

**Southwest Alabama Partnership for Training and Employment Workforce Development Board By-Laws**

**ARTICLE I.  
NAME AND PURPOSE**

**Section 1. NAME**

The name of this organization shall be the Southwest Alabama Partnership for Training and Employment Workforce Development Board hereinafter **sometimes referred to as the "SWAPTE WDB" or the "Board"**.

**Section 2. OFFICE OF THE SWAPTE WDB**

The principal office of the SWAPTE WDB shall be located at the Alabama Career Center at 515 Springhill Plaza Court, Mobile, Alabama 36608.

**Section 3. PURPOSE**

The purpose of the SWAPTE Workforce Development Board shall be to carry out such duties and functions as shall be delegated to it by the agreement established between the Chief Elected Officials Council.

**ARTICLE II.  
MEMBERSHIP**

**Section 1. COMPOSITION OF THE SWAPTE WDB**

In accordance with Section 1 07 of the WIOA 2014 (Pub 113-128), hereinafter referred to as the act:

A majority of the members shall be representatives of business in the local area, who:

- Are owners of businesses, chief executives, or operating officers of business, or other business executives or employer with optimum policy making or hiring authority;
- Represent businesses that provide employment opportunities that include high-quality work-relevant training and development in-demand industry sectors or occupations in the local area; and
- Are appointed from individuals nominated by local business organizations and business trade associations.

Not less than 20 percent of the members of each local board shall be workforce representatives, such as labor organizations, and shall include a representative of an apprenticeship program, and may also include organizations serving the training and employment needs of youth and individuals with barriers to employment.

Each local board shall include representatives of entities administering education and training activities in the local area and representatives of governmental and economic and community development entities serving the local area. The local board may also include such other individuals or representatives of entities as the CEO determines appropriate.

**Section 2. APPOINTMENT AND REMOVAL**

Subsection a. The Chief Elected Officials Council (CEOC) shall make all appointments to the SWAPTE WDB, which shall conform to the requirements of Section 107 of the federal Workforce Innovation and Opportunity Act and state statute. The CEOC 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 SWAPTE WDB, they shall tender their resignation to the CEOC with copies to the Chair. Such resignation shall be deemed effective upon acceptance of the CEOC. 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 CEOC 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 SWAPTE WDB shall elect a Chair who is a representative from business and industry that serves at the pleasure of the SWAPTE WDB. 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 By-Laws. The Chair shall represent the Board and has the authority to speak on its behalf. The Chair shall have the authority to and shall perform such other duties and functions as may be required by the SWAPTE WDB, its By-Laws, applicable state and federal statutes, and regulations.

### Section 2. **VICE-CHAIR**

The SWAPTE WDB shall elect the Vice-Chair who is a representative from business and industry that serves at the pleasure of the SWAPTE WDB. 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 SWAPTE WDB, its by-Laws and applicable state and federal statutes and regulations.

**Section 3. SECRETARY**

The Secretary shall keep or cause to be kept minutes at all meetings of the Board or the Executive Committee. The Board staff will provide support in this area.

**Section 4. TREASURER**

The Treasurer will provide oversight in the development of all program financial activities, and will also chair the Finance committee.

**Section 5. ABSENCE OF SWAPTE WDB 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 SWAPTE WDB as the Acting Chair, who shall preside at such meeting only.

**Section 6. VACANCIES**

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

**Section 7. Nominating Committee**

A Nominating Committee of four members shall be appointed by the Chair. It shall be the duty of this Committee to nominate candidates for the offices to be filled. The Nominating Committee shall report its recommendations at the Executive Committee meeting prior to the Annual Board Meeting for approval and the results will be submitted at the Annual Meeting and included in the agenda, additional nominations from the floor should be permitted. New officers will take their positions at Annual Meeting.

**ARTICLE IV.**  
Responsibilities

Section 1. The functions of the Board shall include the following:

1. Develop and submit a local Workforce Plan to the Governor for approval.
2. Provide policy guidance for, and oversight of, the programs and activities conducted under the plan in accordance with procedures established by the Board.
3. Identify and select One-Stop Operators.
4. Approve eligible training providers.
5. Identify and select providers for youth services.
6. Develop Local Performance Measures in consultation with the Governor.
7. Approve budget and administration of grant funds, as developed by the fiscal Agent to carry out the duties of the Board.
8. Coordinate activities to develop employer linkages with economic development strategies.
9. Develop various agreements and memoranda of understanding as needed.
10. Provide an annual report to the Governor.

**ARTICLE V.**

## **MEETING PROCEDURES, VOTING RIGHTS, AND QUORUM, CONFLICT OF INTEREST**

### **Section 1. MEETING**

The BOARD will meet as it deems necessary at a time and place selected by the Board. The announcement shall include the date, time and location of the meeting. Should a special or emergency meeting be required, public notice shall be made if time permits through advertisement, website, newspaper (if available) the day prior to the meeting if possible. Minutes should be recorded and maintained in file for five (5) years, and shall be opened to the public for inspection during regular business hours and maintained by the fiscal agent.

All Board meetings are subject to the Alabama Open Meeting Act (Act No. 2015-340 and 2015-475) and are open to the public at all times.

### **Section 2. QUORUM**

A quorum shall consist of a simple majority of the membership, including proxies received from board members.

### **Section 3. ATTENDANCE**

Although some absences are expected, members are encouraged to attend as many meetings as possible. The Executive Committee shall review attendance records annually and take such actions as maybe appropriate to encourage attendance. Any member having three consecutive unexcused absences shall be contacted by the Board's staff to determine the status of the member.

### **Section 4. VOTING**

Each board member shall have only one vote. No member of the Board shall cast a vote on the provision of services or any other matter which would provide direct financial benefit to themselves, a family member, or any organization which the member directly represents.

Voting electronically, via internet and email, is permitted when the communication provides the name of the member casting the vote for the purpose of recording the vote in the minutes.

### **Section 5. CONFLICT OF INTEREST**

Each Board member will be asked to sign a Conflict of Interest Policy Statement (see attached) stating his/her understanding that this policy is meant to supplement good judgement and the Local Board member will respect its spirit as well as its wording.

### **Section 6. PROXIES**

To satisfy attendance requirements and quorum requirements, a member may designate the presiding officer or another Board member to exercise his/her proxy at a given meeting. The proxy may not be assigned to a non-member. However, there would be nothing to prevent a non-member from attending a meeting as an observer. Travel expenses would not be allowable for an observer to attend the meeting.

## **ARTICLE VI. COMMITTEES**

Section 1. The Board Chair shall designate committees and appoint the chairperson of all committees. The committees of the Board will meet as needed. A quorum shall consist of those members present and voting.

Amended 2/4/2019

Each committee chair will be a member of the Board’s Executive Committee. The board chair is an ex-officio member of all standing committees. The committee chair and board chair shall be allowed to vote on committee issues.

Section 2. At a minimum the following standing committee of the Board will provide oversight and guidance:

- 1. The Executive Committee
- 2. Policy Planning and Oversight
- 3. One-Stop Committee
- 4. ITA, OJT and Youth Committee
- 5. Finance Committee
- 6. Disabilities Committee

**ARTICLE VII.  
AMENDMENTS**

Section 1. **Amendments**

The by-laws 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 notices of proposed by-law changes shall be sent to all members at least seven (7) days in advance of the meeting at which they are to be acted upon. Such notice shall include both the proposed change(s) and the section that it supersedes.

**ARTICLE VIII.  
AFFECTIVE DATE**

These By-Laws shall be effective immediately upon approval. Adopted by the Southwest Partnership for Training and Employment on the 6<sup>th</sup> day of July 2017.

**AMENDMENTS**

Article V Section 6 Proxies approved at SWAPTE Board Meeting 7/6/2017

ARTICLE III. Section 7 Nominating Committee approved at SWAPTE Board Meeting 2/28/2018

Changed SAPTE to SWAPTE & WD to WDB 2/4/2019

Date: \_\_\_\_\_  
**APPROVED By: SWAPTE WDB**

\_\_\_\_\_  
**John Clyde Riggs, SWAPTE WDB Secretary**