

California Workforce Investment Board
Bylaws

ARTICLE 1: NAME

The Workforce Investment Act (WIA) of 1998 requires that each state establish a state workforce investment board to carry out certain responsibilities related to the state's workforce investment system. The *California Workforce Investment Board*, hereinafter referred to as the State Board, was established through Executive Order (D-9-99).

ARTICLE II: PURPOSE

The purpose of the State Board is to assist the Governor in implementing and continuously improving California's workforce investment and One-Stop Career Center systems and in meeting certain federal requirements to ensure the quality and efficiency of the system as required by the WIA.

ARTICLE III: GOVERNANCE

The State Board shall reside within the California Labor and Workforce Development Agency and shall report to the Governor through the Secretary of Labor and Workforce Development following protocols agreed to by the State Board and that Agency.

ARTICLE IV: STATE BOARD MEMBERSHIP

Section I – Appointments

The members of the State Board are appointed by the Governor in conformity with Section 111 of the WIA.

Section 2 – Composition

The composition of the State Board shall be in conformity with the WIA. The Senate President Pro Tem appoints two legislative members, and the Speaker of the Assembly appoints the other two legislative members. The Governor may add additional members to those required by the WIA.

Section 3 – Designees

Section 7.5 of the California Government Code allows 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, to designate a deputy director of that Department or Agency, exempt from State civil service, to act in the Director's or Secretary's place. 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 prior to the designees' participation on the State Board.

Section 7.6 of the California Government Code allows a Constitutional Officer to appoint a designee. A designee for a Constitutional Officer must be a deputy who is exempt from State civil service. Section 7.6 also allows a member of the California Legislature to name a designee. In addition, the California Constitution Article 9, Section 2.1, requires that the State Superintendent of Public Instruction designee be an individual from one of the following offices which are exempt from State civil service: the Deputy Superintendent of Public Instruction, or one of the three Associate Superintendents of Public Instruction. The Constitutional Officers must notify the Chair in writing of the names and titles of the designees prior to the designees' participation on the State Board.

Section 4 – Alternates and Proxies

Under no circumstances shall the State Board permit absentee or proxy voting at any of its proceedings.

Section 5 – Conflict of Interest

Members of the State Board are subject to a comprehensive body of state law governing conflict of interest. (Gov. Code §§ 81000-91014). Pursuant to State and federal law, the State Board has adopted and promulgated a Conflict of Interest Code. The State Board members, including designees, are required to file statements of economic interests with the State Board. The State Board 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 State Board must disclose. Upon appointment, Board members are required to file an initial filing statement within 30 days of their appointment. Thereafter, Board members are required to file annual statements. Board members are also required to file statements upon leaving their position.

Section 6 – Resignation

A member may resign from the State Board by sending a written notice, which includes the effective date of resignation, to the Governor. The member must also send a copy of that written notice to the Chair.

Section 7 – Removal

The Governor has sole authority to appoint and to remove members of the State Board. The Chair, however, on behalf of the Administrative Committee, may request the written resignation of any State Board member who fails, without good cause, to attend three consecutive State Board meetings or who otherwise demonstrates an inability or unwillingness to actively participate in the meetings, discussions, activities, and decisions of

the State Board. In the event that such a member fails to submit a written resignation, the Chair, on behalf of the Administrative Committee, may forward a written recommendation for removal to the Governor.

ARTICLE V: OFFICERS

The State Board shall have two officers: the State Board Chair (Chair) and the State Board Vice-Chair (Vice-Chair). Both of these positions shall be appointed by the Governor and shall be of indeterminate length.

The Chair and the Vice-Chair shall be members of the private sector. The Chair shall call and preside at all State Board meetings and perform other duties as required by the State Board. 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 State Board will operate with a committee structure comprised of standing committees, special committees, and ad hoc committees:

Standing Committees – are constituted to perform continuing functions and are permanent committees of the State Board. A standing committee is comprised of State Board members for purposes of voting. A standing committee shall have a minimum of five members in addition to the chair and the vice chair of the committee. A standing committee is established or discontinued through an amendment to these bylaws. With the exception of the Administrative Committee, the Chair shall designate the chair, vice-chair, and members of a standing committee annually, subject to ratification by the full State Board. The committee chair shall be the presiding officer at all committee meetings. The committee vice-chair shall assume the duties of the committee chair in the committee chair's absence.

Special Committees – are appointed by the State Board chair to carry out specified tasks. Special committees may include State Board members and State and local partners,

stakeholders, practitioners, and customers, all as voting members. Unless otherwise specified in the description of the committees adopted as part of these bylaws, the State Board Chair shall designate the chair, vice-chair, and members of each special committee, subject to ratification by the State Board. The committee chair shall be the presiding officer at all committee meetings. The committee vice-chair shall assume the duties of the committee chair in the committee chair's absence.

Ad Hoc Committees – are informal workgroups comprised of State Board members, and/or State Board 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 State Board. Ad hoc committees are time-limited and task oriented and are formed to develop work products for the State Board.

Section 2 – Standing Committees

There shall be one standing committee of the State Board:

The Administrative Committee – shall be chaired by the State Board Chair and shall consist of the Vice-Chair, the chairs of the special committees, the Secretary of the Labor and Workforce Development Agency, and the Executive Director of the State Board. The State Board Chair shall have the discretion to appoint additional members to the Administrative Committee as deemed appropriate.

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

ARTICLE VII: MEETINGS

Section 1 – Board Meetings

The State Board shall conduct at least one, full, public meeting each year. It is the goal of the State Board, however, to conduct full State Board meetings three to four times each year and in such locations as will facilitate the work of the State Board and the participation of the public. The meetings will be open and accessible to the public and will be publicly announced. Agendas, minutes of the previous meeting and available supporting materials for State Board meetings will be mailed to the members at least ten days prior to the meeting.

Section 2 – Board Quorum

A quorum is defined as a majority of the members appointed to the State Board. If a quorum is not present at a State Board meeting, the State Board 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 State Board may be called to discuss personnel issues, pending litigation, or any other matters appropriate for a closed meeting under Government Code Section 11126. The Chair may call for a closed meeting, or a closed meeting may be called by any member, with a majority vote.

ARTICLE IX: PARLIAMENTARY AUTHORITY

Robert's Rules of Order shall govern the State Board 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 BY-LAWS

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

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