

BY LAWS
VIRGIN ISLANDS STATE WORKFORCE
DEVELOPMENT BOARD

Article One

NAME AND LEGISLATIVE AUTHORITY

Established by Public Law 113-128, dated July 22, 2014 cited as the “Workforce Innovation and Opportunity Act of 2014” this body shall be known as the Virgin Islands State Workforce Development Board, hereafter known as the “SWDB” or the “State Workforce Board”.

Article Two

OBJECTIVES

- A. To build and promote a talent development system.
- B. To align workforce development services with current, transitional and emerging job demand.
- C. To coordinate resources with workforce partners to build a stronger education pipeline that allows for lifelong learning opportunities.
- D. To work with employers to develop career development ladders within each industry.
- E. To foster initiatives that facilitates access into the workforce for all individuals with emphasis on those with barriers to entry or employment sustainability.
- F. To review the provision of services and the use of funds and resources under applicable Federal human resource programs and advise the Governor on methods of coordinating such provision of services and use of funds and resources consistent with the laws and regulation governing such programs.
- G. To monitor the overall integrity of the Virgin Islands Workforce System.
- H. The SWDB shall be the advisory arm to the Governor on all workforce development issues facing the Territory.

Article Three

RESPONSIBILITIES OF THE SWDB

Pursuant to Section 101(d) of the Workforce Innovation and Opportunity Act, the SWDB shall:

- (1) The development, implementation and modification of the State Plan;
- (2) Consistent with paragraph (1), the review of statewide policies, of statewide programs and of recommendations on actions that should be taken by the State to align workforce development programs in the State in a manner that supports a comprehensive and streamlined workforce development system in the State, including the review and provision of comments on the State plans, if any, for programs and activities of one-stop partners that are not core programs;
- (3) The development and continuous improvement of the workforce development system in the State, including –
 - (A) the identification of barriers and means for removing barriers to better coordinate, align, and avoid duplication among the programs and activities carried out through the system;
 - (B) the development of strategies to support the use of career pathways for the purpose of providing individuals, including low-skilled adults, youth and individuals with barriers to employment (including individuals with disabilities) with workforce investment activities, education and supportive services to enter or retain employment;
 - (C) the development of strategies for providing effective outreach to and improved access for individuals and employers who could benefit from services provided through the workforce development system;
 - (D) the development and expansion of strategies for meeting the needs of employers, workers, and jobseekers, particularly through industry or sector partnerships related to in demand industry sectors and occupations;
 - (E) the identification of regions, including planning regions, for the purposes of section 106(a) and the designation of local areas under section 106, after consultation with local boards and chief elected officials;
 - (F) the development and continuous improvement of the one-stop delivery system in local areas, including providing assistance to local boards, one-stop operators, one-stop partners and providers with planning and delivering services including training services and supportive services to support effective delivery of services to workers, jobseekers, and employers; and
 - (G) the development of strategies to support staff training and awareness across programs supported under the workforce development system;
- (4) The development and updating of comprehensive State performance accountability measures, including State adjusted levels of performance, to assess the effectiveness of the core programs in the State as required under section 116(b);

- (5) The identification and dissemination of information on best practices, including best practices for
 - (A) the effective operation of one-stop centers, relating to the use of business outreach, partnerships and service delivery strategies, including strategies for serving individuals with barriers to employment;
 - (B) the development of effective local boards, which may include information on factors that contribute to enabling local boards to exceed negotiated local levels of performance, sustain fiscal integrity and achieve other measures of effectiveness; and
 - (C) effective training programs that respond to real-time labor market analysis, that effectively use direct assessment and prior learning assessment to measure an individuals' prior knowledge, skills competencies and experiences and that evaluate such skills and competencies for adaptability, to support efficient placement into employment or career pathways;
- (6) The development and review of statewide policies affecting the coordinated provision of services through the State's one-stop delivery system; including the development of –
 - (A) objective criteria and procedures for use by local boards in assessing the effectiveness and continuous improvement of one-stop centers described
 - (B) guidance for the allocation of one-stop center infrastructure funds under section 121(h); and
 - (C) policies relating to the appropriate roles and contributions of entities carrying out one-stop partner programs within the one-stop delivery system, including approaches to facilitating equitable and efficient cost allocation in such system;
- (7) The development of strategies for technological improvements to facilitate access to, and improve the quality of, services and activities provided through the one-stop delivery system, including such improvement to –
 - (A) enhance digital literacy skills;
 - (B) accelerate the acquisition of skills and recognized postsecondary credentials by participants;
 - (C) strengthen the professional development of providers and workforce professionals; and
 - (D) ensure such technology is accessible to individuals with disabilities and individuals residing in remote areas;
- (8) the development of strategies for aligning technology and data systems across one-stop partner programs to enhance service delivery and improve efficiencies in reporting on performance accountability measures;
- (9) The development of allocation formulas for the distribution of funds for employment and training activities for adults, and youth workforce investment activities to local areas;

- (10) The preparation of annual reports described;
- (11) The Development of the statewide workforce and labor market information system described in section 15(e) of the Wagner-Peyser Act; and
- (12) The development of such other policies as may promote statewide objectives for, and enhance the performance of, the workforce development system in the State.

The State Workforce Investment Board shall also:

- a) Advise the Governor on the development and implementation of national and local standards and measures relating to applicable Federal workforce development programs and coordination of such standards and measures;
- b) Advise on the development of effective program models, research evaluation and technical services.
- c) Maintain oversight and monitoring of activities for all workforce development initiatives in the Territory to minimize the duplication of services and resources. These initiatives include but are not limited to the One-Stop Career System.

Article Four

MEMBERSHIP

- A. The membership of the State Workforce Development Board shall be consistent with the formula set forth in section 101(b) of the Workforce Innovation and Opportunity Act.
- B. The term of membership for representatives from standing government agencies shall be consistent with their tenure in the office held.
- C. The term of membership for non-government representatives shall be staggered at two or three years upon the discretion of the Governor.
- D. The chair is appointed by and serves at the pleasure of the Governor.
- E. Dismissal may be recommended for any non-governmental member that misses three (3) or more consecutive meetings without proper notification to the Chairman or the executive committee.
- F. Vacancies arising among non-governmental members shall be filled by the Governor.

G. *Conflict of Interest* – In order to ensure the integrity of programs and services provided to the customers of the Workforce Development System, and eliminate ‘conflict of interest’ issues; in accordance with WIOA section 101(f) a Board member may not:

(1) vote on a matter under consideration by the Board –

- regarding the provision of services by such member (or by an entity that such member represents); or
- that would provide direct financial benefit to such member or the immediate family of such member; or

(2) engage in any other activity determined by the Governor to constitute a conflict of interest

Article Five

MEETINGS

The SWDB shall meet at such times and in such places, as it deems necessary. The meeting shall be publicly announced no later than five (5) business days prior to the meeting date and to the extent appropriate, open and accessible to the public.

- A. Regular meetings shall be scheduled every quarter.
- B. The chairperson or a majority of the Executive Committee shall have the authority to call special meetings, cancel or reschedule a regular meeting.
- C. At the second meeting, an annual calendar for regular meetings will be adopted.
- D. A quorum shall consist of one-half of the membership plus one. The absence of a quorum shall not prevent the Board from conducting a general discussion of the business on hand; however no issues may be voted upon.
- E. Committees will conduct meetings as deemed necessary.
- F. Committees are responsible for carrying out the duties defined by the Board and must submit to the board on a whole, reports and recommendations for further disposition.

Article Six

PARLIAMENTARY AUTHORITY AND OTHER OPERATING PROCEDURES

- A. Roberts Rules of Order shall govern the proceedings of the SWDB meetings in so far as they are not inconsistent with the Act. These rules may be relaxed at the discretion of the Chairperson, depending on the nature of the discussion and if there are no objections from the membership.
- B. Proxy voting shall be allowed where the SWDB member is unable to attend and that such proxy shall be exercised by the SWDB chairperson or another board member.
- C. If there is an urgent matter for the SWDB to consider, a special meeting shall be called. If there is insufficient time for a special meeting, then polling by telephone or electronic mail shall be allowed at the discretion of the Board's chairperson.
- D. Without consent from the general membership, no committee or member of the SWDB shall have the authority to commit the Board on matters that require the approval of the Governor.
- E. In the absence of the chairperson, any chairperson of a standing committee may be called upon as acting chairperson.
- F. These by-laws may be amended only by a majority vote of the membership.

Article Seven

THE SWDB STAFF

The State Workforce Development Board is authorized to obtain the services of such professional, technical, and clerical personnel as may be necessary to carry out its functions under the Act.

- A. The SWDB's executive director will work in close concert with the Virgin Islands Department of Labor and all other agencies that have a direct interest in employment and training and human resource development within the Virgin Islands Single Local Workforce Development Area.
- B. The executive director will bring to the attention of the Board, on a regular basis, all matters concerning the operation and direction of the workforce system.
- C. The SWDB's support staff shall be responsible for arranging meetings, notifying Board members of meeting dates and places, preparing the minutes of meetings, preparing reports and other documents as needed by the Board, coordinating other SWDB activities and providing liaison with other employment and training

institutions. Additionally, such staff shall maintain adequate office files, and maintain appropriate liaison with local and national agencies.

- D. The executive director shall be selected by the executive committee and approved by the Board's membership whenever a vacancy exists.
- E. The staff of the SWDB shall report to and be accountable to the SWDB.

Article Eight

COMMITTEES

Executive Committee

This committee shall be composed of the SWDB chairperson; the chair of each standing committee and a member of each standing committee. The duties shall include:

- Review and recommend changes to the SWDB's by-laws;
- Make recommendations to the Governor on all issues discussed and voted on by the SWDB to initiate change or implement action;
- Manage the affairs of the SWDB as deemed necessary by the chairperson.

Strategic Planning Committee

The duties of this committee shall be to:

- Develop a Territorial Workforce Development Plan;
- Develop a process for building out sectors in demand industries;
- Advise on the development of effective program models, research evaluation and technical services;
- Prepare an analysis of available resources;
- Conduct an assessment of community needs in relation to development of working relationships between the business community and work readiness programs;
- Develop and recommend procedures and policies for the coordination of inter-agency activities throughout the Territory;
- Develop and recommend procedures and policies for coordination with existing boards on policies relating to all workforce development initiatives to include but not limited to the Career and Technical Education Board and Board of Education;
- Review workforce system and program activities for excellence and recommend incentives for those programs that excel in performance standards.

Operations Committee

This committee shall carry out the functions of the Local Workforce Development Board. Its duties shall include the following:

- Employer Engagement – with a diverse range of employers to develop linkages with employers to support employer utilization of the workforce system;
- Career Pathways development – along with representatives from secondary and postsecondary education programs develop a system by aligning the employment, training, education and supportive services that are needed by adults and youth; specifically those with barriers to employment;
- Technology – develop strategies for using technology to maximize the accessibility and effectiveness of the workforce development system for employers, workers and jobseekers;
- Program Oversight – for adult and dislocated worker programs, programs for individuals with disabilities, and other groups with one or more barriers to employment;
- Include a sub-committee for addressing Youth workforce preparation and development issues;
- Develop criteria for One-Stop certification;
- Selection of the One-Stop Operator;
- Selection of Training Providers of youth services;
- Selection of Providers for Career Services and Training activities.

Youth Sub-Committee

The Youth sub-committee is comprised of members of the SWDB who are also on the Operations committee and who have experience with providing services for Youth or who through community experience have worked with, counseled, mentored or otherwise participated in the development of programs and activities for young adults especially out-of-school youth. Individuals from community-based organizations with a demonstrated record of success in serving eligible youth and other individuals with appropriate expertise who are not members of the SWDB may be consulted in matters pertaining to the coordination and development of youth activities as needed. The duties of this sub-committee include:

- Recommend policy direction for the design, development and implementation of programs that benefit all youth;
- Recommend ways to leverage resources and coordinate services among schools, public programs and community-based organizations serving youth;
- Recommend ways to coordinate youth services and recommend eligible youth service providers