



CALIFORNIA WORKFORCE DEVELOPMENT BOARD BYLAWS

ARTICLE I: NAME

Public Law 113-128, the Workforce Innovation and Opportunity Act (WIOA) of 2014, requires that each state establish a state workforce development board to carry out certain responsibilities related to the state's workforce investment system. The California Workforce Development Board (CWDB) was established through Executive Order (D-9-99) and formalized through the enactment of state statutes at California Unemployment Insurance Code (Unemp. Ins. Code) section 14010 et seq. in 2006.

ARTICLE II: PURPOSE

The CWDB assists the Governor in developing, overseeing, and continuously improving California's workforce investment system and aligning the education and workforce investment systems to meet the needs of the 21st-century economy and workforce.

ARTICLE III: GOVERNANCE

The CWDB shall reside within the California Labor and Workforce Development Agency and shall report through its Executive Director to the Secretary of the Labor and Workforce Development Agency.

ARTICLE IV: THE CWDB MEMBERSHIP

Section 1 – Appointments

The members of the CWDB are appointed by the Governor in conformity with WIOA §101(b), 20 Code of Federal Regulations (C.F.R.) §679.110, and Unemp. Ins. Code, § 14012. In addition, the Senate President Pro Tem shall appoint two legislative members, and the Speaker of the Assembly shall appoint two legislative members. The Governor may add additional members to those required by the California Unemployment Insurance Code.

Section 2 – Composition

More than 50 percent of the total number of members appointed to the CWDB by the Governor shall be business representatives. (WIOA §101(b).) At least 15 percent of the membership shall be representatives from organized labor. (Unemp. Ins. Code, §14012.) Not less than 20 percent of the members appointed by the governor shall be



representatives of the state workforce. (WIOA §101(b).) The board shall follow all other compositional requirements set forth in the law, including the requirements in WIOA, C.F.R., and Unemp. Ins. Code.

Section 3 – Designees

A Director of a State Department or a Secretary of a State Agency, either of whom is appointed as a member of a State body, may designate a deputy director of that Department or Agency, exempt from State civil service, to act in the Director's or Secretary's place. (Government Code (Gov. Code), §7.5.) Each Department Director or Agency Secretary may have a designee. However, only one designee may vote on behalf of the Department or Agency at any one meeting. If more than one designee is present for a meeting, the Chair will select which designee can participate in voting for that meeting. State Department Directors and Agency Secretaries must notify the Chair in writing of the names and titles of their designees before the designees participate in the CWDB.

A Constitutional Officer may appoint a designee. (Gov. Code, §7.6.) A designee for a Constitutional Officer must be a deputy who is exempt from State civil service. A member of the California Legislature may also name a designee. (Gov. Code, §7.6.) Designees of public agencies shall be employed by or appointees of that agency. The Constitutional Officers must notify the Chair in writing of the names and titles of the designees prior to the designees' participation in the CWDB.

Section 4 – Alternates and Proxies

The CWDB shall not permit absentee or proxy voting at any of its proceedings but shall permit teleconference voting in keeping with Gov. Code, §11123.

Section 5 – Conflict of Interest

Members of the CWDB are subject to a comprehensive body of state law governing conflict of interest. (Gov. Code, §§ 81000-91014). Pursuant to State and federal law, the CWDB has adopted and promulgated a Conflict of Interest Code. The CWDB members, including designees, are required to file statements of economic interests with the CWDB. The CWDB staff will maintain copies on file and deliver the original statements of economic interests to the Fair Political Practices Commission. The statements of economic interests are governed by State law and include the specific kinds of financial information members of the CWDB must disclose. Upon appointment, Board members are required to file an "Assuming Office" statement within 30 days of their appointment.



Thereafter, Board members are required to file annual statements. Board members are also required to file “Leaving Office” statements upon vacating their positions.

Section 6 – Resignation and Notice to Governor

Any member may resign from the CWDB at any time by giving written notice to the Governor, the Chairperson, and the Executive Director. Resignation shall take effect on the date of receipt of such notice or any later time specified therein. The CWDB shall then notify the Governor in writing by electronic submission immediately when a vacancy occurs and when a vacancy on the Board remains unfilled for more than 60 days.

Section 7 – Removal

The Governor has sole authority to appoint and remove members of the CWDB, except with respect to the legislative members appointed under Article IV, Section 1, who may be removed by their respective appointing authorities. The Chair, on behalf of the Executive Committee, may request the written resignation of any The CWDB member who fails, without good cause, to attend three consecutive The CWDB meetings or who otherwise demonstrates an inability or unwillingness to actively participate in the meetings, discussions, activities, and decisions of the CWDB. In the event that such a member fails to submit a written resignation, the Chair, on behalf of the Executive Committee, may forward a written recommendation for removal to the Governor.

Section 8 – Term Limits

Members serve at the pleasure of the appointing authority until such a time as they resign or are removed from office. The Board shall consider the number of current vacant seats before submitting a recommendation for removal to the Governor. Any such recommendation shall include the number of current vacant seats.

ARTICLE V: OFFICERS

The CWDB shall have two officers: the CWDB Chair (Chair) and the CWDB Vice-Chair (Vice-Chair). The Chair shall be a business representative on the board appointed by the Governor and shall serve at the pleasure of the Governor.

The Chair shall call and preside at all CWDB meetings and perform other duties as required by the CWDB. The Vice-Chair shall act as Chair in the Chair’s absence and perform other duties as required.



ARTICLE VI: COMMITTEES

Section 1 – Committee Structure

The CWDB will operate with a committee structure comprised of standing committees, special committees, and ad hoc committees:

Standing Committees—These are permanent committees of the CWDB constituted to perform continuing functions. A standing committee is comprised of CWDB members for voting purposes. A standing committee shall have a minimum of five members in addition to the chair and vice chair. A standing committee is established or discontinued through an amendment to these bylaws. With the exception of the Executive Committee, the Chair shall designate the chair, vice-chair, and members of a standing committee annually, subject to ratification by the full CWDB.

The committee chair shall be the presiding officer at all committee meetings. In the chair's absence, the committee vice-chair shall assume the chair's duties.

Special Committees – are assigned specific tasks and assignments by the CWDB Chair. Membership may include the CWDB members, state and local partners, stakeholders, practitioners, and customers, all of whom are voting members. Unless otherwise specified in the description of the committees adopted as part of these bylaws, the CWDB Chair shall designate the chair, vice-chair, and members of each special committee, subject to ratification by the Executive Committee.

The committee chair shall be the presiding officer at all committee meetings. In the chair's absence, the committee vice-chair shall assume the chair's duties.

Ad Hoc Committees are informal workgroups, task forces, councils, and other formal subgroups comprised of CWDB members and/or CWDB staff and/or State and local partner, stakeholder, and practitioner staff. Ad hoc committees may be established by the Chair, the Executive Director, or special committee chairs and are not subject to ratification by the full CWDB or the Executive Committee.

Ad hoc committees are time-limited and task-oriented and are formed to develop work products for the CWDB. Each Ad hoc committee shall remain in existence only as long as necessary to fully address the task with which it is charged.



Section 2 – Standing Committees

There shall be two standing committees of the CWDB:

The Executive Committee – shall be chaired by the CWDB Chair and shall consist of the Vice-Chair, the Secretary of the Labor and Workforce Development Agency (or the Secretary’s designee), and the Executive Director of the CWDB. The membership of the Executive Committee shall reflect the membership of the full CWDB. The CWDB Chair shall have the discretion to appoint additional members to the Executive Committee as deemed appropriate.

The Executive Committee shall meet at the call of the Chair, as required by CWDB meetings, issues, activities, and workflow. It shall provide recommendations to the full CWDB regarding committee assignments; coordinate the work of standing, special, and ad hoc committees; develop agendas for CWDB meetings; and shall be empowered to take action on behalf of the full CWDB in instances where urgency and time constraints do not permit items to be acted upon by the full CWDB. All such actions and commitments shall be reported to the full CWDB at its next regularly scheduled meeting.

The Green Collar Jobs Council shall be comprised of appropriate representatives from the CWDB’s existing membership who will meet at the Chair’s call. The Green Collar Jobs Council shall perform the duties and responsibilities specified in Sections 15002 - 15003 of the California Unemployment Insurance Code and shall report all actions to the full CWDB at its next regularly scheduled meeting.

ARTICLE VII: MEETINGS

Section 1 – Board Meetings

The CWDB shall conduct at least one full public meeting each year. Its goal, however, is to conduct full meetings three to four times each year and in such locations to facilitate the CWDB’s work and the public’s participation. Each board member is expected to attend meetings regularly. The meetings will be open and accessible to the public and publicly announced. Subcommittee and ad hoc committee meetings shall be conducted in compliance with open meeting rules.

The CWDB and its Committees may hold a meeting by conference telephone or other electronic equipment (e.g., electronic video screen communications) by means of which (a) all members participating in the meeting can simultaneously hear or read each other’s communications during the meeting, and (b) all meetings are publicly noticed and



accessible to the public by the Bagley-Keene Open Meeting Act. Electronic participation in any such meeting shall constitute presence at the meeting, in accordance with Gov. Code §11123 et seq.

Section 2 – Board Quorum

A quorum is defined as a majority of the members appointed to the CWDB. If a quorum is not present at a CWDB meeting, the CWDB may not vote or take action, but members in attendance may continue to meet for the purpose of discussion, including taking public testimony on agenda items.

ARTICLE VIII: CLOSED MEETINGS

A closed session of the CWDB may be called to discuss personnel issues, pending litigation, or any other matters appropriate for a closed meeting under Gov. Code §11126. The Chair may call for a closed meeting, or any member with a majority vote may call one.

ARTICLE IX: PARLIAMENTARY AUTHORITY

Robert’s Rules of Order shall govern the CWDB in all cases in which they are applicable and in which they are not inconsistent with these Bylaws, any special rules of order the Board may adopt, or any applicable State and federal laws and regulations.

ARTICLE X: CHANGES IN BYLAWS

These Bylaws may be amended or replaced, and new Bylaws adopted by the approval of a majority vote by those members voting at a CWDB meeting with a quorum present, provided that the amendment is not in conflict with any State or federal laws/regulations and had been noticed in writing to all CWDB members 30 days in advance of any proposed action by the CWDB.