- Develop effective linkages (including the use of intermediaries) with the employers in the region to support employer utilization of the local workforce development system and to support local workforce development activities;
- Ensure that workforce development activities meet the needs of employers and support economic growth in the region, by enhancing communication, coordination, and collaboration among employers, economic development entities, and service providers;
- Develop and implement proven or promising strategies for meeting the employment and skill needs of workers and employers (such as the establishment of industry and sector partnerships), that provide the skilled workforce needed by employers in the region, and that expand employment and career advancement opportunities for workforce development system participants in demand industry sectors or occupations.

- E. Occupational Forecasting Committee – Every two years the Louisiana

Workforce Commission partners with LSU to update the industry employment projections and labor demand occupation listings, which are used by higher educational institutions when determining which education programs should be developed or cut. This information is also used by Workforce Development Boards (LWDBs) and Louisiana Workforce Commission (LWC) in determining which occupations can be trained using workforce training funds, such as, WIOA scholarships, On-the-Job Training (OJT), Incumbent Worker Training Program (IWTP), and Small Business Employee Training (SBET). Local Workforce Development Board #40 analyzes local job openings posted in the HIRE system while comparing the state's demand occupations to determine if there is a demand gap between what the state has reported and actual employer demand. If additional occupations are found to be in local demand using the state guidelines for defining local demand, the committee makes recommendations to the LWDB for approval of these additional occupations as local demand occupations.

- F. Bylaws Committee - This committee shall establish and enforce the bylaws of the LWDB. Amendments to the bylaws will be proposed to the Bylaws Committee for review and action. This committee typically meets on an as needed basis.
- G. Special Committees may be appointed from time to time at the discretion of the chairperson.

ARTICLE VIII:

Staff:

- A. The CEO of St. Landry Parish Government shall employ staff to work with LWDB #40. The required staff and the budget for that staff will be provided by the Workforce Innovation and Opportunity Act (WIOA) funds awarded to the Title I grant recipient. In concurrence with the local board, the WIOA Title I recipient shall establish and apply a set of objective qualifications for each position to ensure that each member of the staff has the requisite

knowledge, skills, and abilities.

ARTICLE IX:

Responsibilities:

- A. The Local Workforce Development Board #40 (LWDB), in partnership or agreement with the local Chief Elected Official, shall perform the functions as set forth in Section 107 of the WIOA which shall include, but not limited to the following:
 1. Develop the Local and/or Regional WIOA plans, or any modifications thereto, for the local Workforce Innovation and Opportunity Act, and submit the plan to the Governor or to the Governor's designee for approval.
 2. Conduct workforce research and regional labor market analysis in order to assist in the development and implementation of the local/regional plan.
 3. Convene local workforce development system stakeholders to assist in the development of the local plan under section 108 and in identifying non-Federal expertise and resources to leverage support for workforce development activities.
 4. Lead efforts to engage with a diverse range of employers.
 5. Lead efforts in the local area to develop and implement career Pathways within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment.
 6. Lead efforts to identify and promote proven and promising strategies and initiatives for meeting the needs of employers, workers and jobseekers (including individuals with barriers to

employment) in the local workforce development system and identify and disseminate information on proven and promising practices carried out in other local areas for meeting such needs.

7. Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, and workers and jobseekers consistent with WIOA.
 8. Provide program oversight in accordance with the WIOA.
 9. Negotiate local performance accountability measures as described in section 116(c) of the WIOA.
 10. Coordinate activities with education and training providers in the local area in accordance with the WIOA.
 11. Designate or certify the One-Stop Operator, Youth Provider(s), and Other providers of services in accordance with the WIOA.
 12. Develop a budget for the activities of the local board in the local area, consistent with the local plan and the duties of the local board under the WIOA.
 13. Assess annually the physical and programmatic accessibility for Individuals with disabilities of the one-stop center in the local area.
- B. The Local Workforce Development Board (LWDB) Executive Director under The guidance of the Chief Elected Official (CEO) and Chairperson of LWDB #40 shall:
1. Conduct day to day administration of LWDB matters and the activities of its staff in accordance with the policies and authorizations of the LWDB and CEO.

2. Keep record of the minutes of all meetings of the LWDB and have responsibility for the books, records, budget documents and correspondence associated with the LWDB activities.
3. Provide oversight and monitoring of the entire Local Workforce Development System and the One-Stop Center agencies.
4. Work with business and community leaders and educators, and local, state and federal government representatives to develop a comprehensive workforce development system that is responsive to the needs of the local and regional economies.
5. Develop for adoption by the LWDB, the workforce area's strategic and operational plan in accordance with federal, state and local regulations and of the local workforce area goals, objectives, and performance standards consistent with those established by the Governor or the Governor's designee.
6. Prepare and submit all documentation required by federal and state Authorities for the filing of WIOA grant applications and report ongoing activities to the LWDB.
7. Establish the local career development centers.
8. Manage the procurement process for selecting the operator of the Business and Career Solutions Center as well as workforce education, developmental and training and service contractors.
9. Provide the procurement process to procure specific job training programs to meet industry needs by targeting services to meet those needs, including identification of industries and employers likely to employ workers successfully completing job training and/or

educational programs.

10. Monitor and evaluate the effectiveness of the local Business and Career Solutions Centers and contractors providing workforce education, developmental, and training and services, and direct corrective action when necessary.
 11. Establish and manage fiscal, monitoring and reporting processes which insure that the receipt and disbursement of WIOA funds are in compliance with federal, state and local regulations.
- C. The One Stop Delivery System, a consortium of partners, subject to the oversight of the LWDB and its staff shall:
1. Provide seamless services to job seekers, employers, training providers, and others.
 2. The LWDB shall insure that the responsibilities and relationships between the One-Stop Core Program Partners and St. Landry Parish Government / Local Workforce Development Board #40 are enumerated through Memorandum(s) of Understanding.

ARTICLE X:

Meetings: Meetings of Local Workforce Development Board #40

- A. LWDB #40 shall meet at least once per quarter or at the call of the chairperson. Meetings shall be publicly announced in advance and shall be open to the public.
- B. A Quorum of the LWDB and committees shall be a majority of the total membership.
- C. The Agenda shall be prepared by the chairperson or his designee to reflect

the principle business of the LWDB. Any member may request that an item be added to the Agenda, in writing, ten (10) days prior to the scheduled meeting date.

D. Voting

1. Each member shall have one vote. The chairperson will vote only to break a tie.
2. A WDB member shall not cast a vote on, nor participate in any decision making capacity, on the provision of services by such member (or any organization which that member directly represents), nor on any matter which would provide any direct financial benefit to that member.
3. Neither membership on the LWDB nor the receipt of WIOA funds to provide training related services shall be construed, by itself, to violate provisions of the act.

ARTICLE XI:

Amendments: These bylaws may be amended by a two-thirds (2/3) vote of the members present, provided that copies of such amendments shall be submitted in writing to each member at least three days prior to the meetings at which time they are to be proposed and acted upon.

ARTICLE XII:

Conflict of Interest: Participation in certain transactions involving the governmental entity:

- A. No public servant, except as provided in R.S. 42:1120, shall participate in a transaction in which he has a personal substantial economic interest of which he may be reasonably expected to know

involving the governmental entity.

- B. No public servant, except as provided in R.S. 42:1120, shall participate in a transaction involving the governmental entity in which, to his actual knowledge, any of the following persons has a substantial economic interest:
 - 1. Any member of his immediate family.
 - 2. Any entity in which he has a substantial economic interest of which he may reasonably be expected to know.
 - 3. Any entity of which he is an officer, director, trustee, partner, or employee.
 - 4. Any entity with whom he is negotiating or has an arrangement concerning prospective employment.
- C. Any entity that is a party to an existing contract with such public servant, or with any legal entity in which the public servant exercises control or owns an interest in excess of twenty-five percent, and who by reason thereof is in a position to affect directly the economic interest of such public servant.
- D. Every public employee, excluding an appointed member of any board or commission, shall disqualify himself from participating in a transaction involving the governmental entity when a violation of this Part would result. The procedures for such disqualification shall be established by regulations issued pursuant to R.S. 42:1134(A) (1).
- E. No appointed member of any board or commission, except as otherwise provided in R.S. 42:1120.1 or 1120.4, shall participate or be interested in any transaction involving the agency when a violation of this Part would result. Acts 1979, No.443, §1, eff. April 1,

1980; acts 1983, No.697, §1; Acts 1985, No.426, §2; Acts 1987, No. 370, §1; Acts 2006, No. 798, §1, eff. June 30, 2006; Acts 2008, no. 685, §1.

The members of the LWDB and their agents will neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub agreements. Neither the LWDB, nor any member thereof, shall select, reject, or promote an applicant based on that applicant's political affiliation or beliefs. Members are required to disclose any conflict which may exist.


ARTICLE XIII:

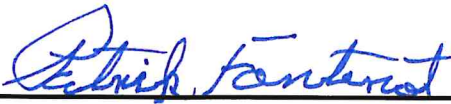
Nepotism: State law prohibits any member of the immediate family of any agency head to be employed by the agency. No member of the immediate family of any LWDB member shall be entitled to receive a training contract from the LWDB, nor shall such family members be eligible for employment by the LWDB. "Immediate family" as the term relates to a public servant means his children, the spouses of his children, brothers, sisters, spouse, and the parents of his spouse. Nothing in this section shall prohibit the LWDB from approving a training contract with a public body, e.g. school board or state technical college, merely because a member or someone in his immediate family is employed by the public body. However, if the member is so employed he should refrain from voting on any proposal by that body.

ARTICLE XIV:

These articles adopted on this 25th day of April, 2018.

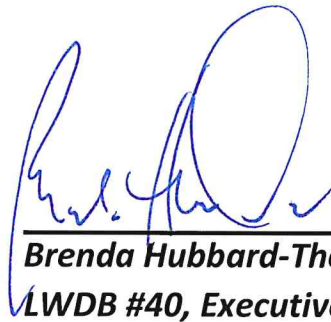

William K. "Bill" Fontenot
LWDA #40, Chief Elected Official


William K. "Bill" Fontenot
LWDA #40, Sub-grant Recipient



Patrick Fontenot

LWDB #40, Chairperson



Brenda Hubbard-Thomas

LWDB #40, Executive Director