



DISTRICT OF COLUMBIA
WORKFORCE INVESTMENT COUNCIL

BYLAWS

ARTICLE I

DEFINITION OF PUBLIC LAW

The Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, hereinafter referred to as (“WIOA”), authorizes the expenditure of federal funds for workforce development programs in the District of Columbia.

ARTICLE II

NAME OF ORGANIZATION

The name of the institution, for which the Bylaws pertain, is the District of Columbia Workforce Investment Council, hereinafter referred to as the “WIC”. Where a conflict arises between these Bylaws and any applicable law, rule, or regulations, such law, rule, or regulation shall control.

ARTICLE III

LEGAL AUTHORITY

The WIC is established in the Executive Branch of the Government of the District of Columbia, by virtue of the Mayor of the District of Columbia by section 422(2) and (11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) and (11) (2014 Repl.), and the Workforce Innovation and Opportunity Act, approved July 24, 2014 (128 Stat. 1425; 29 U.S.C. § 3101 et seq.), and in accordance with the Workforce Investment Implementation Act of 2000 ("Implementation Act"), effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32- 1601 et seq.), and Mayor’s Order 2016-086: Re-Establishment – Workforce Investment Council, issued June 2, 2016 and effective nunc pro tunc to October 20, 2015.

ARTICLE IV

PURPOSE OF THE WIC

The purpose of the WIC is to serve as a public-private partnership empowered to advise the Mayor on the development, implementation, and continued improvement of an innovative, integrated, and effective workforce development system. The WIC is charged with assisting the Mayor and District agencies in developing a demand-driven system and programs to meet the skilled workforce needs of business and industry, support career development and self-sufficiency, and enhance the productivity and competitiveness of the District's workforce. The WIC shall serve as the state workforce development board for the District of Columbia under section 101 of the Workforce Innovation and Opportunity Act (WIOA), and, as provided in section 107(c)(4) of the WIOA, shall carry out the functions of the local workforce development board for the District of Columbia under WIOA.

ARTICLE V

FUNCTIONS AND RESPONSIBILITIES OF THE BOARD

The functions of the WIC are enumerated in §101(d) and §107 of WIOA. The functions included, but are not limited to assisting the Mayor in connection with the following:

1. Developing and modifying the state workforce development plan, which includes providing vision and guidance for the District's overall workforce development strategy;
2. Developing high-level strategies for providing effective outreach to and improved access for individuals and employers who could benefit from services provided through the workforce development system;
3. Developing regional partnerships with state and local workforce development boards in surrounding jurisdictions;
4. Developing and providing for continuous improvement of a District-wide system of workforce development;
5. Developing and providing for continuous improvement of a comprehensive performance measurement system to assess the effectiveness of District workforce investment activities;
6. Establishing performance standards for training and employment programs;
7. Preparing and submitting the annual reports required by section 116 (d) of WIOA;
8. Developing and reviewing statewide policies affecting the coordinated provision of services through the District's one-stop delivery system described in section 121(e) of WIOA, including the development of objective criteria and procedures for assessing the effectiveness and continuous improvement of one-stop centers;
9. Providing high-level global policies that impact workforce development, adult education, and youth services, including issuing guidance when guidance is issued by the United States Department of Labor;
10. Providing high level oversight for youth workforce investment activities authorized under section 129(c) of WIOA, employment and training activities authorized under subsections (c) and (d) of section 134 of WIOA, and the District's one-stop delivery system;
11. Supporting initiatives of the District of Columbia Public Schools, the University of the District of Columbia, District of Columbia public charter schools, private colleges and universities in the District of Columbia, and adult literacy programs to enhance the contributions of public and higher education in the implementation of District employment and training policies;
12. Developing a wage and career progression strategy that includes mechanisms to help low-income workers upgrade literacy, numeracy, and basic skills to assist in their move toward self-sufficiency;
13. Developing an educational continuum with educational and training opportunities appropriate to a range of skill levels, with clear transitions between programs;
14. Developing an industry sector strategy to target investments toward stable and high-growth industry sectors that have jobs and advancement opportunities for employees with less than a four (4)-year college degree;
15. Coordinating workforce investment activities with economic development strategies;

16. Conducting a labor market analysis;
17. Developing applications for incentive grants under the Workforce Innovation and Opportunity Act;
18. Identifying ways in which the District can foster regional cooperation with the local and state workforce boards in the jurisdictions surrounding the District to develop and implement mutually beneficial workforce development approaches;
19. Designating or certifying one-stop operators;
20. Awarding grants and contracts to eligible providers based on a competitive selection process;
21. Overseeing all workforce investment programs;
22. Selecting youth providers;
23. Overseeing youth activity providers;
24. Coordinating youth workforce development activities;
25. Developing a budget for carrying out WIC duties and functions; and
26. Assuring compliance with all WIOA regulations and negotiated performance metrics.

The WIC shall also carry out the following functions that are not enumerated in sections 101(d) and 107 of WIOA:

1. Identifying and securing additional private sources of funding to support the duties and functions of the WIC beyond federal and District government support, in accordance with District law and rules.
2. Promoting participation of private sector employers in workforce development initiatives;
3. Recommending to the Mayor amendments to District laws or regulations that present barriers to achieving the goals of the Workforce Innovation and Opportunity Act;
4. Assisting the Mayor and Deputy Mayor for Greater Economic Opportunity in establishing a process for overseeing and monitoring the progress of the Department of Employment Services in achieving the strategic goals, initiatives and action items as described in the WIOA State Plan and any other goals, initiatives, or action items adopted or approved by the WIC

The WIC shall prepare and publish an annual report describing the progress of the District government and its partners in achieving the WIC's goals, initiatives, and action items. The WIC shall also provide regular updates to the Mayor on the topics covered in the annual report.

The WIC shall undertake any other responsibilities enumerated in the Workforce Innovation and Opportunity Act of 2014, approved July 24, 2014.

ARTICLE VI

MEMBERSHIP AND COMPOSITION OF THE BOARD

Members of the WIC shall be appointed by the Mayor. The Chair shall be a representative of the local business community and shall be designated by the Mayor. There are 34 members, with at least 51 percent representing private sector business. The composition of the WIC shall be in

accordance with the Workforce Innovation and Opportunity Act of 2014 and any applicable policies, laws, or regulations.

The WIC shall be composed of the following members,

1. The Mayor, or his or her designee;
2. One (1) member of the Council of the District of Columbia ("Council") appointed by the Chairman of the Council;
3. The Deputy Mayor for Planning and Economic Development, or his or her designee;
4. The Director of the Department of Employment Services, or his or her designee;
5. The Director of the Office of the State Superintendent of Education, or his or her designee;
6. The Director of the Department on Disability Services, or his or her designee;
7. The Director of the Department of Human Services, or his or her designee;
8. The President of the Community College of the University of the District of Columbia, or his or her designee;
9. Two (2) representatives of District labor organizations nominated by District labor federations;
10. One (1) representative of a labor organization or training director from a joint labor-management registered apprenticeship program;
11. Four (4) representatives of:
 - a. Community-based organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive, integrated employment for individuals with disabilities; or
 - b. Organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth; and
12. Nineteen (19) representatives of businesses in the District, who:
 - a. Are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policy-making or hiring authority;
 - b. Represent businesses (including at least one (1) representative of small business), or organizations representing businesses, that provide employment opportunities that, at a minimum, include high-quality, work-related training and development in in-demand industry sectors or occupations in the District; and
 - c. Are appointed from among individuals nominated by District business organizations and business trade associations;
 - d. Shall include at least one (1) representative from the following industry sectors:
 - i. Small business;
 - ii. Law;
 - iii. Construction;
 - iv. Information technology;
 - v. Healthcare;
 - vi. Hospitality;
 - vii. Business organization; and

- viii. Retail; and
 - e. Shall include at least five (5) at-large representatives from either the industry sectors listed in sub-paragraph d of this paragraph or from any other industry sector in the District.
13. At least fifty-one percent (51%) of the members appointed to the WIC shall be representatives of businesses in the District;
 14. At least twenty percent (20%) of the members appointed to the WIC shall be representatives of the workforce within the District; and
 15. The members of the WIC who are appointed based on positions in the District government shall serve only during their tenure as officers or employees of the District government.

ARTICLE VII

APPOINTMENT AND REAPPOINTMENT TO THE BOARD AND DISQUALIFICATION

The WIC may elect such other officers as may be required, or that its members deem appropriate. All officers, other than the Chair, shall be elected on an annual basis by the membership of the WIC.

A. TERMS OF APPOINTMENT

Each member of the WIC, other than the *ex officio* members of the Council shall be appointed for a term of three (3) years; except, of the initial group of appointments, one-third shall be appointed to terms of one (1) year, one-third shall be appointed to terms of two (2) years, and one-third shall be appointed to terms of three (3) years. The *ex officio* members of the WIC shall serve during their incumbency in the position from which they were appointed, at the pleasure of the Mayor. The member of the Council shall be appointed for a term conterminous with each period of the Council. The date that the first members are sworn in shall become the anniversary date for all subsequent appointments.

Any member of the WIC who fails to attend three (3) consecutive official WIC meetings within a program year shall be deemed removed from the WIC and a vacancy created, unless an exemption has been granted by the Mayor. The Mayor has maintains discretion on whether to remove a member from the Board.

The Mayor shall appoint members to fill vacancies in an unexpired term only for the remainder of the unexpired time of the term. Vacant seats for designated representation shall be filled with an individual meeting the requirements for the designation.

A member of the WIC shall serve no more than three (3) consecutive terms, except that this provision shall not apply to District government officials.

WIC members may serve beyond the end of their terms until reappointed, or replaced, by the Mayor.

B. CONFLICT OF INTEREST

All WIC members serve a public interest and trust role and have a clear obligation to conduct all affairs in a manner consistent with this concept. All decisions of the WIC are to be based on promoting the workforce system, including employers and jobseekers of the District of Columbia. All WIC members will be held to the WIC's Conflict of Interest Policy and any additional requirements specified under all federal and District laws.

Members of the WIC shall serve without compensation, except that a member may be reimbursed for expenses incurred in the authorized execution of official WIC duties, if approved in advance by the Deputy Mayor for Greater Economic Opportunity, or his or her designee, and in accordance with the District of Columbia travel regulations and subject to the availability of an appropriated funds.

ARTICLE VIII

DUTY OF CHAIR, VICE CHAIR, AND OFFICERS

The Mayor shall appoint from among the appointed business community members of the WIC a Chair on an annual basis who shall serve at the pleasure of the Mayor. The Chairperson shall report to the Mayor.

The WIC may elect such other officers as deemed appropriate, including a Vice Chair. All officers other than the Chairperson shall be elected on an annual basis by the membership of the WIC.

The Chairperson shall have the authority to call meetings of the WIC and preside at meetings. In the absence of the Chair, the Vice Chair shall preside at meetings and perform such duties as are required by the WIC. In the absence of both officers, the Chairperson shall appoint a WIC member; or a quorum of members present at any meeting may select a WIC member to preside for that specific meeting.

ARTICLE IX

OFFICE STAFF AND BUDGET

The Office of the Deputy Mayor for Greater Economic Opportunity shall provide administrative and technical support to the WIC.

The Mayor shall hire an Executive Director for the WIC, who shall serve at the pleasure of the Mayor and shall report to the Mayor or his or her designee, and whose compensation shall be subject to the availability of appropriations. The Executive Director shall exercise personnel authority over any additional staff approved by the Mayor.

The Executive Director shall provide or designate staff support for all Standing Committees, Subcommittees or Task Forces established by the Chairperson, Executive Committee and the Mayor.

ARTICLE X

COMMITTEES

The WIC shall have three (3) standing committees: the Executive Committee, the Youth Committee and the Implementation Committee. The initial members of these committees shall be appointed by the Mayor and shall serve at the pleasure of the Mayor. Subsequent membership changes in the Executive Committee shall be made at the direction of the Mayor. Subsequent changes in the Youth and Implementation Committees shall be made at the direction of the Chairperson.

The Chairperson, with guidance from the Executive Committee, may establish and abolish other such Committees, Subcommittees and Task Forces as deemed necessary and appropriate to perform the functions of the WIC.

The Executive Committee shall consist of members of the board as prescribed in the most recent Mayor's Order establishing the WIC.

The Executive Committee, as the decision making entity of the WIC, is empowered to meet on an interim basis at any time and to make administrative, emergency and time-sensitive decisions on behalf of the full WIC between regular full WIC meetings. Additionally, the committee may provide guidance and recommendations to the council in the areas of strategic planning, legislation, operations, and other areas. The committee may assist in the development of board meeting agendas.

Each committee of the WIC shall be chaired by a business community member of the WIC. Each committee chairperson shall be appointed by the WIC Chairperson, with the exception of the initial chair of the Youth Committee, who shall be appointed by the Mayor.

The Youth Committee shall include members of the board as prescribed in the most recent Mayor's Order establishing the WIC and any additional members appointed. The Youth Committee shall be responsible for providing information to the WIC relating to the provision of services to youth and for assisting with planning, operational, and other issues relating to the provision of services to youth.

The Implementation Committee shall be Chaired by a member of the WIC but its membership shall otherwise consist of non-WIC member stakeholders. These stakeholders may include but are not limited to representatives of: workforce related agencies, partner organizations, business and industry, community-based organizations, government, customers of the public workforce system, education and training, and others with an interest in the system. The Implementation Committee shall serve in an advisory capacity to the WIC to:

- Serve as a workforce intermediary to help assure, as informed through monitoring, reporting, and guidance, that the work of the WIC is translated into action by agencies, partners, and others who have a role in advancing the District's efforts to improve workforce system performance and outcomes; and
- Serve as a sounding board for new workforce system initiatives and to make recommendations to the WIC regarding such initiatives.

Standing Committees shall be defined as those permanent committees established in compliance with federal or District law or necessary to accomplish the WIC's responsibilities on an ongoing basis. Standing Committees shall be chaired by a member of the WIC.

Subcommittees are those committees established by a standing committee for the purpose of focusing the work of a smaller group on a specific subset of functions, issues or initiatives and reports back to the Standing Committee overseeing the Subcommittee. Subcommittees may or may not be permanent structures of a Standing Committee. Subcommittees shall be chaired by a member of the WIC.

Task Forces are groups comprised of WIC members and may include non-WIC members with a clearly defined timeframe and mission. Task Forces shall be chaired by a member of the WIC.

Members of Subcommittees or Task Forces established by the Chairperson and Executive Committee may include non-WIC members. These individuals shall be voting members of that committee, but not of the WIC.

Meetings of Standing Committees, Subcommittees or Task Forces may be called by the committee Chairperson. Committees may hold meetings concurrently or jointly with other committees. All committee members shall be notified in writing as to the date and time of the committee meeting. While Standing Committees, Subcommittees and/or Task Forces are established to delegate the work of the WIC, the Executive Committee retains the authority to make decisions on behalf of the WIC. Each WIC member must serve and participate on a minimum of at least one (1) committee, subcommittee or a Task Force. The Mayor, Deputy Mayor's and Council members are not required to participate on committees of the Workforce Investment Council. All committees shall report actions to the full Board and up to the Executive Committee who may reverse, modify, supplement, and/or approve any recommendations made by these committees.

ARTICLE XI

OPERATIONAL PROCEDURES

The WIC shall meet at the call of the Chair. Members shall be advised in advance of the time and place of regular or special meetings. The WIC shall meet no fewer times per year than required by federal law.

Special meetings of the WIC may be called by the Chairperson or by written request of a majority of WIC members. Notice of special meetings shall be provided to members at least

three business days prior to the special meeting and shall state the purpose of the meeting. Special meetings are subject to the same open meetings and public notice requirements as all other ordinary meetings of the WIC.

The presence of one-half plus one of the current membership of the WIC shall constitute a quorum to conduct business. Members shall be deemed present if attending in person or by phone or other electronic means arranged to accommodate remote participation. If a quorum is not present, those members in attendance may act as a hearing body to receive and exchange information; however no action may be taken. The minutes of such a hearing shall be submitted and reviewed at the next WIC meeting when a quorum is present. These minutes may be considered if action is taken by the WIC.

Meetings of the WIC are conducted in public forum, are held in accessible locations, and with advance notice provided to the general public. All meetings shall be held in accordance with laws and policies set forth by the District of Columbia.

Matters brought before the WIC may be resolved by a simple majority of the members present, provided a quorum is present as described above. Each member of the WIC shall be entitled to one vote, subject only to the reservation ARTICLE VII, Section B - Conflict of Interest. The Chair shall vote only if needed to break a tie. Voting may occur by phone or other electronic means arranged to accommodate remote participation by members.

There shall be no voting by proxy, with the exception of the following: Members of the Board serving as ex officio members have the right to name a designee to represent them on the Board, and any designee so named will have voting privileges equal to those of the ex officio Board member they are replacing when absent.

Acceptance of membership of the WIC signifies intent to participate in the activities of the WIC and to attend the meetings of the WIC.

Staff shall inform the WIC Chair of any instance in which an appointed member is absent without explanation from three regularly scheduled meetings of the WIC. The Chair may then direct the staff to contact that individual to ascertain whether or not he or she intends to participate in future meetings and activities.

It is the sense of the WIC that meetings shall be conducted in an informal atmosphere in order to encourage a free exchange of ideas. However, the rules contained in Robert's Rules of Order shall guide the WIC.

ARTICLE XII

AMENDMENT OF THE BYLAWS

The WIC may establish and amend its own bylaws and rules of procedure, subject to approval of the Mayor, or his designee.

ARTICLE XIII

EFFECTIVE DATE

The Bylaws shall become effective immediately.

Andy Shallal
Chairman, Workforce Investment Council

Carlos Jimenez
Vice Chairman, Workforce Investment Council

Date Adopted

Revised: August 29, 2016