



LOWER SHORE WORKFORCE ALLIANCE

Serving as the Workforce Development Board for the Lower Shore of Maryland

GUIDELINES FOR THE LOWER SHORE WORKFORCE DEVELOPMENT BOARD

PURPOSE:

The primary purpose of the Lower Shore Workforce Development Board is to provide policy and oversight for Workforce Innovation and Opportunity Act (WIOA) funds awarded to the Lower Shore of Maryland Local Workforce Development Area (WDA).

MEMBERSHIP:

The composition of the membership should be consistent with the Workforce Innovation and Opportunity Act [Section 107 (b)] and applicable regulations and guidance, and to the extent possible, be equitable among the three counties that comprise the WDA.

Business Majority (not less than 51%)

A majority of membership (51%) must be representatives of businesses in the local area. Any adult resident of Somerset, Wicomico or Worcester counties may be appointed by the chief local elected officials of their respective counties to serve on the Workforce Development Board (WDB) for a four-year term. WIOA requires that each business member:

- Be an owner, chief executive officer, chief operating officer, or other business executive or individual with optimum policymaking or hiring authority;
- Provide employment opportunities in in-demand industry sectors or occupations;
- Provide high-quality, work-relevant training and development opportunities to its workforce or the workforce of others; and
- Be appointed from among individuals nominated by local business organizations and business trade associations.

Non-Business Representation

The Tri-County Council for the Lower Eastern Shore of Maryland (TCC) will appoint “at large” members (agencies whose services cover the tri-county area). The terms of those appointments will be as follows:

- required programs with only one agency in the local area will serve until replaced (examples: Wagner-Peyser, Vocational Rehabilitation);
- required programs with multiple agencies in the local area will serve two-year terms to allow rotation among the tri-county representatives (examples: Adult Education and Department of Social Services);



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- Other representatives will serve four-year terms (examples: labor organizations, community-based organizations).

Representation from among the public sector according to Section 107 (b) and Section 107 (d) of the Workforce Innovation and Opportunity Act should include but not be limited to the following:

At least 20% representation of workforce

- Labor organization
- Joint-labor management or union-affiliated registered apprenticeship
- Community-based organizations (CBO) with experience serving individuals with barriers to employment
- Optional—organizations with experience serving youth

Education and Training

- Adult Education
- Higher Education
- Optional -- local educational agencies or CBOs with expertise in education or training needs of individuals with barriers to employment

Government, Economic and Community Development

- Economic and/or community development
- Wagner-Peyser state employment service
- Vocational rehab
- Optional representation from -- transportation, housing, public assistance; philanthropic organizations

Additional optional membership

- Optional – other individuals as the Chief Local Elected Official determines to be appropriate

OFFICERS:

Officers of the WDB shall consist of a Chair and Vice-Chair, who shall be nominated from the business membership. Terms of office will be two years. An officer may serve multiple terms provided that he or she is re-elected for each two year period.



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Election of Officers

Elections will be held as needed when terms are expiring. At the next-to-last meeting of the officers' terms, a call for nominations will be made during the meeting as well as via email to the membership. Individuals wishing to make a nomination must do so in writing to the Workforce Director no later than twenty days prior to the next board meeting. Individuals may nominate themselves or another member. In the event that a member is nominated, the current Board Chair will reach out to notify the member of the nomination and to ask the member if he/she is willing to serve. All nominated and willing members will be presented to the Board at the next meeting. Officers' terms begin at the conclusion of the meeting. Example: when the terms end in September, a call for nominations will be made in June, nominations must be made no later than twenty days prior to the September meeting, elections will be held in September, and the new vice-chair's term will begin upon adjournment of the meeting.

Officers' Responsibilities

Responsibilities of the Chair include: (1) attend quarterly and special meetings of the Board; (2) meet with Lower Shore Workforce Alliance staff prior to the meetings to review agenda items, etc.; (3) preside over meetings by calling the meeting to order at the designated time, determining whether a quorum is present, announcing the business of the meeting, ensuring that the business of the meeting is satisfactorily concluded, etc.; (4) attend, if possible, an annual conference dealing with workforce issues, a legislative reception in Annapolis and a state meeting of Workforce Development Board chairs; (5) serve on the Steering Committee. The responsibilities of the vice-chair primarily include presiding at meetings and following the order of business in the absence of the Chair. In the unlikely circumstance that both the chair and vice-chair are absent, the immediate past chair or current workforce director may preside over the meeting.

MEETINGS:

Regular WDB meetings are held quarterly. An agenda and supporting materials are mailed approximately one week in advance of the meeting. Work sessions or special meetings may also be held as deemed necessary by the Chair or by a consensus of members present at a meeting. A quorum (a majority of the WDB members) should be present in order to proceed on any matters requiring a vote. However, if a quorum is not present, the Chair may call the meeting to order and proceed with agenda items that do not require a vote.



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Open Meetings Act

Meetings of the Workforce Development Board are subject to the Maryland Open Meetings Act. As such, all meetings will be held in compliance with the statute, including requirements related to public notice and public attendance, as well as the closure of meeting when appropriate and allowable.

ATTENDANCE:

Failing to attend either a) two consecutive meetings of the WDB or b) 50% of the meetings in a rolling one-year period will result in contact with the member inquiring whether the member wishes to remain on the Board. The member then has the option of renewing his/her commitment to the Board or resigning. A resignation from the WDB will result in the Chair contacting the relevant local elected authority to request a replacement. A second attendance offense may result in requesting replacement of the member.

PROXY:

The nature of the business and composition of the board does not allow for proxy voting. Members may send a representative to the meeting in their absence but those representatives are not able to vote on items, cannot be counted towards a quorum, and will not count as the member's presence for attendance purposes.

COMMITTEES:

WIOA authorizes the designation of both temporary and standing committees to inform and assist the WDB to carry out activities. Specifically, WIOA recommends the following: a youth committee, a one-stop operations committee and a committee to assist the Board with issues related to providing services to individuals with disabilities.

The following committees are currently standing:

Steering Committee: The Steering Committee is tasked with reviewing staff recommendations for annual funding (e.g. Request for Proposals, Individual Training Accounts). The Steering Committee sets the agenda for the full Board and may act on its behalf when authorized. Volunteers from the WDB comprise this Committee. The Committee makes recommendations to the WDB for final action. Steering Committee Guidelines are further described in a separate document.

Youth Committee: WIOA permits a Youth Committee to oversee youth programs and set forth the compilation of its duties. The WDB's Youth Standing Committee is tasked



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with providing information to assist with planning, operations, oversight, and other issues related to the provision of the youth program. Board and community members with expertise or special interest in youth may be appointed to this committee. Members are appointed by the Steering Committee with confirmation by the WDB. Additionally, the Youth Committee will elect a Chair and Vice-Chair, following the Youth Committee Guidelines. The chair must be a member of the WDB. The responsibilities of the Vice-Chair primarily include presiding at meetings and following the order of business in the absence of the Chair. Youth Committee Guidelines are further described in a separate document.

Other Committees/Work Groups: The WDB Chair may from time to time in his/her discretion ask for volunteers to serve on other short-term committees, work groups or newly created standing committees. These groups may be tasked with studying a certain need, pursuing relevant funding information or bringing the Board into compliance with WIOA law.

CONFLICT OF INTEREST:

A member of the WDB cannot participate in any board proceeding in which the result would provide direct or indirect benefit to the board member or his/her family or when a board member has a personal or legal status that may be in conflict with the interests of the Lower Shore Workforce Alliance. The member must abstain from both discussing and voting on such matters.

Examples of conflict of interest are:

- Misuse of the prestige of their office for their own economic benefit.
- Misuse of confidential information acquired in their official position for their economic benefit or that of another.
- Representation of any party for a contingent fee or gift before the WDB.
- Participation as an agent on behalf of the WDB in any matter which, to their knowledge, would have a direct financial impact on them, their spouses or dependent children, or any entity with which they are affiliated, as distinguished from financial impact on the public generally.
- Holding or acquiring of any substantial interest in an entity that has or is negotiating a contract with the WDB.
- Employment by an entity that has or is negotiating a contract under discussion with the WDB.



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- Solicitation of any gifts or acceptance of any gifts of a value greater than \$25 from any person or firm that has or is negotiating a contract with the WDB. For purposes of this section, "gift" includes the transfer of anything of economic value, regardless of form, without adequate and lawful consideration.

Awarding of Contracts: No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by WIOA funds if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

In the event of a real or apparent conflict of interest, the board or standing committee member must disclose the potential conflict of interest in writing and must neither cast a vote on nor participate in any decision-making capacity on the matter.

If a question arises concerning the existence of a conflict of interest, the matter may be referred to the legal counsel for the Tri-County Council for the Lower Eastern Shore of Maryland for a decision.

VACANCIES:

Appropriate local elected officials are notified by letter when there is a need to appoint a new member due to the expiration of a term, the resignation of a member, or when a replacement is otherwise needed.

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