



CAYUGA-CORTLAND WORKFORCE DEVELOPMENT BOARD By-Laws

ARTICLE I – NAME & LOCATION

Section 1.

The name of the organization shall be the Cayuga-Cortland Workforce Development Board, hereinafter referred to as the "C-C WDB". The official location of this office shall be at 60 Central Avenue, Rm B-38, Cortland, NY 13045

ARTICLE II - AUTHORIZATION

The Board shall be authorized by the provisions stipulated in Section 107(b) (2) of the Workforce Innovation Opportunity Act of 2014 (WIOA), Cayuga and Cortland County Board of Legislators, and shall provide guidance for and exercise oversight of the Local Workforce Development Area (LWDA) as set forth in WIOA

ARTICLE III - DESCRIPTION

1. VISION/MISSION STATEMENT

Vision Statement - the Cayuga-Cortland Workforce Development System is the universal access point that promotes job growth and self-sufficiency for all businesses and individuals.

Mission Statement - the Cayuga-Cortland Workforce Development System serves the employers and individuals of Cayuga and Cortland counties by providing a full array of workforce development services in a professional, efficient and timely manner, for the betterment of our communities.

2. RESPONSIBILITIES

The responsibilities of the C-C WDB, as prescribed by law, shall include but are not limited to:

- A. Develop and submit in partnership with Chief Elected Official(s) (CEO) a local plan to the governor.
- B. Designate or certify, with the agreement of the CEOs, One-Stop operator(s) as described in WIOA Legislation and may terminate for cause the eligibility of such operators.
- C. Identify, consistent with WIOA Legislation, eligible providers of youth activities in the Cayuga-Cortland Workforce Development Area by awarding grants or contracts on a competitive basis, based on recommendations of the Youth Standing Committee.

- D. Identify consistent eligible providers of training services for adults and dislocated workers described in WIOA Legislation and intensive services if not provided by the One-Stop operator.
- E. Conduct in partnership with the CEOs oversight with respect to local programs of youth activities authorized in “the Act”, local E&T activities for adults authorized under “the Act” and the One-Stop delivery system in the local workforce area.
- F. Assist the governor in developing the statewide employment statistics system described in the Legislation Section of the Wagner-Peyser Act.
- G. Coordinate Workforce Development activities authorized and carried out with economic development strategies and develop other employer linkages with economic development activities.
- H. Develop and promote private sector participation in the statewide workforce development system and ensure the effective provision of connecting, brokering and coaching activities through the One-Stop operator or other organizations to assist employers in meeting hiring needs.
- I. I. The Program Year of the Board and the LWDA shall be July 1 to June 30 of each year.

3. **GEOGRAPHIC BOUNDARIES**

The areas to be served by the Cayuga-Cortland Workforce Development Board are the Counties of Cayuga and Cortland which have been designated as a Workforce Development Area pursuant to the provisions of the Workforce Innovation Opportunity Act (WIOA).

ARTICLE IV - MEMBERSHIP

1. **APPOINTMENT PROCESS**

A. **Appointments**

All private sector appointments shall be made by the respective County legislative bodies and all at-large members shall be endorsed by the respective Counties.

B. **Size of Membership**

The C-C WDB shall be between 19-27 voting members or the number as subsequently established by the unanimous agreement of the Counties upon the recommendation of the C-C WDB and consistent with all requirements of the WIOA section 107(b). All members will receive a letter of appointment by the respective County Clerk of the Legislature and a copy of the By-laws from the Administrative Entity. The Chief Local Elected Officials recognize Cortland County as the Administrative Entity through its Department of Grant Administration. The counties and the Local Board have designated the Cortland County Department of Grant Administration to be the staff of the Local Board. The primary functions of the staff will be to provide administrative and fiscal support to the board and to assist in accomplishing the functions required under the WIOA legislation.

C. Private Sector Membership/ Business Representation

At least 51% of the C-C WDB membership shall be representatives of private sector industry and businesses (including small business and minority business enterprises) as is required by the Workforce Innovation Opportunity Act. These private sector members shall be appointments from Cayuga County and appointments from Cortland County. Each County shall be responsible for soliciting its private sector members.

- In accordance with section 107 (a) of WOIA and the criteria developed by the governor private sector members must be owners, chief executives, or chief operating officers of businesses and other business executives or employees with optimum policy making or hiring authority, legislation further states nominations of business in the local area must be made by local business organizations and business trade associations.
- All private sector members must reside or have their principal place of business in the Local Workforce Development Area.

D. One-Stop Partners/At-Large Membership

The remaining voting members of the C-C WDB shall consist of One-Stop Partners and other representatives as follows:

Representative of Businesses (51% of board)	TBD
Labor organizations nominated by local labor federations	Two representatives
Apprenticeship Program (If one exists)	One representative
Community Based Organizations (optional)	One or More
Youth Organization (optional)	One
Title II Adult Education and Literacy	One representative
Higher Education including community colleges	One
Local educational entities, including representatives of local educational agencies, CBO's dealing with training IWD's (optional)	TBD
Employment Service, (Wagner Peyser); Veterans' E&T Services	One representative
Economic and community development	One representative
ACCES-VR (Vocational Rehabilitation)	One representative
Other programs or organizations (optional)	TBD

Nominations for appointments or vacancies for representatives from the non-business sector shall be made in accordance with TA# 15-6.1 solicited from a wide range of representatives, partners, and community based organizations. The Counties shall be responsible for soliciting these nominations.

- E. Acceptance of an appointment to membership on the Workforce Development Board carries with it a commitment to fulfill definite responsibilities. The successful operation of the Workforce Development Board to meet the mandates of the law is dependent upon the active participation of each Board member to fullest extent possible. Unless each Board member is willing and able to participate actively in Board activities, consideration should be given to step aside to allow another appointee to actively fill the position.

2. TERM OF OFFICE

A. Length of Term of Office

Initial appointments to the WDB will be made in staggered fashion. Approximately one-third of the initial appointments will each be named to one (1), two (2) or three (3) year terms. Thereafter, with the exception of mid-term vacancies, appointments and re-appointments will be made for three (3) year terms. Appointments to fill mid-term vacancies shall be filled to complete the term of the vacated position.

B. Attendance

Each voting member shall be expected to attend the regularly scheduled C-C WDB meetings and the regularly scheduled committee meeting(s) of which s/he is a member. (C-C WDB members must agree to be on at least one of the Board's Standing Subcommittees).

If a QUORUM IS PRESENT absent members may vote by proxy. Proxy votes must however, be in writing, signed by the absentee member, and specifically address the EXACT items of business that will be voted on during that meeting. (If, for example, any motion that is voted on by proxy is revised during the meeting the proxy vote may not be cast).

Any member of the LWDB may be removed for just cause by the CEO of the local area. Just cause may include unexcused absence from three consecutive meetings, violations of conflict of interest or failure to take the oath of office (if required).

After two (2) unexcused absences (defined as a lack of notification of a voting member's inability to be in attendance) from Board meetings within a 12 month period) the chairperson will generate a letter of inquiry to the absent Board member about his/her current ability to serve on the Board with notification to the Chief Elected Official of the appointing county.

After a third unexcused absence (defined as lack of notification of a voting member's inability to be in attendance) from Board meetings within a 12 month period the CEO has the authority to send a letter to the delinquent member indicating that his/her number of absences has been interpreted as a resignation.

C. Resignation

Any member may resign at any time by giving written notice to the Chairperson who will then notify the respective County and the Administrative Entity. Members are requested to provide thirty (30) days written notice. In the event that a member does not provide written notice, the Board Chairperson shall provide notice to the member that it is assumed they have tendered their resignation.

3. VACANCIES

In accordance with WIOA legislation the Chief Elected Official(s) in a local area are authorized to appoint the members of the local Board. It is agreed the Board Maintenance Committee will also nominate candidates to fill vacancies on the WDB. This will include vacancies due to both resignations and expired terms. Insofar as possible vacancies shall be filled within 90 days from the effective date of the vacancy. The appropriate County Legislature(s) shall veto/ratify/confirm appointments made by the Chief Elected Official(s) and/or by the Board Maintenance Committee.

4. COMPENSATION

Members shall serve without compensation provided; however, nothing in this section shall prohibit reimbursement of a member for reasonable expenses incurred during the course of C-C WDB activities and subject to the availability of funds.

ARTICLE V - MEETINGS

1. RULES OF ORDER

All proceedings of the C-C WDB and its committees shall be governed by parliamentary procedure using the current edition of Robert's Rules of Order.

2. MEETING SCHEDULE

- A. The C-C WDB will schedule a minimum of four (4) times during the fiscal year in an established place accessible to the public. The meetings should rotate between the two (2) Counties at a time and place convenient to the membership. The Chairperson may cancel such meetings, if there is no business to be conducted, lack of a quorum to conduct business, etc.
- B. Special meetings of the C-C WDB, described as other than those scheduled by the full board at a regular meeting, may be called at any time by the Chairperson of the C-C WDB or on the written request of no less than 1/3 of the membership of the C-C WDB at the time the request is made.
- C. An annual meeting shall be held at the last scheduled meeting of the Program Year. At this meeting the C-C WDB shall elect its officers; establish a meeting schedule for the next twelve (12) months and transact such business as required.

3. PUBLIC COMMENT

- A. Participation in the meeting by any individual, except voting and ex-officio members, shall be at the discretion of the Chairperson. Any member of the public desiring to so participate shall notify the Chairperson before the meeting of the subject s/he wishes to address and shall be limited to a three (3) minute presentation, unless granted leave by the Chairperson to extend it.
- B. Visitors will be allowed to speak at C-C Workforce Development Board meetings only at a specific time set by the agenda.
- C. C-C WDB members may ask questions of the visitor after the completion of his or her statement.

D. Seating shall be provided for visitors in areas other than at the Board table unless the Chairperson deems otherwise.

4. QUORUM

At all meetings of the C-C WDB, a majority of its membership shall constitute a quorum required to transact business. Therefore, at least 51% (a majority) of the Boards authorized members, whether the positions have been filled or sit vacant must be present in order to meet the Board's quorum requirement. Accordingly, when the LWDB Board is conducting business, votes on a particular action or issue, would only be valid if they total a majority of all the positions of the Board that are authorized to be filled. A vote that constitutes a majority of the quorum would not be sufficient.

If a quorum is not present, business may not be conducted. However, if a quorum is present, absent members may vote by proxy. (See Article IV (2) (B).

5. NOTICE OF MEETINGS

Notice of the time, place and purpose of any regular meeting of the C-C WDB shall be served upon each member either personally, by mail, telephone, or e-mail not less than five (5) working days before such meeting. Notice of special meetings shall be served in the manner described above, with notice (to the extent practical) not less than 72 hours prior to the meeting.

6. PUBLIC NOTICE OF MEETINGS

All meetings of the C-C WDB at which its business will be conducted, shall be held at a time and in a place accessible to the public. The official locations for postings of public notices shall be: the Office of the Administrative Entity, the One Stop Career Centers and on the LWDA website at www.cayugacortlandworks.org.

7. VIDEOCONFERENCING TO CONDUCT MEETINGS

Pursuant to Chapter 289 of the NYS Laws of 2000, the definition of "meeting" for the official convening of public bodies was amended to include "the use of videoconferencing for attendance and participation by members of the public body." The C-C WDB may make use videoconferencing for meetings. Whenever videoconferencing is planned to be used, it is required that public notices of the meeting indicate that videoconferencing will be used, identify the locations of the videoconferencing sites and indicate that the public may attend at any of the locations. The C-C WDB will provide an opportunity for the public to attend, listen and observe at any site in which a member participates.

A. In compliance with Senate Bill 8412 signed by Governor Cuomo on June 17, 2020, members may participate in a Board meeting by means of a conference telephone or by virtual means of participation which allows all persons participating in the meeting to hear and/or see each other. Participation by telephone or virtual means shall be equivalent to presence in person at the meeting for purposes of determining if a quorum is present. Individuals participating by phone or virtual means must disclose the presence of any other individual(s) present and the Board will maintain any record of votes or other actions taken by electronic or virtual means of communication including that such meetings are recorded and later transcribed. This is a temporary executive order of the Governor and may be rescinded at any time by the Governor.

8. VOTE

- A. Each member of the Cayuga-Cortland Workforce Development Board shall have the right to vote on matters coming before the Cayuga-Cortland Workforce Development Board at regular and/or specially scheduled meetings.
- B. At no time shall a C-C WDB member exercise more than one vote on any matter.
- C. Voting shall be done by a show of hands unless a member of the Board deems that a roll call vote is appropriate. The vote shall be counted and abstentions duly noted.

9. CONFLICTS OF INTEREST

The members shall avoid conflicts of interest by observing the following:

Pursuant to WIOA/WIA Section 117(g) 1, Conflict of Interest, no member of the local Board may vote on a matter under consideration by the local Board regarding the provision of services by such member (or by an entity that such member represents) or that would provide direct financial benefit to such member or the immediate family of such member. Also, no member shall engage in any other activity determined by the Governor to constitute a Conflict of interest as specified in the State Plan.

See also Cayuga-Cortland Workforce Development Board Code of Ethics

ARTICLE VI - OFFICERS

Officers shall consist of the Chairperson and Vice Chairperson. These officers shall have the following duties:

- 1. The **Chairperson** of the Cayuga-Cortland Workforce Development Board shall be elected from among the private sector members of the Board in accordance with WIOA Legislation and shall:
 - A. Preside at all meetings of the Board;
 - B. Establish agendas with assistance of WDB staff for every regular Board meeting;
 - C. Sign, on behalf of the Board, and with Board approval, all necessary legal documents;
 - D. Confirm the chairperson of each committee, or if necessary appoint a chairperson;
 - E. Serve as an ex-officio member of all Committees;
 - F. Appoint ad hoc committees as determined necessary by the Board;
 - G. Be the official representative of the Board as required;
 - H. Call special meetings of the Board;
 - I. Call special meetings of the executive committee when a quorum of the full Board cannot be met; and

- J. Other responsibilities as determined by the Board.
2. The **Vice Chairperson** of the Cayuga-Cortland Workforce Development Board shall:
 - A. Assume all responsibilities of the chairperson in his/her absence; and
 - B. Have such additional powers and perform such other duties as may be assigned to him/her from time to time by the Chairperson.
3. Term of Office

Officers shall serve a three (3) year term commencing on 7/1 and ending 6/30. No officer may serve in the same elected office more than three (3) consecutive terms.

ARTICLE VII - COMMITTEES

1. Standing Committees are established on a permanent basis and will meet regularly in an accessible location at a time and place designated by each Committee Chairperson. Chairpersons of committees, excluding the Executive Committee, may be from the private or public sector. In appointing members to committees, there shall be due regard for proportionate representation from each County's private sector members. In addition, any Board member may attend committee meetings at will. These committees shall be known as:

A. Executive Committee:

1. Shall consist of the Cayuga-Cortland WDB Chairperson and Vice Chairperson, and Standing Committees Chairpersons.
2. The Executive Committee shall have the authority to act on behalf of the Council between meetings as deemed necessary by the Chair and shall report such activities at the next regular meeting of the Council.
3. All decisions of the Executive Committee shall be based on the majority of the absolute membership of the Committee.

B. Board Maintenance:

Shall be appointed by the Board Chairperson, consisting of a minimum of three (3) Board members for the purpose of building and sustaining a healthy and effective WDB. A primary responsibility of this committee is to recommend a slate of officers for the next year. The Committee shall, submit to the Board a slate of officers in March with the opportunity to also accept nominations from the floor. A vote on the officers shall be taken at the final meeting of the program year (June) and new officers will assume their positions beginning July 1 of each new Program Year.

As noted in Article VI, and pursuant to WIOA Legislation, the Committee must nominate Board members representing the private sector for the position of Chairperson and Vice Chairperson.

C. Planning and Operations Committee:

1. Shall be considered as the principal policy making and oversight committee. This committee shall be responsible together with the WDB and WDB staff for developing the E & T goals and objectives and will monitor and evaluate WIOA implementation and progress.

2. Shall monitor local performance standards with NYS Department of Labor and with local service providers.

D. Youth Advisory Committee

Pursuant to WIOA Legislation pertaining to Youth, the WDB will officially oversee and appoint a Youth Committee. This Committee shall consist of members as approved by the Cayuga-Cortland Workforce Development Board. The duties of the Youth Committee shall include:

1. Developing the portions of the local Plan relating to eligible youth.
2. Recommending grants or contracts to be awarded by the Board to eligible youth activities providers on a competitive basis to carry out the youth activities.
3. Conducting oversight with respect to eligible providers of youth activities.
4. Coordinating Youth activities that are authorized by the Act.

E. Other Committees

There shall be such other Committees with such duties and authority as the Board and Chief Elected Officials shall deem appropriate.

ARTICLE VIII - MODIFICATION AND AMENDMENTS

Modification/amendments of these By-Laws shall be by three-fifths (3/5) vote of the entire membership of the C-C WDB. Any Board member at any Board meeting may propose an amendment to the By-Laws. Said amendment shall be provided to the members at least ten (10) days prior to calling for the vote.

ARTICLE IX - CODE OF ETHICS

The New York State Department of Labor requires that each Workforce Development Board have a written Code of Ethics. For the Cayuga-Cortland Workforce Development Board, the Code of Ethics is part of the By-Laws, and is included as Attachment A.

ARTICLE X - DISTRIBUTION

A copy of the most recently adopted By-Laws and amendments thereto shall be distributed to all members of the Cayuga-Cortland WDB.

Date of Adoption of Revisions: 6/02/2021