



Baltimore County Workforce Development Council

BALTIMORE COUNTY, MARYLAND

WORKFORCE DEVELOPMENT COUNCIL ("WDC") BYLAWS & OPERATING PROCEDURES

**Baltimore County, Maryland
Department of Economic & Workforce Development
400 Washington Avenue, Suite 100
Towson, MD 21204**

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Attachment A:	Executive Order No. 105-220 dated July 1, 1999
Attachment B:	Baltimore County Workforce Development Council Conflict of Interest Policy Statement
Attachment C:	MD Department of Labor Licensing & Regulation MD Policy Issuance titled "Appointment of Local Workforce Investment Board Member"
Online References:	Baltimore County Code , 2003, as amended. Baltimore County Code 2003, Article 3, Title 3 , Boards, Commissions, Committees, Panels and Foundations and Article 7 , Titles 1 and 2, Public Ethics and Open Government Baltimore County Charter State of Maryland Open Meetings Act U.S. Department of Labor Employment & Training Administration – The "Plain English" Version of the Workforce Investment Act of 1998

ARTICLE I: AUTHORIZATION AND JURISDICTION

The Workforce Development Council has been designated by Executive Order dated July 1, 1999 (Attachment A) as the local Workforce Investment Board (LWIB) authorized under Public Law 105-220, the Workforce Investment Act of 1998 (the "Act"), and any regulations promulgated pursuant thereto. The WDC must be certified by the Governor of Maryland every two years. The WDC is further subject to Baltimore County law, including, but not limited to the [Baltimore County Charter](#), the [Baltimore County Code 2003, Article 3, Title 3](#), and [Article 7](#), as they relate to boards, public ethics and open government. The WDC's area of jurisdiction shall be the Workforce Investment Area designated by the Governor of the State of Maryland known as Baltimore County, Maryland.

ARTICLE II: PURPOSE AND OBJECTIVES

SECTION A: GENERAL PURPOSE

The general purpose of the council is to:

- i. Increase the involvement of business in Workforce development activities
- ii. Advise the County Executive and other agencies of the need for workforce development services as they relate to business
- iii. Provide general overall advice and guidance to the Baltimore County Department of Economic and Workforce Development regarding workforce development initiatives.
- iv. Provide assistance and ideas for planning and developing policies for the service delivery system, coordination efforts, and achievement of performance goals.
- v. Assist the Baltimore County Department of Economic and Workforce Development with marketing the County's Workforce Investment System.
- vi. Serve as the business contact point for the Workforce Investment System to present the private sector's view and policies in a variety of employment-related areas.

SECTION B: SPECIFIC PURPOSE

The specific purpose of the council is to:

- i. Submit a workforce investment plan to the State
- ii. Oversee the activities and performance of the one-stop career centers
- iii. Oversee the expenditure of training funds
- iv. Appoint a Youth Council
- v. Certify one-stop operators and develop Memoranda of Understanding with one-stop partners
- vi. Select providers of youth services
- vii. Identify eligible providers of adult training programs and monitor performance and cost information
- viii. Such other purposes and objectives as determined necessary by the Council in reviewing the needs of Baltimore County and future requirements arising from legislation, policy and funding changes.

ARTICLE III: COUNCIL STRUCTURE AND OFFICERS

SECTION A: MEMBERSHIP

The Workforce Development Council (WDC) shall be composed of a minimum of twenty-one (21) members, of which a minimum of fifty-one percent (51%) shall be from the private business sector ("Business Members"), and the balance from local educational entities, labor organizations, community-based organizations, economic development agencies, representatives of each of the One-Stop partners and other members as desired, with all appointed by the County Executive of Baltimore County. Organized Labor and Community-Based Organizations shall comprise fifteen-percent (15%) of the WDC membership.

WDC Membership shall comply with the [State of Maryland Department of Labor, Licensing and Regulation \(DLLR\) policy issuance](#) (Attachment C) effective March 5, 2014 concerning appointment of local Workforce Investment Board members, until rescinded.

SECTION B: OFFICERS

The Chairperson *pro-tem* shall be appointed by the County Executive and will be selected from among the private, non-governmental business sector membership of the WDC. The Vice-Chair *pro-tem* shall be appointed by the Chair and will be selected from among the private, non-governmental business sector membership of the WDC. The WDC will confirm its permanent Chairperson and Vice Chairperson. The appointment of officers shall take place within three months of the effective term, assuming the duties of the office with the new fiscal year.

The Chair will perform all duties incident to his or her office and such other duties as may be required by law, including but not limited to, the Federal Workforce Investment Act, state law, County law and the Baltimore County Policies and Procedures for Boards and Commissions as described herein. The Chair will preside at all meetings of the Council. In the absence of the Chair, or in the event of his or her inability or refusal to act, the Vice Chair will perform all the duties of the Chair, and when so acting will have all the powers of, and be subject to all the restrictions on the Chair.

SECTION C: COMMITTEES

- i. **Generally:** The Chair is free to appoint ad hoc committees, standing committees and work groups to address special areas of interest, to insure a broad spectrum of representation and sources of information and any other cause deemed necessary.
- ii. **Executive Committee:** The Council may establish an executive committee. The Executive Committee will consist of the Chair, Vice Chair, and Chairs of all standing Committees. The Executive Committee will meet as a committee as determined by Chair. Regular minutes of these proceedings will be kept and filed with the Council's record, and reported to the Council

from time to time as the Council may require. The Executive Committee has the authority to represent the full Council as needed when conducting Council business.

- iii. **Youth Council:** The Workforce Investment Act requires that the Council establish a Youth Council to develop and coordinate policies and guidance for youth employment and job-training initiatives in the community. The Council Chair will appoint a Youth Council Chair from among the Council membership, and determine its meeting schedule. Youth Council membership will be composed of youth advocates and youth program representatives according to the requirements of the Act.
- iv. **Other Committees:** The Council will have such other committees as may from time to time be designated by resolution of the Council or the Executive Committee. These committees and the standing committees, with the exception of the Executive Committee, may consist of persons who are not members of the Council and will act in an advisory capacity to the Council. All committees will have an appointed Chair, who determines the meeting schedule and reports committee activity to the Council. Each committee of the Council will serve at the pleasure of the Council. The recommendations of committees will be presented at the next Executive Committee or Council meeting in a form as determined appropriate by the Chairperson.

ARTICLE IV: POLICIES AND PROCEDURES

SECTION A: ELECTION AND APPOINTMENT

Council members are appointed by the County Executive. The Council Executive Committee may propose nominations to the Baltimore County Executive.

SECTION B: REMOVAL AND RESIGNATION

Any member may be removed, with or without cause, by the Council at any time.

Any member may be deemed to have resigned from the Council if he or she is absent from more than 50 percent of scheduled meetings during any twelve-month period.

Any member may resign effective thirty (30) days after notification to the County Executive and the Director of the Department of Economic and Workforce Development.

SECTION C: VACANCIES

Vacancies on the Council will exist on the death, resignation, or removal of any member, whenever the number of authorized members is increased, or whenever a Council member's term has expired.

Any vacancy will be filled in accordance with Article III, Section A of these bylaws. In the event of a vacancy in any office other than that of Chair, such vacancy may be filled temporarily by appointment by the Chair until such time as the County Executive fills the vacancy.

SECTION D: TERM OF SERVICE

Each Council member will be appointed for a term of two years and may serve a maximum of two consecutive two-year terms, except for the representatives of local agencies and educational entities, who will serve for so long as they hold the local agency position. If an individual is appointed to fill an unexpired term, that individual may then be appointed for two consecutive two-year terms. Term exceptions will be made as required; at the end of a term, a member continues to serve until a successor is appointed.

The terms of the members will be staggered, so that, except for the representatives of local agencies described in Article III, Section A.

SECTION E: POWERS

Subject to the provisions of the Policies and Procedures of Baltimore County Boards, Commissions, Committees, Panels and Foundations (Baltimore County Code 2003, Article 3, Title 3), the Council will conduct all activities in accordance with the Workforce Investment Act of 1998 and Baltimore County Executive Order No.105-220 and the Baltimore County Code, Title 7 regarding Ethics. All actions shall be exercised by or under the direction of the Council, unless such action must take place between scheduled council meetings, when such powers are delegated to the Executive Committee.

SECTION F: COMPENSATION

Subject to the provisions of the Policies and Procedures of Baltimore County Boards, Commissions, Committees, Panels and Foundations (Baltimore County Code 2003, Article 3, Title 3: 3-3-304), the Council will conduct all activities in accordance with Baltimore County Policy regarding compensation. A member of the Workforce Development Council: (1) May not receive compensation as a member of the Board; but, (2) Is entitled to reimbursement for expenses necessarily incurred, if approved by the Board and provided for in the county operating budget.

SECTION G: CONFLICT OF INTEREST

No member of the WDC shall cast a vote on any matter that has a direct bearing on services to be provided by that member of any organization that such member directly represents or on any matter that would financially benefit such member or any organization such member represents.

The laws, rules and regulations of the Workforce Investment Act of 1998, Maryland law and Baltimore County law, as appropriate will govern all actions taken by the WDC members. Every member must sign the Conflict of Interest Policy (Attachment B) upon appointment to the Council.

ARTICLE V: MEETINGS

SECTION A: REGULAR MEETINGS

The WDC will meet, at a minimum, four (4) times per year on a day to be specified at a later date.

SECTION B: SPECIAL MEETINGS

Special meetings of the Council may be called by the Chair, the Vice Chair or upon the written request of four (4) members of the Council. Such meetings will be held at the principal office of the Council or, if different, at a public place designated by the person or persons calling the special meeting.

SECTION C: NOTICE OF MEETINGS

The [State of Maryland Open Meetings Act](#) applies to the Council and requires that the Council give reasonable advance public notice of meetings, and that meetings be held in a location which is available to the public.

SECTION D: QUORUM AND VOTING

The presence of a simple majority of the members will constitute a quorum. No official action may be taken at a meeting unless a quorum is in attendance. Votes may be conducted electronically as needed.

SECTION E: PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Robert's Rules of Order shall govern the Council in such cases in which they are not inconsistent with these By-laws and any other special rules of order the Council may adopt.

ARTICLE VI: STAFFING

SECTION A: ADMINISTRATIVE ENTITY

In accordance with the Executive Order, dated July 1, 1999, the Baltimore County Department of Economic and Workforce Development serves as staff to the Workforce Development Council and is the administrative entity for Baltimore County's Workforce Investment System.

SECTION B: STAFF DUTIES

The staff will provide each member of the WDC copies of meeting minutes, staff reports and other relevant information on all agenda items requiring the council's action at least one week prior to all regularly scheduled meetings. Records will be retained for four years in accordance with the Workforce Development's records retention policies for the Council.

GOVERNOR'S WORK FORCE INVESTMENT BOARD

PARRIS N. GLENDENING
GOVERNOR

KATHLEEN KENNEDY TOWNSEND
LT. GOVERNOR



WAYNE A. MILLS
CHAIRMAN

ELEANOR M. CAREY
PRESIDENT

STEPHEN CRAWFORD
EXECUTIVE DIRECTOR

1414 KEY HIGHWAY, 2ND FLOOR
BALTIMORE, MARYLAND 21230
tel: 410-333-4454 fax: 410-333-4467
e-mail: gwib1@erols.com
website: www.gwib.state.md.us

July 14, 1999

The Honorable C. A. Dutch Ruppensberger
Baltimore County Executive
Executive Office
400 Washington Avenue
Towson, Maryland 21204

Dear County Executive Ruppensberger:

Please be advised that Governor Glendening has designated the Baltimore County Private Industry Council as the Workforce Investment Board for the Baltimore County Service Delivery Area. In doing so, the Governor accepted the unanimous recommendation of the Governor's Work Force Investment Board. The Board based its recommendation on your request and its finding that the membership of the Baltimore County Private Industry Council satisfied the "Alternative Entity" requirements of Section 117 (i) of the Workforce Investment Act of 1998.

We appreciate your active interest in enhancing the quality of Maryland's workforce and look forward to your close collaboration with the local workforce investment board as it develops the draft five-year local plan for submission to the Governor by December 31, 1999.

Should you have any questions regarding this certification, please contact Eleanor Carey at (410) 333-4454 ext. 301 or Crystal Martin on ext. 308.

Sincerely,

Handwritten signature of Wayne A. Mills in cursive.

Wayne A. Mills
Chairman

Handwritten signature of Eleanor M. Carey in cursive.

Eleanor M. Carey
President

cc: Donna Jacobs
Terri Bobloch

ATTACHMENT A

EXECUTIVE ORDER
TO ESTABLISH
THE BALTIMORE COUNTY WORKFORCE INVESTMENT SYSTEM

- WHEREAS, in 1998, Congress passed the Workforce Investment Act (the "Act") which established the Workforce Investment System (the "Workforce System") for the delivery of workforce development services formerly governed by the federal Job Training Partnership Act ("JTPA");
- WHEREAS, Baltimore County's Workforce System shall include the programs, services and resources authorized by the Act and any other relevant county, state and federal initiatives designed to provide workforce development initiatives for businesses and job seekers;
- WHEREAS, in accordance with the provisions of the Act, Baltimore County is the Workforce Investment Area and Baltimore County Government serves as the grant recipient for formula and discretionary funding authorized by the Act;
- WHEREAS, Section 117 of the Act requires the chief executive of a local jurisdiction that receives funds under the Act to designate a Workforce Investment Board to provide the planning, oversight and evaluation services set forth in the Act;
- WHEREAS, in addition, the Act authorizes the chief executive to designate a local agency to serve as the administrative entity for the Workforce System; and
- WHEREAS, by this Executive Order, the County Executive has decided to designate the existing Baltimore County Workforce Development Council (the "Council"), established pursuant to JTPA, as the Workforce Investment Board and to designate the Baltimore County Office of Employment and Training ("Office of Employment and Training") as the administrative entity for the Workforce System.

NOW, THEREFORE, in recognition of the foregoing and under the authority vested in the County Executive by the Baltimore County Charter, this 1st day of July, 1999 it is hereby ordered by the County Executive:

SECTION I: DESIGNATION OF THE WORKFORCE DEVELOPMENT COUNCIL AS THE WORKFORCE INVESTMENT BOARD.

1. The County Executive hereby designates the Council as the local Workforce Investment Board required by the Act.
2. The County Executive shall continue to have the authority to appoint and reappoint members of the Council including the authority to fill vacancies that arise due to the unexpired term of a member who has resigned or been removed.

SECTION II: ROLE OF THE WORKFORCE DEVELOPMENT COUNCIL.

In accordance with the Act, the Council's responsibilities shall include the planning, implementation, oversight and evaluation of the Workforce System established in Baltimore County.

ATTACHMENT A

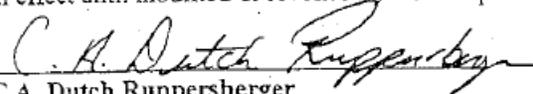
SECTION III: DESIGNATION OF THE BALTIMORE COUNTY OFFICE OF EMPLOYMENT AND TRAINING AS THE ADMINISTRATIVE ENTITY FOR THE WORKFORCE SYSTEM.

1. The County Executive hereby designates the Office of Employment and Training as the administrative entity for the local Workforce System.
2. In its capacity as administrative entity, the Office of Employment and Training serves as staff to the Council and the County Executive for the purposes set forth in the Act, federal regulations issued pursuant thereto, and this Executive Order.

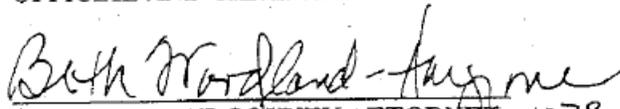
SECTION IV: ROLE OF THE OFFICE OF EMPLOYMENT AND TRAINING.

1. The Office of Employment and Training's required functions include administrative support for the Council. In addition, the Office of Employment and Training has responsibility for overall management, operation and administration of the Workforce System.
2. On behalf of Baltimore County, the Office of Employment and Training shall continue to serve as the broker for county, state and federal financial and other resources separate and apart from the Act to meet the workforce development needs of the business community.

This Executive Order shall take effect as of this 15th day of July, 1999 and shall continue in effect until modified or revoked by a subsequent Executive Order.


C.A. Dutch Ruppertsberger
County Executive

**APPROVED FOR FORM AND LEGAL SUFFICIENCY*
(SUBJECT TO EXECUTION BY THE DULY AUTHORIZED ADMINISTRATIVE
OFFICIAL AND CHAIRMAN OF THE COUNTY COUNCIL, AS INDICATED)**


OFFICE OF THE COUNTY ATTORNEY 1078

*Approval of Legal Form and Sufficiency Does Not
Convey Approval Or Disapproval of the Substantive
Nature of This Transaction. Approval is Based Upon
Typeset Document-All Modifications Require Re-Approval



Baltimore County Workforce Development Council

BALTIMORE COUNTY, MARYLAND

CONFLICT OF INTEREST POLICY FOR BALTIMORE COUNTY WORKFORCE DEVELOPMENT COUNCIL

The following policy is intended to assist members of this Workforce Development Council in avoiding conflicts of interest or the appearance of such conflicts in the exercise of their responsibilities, particularly those related to the awarding of contracts.

No Council member may participate in a matter under consideration by the Council regarding the provision of services by the Council member or the entity the board member represents. Similarly, no Council member may participate in any matter in which the Council member, a qualifying relative or a business associated with the council member or qualifying relative has a direct financial interest. Further, a member's employer may not participate in any way in a future bid or procurement where the member helped to draft specifications. In order to avoid potential conflicts as circumstances changes, members whose employers may wish to participate in a future procurement shall refrain from involvement in specification development. If a member participates in developing procurement specifications, the board member and his/her employer may be precluded from submitting a bid or proposal for that procurement.

No Council member may intentionally use the prestige of his or her public position for that council member's private gain or that of another. Except in the discharge of an official duty, no Council member may disclose or use confidential information acquired by reason of the Council member's public position and not available to the public for personal economic benefit or for the economic benefit of another. Council members may not use their status in marketing their private businesses.

Any Council member with a potential or actual conflict of interest must disclose that fact in writing to the Council Chair as soon as the potential conflict is discovered and, to the extent possible, before the agenda for a meeting involving the matter at issue is prepared. If it should be determined during a meeting that a conflict of interest exists, the Council member must verbally declare such conflict of interest, his or her declaration must be clearly noted in the minutes, and the Council member must excuse him/herself from the remainder of the discussion and the voting.

ATTACHMENT B

No Council member may solicit or accept any gratuity, gift or item of monetary value from suppliers, contractors or subcontractors of the Council. Gifts of nominal value (under \$25.00) are permissible.

The Council shall adopt procedures that serve to minimize the appearance of conflicts of interest. Council members who represent One-Stop partners and who serve on committees that oversee the One-Stop system or the allocation of resources that would potentially be allocated to their programs shall refrain from discussing or voting on any matter that would impact the programs they represent.

The Council shall adopt appropriate penalties, sanctions or other disciplinary actions, including termination, on a case-by-case basis, for Council members who violate any portion of this policy.

Each Council member shall annually sign a statement that he or she has reviewed this policy and is aware of his or her responsibilities under it.

Definitions:

"Direct Financial interest" means ownership of an interest as the result of which the owner has received within the past 3 years, is currently receiving, or in the future is entitled to receive, more than \$1000.00 per year; or ownership of more than 3% of a business entity; or ownership of securities of any kind that represent, or are convertible into, ownership of more than 3% of a business entity.

"Procurement contract" has the meaning provided in Section 11-101 of the State Finance and Procurement Article.

"Qualifying relative" means a spouse, parent, child, brother or sister.

Acceptance Statement

I have read and accept the terms of the Conflict of Interest Policy detailed above.

Print Name

Signature

Date

MARYLAND WORKFORCE DEVELOPMENT SYSTEM

Maryland Policy Issuance

Policy Issuance No. 03-2013 Policy Information Guidance

To: Chief Elected Officials
Workforce Investment Board Chairs
Workforce Investment Board Directors

cc: WIA State Partners

From: Julie Squire, Assistant Secretary, 
Department of Workforce Development and Adult Learning

Date: August 15, 2013

Effective Date: March 5, 2014

Expiration Date: Until rescinded

GWIB Approval Date: August 11, 2013

Authority: WIA section 117(a)(b)

Subject: Appointment of Local Workforce Investment Board Members

1. **Purpose:** In the state plan, the state established a written policy and procedure that set forth criteria to be used by chief elected officials for the appointment of local workforce investment board members. This policy identifies the criteria for board appointments.
2. **Background:** The Workforce Investment Act (WIA) requires that local Workforce Investment Boards (WIBs) be created in each local area of the state. In partnership with the Chief Elected Official(s) (CEO), the WIB sets the policy and direction for the portion of the statewide workforce investment system within that local area. WIA identifies the minimum composition of these local workforce boards (section 117(b)(2)) and requires that such boards be certified by the Governor (section 117(a)).
3. **Policy:**

ATTACHMENT C

- A. In establishing the local Workforce Investment Board, the CEO may select individual members of the board serving the local area. In local areas consisting of more than one county, the CEOs must jointly agree on the appointments or establish a procedure to nominate members from a cross-section of the local area. The CEO must select the individual Board members who most fully represent the local area in a manner consistent with the requirements of Board composition established by WIA.

Local WIB Composition, in accordance with WIA section 117(2) *shall at a minimum* include:

- Representatives of business in the local area who –
 - Are owners of businesses, chief executives or operating officers of businesses, and other business executives or employers with optimum policy making or hiring authority; Represent businesses with employment opportunities that reflect the employment opportunities of the local area; and
 - Are appointed from among individuals nominated by local business organizations and business trade associations;
- Representatives of local educational entities, including representatives of local educational agencies, local school boards, entities providing adult education and literacy activities, and postsecondary education institutions (including representatives of community colleges, where such entities exist), selected from among individuals nominated by regional or local educational agencies, institutions, or organizations representing such local educational entities; while the local WIA Title II Adult Education is a mandatory representative;
- Representatives of labor organizations (for a local area in which employees are represented by labor organizations), nominated by local labor federations, or (for a local area in which no employees are represented by such organizations), other representatives of employees;
- Representatives of community based organizations (including organizations representing individuals with disabilities and veterans, for a local area in which such organizations are present);
- Representatives of economic development agencies including private sector economic development entities; and
- Representatives of each of the one-stop partners.

- B. Local WIB Composition, in accordance with section 117(2) *may* include such other individuals or representatives of entities as the chief elected official in the local area may determine to be appropriate. Also, a majority of the members of the local board shall be representatives of business in the local area as described above and the Chair *must* be elected from the private sector members.

It is the intent of the State to provide as much flexibility as possible and to promote the active and ongoing partnership between the Chief Elected Officials and the local Workforce Investment

ATTACHMENT C

Boards. Current CEOs, in their transition planning, are encouraged to continue to work closely together to ensure the unique needs of their local labor market are met through cost effective program design, oversight and performance accountability.

4. Action Required by LWIB:

All Local Workforce Investment Boards and Chief Elected Officials must follow the above policy.

5. Inquiries:

Assistant Secretary's Office
Division of Workforce and Adult Learning
1100 N. Eutaw Street
Baltimore, Maryland 21201