



**Executive Committee Meeting
West Michigan Works! (WMW) Workforce Development Board (WDB)
Westside Service Center
215 Straight Ave. NW
Grand Rapids, MI 49504
Monday, November 4, 2019 - Meeting 11:30 a.m. – 1:00 p.m.**

AGENDA

1. Call to Order
2. Public Comment – Agenda Items
3. Approval of the September 23, 2019 Minutes **Action Required**
4. Report on Financial Activities: Notes to September 2019 Board Financials **Information Item**
Brenda Isenhart, Chief Financial Officer
5. Strategic Plan Update **Information Item**
Janie McNabb, One-Stop Operator
6. Youth Solutions **Information Item**
Brittany Lenertz, Talent Solutions Director
7. West Michigan Works! Workforce Development Board Bylaws **Discussion/Action Item**
WMW Staff
8. Upcoming meeting agendas: **Discussion Item**
 - a. December 9, 2019
 - b. January 13, 2020
9. Other Business
10. Public Comment
11. Adjournment

**Next Scheduled Executive Committee Meeting: January 13, 2020 at 11:30 a.m. located at:
Westside Service Center, 215 Straight Ave N.W. Grand Rapids, MI 49504**



**Executive Committee Meeting
West Michigan Works! (WMW) Workforce Development Board (WDB)
Westside Service Center
215 Straight Ave. NW
Grand Rapids, MI 49504
Monday, September 23, 2019 ▪ Meeting 11:30 a.m. – 1:00 p.m.**

MINUTES

Members/Alternates Present: Dave Smith, Cindy Brown, Mark Bergsma, John Buchan, Heather Gluszewski, Jon Hofman, Sherry White

Members/Alternates Absent: Jay Dunwell, Rebecca Herrington, Scott McLean, Shana Welch

Staff Present: Angie Barksdale, Brenda Isenhart, Jane Kreha, Amy Lebednick, Brittany Lenertz, Jacob Maas, Janette Monroe, Melanie White, Nancy Wiest

Guests Present: None

1. Call to Order, Chairperson Dave Smith at 11:35 a.m.
2. Public Comment- Agenda Items- None
3. Approval of the July 8, 2019 Minutes

Action Required

**Motion – Mark Bergsma
Second – Cindy Brown
Item Approved – Motion approved**

4. Report on Financials **Information Item**
 - a. Notes to June 2019 Board Financials-Fiscal Year Ending June 2019
Brenda Isenhart, Chief Financial Officer, reviewed ACSET's statement of revenue and expenditures for the twelve months ending June 30, 2019. Discussion took place, and Brenda answered board members' questions.
 - b. Notes to July 2019 Board Financials
Brenda reviewed ACSET's statement of revenue and expenditures for the first month ending July 31, 2019. Discussion took place, and Brenda answered board members' questions.
5. West Michigan Works! Workforce Development Board Bylaws **Action Required**
Angie Barksdale, Chief Operating Officer, reported that WMW staff members were notified by the State of Michigan that updates are needed to the current WDB bylaws. WMW staff also made additional revisions to the existing bylaws. Angie reviewed the proposed changes with the Executive Committee. Discussion took place, and Angie answered board members questions.
**Motion – Heather Gluszewski
Second – John Buchan
Item Approved – Motion approved**
Staff will request the Governing Board's approval on October 28, 2019 for the supported changes to the bylaws.

6. 2020 Meeting Calendars **Discussion Item**

Jacob Maas, Chief Executive Officer, reported that WMW staff would like to discuss the 2020 meeting calendar dates. Discussion took place. A meeting calendar schedule will be provided to the full WDB in October for approval of the 2020 meeting calendar dates.
7. Executive Committee Membership Structure **Discussion Item**

Jacob Maas initiated discussion regarding the future of the membership structure on the Executive Committee. Jacob noted that with upcoming changes to the Strategic Plan, WDB officer changes, and geographical representation, committee members should be aware that the membership and structure of the Executive Committee could change in the near future. Discussion took place.
8. WDB Meeting Agenda: October 14, 2019 **Discussion Item**

Election of WMW WDB Officers November 1, 2019 – October 31, 2021
WMW staff stated that with respect to the upcoming elections, the nomination committee and WMW staff will be contacting nominees regarding their willingness and ability to serve as WDB Officers. Nominees will be requested to provide brief biographies that will be presented to the board prior to elections.
9. Strategic Plan Update **Information Item**

Angie Barksdale reported that Janie McNabb, One-Stop Operator of WMW, is facilitating Strategic Plan Focus Groups across the region during the month of September. Angie noted that to-date, three (3) sessions have occurred, 1-2 sessions are remaining, and tickets to attend are still available.
10. WMW WDB Subcommittees Updates **Information Item**
 - a. Talent Solutions: Brittany Lenertz, Talent Solutions Director, reported that WorkReady curriculum has been fully implemented, and staff is working on third-party evaluations getting completed with off-site employers. At the next meeting, the subcommittee will be reviewing goals, strategies and any gaps as they align with the current Strategic Plan. Dave Smith inquired about talent needs over the next 6-9 months. Brittany reported that there has been an increase in layoff notices, rapid responses, and some Trade Adjustment Assistance (TAA) certifications recently. Amy Lebednick, Business Solutions Director, reported that Amway (Alticor) is laying off 171 workers through February 2020 in various departments. Amy further reported two site closures: Plasan Carbon due to a project ending, and Kmart in Hastings, MI (all 65 employees will be laid off).
 - b. Employer Solutions: Sherry White, WDB Member, reported that the subcommittee's next meeting is in a few weeks and the subcommittee plans on reviewing grants and projects, and results of employer surveys. Amy Lebednick, Business Solutions Director, reported that the subcommittee met on October 9. Amy reported that staff will be introducing the new Apprenticeship Success Coordinator, reviewing the results from the employer surveys, and continuing with 2019-2020 goals, grant management and continuous dialogue with the Talent Solutions subcommittee. Amy stated that she will report on the Employer survey results at the next meeting.
 - c. Strategic Partnerships: Heather Gluszewski, WDB Member, reported that the WMW One-Stop Operator Janie McNabb has provided the subcommittee with her draft plan, which includes partnership level definitions, criteria, and partnership tracking system. Janie is working with both Talent and Business Solutions Departments to begin fully executing and implementing the tracking system.
 - d. Outreach and Communications: Mark Bergsma, WDB Member, reported that the Essential Service Award nominations have closed and they have received 76 nominations, with at least 1 nomination from each of the 7 counties. Mark indicated that the awards will be presented at the Grand Rapids Economic Club meeting in January 2020.

- e. Career Educational Advisory Council (CEAC): Cindy Brown, WDB Vice-Chair, reported that the next CEAC meeting is September 27, 2019 and the CEAC will be discussing Marshall Plan and Grant updates.
- f. Legislative: Jacob Maas reported that WMW staff members are continuing to meet with legislators to provide service center tours, which highlight our programs and services in the local communities. Jacob reviewed that tours have been completed with Representatives Mary Whiteford, Mark Huizenga, Terry Sabo, Greg VanWoerkem, Julie Calley and Senator Jon Bumstead. In addition, Representatives Rachel Hood, Lynn Afendoulis, Tommy Brann and Senators Peter MacGregor and Winnie Brinks are scheduled to tour centers over the next couple of months.

11. Other Business

Information Item

- a. Staffing updates
Angie Barksdale reported that a new Project Manager for MiCareerQuest has been hired. A new Manager position under the Business Solutions Director has been filled internally. Angie further reported that the Industry Sector Lead Representatives have been designated as a separate job title from Business Solutions Representatives. Angie reported that in the Talent Solutions Department, a new Talent Development Manager will be hired to oversee the talent development instructors and curriculums. A Policy Manager position will be added primarily for the Partnership.Accountability.Training.Hope. (PATH) program. Staff hopes to fill these positions in the next couple of months. Angie further reported that the Retention Solutions Department has signed its 3rd contract agreement to our network (Shape Corp., Herbrucks and DeWys Manufacturing). Angie answered members' questions.
- b. John Buchan, WDB member, inquired whether the WDB Vice-Chairperson should be the successor to the WDB Chairperson. Discussion took place whether language should be added to the bylaws. No formal decision or consensus was reached.

12. Public Comment – None

13. Adjournment at 12:34 p.m. by Chairperson Dave Smith

Recorded by: _____ Received by: _____

**ADMINISTRATIVE OFFICE**

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Employment & Training Council
1550 Leonard NE
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(616) 336-4100

SERVICE CENTERS**Allegan County**

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MEMORANDUM

TO: West Michigan Works! (WMW) Workforce Development Board (WDB)
Executive Committee

FROM: Brenda Isenhardt, WMW Chief Financial Officer

DATE: October 29 2019

RE: September 2019 Michigan Works! Board Financials

Revenue

Revenues for the three months ending September 30, 2019 total \$8,026,759 which is 2.1% over budgeted revenue and \$1,975,149 under prior year revenue.

Expenditures

Operating expenses are under the proposed budget by 5.13%. All operating expense categories are within budget except for equipment rent and maintenance which is slightly over budget by \$893. Noteworthy operating expense changes from the previous year are: Consumable supplies – prior year spending included cubicle and furniture purchases for several of our service centers and administration office, Equipment purchases – prior year expenditures included the purchase of service center copiers, staff laptops, and switches, Other Expenses – additional advertising has been purchased for the upcoming fiscal year over last year.

Subcontractors is under budget by \$105,520 and \$110,826 under prior year. The decrease from prior year is from our WIOA Youth and Foster Care programs which are \$75K and \$47K under the previous year. Training expense is over budget by \$331,891 and \$1,860,600 less than the prior year. The decrease from prior year is due to the change in accruing of the Going Pro Talent Fund previously discussed. Direct Client Expenses is \$179,783 over budget and \$208,175 over the previous year. Increases in direct client expenses are from Community Ventures (\$75k), PATH (\$85k), and DTE/United Way (\$38k). The proposed budget increases the budget line items for both training and direct client expenses.

Administration Expenses represent 12.11% of Operating Expenses and 6.72% of Total Expenses. ACSET continues to operate within the limits of the administration funding allowed.

Balance Sheet

In anticipation of a potential state shutdown, the decision was made to draw an estimated four weeks advance to cover anticipated expenses including staff wages at the end of September. This advance draw explains the large cash balance, larger unearned revenue balance and smaller Accounts Receivable at the end of September.

Area Community Services Employment and Training Council
Michigan Works Agency Programs
Statement of Revenue & Expenses
For the Three Months Ending September 30, 2019

	YTD Thru Sept 2019 Actual	YTD Thru Sept 2018 Actual	YTD 2019/2020 Budget	Budget Variance	Budget Variance %
Total Revenue	\$ 8,026,759	\$ 10,001,908	\$ 7,861,499	\$ 165,260	2.10%
Expenses					
Operating Expenses					
Wages	\$ 2,193,629	\$ 1,963,947	\$ 2,197,553	\$ 3,924	0.18%
Fringe Benefits	763,175	718,717	812,539	49,364	6.08%
Consumable supplies	264,841	468,544	328,119	63,278	19.29%
Transportation	69,185	44,988	69,500	315	0.45%
Outside services	197,743	235,589	233,111	35,368	15.17%
Space and communications	380,335	434,418	394,175	13,840	3.51%
Equipment rent and maint	25,893	29,021	25,000	(893)	-3.57%
Equipment purchases	214,727	474,831	274,687	59,960	21.83%
Other expense	345,210	296,581	360,948	15,738	4.36%
Total operating expense	<u>4,454,738</u>	<u>4,666,636</u>	<u>4,695,632</u>	<u>240,894</u>	<u>5.13%</u>
Subcontractors	\$ 153,402	\$ 264,228	\$ 258,922	\$ 105,520	40.75%
Training	\$ 2,921,659	\$ 4,782,259	\$ 2,589,768	\$ (331,891)	-12.82%
Direct Client Expenses	\$ 496,960	\$ 288,785	\$ 317,177	\$ (179,783)	-56.68%
	<u>\$ 3,572,021</u>	<u>\$ 5,335,272</u>	<u>\$ 3,165,867</u>	<u>\$ (406,154)</u>	<u>-12.83%</u>
Total Expenses	<u>8,026,759</u>	<u>10,001,908</u>	<u>7,861,499</u>	<u>(165,260)</u>	<u>-2.10%</u>
Excess of Revenue over Expense	<u>0</u>	<u>-</u>	<u>-</u>	<u>0</u>	<u>0.00%</u>

Unaudited

Area Community Services Employment and Training Council
Balance Sheet
Governmental Activities

	<u>Unaudited</u> <u>9/30/19</u>	<u>Unaudited</u> <u>6/30/19</u>	<u>Audited</u> <u>6/30/18</u>
Assets			
Current Assets			
Cash & Cash Equivalents	\$4,773,818	\$900,429	\$1,014,340
Accounts Receivable	736,873	5,189,358	2,450,056
Prepaid Expenses	256,902	271,680	236,264
Deposits	61,536	61,536	61,536
Total Current Assets	<u>5,829,129</u>	<u>6,423,003</u>	<u>3,762,196</u>
Long-term Assets			
Property & Equipment	<u>685,928</u>	<u>651,310</u>	<u>515,174</u>
Total Assets	<u><u>\$6,515,057</u></u>	<u><u>\$7,074,313</u></u>	<u><u>\$4,277,370</u></u>
Liabilities			
Short-term Liabilities			
Accounts Payable	\$3,284,820	\$5,046,707	\$2,000,131
Unearned Revenue	1,319,050	114,470	427,655
C/P Compensated Absences	651,677	673,466	671,714
Total Short Term Liabilities	<u>5,255,547</u>	<u>5,834,643</u>	<u>3,099,500</u>
LT Compensated Absences	<u>0</u>	<u>0</u>	<u>0</u>
Total Liabilities	<u>5,255,547</u>	<u>5,834,643</u>	<u>3,099,500</u>
Net Assets			
Total Net Assets	<u>1,259,510</u>	<u>1,239,670</u>	<u>1,177,870</u>
Total Liabilities and Net Assets	<u><u>\$6,515,057</u></u>	<u><u>\$7,074,313</u></u>	<u><u>\$4,277,370</u></u>

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MEMORANDUM

TO: West Michigan Works! (WMW) Workforce Development Board (WDB)
Executive Committee

FROM: WMW Staff

DATE: October 29, 2019

RE: Kent County Youth Solutions

Background

Over the last four years as West Michigan Works! has evaluated service delivery across all programs, we have continued to contract out Youth Services in Kent County, as well as a small In-School Youth program in Allegan County. In collaboration with our One-Stop Operator, Janie McNabb, we have conducted focus groups, research, and evaluated other youth programs to determine the best delivery of youth services across our region. In the six counties surrounding Kent County, we are piloting our new service design as we deliver services directly.

In Kent County, we contract with two service providers, Kent ISD and Steepletown Neighborhood Services, who both remain good partners. Both contracts expire in June of 2020. We are evaluating our best way forward in Kent County as we pilot our new service delivery model in our other six counties. We would eventually like to see consistency in services delivered across all counties, regardless of who delivers those services, but are not yet ready to implement the design with contractors, as we are still testing for performance and outcomes.

Therefore, we will be working with the State to extend the current contracts with Kent ISD, Steepletown, and Allegan Area Educational Service Agency for an additional year, while we determine our long-term strategy.

In addition to WIOA Youth funds, the Foster Summer Youth Employment Program (SYEP) was previously delivered by Bethany Christian Services and last year by Steepletown. It is a difficult program to coordinate, recruit for, and implement, particularly given the short duration of the program. Delivering this directly would relieve the burden from a contractor and allow us the control we need to ensure success.

In the meantime, we have been approached by another organization to provide summer work experience services for them. Rather than contract this out, we would like to directly hire a Youth Career Coach in Kent County in addition to funding our contractors at their current level. This would allow us the flexibility we need for innovative design for this particular project, as well as the ability to administer the Foster SYEP program for the State.

We will use the next eighteen months to strategize, evaluate outcomes of our youth program redesign, and determine our best way forward for the youth of Kent County.

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MEMORANDUM

TO: West Michigan Works! (WMW) Workforce Development Board (WDB)
Executive Committee

FROM: WMW Staff

DATE: October 29, 2019

RE: WMW WDB Bylaws

Background

On October 28, 2019, the ACSET Governing Board did not have enough members present at the meeting to approve previously discussed changes to the WMW WDB Bylaws. WMW staff members are taking this opportunity to bring the bylaws back to the Executive Committee for further review and discussion. Listed below are the additions required by the State, and suggested sections to review.

1. The bylaws must address the proxy and alternate designee process that will be used when a WDB member is unable to attend a meeting and assigns a designee as part of the requirements of §679.110(d)(4).
2. The bylaws must address the use of technology, such as phone and Web-based meetings that will be used to promote WDB member participation.
3. The bylaws must address the process to ensure WDB members actively participate in convening the workforce development system's stakeholders, brokering relationships with a diverse range of employers, and leveraging support for workforce development activities.
4. Page 9. Section 4. Executive Committee
5. Page 13. Section 7 Participation Options

Action

WMW staff is requesting discussion and potential action to approve additional changes from the Executive Committee to the WDB bylaws. Staff will further seek approval from the WDB and Governing Board in February 2020.

Bylaws of the
West Michigan Works Workforce Development

Board ARTICLE I: IDENTITY

These Bylaws are established on the ninth day of December 2015, for the West Michigan Works Workforce Development Board (hereinafter referred to as WDB). WDB is recognized in accordance with the Workforce Innovation and Opportunity Act (WIOA) P. L. 113-128, by the Governor of the State of Michigan, the Interlocal Agreement of Area Community Services Employment and Training Council (ACSET), and the Agreement between the WDB and the Governing Board of ACSET. The WDB collaborates with ACSET, in accordance with the provisions thereof, and with any other entities or institutions provided by law.

ARTICLE II: ROLE AND FUNCTIONS

Section 1: Role. The WDB in collaboration with the Governing Board of the Area Community Services Employment and Training Council (ACSET) shall ~~establish programs under WIOA and other similar Federal and State laws to train unemployed and economically disadvantaged individuals for entry into unsubsidized employment in in-demand occupations, particularly those in the private sector, and in collaboration with ACSET or other entities provided by law~~ serve as conveners and catalysts of the many stakeholders within its service area to identify and resolve workforce development issues and opportunities. The WDB shall create and maintain comprehensive workforce investment plans for its service area, and engage diverse constituents in the process. ~~The WDB shall promote or participate in programs which expand employment opportunities in the private sector. The WDB will accomplish these goals through the implementation of its Strategic Plan for a Demand-driven Workforce System. The WDB will work in collaboration with ACSET by participating with the Governing Board or other entities provided by law in the~~ The WDB, in partnership with the Governing Board of ACSET, will oversee the local development, implementation, and evaluation of employment and training activities as detailed in the "Agreement Between The Workforce Development Board and the Governing Board of ACSET".

Section 2: Functions. The WDB will function in a manner which will increase private sector employment and training opportunities for eligible persons as defined in WIOA as it may be amended, as well as other publicly ~~or philanthropically-~~ funded programs. The WDB's functions include but are not limited to the following:

- A. Provide policy and program guidance for all activities funded under any WIOA grant or Workforce Development Grant in the West Michigan Works Service Delivery Area in collaboration with the Governing Board;
- B. Developing and submitting the local Four-Year Comprehensive Plan, or collaborate with other workforce development boards in the development of any regional plan, if required by section 108 of WIOA, in collaboration with the Governing Board;
- C. In collaboration with the Governing Board, conduct oversight over workforce investment activities for youth and employment and training activities for adults and dislocated

workers under WIOA to ensure the appropriate use and management of funds for such activities, and to ensure the appropriate use, management and investment of funds to maximize performance outcomes under WIOA; and, in collaboration with the Governing Board, to oversee and monitor any other programs subject to its oversight administered by ACSET.

- D. ~~Acting as~~ Selecting the One-Stop Operator, with the agreement of the Governing Board, ~~the WDB delegates to~~ The responsibility of enforcing rules of conduct in One-Stop Service Centers in the West Michigan Works MWA area is delegated to ACSET;
- E. Initiating Memoranda of Understanding (MOU's) with local partners in the workforce system, with the agreement of ACSET, including methods for funding the infrastructure costs of one stop centers, as provided by section 121 (h) of WIOA;
- F. Entering into an agreement with the Governing Board which describes the respective roles and responsibilities of the parties, together with such other issues permitted by law;
- G. Selecting the following providers in the West Michigan Works! area and, where appropriate, terminating such providers, in accordance with 2 CFR Part 200 and the Agreement between the WDB and ACSET:
 1. Providers of youth workforce investment activities;
 2. Providers of training services, consistent with the criteria and guidelines established by the WDA and section 122 of WIOA; and
 3. Providers of career services.
- H. Develop budgets for the purpose of carrying out the duties of the WDB, with the approval of the Governing Board;
- I. Negotiating and reaching agreement on local performance measures under WIOA with the Governing Board and the Governor;
- J. Make analyses and regular updates of economic conditions, needed knowledge and skills, workforce development (including education and training) activities, including an analysis of strengths and weaknesses of such services, to address identified education and skill needs of the workforce and workforce employers.
- K. Assisting the Governor in developing the statewide employment statistics system under the Wagner-Peyser Act;
- L. Engage with employers and other entities in the region to:
 1. Promote business representation on the WDB, particularly from employers offering employment opportunities in existing or emerging businesses in the West Michigan Works! area;
 2. Develop linkages with employers in the West Michigan Works! area to support employer utilization of the local workforce development system and local workforce

investment activities;

3. Ensure that local workforce investment activities meet the needs of employers and support economic growth in the West Michigan Works! area by enhancing communication, coordination, and collaboration among employers, economic development entities and service providers; and
 4. Develop and implement strategies for meeting the employment and skill needs of workers and employers that provide the skilled workforce needed by employers in the West Michigan Works! area and that expand employment and career advancement opportunities for participants in in-demand industries and jobs.
- M. With representatives of secondary and post-secondary education programs, lead efforts to develop career pathways within the area by aligning the employment, training, education and supportive services needed by adults and youth, particularly those with barriers to employment.
- N. Develop strategies for using technology to maximize the accessibility and effectiveness of local intake and case management systems for employers and customers by:
1. Facilitating connections between the intake and case management systems of the one-stop partner programs to support a comprehensive workforce development system in the West Michigan Works! area;
 2. Facilitating access to services provided through the one stop system, including access in remote areas;
 3. Identifying strategies for better meeting the needs of individuals with barriers to employment, and providing more access to services and programs, such as improving digital literacy skills; and
 4. Leveraging resources and capacity within the local workforce development system, including resources and capacity for services for individuals with barriers to employment.
- O. Coordinate activities with education and training providers in the West Michigan Works! area, including:
1. Reviewing applications to provide adult education and literacy activities under Title II of WIOA for the West Michigan Works! area to determine whether such applications are consistent with the local plan;
 2. Making recommendations to the eligible agency to promote alignment with such plan; and
 3. Replicating and implementing cooperative agreements to enhance the provision of services to individuals with disabilities and other individuals, including efforts at cooperation and coordination.
- P. Assess, on an annual basis, the physical and programmatic accessibility of all one-stop centers in the West Michigan Works! area.

- Q. Convene local workforce development stakeholders to assist in the development of the local plan and to identify non-Federal expertise and resources to leverage support for workforce development activities.
- R. Work with the Michigan Workforce Development Agency (WDA), or any successor or designee agency, to ensure that there are sufficient numbers and types of providers of career and training services serving the West Michigan Works! area and providing services in a manner that maximizes consumer choice, as required by WIOA and its regulations.
- S. Approval of additional, non-mandatory One-Stop Partners to provide services in the West Michigan Works! service system, with the approval of the Governing Board;
- T. Participate in the administration of other federal ~~or~~, state or privately-funded employment and/or training programs in the West Michigan Works! area, to the extent provided by law;
- U. Participate in the selection of the Chief Executive Officer of ACSET by having representation on a selection committee;
- V. Provide such recommendations as it wishes to the Governing Board regarding major personnel, organization and fiscal policies of ACSET; and
- W. Appoint the local members of the Talent District Career Council (TDCC) Career and Educational Advisory Council (CEAC) for Prosperity Region 4, and participate in the appointment of its chairperson, as provided by law.

Section 3: Coordination. The WDB will, to the maximum extent possible, enhance the involvement of the private sector with related employment and training activities in order to increase the effectiveness of activities under WIOA and other programs designed to secure employment for eligible persons. ~~The WDB will comply with the Governor's Recertification Criteria and the Certification Criteria for Michigan Works! Service Centers as outlined in the local Four-Year Comprehensive Plan, Michigan Works System Plan, or other statute, regulation or grant.~~

ARTICLE III: MEMBERSHIP

Section 1: Geographic Representation. The Executive Committee shall attempt, to the maximum extent practicable, to ensure that all areas of the West Michigan Works area are adequately represented when it makes recommendations to the ACSET Governing Board for appointment of members to the WDB.

Section 2: Appointment. The WDB shall be made up of members appointed by Governing Board of ACSET, in accordance with law and the ACSET Interlocal Agreement. Members representing the following sectors must have been nominated prior to appointment as follows:

- A. Business Sector: Business sector representatives must be nominated by business associations and business trade associations in the West Michigan Works! agency area.
- B. Organized Labor: Organized labor representatives must be nominated by labor federations in the West Michigan Works! agency area.
- C. Adult Education/ Literacy: Eligible providers that administer adult education and literacy activities under Title II of WIOA. If there are multiple eligible providers administering such programs under Title II of WIOA serving the West Michigan Works! area, each representative on the WDB shall be appointed from among persons nominated by such eligible providers. The adult education/literacy representative may be nominated by the [TDCC-CEAC, or any successor organization](#), for Prosperity Region 4, by majority vote, and the ACSET Governing Board shall give considerable priority to this nomination.
- D. Higher Education. Institutions of higher education that provide workforce investment activities, including community colleges. If there are multiple such institutions of higher education in the West Michigan Works! area, each representative on the WDB shall be chosen from among individuals nominated by such institutions. The higher education representative may be nominated by the [TDCC-CEAC, or any successor organization](#), for Prosperity Region 4, by majority vote, and the ACSET Governing Board shall give considerable priority to this nomination.
- E. Any member of the WDB that represent an organization or entity must have optimum policymaking authority, which means that the member may reasonably be expected to speak affirmatively on behalf of the organization or entity and have authority to commit the entity to a chosen course of action.
- F. Nomination/Appointment Process:
1. Members will be appointed to a two-year term of office with the members being appointed to fixed and staggered terms. In the first year following the effective date of these bylaws, approximately one-half of the membership of the WDB shall have a term of three years, but all members shall have a two-year term of office thereafter. Those members whose term shall be three years shall be determined by lot.
 2. The Chief Executive Officer of ACSET, or his or her designee, shall solicit nominations for membership on the WDB from the associations, federations, providers and institutions indicated in this section whenever the WDB needs to fill vacancies in the following sectors: (a) Business Sector; (b) Labor; (c) Adult Education/Literacy; and (d) Higher Education. The solicitations shall indicate that the nominations must be submitted to the Chief Executive Officer, or his or her designee, by the date indicated in the solicitation and shall describe any documentation that must accompany the nomination.
 3. Other organizations eligible to be represented on the WDB may submit nominations for membership to the Chief Executive Officer, or his or her designee.
 4. The Chief Executive Officer, or his or her designee, shall submit nominations received for membership of the WDB to the Executive Committee, which shall review the nominations and submit its recommendations to the ACSET Governing Board. If the Executive Committee has appointed a Nomination Committee to review such nominations, the Nomination Committee shall first review the nominations and submit its recommendations to the Executive Committee. When making its recommendations to the ACSET Governing Board

for membership of the WDB, the Executive Committee shall indicate which candidates, if any, have been nominated by the [TDCCCEAC, or any successor organization](#).

5. The WDB shall exercise and embrace the principle of equal opportunity on the basis of race, color, religion, sex, age, national origin, disability, and political affiliation or belief in its membership, appointment to committees, and approval of programs.

Section 3: Business Sector Representation.

- A. A majority of the members of WDB shall consist of persons who are owners, chief executives, chief operating officers, or other business executives, of private for-profit employers and major nongovernmental employers in the West Michigan Works Agency area who
 1. Have optimum policymaking or hiring authority;
 2. Represent businesses, including small businesses, or organizations representing businesses, that provide employment opportunities in in – demand industry sectors or occupations, as defined by WIOA;
 3. Provide high – quality, work – relevant training and development opportunities to its workforce, or the workforce of others (in the case of organizations representing businesses); and
 4. Are appointed from individuals nominated as provided by Section 2.
- B. The business sector membership of the WDB shall reasonably represent the industrial and demographic composition of the business community. At least two (2) business sector members must be representatives of small businesses, as defined by the U. S. Small Business Administration.
- C. Businesses that have been certified as Disadvantaged Business Enterprises, as defined by the Small Business Administration, shall, to the extent possible, be represented on the WDB consistent with their representation in the business community, and the WDB shall strive to ensure that its private sector members reasonably represent, to the extent possible, the industrial/demographic composition of the business community of the West Michigan Works! Agency area.
- D. Private not-for-profit entities and public entities that operate as businesses and are employers may be represented on the WDB in the business sector if they align with the key industry sectors in the West Michigan Works! area, such as a nonprofit hospital or prison, if identified in the West Michigan Works! local plan. Representatives of proprietary schools may not be representatives of the business sector.
- E. ACSET must document how members of the WDB who represent the business sector qualify as representatives of businesses that provide employment opportunities in in – demand industry sectors or occupations and retain such documentation on file.

Section 4: Other Members. In addition to business sector membership, WDB shall include at least one member from each of the following groups, unless indicated otherwise:

- A. Organized labor (2);
- B. Representative of joint labor – management, or union – affiliated, registered apprenticeship program who must be a training director or a member of a labor organization;
- C. Providers of Adult Education and Literacy activities under Title II of WIOA;
- D. Higher Education;
- E. Rehabilitation Agencies;
- F. Economic/Community Development.

Section 5: Economic/Community Development. This representative may be a representative of an Economic Development Organization, a local planning or zoning commission or board, a community development agency, or another local agency or institution responsible for regulating, promoting, or assisting in local economic development.

Section 6: Community-Based/Youth Organizations.

- A. The WDB may also include one or more representatives of private nonprofit organizations, including faith-based organizations, that have demonstrated experience and expertise, as defined in WIOA regulations, in addressing the employment, training, or educational needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive integrated employment for individuals with disabilities.
- B. The WDB may also include one or more representatives of organizations that have demonstrated experience and expertise, as defined by WIOA regulations, in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.

Section 7: Labor and Community-Based Organizations. The representation from Labor (Section 4 A and B) shall constitute at least 20 percent of the total WDB membership. However, any representatives of community-based or youth organizations on the WDB shall count toward meeting the 20 percent requirement for Labor representation.

Section 8: Dual Representation. An individual WDB member may represent more than one group or sector, provided that the member meets all the qualifications for each sector that he or she represents, including the nomination process.

Section 9: Representation of Sector. Members must be employed in the sector that they represent, except that:

- a. An educational representative can be a member of a school board and not an employee of a school district.
- b. An organized labor representative may be a member of a labor organization or steward without being employed by a labor organization.

Section 10: Chambers of Commerce. Individuals representing local Chambers of Commerce may be appointed to the WDB as a representative of a community-based organization or, if the Chamber functions as the local economic development agency, as an Economic Development representative.

Section 11: Loss of Membership. A member will forfeit membership on WDB should that member no longer represent the sector or group from which he/she was originally selected. A resignation is not effective until it has been accepted by the ACSET Governing Board or a successor appointed. A vacancy on the WDB must be filled within 120 days from the time it was created. Persons missing two regularly scheduled consecutive meetings will be sent written notice from the Chair inquiring as to their interest in continued membership on WDB. Persons missing three regularly scheduled consecutive meetings, except persons who have attended two regularly scheduled meetings of a standing committee during the months in which they missed the three WDB meetings, will be removed from WDB by the Executive Committee at a regularly scheduled meeting. The Executive Committee will send written notice to a member of the time and place of the meeting at which his or her removal from membership in the WDB is proposed to be considered. Exceptions may be made by the Executive Committee based on information provided by the member.

ARTICLE IV: ORGANIZATION

Section 1: Officers. There shall be two Officers of WDB. These are:

- A. The Chairperson, and
- B. The Vice-Chairperson.

Section 2: Selection. The Chairperson and the Vice-Chairperson shall be elected by the WDB to a two-year term of office. ~~For the initial election of the officers in 2015, the Ad hoc Steering Committee will seek nominations for Chairperson and Vice-Chairperson from the WDB at the first regular meeting. Following the close of the time period for making nominations, the Ad hoc Steering Committee will prepare any necessary recommendations and present nominations to the WDB at the second regular meeting in December 2015. At that meeting, the Chairperson and Vice-Chairperson will be elected by the WDB. For subsequent elections, n~~Nominations for these offices will be sought by the Executive Committee prior to the meeting at which the elections shall take place. The Executive Committee will present such nominations to the WDB at the meeting at which officers are to be elected. If the Executive Committee has established a Nominations Committee, the Nominations Committee shall solicit nominations for these positions from the membership of the WDB and present the nominations to the Executive Committee. The Chairperson and Vice-Chairperson, by law, shall always be chosen from among members representing the business sector, and no local elected official may serve as chairperson or vice-chairperson. No officer may serve more than two consecutive terms in that position.

Section 3: Duties. The Chairperson shall preside at all WDB Council meetings, report to the Governing Board on WDB activities, and appoint members to committees. The Chairperson shall have the right to vote on matters as a member of the WDB. In the absence of the Chairperson, the Vice-Chairperson will perform these duties.

Section 4: Executive Committee. There shall be an Executive Committee composed of the WDB Chairperson and Vice-Chairperson, the Chairperson or his or her designee of all committees described herein (except ad hoc committees), together with any additional members of the WDB appointed by the Executive Committee; provided that the total membership of the Executive Committee shall not exceed eleven (11). To establish a quorum, a majority of the membership must participate in any decision made by the Executive Committee. The Executive Committee will perform two functions: to meet when urgent action is required by the WDB but circumstances do not permit a special meeting to be called; and to provide coordination and broad guidance to the work of the WDB,

- A. When circumstances require an emergency meeting, the Executive Committee is authorized to meet at such times as may be determined by the WDB chairperson and act on behalf of the WDB. All actions taken by the Executive Committee shall be reported to the WDB in writing and this communication shall be mailed to the members within two working days following the action of the Executive Committee.
- B. The Executive Committee will provide coordination and broad guidance to the WDB in the following areas:
 1. Recommend Bylaws for the WDB including procedures for selecting a chairperson and other officers, as well as determinations of the size of the WDB;
 2. Make recommendations for the standardization of procedures for initiating, evaluating and monitoring programs, and for orientation and in-service training of the WDB;
 3. Recommend the use of sub-committees and/or technical advisory committees;
 4. Initiate long-range planning for WIOA or any other federally-funded programs in the West Michigan Works! Area.
 5. Review the nominations for membership on the WDB received from the Chief Executive Officer and submit its recommendations for membership on the WDB, from among those candidates properly nominated, to the ACSET Governing Board, pursuant to Section 2.F. of Article III. The Executive Committee may appoint a Nomination Committee to receive nominations for membership on the WDB received from the Chief Executive Officer, which Nomination Committee would make its recommendations for membership on the WDB to the Executive Committee. Any such Nomination Committee shall consider the principle of geographic representation described in Section 1 of Article III when making such recommendations.
 6. Develop meaningful system-wide metrics and monitoring indicators of progress toward demand-driven system goals and the results of employer-driven training programs.

Section 5: Ad-hoc Proposal Review Committee. Whenever ACSET receives proposals from potential service providers for programs administered by ACSET which are within the responsibility of the WDB, the Chairperson shall appoint an ad hoc proposal review committee for the purpose of reviewing and evaluating such proposals and making funding recommendations to the WDB. A Proposal Review Committee shall consist of WDB members and ACSET staff and shall be discharged when the WDB has chosen a proposal from among those which the committee has reviewed and evaluated.

Section 6: Committees. ~~The WDB may appoint standing committees to assist the WDB in dealing with its responsibilities. Any such committee must be chaired by a member of the Local Board, may include other members of the Local Board, and must include other individuals appointed by the Local Board who are not members of the Local Board and who have demonstrated experience and expertise in accordance with WIOA regulations and as determined by the WDB.~~

The Chairperson of WDB, as he/she deems it appropriate, may designate a special committee(s) to carry out a specific assignment. The Chairperson of any such special committee shall be a member of the Executive Committee, or their designee, during the term of the special committee's existence. Special committee(s) shall be given a specific charge and shall be discharged when their task is completed. ~~The WDB may appoint standing committees to assist the WDB in dealing with its responsibilities. Any such committee must be chaired by a member of the Local Board, may include other members of the Local Board, and must include other individuals appointed by the Local Board who are not members of the Local Board and who have demonstrated experience and expertise in accordance with WIOA regulations and as determined by the WDB.~~

ARTICLE V: STAFF AND ADMINISTRATION

Section 1: Staff. Staff support for the work of WDB will be provided by the Chief Executive Officer of ACSET at a level commensurate with the responsibilities of WDB, and in accordance with the provisions of the ACSET Interlocal Agreement, and the WDB and ACSET Governing Board agreement. Staff support will be determined through mutual agreement between WDB and ACSET.

Section 2: Staff Coordination. The WDB will communicate with staff members who have been designated by the Chief Executive Officer of ACSET to coordinate WDB activities with those of the other elements of ACSET.

Section 3: Administration and Fiscal. The ACSET Administrative Unit will act as the administrative and fiscal unit for all activities of WDB. The WDB will neither receive nor disburse funds.

ARTICLE VI: MEETINGS

Section 1: Regular Meetings. At the first regular meeting after the annual appointment of new members by the Governing Board, the WDB shall set a day and time for the regular monthly meeting of WDB during the next 12 months. Meetings will be held at least once each quarter.

An annual schedule of meetings must be submitted to the WDA and posted on ACSET's website by January 15 of each year.

Section 2: Special Meetings. At the discretion of the Chairperson, or upon the written request of five or more members of the WDB, a special meeting of WDB may be called, provided that written notice is mailed to each member at least seven calendar days prior to the day on which the special meeting shall be held. This written notice must state the time, place and purpose of the meeting, and the business of the special meeting must be confined to the items described in the notice.

Section 3: Quorum and Voting. A quorum shall exist when a majority of the current members of WDB are present. A motion shall be passed or defeated by a majority of those members voting at a meeting where a quorum has been established. Each member shall be entitled to one vote. No proxies or substitutes shall be permitted.

Section 4: Conflict of Interest.

- A. No member of the WDB may have an ownership interest in or be employed by any organization which receives funds under direct control of the WDB, or engage in any other activity that creates a conflict of interest or what would appear to a reasonable person to be a conflict of interest. However, this rule does not apply to a member who has an interest in or is employed by an entity that receives money under the partial or complete control of the WDB but
- a. Does not hold a policy-making position with the entity; and
 - b. Would not receive other than a remote or incidental benefit from the board's decisions.

This exception applies to members who are associated with:

1. Educational institutions which enroll students whose tuition is paid with such funds;
 2. Employers who accept compensation for the extraordinary costs of providing employer-based training from funds under the control of the WDB;
 3. An organization which receives funds under the direct control of the WDB, if the member is not employed by, has no ownership interest in, and receives no compensation or income from the organization;
 4. Government agencies required to be represented on the WDB;
 5. Other persons or organizations authorized by statutes, rules or exemptions established by the State of Michigan.
- B. No person may be a member of the WDB who:

- a. Is an employee of an agency that is contracted by the WDB to provide coordination services or administrative functions; or
- C. If an organization does receive funds under the partial or complete control of the WDB, a representative of the organization authorized to sit on the WDB by subsection A may not cast a vote or participate in any decision-making capacity on any matter regarding the provision of services by the member or by the entity that the member represents, or that would provide direct financial benefit to the member or a member of his or her immediate family. The member must also refrain from influencing the votes of other WDB members on matters involving the member or entities which the member represents or that would provide direct financial benefit to the member or a member of his or her immediate family. "Immediate Family" is defined as spouse, child, parent, brother, brother-in-law, stepbrother, sister, sister-in-law, stepsister, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, grandparent, stepparent, stepchild and grandchild or any member of the household of the WDB member. However, all members of the WDB may vote upon the WIOA local Four-Year Comprehensive Plan.
- D. WDB members and WDB Committee members associated with agencies which are service providers to ACSET or which will be responding to Request For Proposals released by ACSET are not to be appointed to any WDB committee which can directly affect funding of the service provider or potential service provider. This rule is not applicable to employers involved in ACSET's Employer - Based Training Program.
- E. Representatives of a government agency who are required by federal law to serve on the WDB, such as the Michigan Rehabilitation Services, which receive funds under the control of the WDB, may serve on the WDB without first obtaining a waiver from the WDA.
- F. No WDB member will solicit or accept gratuities, favors, or anything of monetary value, except for unsolicited goods or services of nominal intrinsic value, from contractors, service providers, potential contractors, or service providers. Any good or service with a fair market value of \$25.00 or less shall be presumed to be of only nominal intrinsic value.
- G. The WDB must file reports as required with the WDA describing the extent to which organizations with which members are affiliated received funds controlled by the WDB.
- H. If any agency or organization represented on the WDB submits a proposal to ACSET for the delivery of program services funded with monies under partial or complete control of the WDB, any member of the board who represents that agency or organization, must assume inactive status, unless the member would be allowed to sit on the board by subsection A even if the proposal were accepted by WDB and ACSET. A member's designation as inactive shall be recorded in the minutes. A member in inactive status may not vote or participate in meetings of the WDB, nor may he or she receive any information from the WDB until the expiration of the deadline for the submission of proposals, except as provided by law. Members in inactive status are not prohibited from attending meetings of the WDB as members of the general public. If the agency or organization represented by the inactive member is not awarded a contract by

ACSET, he or she is restored to active status; but if the agency or organization is awarded the contract, the member must resign immediately.

- I. If it is established at a meeting of the WDB that a member knowingly violated this section, the Chief Executive Officer of ACSET will report that finding to the ACSET Governing Board at its next meeting and ACSET will terminate any contract or contracts which are the subject of the violation. The Chief Executive Officer of ACSET will also request that the Governing Board remove the offending member from the WDB. Notice of the alleged violation will be provided in the written agenda for the WDB meeting.

Section 5: Conduct of Meetings. The current edition of Robert's Rules of Order Newly Revised will be the official document governing the conduct of meetings of WDB, and all its committees except as it may conflict with these bylaws, special rules of order WDB may adopt, WIOA, and applicable federal or state statutes or regulations.

Section 6: Compliance with Open Meetings Act. The WDB and the Executive Committee will abide by the provisions of the State of Michigan's "Open Meetings Act." A notice of the date, time and place of meetings will be posted in advance.

Participation in meetings of WDB or its committees shall be limited to members except in the following cases:

1. Non-members specifically invited to give information to WDB;
2. Non-members who desire to address WDB and who are recognized for that purpose by the Chairperson at appropriate points during the meeting; and
3. Members of Committees who are not members of the WDB may participate in committee meetings.

Section 87: Participation Options

The WDB will make every effort and will pay particular attention to participation options made possible by advancements in electronics and telecommunications. The use of Skype, Go To Meeting, and/or other methods of teleconference will be made available for members to attend meetings and vote on matters that come before the WDB. WDB member's participation in meetings by teleconferencing shall be consistent with the Open Meetings Act (1976 PA 267, as amended, MCL 15.261, et seq). Upon approval of the Chairperson, Board members may appear at a meeting via teleconferencing device, including speaker phone or interactive television, provided that a quorum is present at the meeting site and all individuals attending the meeting can hear, and be heard by, the Board member(s) attending via teleconferencing device. The Board member wishing to participate in meetings by teleconferencing must notify the Board Chairperson or the Agency CEO -by 12:00 noon on the business day prior to the meeting that will be missed so the teleconferencing can be arranged. Failure to establish a video/audio teleconference due to technical or other problems shall not preclude conducting the meeting, as long as a quorum is present. In the event that a Board member participates via teleconferencing, this will be indicated on the meeting minutes as "Present via teleconferencing." Members present via teleconferencing shall be permitted to participate in Board deliberations and vote on matters before the Board, if there is a quorum physically present.

Section 7: Minutes. Minutes of all meetings of the WDB and the Executive Committee shall be duly recorded and made available to all interested parties, as required by law. Members of the WDB and the Executive Committee shall review, amend as necessary, and approve the Minutes by formal action at their next meeting. Copies of minutes of meetings ~~of the WDB, Executive Committee, and their committees or subcommittees~~ shall be posted on ACSET's Internet website within five (5) business days of their approval. Such minutes shall remain posted on the website for at least two (2) years.

ARTICLE VII: AMENDMENT OF BYLAWS

Section 1: Amendments. The WDB shall have the authority to amend or repeal these Bylaws at any meeting by the affirmative vote of two-thirds of the members present; provided that a copy of any proposed amendment is mailed to each member at least seven (7) calendar days prior to the day of the meeting at which the changes are to be considered. The WDB may revise the proposed changes as they are debated at the meeting, but may not alter any other section of the Bylaws not specified in the notice of meeting.

Definitions:

The terms below shall have the following definitions as used in these bylaws:

1. Area Community Services Employment and Training Council (ACSET) is a Michigan Council formed in accordance with the Michigan Urban Cooperation Act of 1967 to administer programs under the Workforce Innovation and Opportunity Act (WIOA), Welfare Reform Programs, and similar state or federal social programs, for the West Michigan Works Agency area.
2. West Michigan Works! Area is a geographical section of the State for which ACSET has been designated the Michigan Works! Agency (MWA) to operate programs under WIOA, Welfare Reform, and other similar state or federal social programs. ACSET represents the MWA area of the City of Grand Rapids and Allegan, Barry, Ionia, Kent, Montcalm, Muskegon, and Ottawa Counties.
3. ~~Governing Board refers to the elected representatives of the political territories of the West Michigan Works! MWA Area responsible for the operation of programs under WIOA and other Federal or State statutes or regulations within the West Michigan Works! Area. For ACSET, the Governing Board includes two representatives of the Grand Rapids City Commission (the Mayor or designee and one Commissioner); two representatives of the Allegan County Board of Commissioners (the Chairperson or designee and one other commissioner); one representative of the Barry County Board of Commissioners (the Chairperson or designee); One representative of the Ionia County Board of Commissioners (the Chairperson or designee); the three representatives of the Kent County Board of Commissioners (the Chairperson or designee and two other commissioners); one representative of the Montcalm County Board of Commissioners (the Chairperson or designee); two representatives of the Muskegon County Board of Commissioners (the Chairperson or designee and one other commissioner); and two representatives of the Ottawa County Board of Commissioners (the Chairperson or designee and one other commissioner). The Governing Board is responsible, in full~~

~~collaboration with the WDB, for the operation of WIOA programs within the MWA Area, Welfare Reform Programs, and similar state or federal social programs.~~

4. Local Comprehensive Plan is a plan for the operation of WIOA programs, Welfare Reform Programs and the Employment Service funded under the Wagner-Peyser Act within the MWA Area required to be delivered by the WDB, approved by both WDB and the Governing Board, and submitted to the State for approval.
5. Fourth Amended and Restated Interlocal Agreement is an agreement between the City of Grand Rapids and the Counties of Allegan, Barry, Ionia, Kent, Montcalm, Muskegon, and Ottawa to establish a Michigan Council, ACSET, under the Urban Cooperation Act of 1967. The Interlocal Agreement establishes ACSET as the recipient of funds and administrative entity under WIOA in the West Michigan Works Area.
6. Agreement Between the Workforce Development Board and the ACSET Governing Board is an agreement between WDB and the Governing Board of ACSET. This agreement defines the respective roles and responsibilities of the WDB and ACSET Governing Board and is the framework for the collaboration between WDB and ACSET.
7. ~~Michigan Works! Service System is the system under which entities responsible for administering separate workforce investment, educational, and other human resource programs and funding streams (the One Stop Partners) collaborate to create a seamless system of service delivery that will enhance access to the programs' services and create long term employment outcomes for individuals receiving assistance.~~