



ORANGE COUNTY
 WORKFORCE INVESTMENT BOARD
 1300 S. GRAND AVENUE, BLDG. B, 3RD FLOOR
 SANTA ANA, CA 92705-4407
 PHONE: (714) 480-6500 FAX: (714) 834-7132

ORANGE COUNTY WORKFORCE INVESTMENT BOARD
& EXECUTIVE COMMITTEE

February 24, 2016

8:30 a.m.

Crowne Plaza
Promenade Conference Room
3131 S. Bristol Street
Costa Mesa, CA 92626
(714) 557-3000



AGENDA

CALL TO ORDER

PUBLIC PARTICIPATION

Members of the public may address the Orange County Workforce Investment Board on items listed within this agenda so long as the subject matter is within the jurisdiction of the Board.

- | | |
|---|---------------------|
| 1. INTRODUCTION OF NEW MEMBERS / GUESTS | INFORMATION |
| New members of the OCWIB / Guests will be introduced. | |
| 2. ECONOMIC INDICATORS REPORT | PRESENTATION |
| Dr. Wallace Walrod from the Orange County Business Council will provide an overview of the economic indicators/dashboard. | |
| 3. MINUTES | ACTION |
| The minutes of the October 28, 2015 Orange County Workforce Investment Board meeting are presented for review and approval. | |
| 4. RATIFICATION CALENDAR | ACTION |
| All matters are approved by one motion unless pulled by a Board member for discussion or separate action. | |

A. ONE-STOP SYSTEM FUNDING RECOMMENDATIONS The Board will review for approval One-Stop System funding recommendations for Program Year 2015-16.	EXEC	12/18/2015
B. WIOA TRANSITION PLAN / TIMELINE DETAIL The Board will review for approval the final WIOA Transition Plan and Timeline Detail.	EXEC	12/18/2015

C. WIOA ONE-STOP SYSTEM REQUEST FOR PROPOSAL The Board will review for approval information on the One-Stop System Request for Proposal (RFP).	EXEC	12/18/2015
D. JOB FAIR FUNDING ALLOCATION The Board will review for approval the 2016 Job Fair Calendar and consider approval of the Anaheim Chamber Foundation allocation.	EXEC	2/19/2016
E. ADDITIONAL ONE-STOP SYSTEM FUNDING RECOMMENDATIONS The Board will review for approval additional One-Stop System funding recommendation for Program Year 2015-16.	EXEC	2/19/2016
F. OC REGION / LOCAL PLAN DEVELOPMENT TIMELINE The Board will review for approval the OC Region / Local Plan Development Timeline.	EXEC	2/19/2016

- 5. BYLAWS MODIFICATION** **ACTION**
The Board will review for approval the Bylaws modification and the new WIOA required provisions.
- 6. WIOA AGREEMENT WITH THE BOARD OF SUPERVISORS** **ACTION**
The Board will review for approval the scope/intent of the WIOA Agreement with the Orange County Board of Supervisors.
- 7. TRAINING INVESTMENT PLAN** **INFORMATION**
Staff will provide information on the Training Investment Plan (TIP).
- 8. WIA PERFORMANCE REPORT SUMMARY** **INFORMATION**
Staff will present the performance report summary for WIA programs.
- 9. CHAIR AND DIRECTOR'S REPORT** **INFORMATION**
The Chair and Director will provide an update on OCWIB activities.
- 10. FORM 700 STATEMENT OF ECONOMIC INTERESTS** **INFORMATION**
The Political Reform Act requires that officials who are designated in an agency's conflict of interest code must file a Statement of Economic Interests, Form 700 annually.

ADJOURNMENT

If you need special assistance to participate in this meeting, call (714) 480-6500 or the TDD at (714) 834-7163. Please call 48 hours in advance to allow the County to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 American Disabilities Act Title II)

Item #1 – INFORMATION

**INTRODUCTION OF NEW MEMBERS / GUESTS
Recommendation Summary
February 24, 2016**

BACKGROUND:

OCWIB Members are recruited throughout the year. The Executive Committee has placed a focus on business member recruitment from Orange County's high growth cluster industries.

The OCWIB may invite guests to be introduced at the beginning of the meeting.

RECOMMENDATION(S):

Receive and File

ATTACHMENT(S):

None

Item #2 – PRESENTATION

**ECONOMIC INDICATORS REPORT
Recommendation Summary
February 24, 2016**

BACKGROUND:

Dr. Wallace Walrod from the Orange County Business Council will provide an overview of the economic indicators/dashboard.

RECOMMENDATION(S):

Receive and File

ATTACHMENT(S):

None

Item #3 – ACTION
MINUTES
Recommendation Summary
February 24, 2016

Orange County Workforce Investment Board
& Executive Committee

October 28, 2015
8:30 a.m.
Hilton Orange County
3050 Bristol Street
Costa Mesa, CA 92626

MINUTES

Present: Alan Woo Alireza Jazayeri Barbara Mason Bob Bunyan Buddy Ray Doug Mangione Dr. Tod Burnett Ernesto Medrano Frank Talarico Gary Matkin Janelle Cranch John Luker Kevin Landry Lauray Holland-Leis Mike Ruane Rachel Ramirez Rob Claudio Robin Murbach Tod Sword Tom Tassinari	Guests: Al Rodriguez Brenyale Toomer-Byas David Baquerizo Geanela Guirao Geoff Henderson Ival Dang Janyce Wong MaryAnne Foo Reggie Monday Renee Melton Rhonda Wooter
--	--

CALL TO ORDER

Bob Bunyan called the meeting to order at 8:35 a.m.

- | | |
|---|---------------------|
| 1. INTRODUCTION OF NEW MEMBERS / GUESTS | INFORMATION |
| Guests were introduced by the OCWIB Chair. | |
| 2. WORKFORCE REPORT 2015-16 / ECONOMIC INDICATORS | PRESENTATION |
| Dr. Wallace Walrod from the Orange County Business Council provided an overview of the 2015-16 Workforce Indicators Report and the economic indicators/dashboard. | |
| 3. 2015 OC COMMUNITY INDICATORS REPORT | PRESENTATION |
| Mr. Mike Ruane provided an overview of the 2015 OC Community Indicators Report. | |

- 4. MINUTES** **ACTION**
 The minutes of the July 22, 2015 Orange County Workforce Investment Board meeting were presented for review and approval.

Buddy Ray motioned for approval. Alan Woo seconded. Ernesto Medrano, Rachel Ramirez, and Dr. Gary Matkin abstained. Motion passed.

- 5. RATIFICATION CALENDAR** **ACTION**
 All matters on the ratification calendar are approved by one motion unless pulled by a Board member for discussion or separate action. Staff provided information on items listed in the ratification calendar.

A. ONE-STOP SYSTEM FUNDING RECOMMENDATIONS The Board will review for approval the additional One-Stop System funding recommendations for Program Year 2015-16.	EXEC	10/23/2015
B. ADDITIONAL YOUTH FUNDING RECOMMENDATIONS PY 2015-16 (YC) The Board will review for approval additional youth funding recommendations for Program Year 2015-16.	EXEC	10/23/2015
C. WIOA YOUTH PROGRAM REQUEST FOR PROPOSALS (RFP) (YC) The Board will review for approval an update to the Workforce Innovation & Opportunity Act (WIOA) Youth Program RFP policy issues.	EXEC	10/23/2015
D. WIOA YOUTH POLICY UPDATES (YC) The Board will review for approval WIOA Youth Policy revisions.	EXEC	10/23/2015

Rob Claudio motioned for approval. Alan Woo seconded. Motion passed.

- 6. ONE-STOP TRANSITION FUNDING RECOMMENDATIONS** **ACTION**
 Staff provided information on One-Stop System transition funding recommendations.

Buddy Ray motioned for approval. Rob Claudio seconded. Lauray Holland-Leis and Frank Talarico abstained. Motion passed.

- 7. TRAINING INVESTMENT PLAN** **INFORMATION**
 Staff provided information on the Training Investment Plan (TIP).

- 8. WIA PERFORMANCE REPORT SUMMARY** **INFORMATION**
 Staff presented the performance report summary for WIA Programs for the period August 1, 2014 to June 30, 2015.

- 9. CHAIR AND DIRECTOR'S REPORT** **INFORMATION**
 The Chair and Director provided an update on OCWIB activities.

- 10. 2016 OCWIB MEETING CALENDAR** **INFORMATION**
 Staff provided the OCWIB Meeting Calendar through April 2016.

The meeting adjourned at 10:15 a.m.

Item #4 – ACTION

**RATIFICATION CALENDAR
Recommendation Summary
February 24, 2016**

A. ONE-STOP SYSTEM FUNDING RECOMMENDATIONS

Approved (with a modification) by the Executive Committee on December 18, 2015.

BACKGROUND:

On October 1, 2015, Arbor E&T, LLC doing business as ResCare Workforce Services (RWS) submitted a written notice that requested a reduction in services, effective January 1, 2016. This request proposed the elimination of their role as One-Stop Operator under their current WIOA Agreement and their Veterans Employment-Related Assistance Program (VEAP) Agreement. RWS contracts would otherwise expire on June 30, 2016. Annual funding allocations for OS Operations have been based upon the RWS and ProPath joint proposal submitted and selected in 2013.

Staff developed a plan that included a recommendation to transfer select One-Stop Center responsibilities to ProPath, Inc. ProPath is currently providing job seeker services to dislocated workers as well as employer services including Rapid Response for the One-Stop system. The plan would include RWS's continued role as lease holder for all OS sites. RWS staffing plan for the last six months of the 15-16 program year would include a Facilities Coordinator to manage these properties through June 30, 2016.

RWS is currently providing job seeker services to adults. Additionally, they serve older adults through the Senior Community Service Employment Program (SCSEP) and Veterans through the OC4VETS program as well as the VEAP. These programs will be transitioned to ProPath, effective January 1, 2016.

- On October 28, 2015, the OCWIB authorized Staff to enter into an Agreement with ProPath for an amount not to exceed \$3,120,000 to provide the above referenced services for the period January 1, 2016 through June 30, 2016.
- Concurrently, the OCWIB authorized the reduction of the existing RWS One-Stop Agreement (based on activities mutually agreed upon) from \$6,006,000 to an amount not to exceed \$3,600,000 through June 30, 2016.
- The OCWIB also authorized the reduction of the existing RWS VEAP Agreement from \$160,000 to an amount not to exceed \$70,000.
- Staff was also authorized to exercise a cost contingency increase not to exceed a total of ten (10) percent of the contract amounts.
- On December 8, 2015, the Orange County Board of Supervisors approved ProPath's contract for an amount not to exceed \$3,120,000.

The above funding recommendations were based on the best estimates available to Staff at that point in time.

Following the initial OCWIB related action, RWS indicated that the approved amounts were not sufficient to cover actual/projected expenses from July 1, 2015 through December 31, 2015 **and** projected costs for the limited services that will be provided from January 1, 2016 through June 30, 2016. Staff has been working with RWS to narrow this discrepancy. While progress has been made, there are still several outstanding issues that need to be resolved – including staffing, phone system, training budget and potential disallowed costs resulting from a fiscal monitoring from FY 14/15.

Staff is recommending a modification of the OCWIB recommendation approved on October 28, 2015 regarding the RWS One-Stop Agreement reduction. The revised recommendation will ensure the most accurate information is included in the formal recommendation to the Orange County Board of Supervisors in early 2016.

RECOMMENDATION(S):

1. Decrease existing RWS One-Stop Agreement from \$6,006,000 to an amount to be determined sufficient to cover actual costs deemed reasonable and appropriate for program operations and transition.
2. Without further OCWIB approval, staff may shift funds between funding streams to maximize service provision.
3. Without further OCWIB approval, authorize staff to exercise a cost contingency increase not to exceed a total of ten (10) percent of the **newly amended** contract amounts.

ATTACHMENT(S):

None

B. WIOA TRANSITION PLAN / TIMELINE DETAIL

Approved by the Executive Committee on December 18, 2015.

BACKGROUND:

The OCWIB is leading the transition and implementation of the new workforce legislation for the Orange County region in response to the Workforce Innovation and Opportunity Act (WIOA) signed into law on July 22, 2014. Realizing the monumental importance of the first legislative reform of the public workforce system in more than fourteen years, the OCWIB formed an Ad Hoc Committee dedicated to preparation and implementation of the new legislation. Led by OCWIB business community, the WIOA Ad Hoc Committee includes other workforce boards and economic development partners, One Stop partners, education and non-profit representation. The formation of this committee, the finalization and implementation of the Transition Plan have been expedited in part due to the solid framework established by the Orange County regional collaboration known as the "OC Network".

Timeline	Detail
2014 – July	WIOA legislation signed into law
2014 – November	Ad Hoc Committee dedicated to the WIOA transition was established in order to prepare Orange County for legislation adoption and implementation
2014 – November	Ad Hoc Planning Meeting
2014 – November	WIOA Workgroups- In support of the Ad Hoc Committee's work on transition planning, OCWIB staff organized several work groups around key areas of WIOA service delivery, performance management, and administration
2014 – December	Ad Hoc Planning Meeting- The OCWIB work groups and the WIOA Ad Hoc Committee identified key milestones at the federal, state and local level to address in preparation for WIOA implementation
2015 – January	Ad Hoc Planning Meeting
2015 – February	CWIB Releases Initial WIOA Guidance
2015 – April	U.S. Department of Labor (DOL) representatives published the official Notice of Proposed Rulemaking (NPRM's) for WIOA
2015 – April	Ad Hoc Planning Meeting- WIOA work groups, Ad Hoc and OCWIB staff developed a proposed outline to build a draft transition plan for the Orange County Region (OC Region)
2015 – April	Ad Hoc Draft Plan Summary Approval- After the transition plan outline was reviewed and approved by the Ad Hoc Committee, OCWIB staff drafted a transition plan to address anticipated board, system design, and policy changes that the legislation requires
2015 – April	OCWIB Draft Plan Summary Approval
2015 – July	Legislation takes effect
2015 – July	Ad Hoc, Executive Committee and OCWIB Draft Plan Approval
2015 – December	Draft WIOA State Plan posted by State Workforce Board / Employment Development Department for public comment
2015 – December	Staff presents the final WIOA Transition Plan and Timeline Detail for review and approval by the Executive Committee

RECOMMENDATION(S):

1. Adopt and Approve OCWIB's Orange County Region WIOA Transition Plan.
2. Direct staff to implement the transition plan based upon ongoing analysis of all service delivery, administrative structure options and available resources.
3. Direct staff to adjust Plan based on several factors including final WIOA regulations, State policy direction or County strategies.
4. Direct staff to develop additional background information (as appropriate) related to core WIOA Partners, Community Colleges and TANF/CalWORKS.
5. Direct staff to collaborate with local economic and workforce development partners and key stakeholders in support of continued regional planning and WIOA implementation efforts.

ATTACHMENT(S):

OCWIB's Orange County Region WIOA Transition Plan

C. WIOA ONE-STOP SYSTEM REQUEST FOR PROPOSAL

Approved by the Executive Committee on December 18, 2015.

BACKGROUND:

The Comprehensive/Satellite One-Stop Centers and Business Services Request for Proposals (RFP) was issued on December 4, 2012. Initial funding was awarded for FY 2013-2014 with provisions for four additional one year renewals.

The Workforce Innovation and Opportunity Act (WIOA) was signed into law on July 22, 2014 with implementation to begin on July 1, 2015. WIOA will bring many changes and improvements to the Workforce Development System. Accordingly, the OCWIB will issue a new RFP that will be in alignment with WIOA objectives and will be designed to help workers, including those with barriers to employment, access employment, job-driven training, and supportive services; streamline service delivery; align programs to assure coordination, use, and integration of all available resources; and to improve services to employers. A thoughtful analysis of all service delivery options will ensure the system is responsive to local customer needs while maintaining consistency with OCWIB's Transition Plan and the new WIOA legislation.

Research and development for a new RFP began in January, 2015. Over the course of four months, staff developed several policy issues that would be used to build the framework for the RFP. Each issue was identified, analyzed and presented along with staff recommendations.

On April 22, 2015, the OCWIB approved draft policy issues outlining (1) the One-Stop System Structure, (2) System Leveraging; (3) One-Stop Operations and (4) Available Funding. Additionally, the OCWIB authorized staff to make any amendments necessary to these policy issues if subsequently published WIOA regulations mandated such changes. Staff was directed to continue the development of the RFP and schedule release for the summer of 2015, pending approval by OCWIB or designated subcommittee. Finally, the OCWIB delegated authority to the Executive Committee for approval of the final Policy Issue Detail at a later date.

On July 17, 2015, the above four policy issues along with a fifth one addressing County-wide Regional Services (to include Anaheim and Santa Ana) were presented to and approved by the Executive Committee. Staff was directed to continue development of the RFP and schedule release for late summer/early fall of 2015.

A couple significant developments have occurred since July, 2015:

1. On October 1, 2015, Arbor E&T, LLC doing business as ResCare Workforce Services (RWS) submitted a written notice that requested a reduction in services, effective January 1, 2016. RWS requested a significant reduction of their role as service provider under their current One-Stop Center Agreement and their Veterans Employment-Related Assistance Program (VEAP) Agreement. Their current contracts would otherwise expire on June 30, 2016. As a result, on October 28, 2015, the OCWIB approved a transition plan to transfer select One-Stop Center responsibilities to ProPath, Inc.

Recommendations to enter into a contract with ProPath, Inc. was approved by the Orange County Board of Supervisors on December 8, 2015.

2. On December 2, 2015, the California Workforce Development Board released the draft of “*California’s Unified Strategic Workforce Development Plan*”. The Plan will be finalized following a 30 day public comment period and feedback/input from the local Workforce Boards. The Plan will require that partners adopt seven policy strategies that frame, align, and guide program coordination at state, local, and regional levels in order to achieve the state’s three policy objectives:
 - Fostering ‘demand-driven skills attainment’
 - Enabling upward mobility for all Californians
 - Aligning, coordinating and integrating programs and services

Staff has determined that releasing a RFP at this time would not be in best interest of OCWIB / County of Orange. Postponing the release of the RFP would enable both Staff and OS System to focus on transitioning programs smoothly without any interruption of services. Postponing the RFP will allow staff to further develop the Scope of Services and framework of the RFP to ensure that it is in alignment with the State Plan.

RECOMMENDATION(S):

Direct staff to continue development of the RFP(s) and schedule release no later than the early fall of 2017.

ATTACHMENT(S):

None

D. JOB FAIR FUNDING ALLOCATION

Approved by the Executive Committee on February 19, 2016.

BACKGROUND:

As part of the One-Stop System, the Business Services staff regularly develops job fairs with committed community partners in Orange County. Job Fairs currently being planned to serve Orange County employers and workers are as follows:

1. Central OC Job Fair on March 30, 2016 at the Fountain Valley Recreation Center (Budgeted in the One-Stop Contract)
2. South Regional Job Fair on May 18, 2016 at the Laguna Hills Mall (Budgeted in the One-Stop Contract)
3. Anaheim/OC Job Fair in June 2016 at the Anaheim Convention Center

The Anaheim/OC Job Fair is a joint venture of the Orange County WIB, the Anaheim WIB, the Santa Ana WIB, and the Anaheim Chamber of Commerce with support from the City of Anaheim and the County of Orange.

RECOMMENDATION(S):

Approve funding recommendation to the Anaheim Chamber Foundation, not to exceed \$15,000 for services associated with coordination of the Anaheim/OC Job Fair.

ATTACHMENT(S):

None

E. ADDITIONAL ONE-STOP SYSTEM FUNDING RECOMMENDATIONS

Approved by the Executive Committee on February 19, 2016

BACKGROUND:

On April 17, 2015, the Executive Committee approved the One-Stop System funding allocations for FY 2015-16. Additional funding was ratified by the Orange County Workforce Investment Board on July 22, 2015 and October 28, 2015.

ProPath, Inc., the newly designated One-Stop Operator and Pacific Gateway Workforce Investment Network (PGWIN) administered by the City of Long Beach are currently receiving funding for a variety of programs. Funding is used to provide employment and training services to assist eligible individuals in finding and qualifying for meaningful employment and to help employers find the skilled workers they need to compete and succeed in business.

The Orange County Asian and Pacific Islander Community Alliance (OCAPICA) is currently providing Youth services in the Western and Coastal Regions. Additionally, they provide our Welfare-to-Work Employment Programs funded through the Orange County Social Services Agency (SSA). OCAPICA has indicated that the payroll processing associated with participant wages (work experience) has become problematic and, as a result, has indicated that they will no longer be able to maintain that function. To avoid any gaps in service provision, ProPath and PGWIN have agreed to take over the processing of the payroll on behalf of the program. Direct client services will remain with OCAPICA. Funding from OCAPICA will be diverted to ProPath and PGWIN to cover the cost of participant wages and worker's compensation insurance.

RECOMMENDATION(S):

1. De-fund Orange County Asian and Pacific Islander Community Alliance (OCAPICA) in an amount estimated at \$600,000 for Welfare-to-Work Employment Services.
2. Fund ProPath, Inc. in an amount estimated at \$337,000 for Welfare-to-Work Employment Services. Total funding for ProPath in support of One-Stop operations is estimated at \$3,457,000.
3. Fund Pacific Gateway Workforce Investment Network (PGWIN), administered by the City of Long Beach, in an amount estimated at \$355,000 for Welfare-to-Work Employment Services. Total funding for PGWIN in support of One-Stop operations is estimated at \$752,000.
4. Direct staff to modify existing FY 2015-16 Agreements within the parameters outlined in Recommendation #1-3 above.
5. Without further OCWIB approval, authorize staff to exercise a cost contingency increase not to exceed a total of ten (10) percent of the contract amounts.

ATTACHMENT(S):

None

F. OC REGION / LOCAL PLAN DEVELOPMENT TIMELINE

Approved by the Executive Committee on February 19, 2016

BACKGROUND:

Under WIOA, every state will develop and submit a four-year strategic plan. Local boards shall engage in a regional planning process and submit a local plan that supports the strategy described in the state plan in accordance with WIOA Section 102(b)(1)(E). Workforce Development Boards shall comply with WIOA Sections 106(c) and 108 in the preparation and submission of the plan. The State has released its draft strategic plan.

WIOA requires each workforce development board to submit, in partnership with the local chief elected official, a comprehensive four-year local plan that is effective July 1, 2017 through June 30, 2021. Accordingly, the OCWIB will draft a subsequent local plan as required, guided by the proposed timeline with the understanding that timeframes may shift as DOL and/or EDD issue further guidance.

RECOMMENDATION(S):

1. Adopt and Approve OCWIB's Orange County Region Local Plan Development timeline.
2. Direct staff to draft and implement the OC Region Local Plan based upon ongoing analysis of all options for service delivery, administrative structure, resource allocations and consolidation of boards.
3. Direct staff to adjust OC Region Local Plan based on several factors including final WIOA regulations, State policy direction and/or County strategies.
4. Direct staff to collaborate with local economic and workforce development partners and key stakeholders in support of continued unified regional planning and WIOA implementation efforts including review of draft plan with WIOA Leadership Council.

ATTACHMENT(S):

Orange County Region Local Plan Development Timeline

**OC REGION LOCAL PLAN
DEVELOPMENT TIMELINE**

REVIEW / APPROVALS / PROCESS	PROPOSED TIMELINE
Executive Committee Approval of OC Region Local Plan Development Timeline	February 2016
OCWIB Approval of OC Region Local Plan (draft outline)	April/May 2016
EXEC Committee Approval of OC Region Local Plan	October 2016
OCWIB Approval of OC Region Local Plan	October 2016
Public Comment Period	October – November 2016
Board of Supervisors Meeting	February 2017
Local Plan due to the State	March 2017

Item #5 – ACTION

BYLAWS MODIFICATION Recommendation Summary February 24, 2016

BACKGROUND:

The passage of the Workforce Innovation and Opportunity Act (WIOA) of 2014 precipitates required changes to the Bylaws. WIOA requires changes to board membership, refers to workforce boards as workforce development boards, and provides guidance regarding committee structure. To effectuate these changes the Board's Bylaws have been reviewed and amendments proposed for purposes of conforming to the law.

Highlights of the proposed Bylaw amendments are outlined below.

1. Article I - Name, Purpose and Functions

Article I previously read: "Name, Purpose and Functions." the words "Adherence to Applicable Legislation," was added to better describe the items covered in this section. Article I will now be titled: "Name, Purpose, Functions and Adherence to Applicable Legislation," if adopted.

Name Change

WIOA refers to the local boards as workforce development boards. To signal local adoption of the innovation encouraged by WIOA it is recommended that necessary actions are taken to change the name of the Orange County Workforce Investment Board (OCWIB) to the Orange County Region Development Board (OCRDB).

Purpose Section

To recognize the emphasis on regionalism, the word region was added to the workforce area designation in the Bylaws.

Replaced the references to the Workforce Investment Act of 1998 (WIA) and its regulations with the appropriate references to WIOA and its proposed regulations.

2. Article II - Appointment and Membership

Language regarding the minimum number of required board members per WIOA was added. There can be more members but there cannot be less members.

The language relating to the categories of membership and the manner in which nominations must be made was changed to meet the requirements of WIOA.

The change in language reflects the elimination of the requirement to include all the one-stop partners on the board and the required increase of labor representatives.

3. Article V - Removal and Resignation of Members

The Bylaws previously allowed for the board to remove members. This section was clarified to provide for the board to recommend the removal of a member to the chief elected official. The chief elected official appoints the board members and only the chief elected official may remove a member.

The Bylaws previously provided for a member to be removed following three consecutive absences. However, often members may be traveling or come to committee meetings although they miss board meetings or provide other valuable contributions. To recognize these occurrences, it is recommended that the language now read a member may be recommended for removal after three "unexcused" absences. This would allow members with an interest in remaining on the board, but who are unable to make a series of meetings, the latitude to call and request that they be excused, thereby not be subject to removal.

4. Article VI - Committees

In recognition of the importance of labor representation on the workforce board it is recommended that the Executive Committee include a labor representative.

Removed the reference to a Youth Council and combined the oversight of youth activities with the Service Delivery and Performance Committee.

Add a new standing committee to be titled the Business Services Committee, which will focus on the employer as an equal customer to the job seeker.

5. Article VII – Meetings and Actions

In accordance with WIOA it is recommended that a quorum be met by including those members who call in to a meeting, as allowable under State and Federal policies.

Clarified that once a quorum is established that it is considered in effect for the balance of the meeting regardless of whether members leave prior to the end of the meeting.

Clarified that once a quorum has been established a majority of those members able to vote is sufficient to move an item.

Replaced the conflict of interest language to mirror the WIOA conflict language.

6. Article VIII - Authority

The language in this Article grants the power to the Executive Committee to act in place of the board in an emergency or when an action of the board is needed and the board is not scheduled to meet in time to vote on the matter. The section

was amended to eliminate (1) conflicting language which also provided for any Committee to act in place of the board, and (2) language requiring ratification of the Executive Committee's action.

As the Executive Committee reflects a broad cross section of the board it would make sense for the Executive Committee to be able to act on a time sensitive matter. As the Executive Committee would be acting because an item is time sensitive it makes more sense to report on the action to the full board rather than ask for ratification because the action would already have occurred and a failure to ratify the action would not be able to reverse the action.

The Bylaws previously implied that committees could set their own agenda; however, WIOA clearly requires the board to direct the activities of its committees. A change in language to recognize the WIOA requirement is recommended.

7. Article XII

Added a section on the indemnification of the workforce board members and the authority for the Executive Director to confer with the County's Risk Management Division and to procure Directors and Officers Insurance if it is recommended by Risk Management that it be added to the Public Officers Liability Insurance maintained by the county.

RECOMMENDATION(S):

1. Approve modification of the Bylaws and request approval by County Counsel and the Orange County Board of Supervisors.
2. Authorize staff to make any additional changes to the Bylaws as directed by the Orange County Board of Supervisors or by County Counsel.
3. Authorize staff to make any additional changes as required by State and/or Federal guidance/regulations.

ATTACHMENT(S):

Revised Bylaws – February 2016

Item #6 – ACTION

WIOA AGREEMENT WITH THE BOARD OF SUPERVISORS Recommendation Summary February 24, 2016

BACKGROUND:

The Workforce Innovation and Opportunity Act of 2014, hereinafter referred to as the WIOA (29 U.S.C. 3101 et seq. Public Law 113 – 128) mandates that an agreement be entered into between the Chief Elected Official(s) and the Workforce Development Board. The agreement identifies the responsibilities between and among, the Chief Elected Official and the Workforce Development Board.

WIOA assigns responsibilities for administering the workforce system to the chief local elected officials, in concert with workforce development board they appoint and to the workforce development board acting on its own. WIOA stipulates that the chief elected official and local workforce development board identify the responsibilities of the elected officials and the workforce board as well as those functions which require the agreement of both the chief local elected official and the board for policy and oversight in a Memorandum of Understanding (MOU) or locally designed agreement.

Examples of some of the most important joint elected official and board responsibilities would include:

- Approval of the local plan for implementing WIOA
- Selection of the one-stop operator
- Policy guidance and oversight

Examples of some of the responsibilities of the chief local elected official(s) would include:

- Appointment of the local board
- Approval of the budget

Examples of some of the responsibilities of the workforce board would include:

- Approval of skills training providers
- Selection of youth providers

RECOMMENDATION(S):

1. Direct staff to develop an agreement in conjunction with County of Orange, County Counsel and Board of Supervisors to ensure WIOA compliance and through its design supporting the ongoing development of the OC Region.
2. Authorize the Orange County Workforce Investment Board Chair, or designee, on behalf of the OCWIB, to sign the agreement.

3. Authorize the Orange County Workforce Investment Board Chair, or designee, on behalf of the OCWIB to execute all responsibilities and activities as identified in the legislation in an MOU with the Board of Supervisors (chief local elected officials).
4. Transfer all authorizations granted to current OCWIB chair (immediately following the 2016 election of officers) to the new OCRDB Chair.

ATTACHMENT(S):

None

Item #7 – INFORMATION

**TRAINING INVESTMENT PLAN
Recommendation Summary
February 24, 2016**

BACKGROUND:

The Program Year (PY) 2012-2013 year marked the start of Senate Bill (SB) 734 which affects the flexibility and control of funds at the local level. SB 734 requires that local workforce investment boards ensure that an amount equivalent to 25% of total WIA Adult and Dislocated Worker program allocations are expended on training services. The bill also authorizes local workforce investment boards to utilize leveraged funding in combination with training funds. The local boards can receive credit of up to 10% of Adult and Dislocated Worker allocations for leveraged resources.

RECOMMENDATION(S):

Receive and File

ATTACHMENT(S):

WIA Training Investment Plan

WIOA Formula Allocations, PY 2015-16

Adult Formula	\$3,285,240
Dislocated Worker Formula	\$4,863,710
Total	\$8,148,950
Training Expenditure Requirements	\$2,037,238

ADULT TIP	\$3,285,240
Training Investment	\$814,895
Operations	\$2,470,345

DISLOCATED WORKER TIP	\$4,863,710
Training Investment	\$1,222,343
Operations	\$3,641,368

<i>Type</i>	<i>Description</i>	<i>Investment Amount</i>
Classroom-Based Training	Tuition assistance for participants	\$407,448
Work-Based Training	On-the-Job Training/Customized Training	203,724
Hybrid Training	Industry focused	203,724
Total Investment		\$814,895
Investment distribution of total required		40%

<i>Type</i>	<i>Description</i>	<i>Investment Amount</i>
Classroom-Based Training	Tuition assistance for participants	\$611,171
Work-Based Training	On-the-Job Training/Customized Training	305,586
Hybrid Training	Industry focused	305,586
Total Investment		\$1,222,343
Investment distribution of total required		60%

**SB 734 Training Expenditure Report
As of December 31, 2015**

ADULT	PLANNED	EXPENDED
Classroom-Based Training (ITAs)	\$407,448	\$498,240
Work-Based Training (OJT/CT)	203,724	0
Hybrid Training	203,724	0
Leveraged Resources	--	40,425
Sub Total:	\$814,895	\$538,665
Expended Adult \$ Used to Meet PY14-15 TIP	--	95,357
Sub Total:	\$814,895	\$443,308

EXPENDED VS. PLANNED
54%

DISLOCATED WORKER (DW)	PLANNED	EXPENDED
Classroom-Based Training (ITAs)	\$611,171.25	\$1,250,357
Work-Based Training (OJT/CT)	305,585.63	0
Hybrid Training	305,585.63	0
Leveraged Resources	--	238,461
Sub Total:	\$1,222,343	\$1,488,818
Expended DW \$ Used to Meet PY14-15 TIP	--	\$305,810
Sub Total:	\$1,222,343	\$1,183,008

EXPENDED VS. PLANNED
97%

TOTAL EXPENDITURES (ADULT/DW)	\$2,037,238	\$1,626,316
--------------------------------------	--------------------	--------------------

79.8%

Note: Up to 10% of the combined Adult and DW fund allocation (or \$814,895) may be used to meet training expenditure requirements via leveraged resources.

Item #8 – INFORMATION

**WIA PERFORMANCE REPORT SUMMARY
Recommendation Summary
February 24, 2016**

BACKGROUND:

The performance reports for the Adult, Dislocated Worker and Youth programs for the period from July 1, 2015 to September 30, 2015 are presented for review.

RECOMMENDATION(S):

Received and File

ATTACHMENT(S):

Performance Reports

Orange County WIB
WIA Adult and Dislocated Worker Programs
Performance Report for PY 2015-16
As of September 30, 2015

ADULT

BW Data as of 03/31/15

(*Exiters from 10/01/14 to 12/31/14)

(**Exiters from 04/01/14 to 06/30/14)

	Northern Region			Southern Region			Buena Park Satellite			San Juan Capistrano Satellite			OCWIB Total		
	103			71			58			40			272		
	Actual	Contract Plan as of 09/30/15	% Achieved	Actual	Contract Plan as of 09/30/15	% Achieved	Actual	Contract Plan as of 09/30/15	% Achieved	Actual	Contract Plan as of 09/30/15	% Achieved	Actual	State Plan	% Achieved
*Entered Employment Rate	76.70%	80.00%	95.87%	88.73%	80.00%	110.92%	82.76%	80.00%	103.45%	70.00%	80.00%	87.50%	80.15%	75.00%	106.86%
**Employment Retention Rate	86.21%	84.00%	102.63%	98.51%	84.00%	117.27%	86.21%	84.00%	102.63%	100.00%	84.00%	119.05%	93.13%	82.00%	113.57%
**Average Earnings	\$15,072.34	\$16,000.00	94.20%	\$18,669.92	\$16,000.00	116.69%	\$10,217.35	\$16,000.00	63.86%	\$20,888.27	\$16,000.00	130.55%	\$16,138.55	\$15,450.00	104.46%

DISLOCATED WORKER

BW Data as of 03/31/15

(*Exiters from 10/01/14 to 12/31/14)

(**Exiters from 04/01/14 to 06/30/14)

	Northern Region			Southern Region			Buena Park Satellite			San Juan Capistrano Satellite			OCWIB Total		
	123			82			77			50			338		
	Actual	Contract Plan as of 09/30/15	% Achieved	Actual	Contract Plan as of 09/30/15	% Achieved	Actual	Contract Plan as of 09/30/15	% Achieved	Actual	Contract Plan as of 09/30/15	% Achieved	Actual	State Plan	% Achieved
*Entered Employment Rate	84.55%	82.00%	103.11%	90.24%	82.00%	110.05%	79.22%	82.00%	96.61%	78.00%	82.00%	95.12%	84.02%	79.00%	106.36%
**Employment Retention Rate	83.33%	88.00%	94.70%	96.20%	88.00%	109.32%	88.00%	88.00%	100.00%	89.47%	88.00%	101.67%	89.22%	85.00%	104.97%
**Average Earnings	\$20,939.29	\$19,800	105.75%	\$27,212.04	\$19,800	137.43%	\$17,001.81	\$19,800	85.87%	\$30,045.15	\$19,800	151.74%	\$23,150.65	\$18,600	124.47%

Legend

79% and Below

80%-100%

Above 100%

Office closed as of 06/30/14

Data Source: State CalJOBS System

Orange County WIB
WIA Youth
Performance Report for PY 2015-16
As of September 30, 2015

BW Data as of 03/31/15

(*Exiters from 10/01/14 to 12/31/14)

(** Anniversary from 07/01/15 to 09/30/15)

	IUSD - Coast			IUSD - South			La Habra - North			OCAPICA - West		
	34			26			16			49		
	Actual	Contract Plan	% Achieved	Actual	Contract Plan	% Achieved	Actual	Contract Plan	% Achieved	Actual	Contract Plan	% Achieved
*Placement in Employ. or Education	64.71%	74.00%	87.44%	65.38%	74.00%	88.36%	56.25%	74.00%	76.01%	61.22%	74.00%	82.74%
*Attainment of Degree or Certificate	80.00%	56.00%	142.86%	90.91%	56.00%	162.34%	66.67%	56.00%	119.05%	79.41%	56.00%	141.81%
**Literacy and Numeracy Gains	80.00%	72.00%	111.11%	92.86%	72.00%	128.97%	75.00%	72.00%	104.17%	64.71%	72.00%	89.87%

	OCAPICA - Coast			OCCC - Coast			OCCC - North			OCWIB Total		
	4			19			4			146		
	Actual	Contract Plan	% Achieved	Actual	Contract Plan	% Achieved	Actual	Contract Plan	% Achieved	Actual	State Plan	% Achieved
*Placement in Employ. or Education	--	74.00%	--	73.68%	74.00%	99.57%	100.00%	74.00%	135.14%	64.38%	70.00%	91.98%
*Attainment of Degree or Certificate	--	56.00%	--	77.78%	56.00%	138.89%	100.00%	56.00%	178.57%	81.31%	51.50%	157.88%
**Literacy and Numeracy Gains	100.00%	72.00%	138.89%	0.00%	72.00%	0.00%	100.00%	72.00%	138.89%	76.92%	67.00%	114.81%

Legend

- 79% and Below
- 80%- 100%
- Above 100%

Data Source: State CalJOBS System

Item #9 – INFORMATION

**CHAIR AND DIRECTOR'S REPORT
Recommendation Summary
February 24, 2016**

BACKGROUND:

The Chair and Director will provide an update on OCWIB activities.

RECOMMENDATION(S):

Receive and File

ATTACHMENT(S):

None

Item #10 – INFORMATION

**FORM 700 STATEMENT OF ECONOMIC INTERESTS
Recommendation Summary
February 24, 2016**

BACKGROUND:

The Political Reform Act requires that officials who are designated in an agency's conflict of interest code must file a Statement of Economic Interests, Form 700 annually. The positions held with the Orange County Workforce Investment Board (OCWIB) require an annual statement of Economic Interests, Form 700 to be filed.

The County Clerk of the Board has established an on-line filing process for interested members. The website is: <https://cobcoi.ocgov.com/eDisclosure/Default.aspx>.

RECOMMENDATION(S):

Receive and File

ATTACHMENT(S):

2015-2016 Statement of Economic Interests (To be distributed upon request at the meeting)



ORANGE COUNTY REGION DEVELOPMENT BOARD

BYLAWS

February 2016

ARTICLE I: NAME, PURPOSE, FUNCTIONS AND ADHERENCE TO APPLICABLE LEGISLATION

The name of this organization shall be the Orange County Region Development Board, hereinafter referred to as "OCRDB." It is established pursuant to the legislative mandates outlined in the Workforce Innovation and Opportunity Act of 2014 (WIOA), 29 U.S.C. 3101 et seq., Public Law 113-128, 128 Stat.1425).

- A
1. The Orange County Board of Supervisors, hereinafter referred to as "County", appoints the members of the OCRDB.
 2. The State (Employment Development Department and California Workforce Development Board) has designated Orange County as the proposed single economic sub-region and regional planning unit as required by Section 106 of the Workforce Innovation and Opportunity Act (WIOA) to include the Cities of Anaheim and Santa Ana.
 3. The official office location and mailing address of the OCRDB shall be:
1300 So. Grand Ave, Building B, 3rd Floor, Santa Ana, CA 92705.
- B. The purpose of the OCRDB is to:
1. Work in agreement with the County to design and coordinate workforce and economic development activities and policies for the Orange County, California region.
 2. Strive to increase the involvement of the business community in workforce and economic development activities.
 3. Increase employment opportunities for the residents of Orange County.
 4. Ensure to the extent possible the Board is fully leveraging all region investments beginning no later than July 1, 2017 and continuing until the conclusion of the WIOA legislation.
- C. In accordance with 20 Code of Federal Regulations (CFR), Parts 678, 679, 680, 681, 683, and WIOA Sections 106, 107, 108, 111, 121, 122, 123, 129 and 134 for the Orange County Workforce Development Area/Region, the functions of the OCRDB shall be performed in partnership with the chief local elected official.

- D. As the County appointed Board that oversees the Comprehensive Economic Development Strategy for the entire County of Orange which fulfills the statutory requirement contained in 13 CFR, Chapter III, Part 304 to designate the County of Orange as an Economic Development District, **the OCRDB shall:**
1. Function as the Comprehensive Economic Development Strategy (CEDS) committee for Orange County, California as follows:
 - a. Updating and implementing the CEDS,
 - i. Submitting annual reports relating to the strategy, and all the requirements therein; and
 - ii. Assisting entities in their application for Economic Development Administration funding that implements the CEDS.
 - b. Operating as the County's focal point for the development and implementation of federal, state and other private and public assistance programs for public works impact projects, loans and grants for business development by collecting data pursuant to Orange County's strategy for development, through:
 - i. Analyzing the present economic situation;
 - ii. Identifying potential development opportunities;
 - iii. Examining the actions required to realize the County's potential; and
 - iv. Selecting feasible project opportunities and implementing the required actions.
 - c. Developing and seeking adoption of policies which affect favorable economic development for Orange County.
 - d. Aligning Orange County's Economic and Workforce Development.
 - e. Interfacing with other organizations or projects with similar goals.
- E. In accordance with 20 CFR, Part 652, Section 667.262(a) the **"OCRDB"** shall not use **WIOA** funds for employment generating activities, economic development, and other similar activities, unless they are directly related to training for eligible individuals, such as for employer outreach and job development activities.
- F. In the performance of its responsibilities, the **OCRDB** shall not engage nor employ any discriminatory practices in the provision of services or benefits, assignment of accommodations, treatment, employment of personnel or in any other respect on the basis of sex, race, color, ethnicity, national origin, ancestry, religion, age, marital status, medical condition, sexual orientation, physical or mental disability or any other protected group in accordance with the requirements of all applicable County, state or federal laws, regulations or ordinances.

G. In the performance of its responsibilities the OCRDB shall adhere to all other applicable laws or regulations or as directed by the California Workforce Board or its administrative agencies.

ARTICLE II: APPOINTMENT AND MEMBERSHIP

A. In accordance with WIOA §107(b)(1) and 107(b)(2), the County Chief Elected Official shall appoint members from nominations as described in WIOA to the categories listed below. The minimum number of OCRDB members shall be 19 members.

B. Membership of the OCRDB shall be composed as follows:

1. Majority business members who are individuals with optimum policymaking or hiring authority (50% + 1) and are:
 - a. Business owners; or
 - b. Chief executives; or
 - c. Operating officers; or
 - d. Other business executives; or
 - e. Employers.
 - i. Employers shall include a representative(s) of small businesses.
 - ii. Private sector representatives may be from organizations representing businesses, that provide employment opportunities in the Orange County workforce area, in in-demand industry sectors or occupations or provide employment opportunities that include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area.
2. Labor organization representatives who shall comprise at least 20% of local board members:
 - a. Two (2) or more of the members must be representatives of labor.
 - b. One (1) or more of the members must be representatives of a joint labor-management, or union affiliated, registered apprenticeship program in Orange County, who is a training director or a member of a labor organization.
 - c. To meet the twenty percent (20%) requirement the Board may include one or more representatives of community-based organizations (CBO) who:
 - i. 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
 - ii. Provide or support competitive integrated employment for individuals with disabilities; or

iii. Represent organizations with 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.

3. Representatives of entities administering education and training activities in Orange County, who shall include:
 - a. A representative of eligible providers administering adult education and literacy activities under WIOA title II; and
 - b. A representative of institutions of higher education providing workforce investment activities (including community colleges).
 - i. This category of membership may include representatives of local educational agencies and community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment.
4. Representatives of governmental and economic and community development entities who shall include:
 - a. A representative of economic and community development entities;
 - b. A representative from the State Employment Service Office under the Wagner-Peyser Act;
 - c. A representative of the programs carried out under title I of the Rehabilitation Act of 1973; and
 - d. This category of members may include representatives of agencies or entities administering programs in Orange County relating to transportation, housing, and public assistance, or representatives of philanthropic organizations serving Orange County.
5. Such other individuals or representatives of entities as the chief elected official for Orange County determines to be appropriate.

C. Members may represent multiple categories but may only have one vote per issue.

D. To be eligible for appointment to the OCRDB, members must be nominated as described below for the category to which they are appointed:

1. Nominations to the private sector seats on the OCRDB shall:
 - a. Be made by business, professional and/or trade organizations in the Orange County area. There shall be at least one nomination for each vacancy.
 - b. Be a result of recruitments from Chambers of commerce, trade associations or other business organizations.

- c. Be individuals with "optimum policy-making authority." These individuals are expected to be able to speak affirmatively on behalf of the entity he or she represents and to commit the entity to a chosen course of action.
 - d. **Include** representatives from small business.
 - e. **Include** representatives from the industry clusters identified by Orange County labor market information research.
 - f. **Include** representatives to provide for geographic representation from all parts of Orange County.
 - g. **Include** representatives who have an expressed interest and expertise in the economy of the County.
2. **As there are multiple institutions of higher education in the Orange County workforce development area, nominations to the education seat on the OCRDB shall be solicited from those institutions.**
 3. Representatives of labor organizations **shall** be nominated by local labor federations, **or other representatives of employees where there are no labor federations.**
 4. **As there are multiple local providers of Adult and Family Literacy in the Orange County workforce development area, nominations shall be solicited from those entities.**
 5. Economic development agency members will be selected **from**:
 - a. An entity representing Economic Development in Orange County; **or**
 - b. A representative from the local chapter of California Association for Local Economic Development; **or**
 - c. Private sector economic development entities.
 6. The County may exercise its right to appoint one community leader under the "Special Category" member designation.
 7. **Appointment of representatives of organizations referred to in WIOA as having "demonstrated experience and expertise" means the member should be an individual who contributes to the field of workforce development, human resources, training and development, or a core program function or who the Local Board recognizes for valuable contributions in education or workforce development related fields.**

E. **Term of Appointment**

1. All regular **OCRDB** member appointments shall be for a term of three (3) years.
 - a. Appointments shall end on December 31st.

- b. Terms shall be staggered to ensure a continuity of representation.
- c. Appointments made to fill a vacancy left by a member before the expiration of the term of that member shall be for the remaining term of that member.
- d. Service beyond a three-year term shall be considered by a nominating authority at the end of each three-year term.
- e. A member, who has not been reappointed or replaced at the termination date of appointment, shall serve as a member until reappointed or replaced with no lapse of representation unless the appointing authority rules otherwise.

ARTICLE III: BOARD OFFICERS

A. **OCRDB** officers shall consist of:

1. **A** chairperson

- a. The Board Chairperson shall be a private sector representative. The duties of the Chairperson shall be to preside at **OCRDB** meetings, decide points of order, announce all business, entertain motions, put motions to vote, and announce vote results.
- b. The chairperson shall appoint and may remove committee Chairpersons.
- c. The chairperson may call special meetings of the **OCRDB**.
- d. The chairperson or his or her designee may represent the **OCRDB** at public functions.

2. Vice-Chairperson

- a. The vice-chairperson shall be a private sector representative.
- b. The vice-chairperson shall perform the duties of the chairperson in his or her absence.
- c. If the chair's **office** becomes vacant, the vice-chairperson shall succeed to the **office of** chair for the balance of the term of office.

3. Second Vice-Chairperson

The second vice-chairperson shall perform duties of the chairperson in the absence of both the chairperson and the vice-chairperson.

B. Election of officers shall be held annually during the first **OCRDB** meeting of each fiscal year by majority vote, a quorum being present.

1. An ad hoc committee shall be appointed for purposes of securing nominations for **OCRDB** officers.
2. Additional nominations from the floor will be accepted by the chair or acting chair of the **OCRDB** before the vote takes place.
3. All officers shall be elected for a term of one (1) year, and shall serve until their successors are elected.
4. **Officers** shall begin their terms of office at the close of the meeting during which they were elected.

ARTICLE IV: DUTIES OF MEMBERS

- A. Members shall attend meetings of the **OCRDB** and of committees to which they are appointed. The Executive Committee shall routinely review member attendance at **OCRDB** and committee meetings.
- B. Members shall notify the Executive Director and/or staff of the **OCRDB**, of any expected absence for a meeting at least 48 hours before a regularly scheduled **OCRDB** or Committee meeting, indicating good and sufficient reasons for the absence. Such notification may be direct or through staff of the **OCRDB**.
- C. Each member of the **OCRDB** should serve on at least one standing committee as necessary.

ARTICLE V: REMOVAL AND RESIGNATION OF MEMBERS

- A. The Chairperson may recommend to the **OCRDB** the removal of any member(s) based on cause or absenteeism.
 1. Removal for Cause - Cause shall be defined by the **OCRDB** that the member is unable effectively to represent the categorical seat to which he/she is appointed due to change of employment or status that substantially alters the member's qualifications which were present and considered in making the initial appointment or interfere with the individual's ability to properly function as a member of the **OCRDB**.
 2. Removal for Absenteeism - Members may be **recommended for removal** from membership on the **OCRDB** if the member **has** more than three (3) consecutive **unexcused absences from** regular **OCRDB** or standing committee meetings. Removal of a member shall require a majority vote of the **OCRDB**, a quorum being present, **which vote shall be communicated to the Chief Elected Official who shall make the final determination regarding removal of that member.**
- B. Resignation of **OCRDB** members should be effected by a written letter of resignation submitted to the Chairperson of the **OCRDB** and to the County.

ARTICLE VI: COMMITTEES

- A. Executive Committee

1. There shall be an Executive Committee comprised of:
 - a. The Chairperson of the OCRDB
 - b. The Vice-Chairperson of the OCRDB
 - c. The Second Vice-Chairperson of the OCRDB
 - d. Standing Committee Chairs
 - e. Immediate Past Chairperson
 - f. 3-4 OCRDB members at large, appointed by the OCRDB chairperson which shall include a labor representative if a labor representative is not included as one of the above listed members.
2. Composition of the Executive Committee must include a majority of private sector members.
3. The Executive Committee shall hold meetings at the request of the Chairperson, or the OCRDB Executive Director.
4. The Executive Committee shall review the OCRDB Bylaws and suggest amendments to the OCRDB in accordance with Section IX below.
5. The Executive Committee shall formulate public relations, marketing and job development activities, lead the coordination of economic and workforce development activities and strategies, and manage local labor market information to benefit employers and job seekers in connection with other agencies.

B. The OCRDB shall have two (2) standing committees whose chairs shall be members of the OCRDB:

1. The Service Delivery and Performance Committee provides programmatic oversight of the One-Stop System, including young adult services, and the development of a quality One-Stop System, coordination of services, performance measure attainment, workforce development policy implementation, accessibility in accordance with the Americans with Disabilities Act and partnership facilitation. In addition, the Service Delivery and Performance Committee oversees the negotiation and maintenance of Memoranda of Understanding (MOUs), measures customer satisfaction, manages the One-Stop Certification process for comprehensive One-Stop Centers and identifies potential satellite sites and points of service. Members shall include at least one representative from a community based organization.
2. The Business Services Committee shall make recommendations with respect to work based activities such as on-the-job training, customized training, incumbent worker training, work experience and transitional work experience. The Committee will oversee regional and industry sector partnerships and the Employer Services measure to be determined under the WIOA.

- C. Ad Hoc Committees - In addition to the standing committees and the Executive Committee, the Chairperson of the **OCRDB** may establish ad hoc committees to accomplish time-limited tasks that support the goals of the **OCRDB**.
- D. Terms of appointment to the Executive Committee and standing committees shall be for one year; and terms of appointment for ad hoc committees shall be for the period of time required to fulfill the committee's purpose.
- E. When appropriate, committees may call on other knowledgeable individuals who are not **OCRDB** members to act as consultants to the committees. Said individuals shall receive no remuneration, shall not have voting privileges and shall be subject to all conflict of interest statutes, regulations and ordinances.

ARTICLE VII: MEETINGS AND ACTIONS

- A. The **OCRDB** shall, at its first meeting of each year, adopt a schedule of regular meetings and transmit that schedule to members, the County, and the public at large.
- B. All **OCRDB** meetings shall be open, public and noticed in conformance with the provisions of the Ralph M. Brown Act, California Government Code Section 54950 et seq., as amended and held at a location within Orange County, California that satisfies the access requirements of the Americans with Disabilities Act.
- C. Special meetings of the **OCRDB** may be called either by the chairperson or at the request of a majority of **OCRDB** members.
 - 1. Notice of special meetings shall be delivered to members personally, by mail or electronically, and must be received no later than twenty-four hours in advance of the meeting.
 - 2. Said notice must state the business to be considered and whether alternative technological means may be used such as telephone or video conferencing, as technological resource availability permits and as permissible by the Ralph M. Brown Act.
- D. Use of technology - Alternative technological means such as telephone or video conferencing, may be used at an **OCRDB**, standing or ad hoc meeting as technological resource availability permits and as permissible by the Ralph M. Brown Act.
- E. Quorum and voting requirements for meetings are as follows:
 - 1. Quorum requirements:
 - a. **OCRDB** meetings – Quorum shall be no less than fifty percent + 1 of the membership.
 - b. Executive Committee – Quorum shall be the members present, but no less than three (3).
 - c. **OCRDB** Standing Committees – Quorum shall be the members present, but no less than three (3).

- d. Ad hoc Committees – Quorum shall be the members present, but no less than three (3).
- 2. Quorums may be established by including those individuals calling in to a meeting.
- 3. Once a quorum has been established, the quorum remains regardless of whether members leave the meeting.
- 4. Voting Majority – Decisions and acts made by majority vote of the members at any duly constituted meeting shall be regarded as acts of the OCRDB, except as otherwise provided by these Bylaws.
 - a. Members required to abstain from voting on specific actions will not affect majority or quorum requirements.
 - b. Abstentions are considered a “non-vote” - neither a vote in the affirmative nor in the negative. However, in order for an action to be passed, a majority of those individuals able to cast a vote must vote in the affirmative.

F. Conflict of Interest

- 1. Members of the OCRDB and/or any of its committees or subcommittees shall abstain from
 - a. Voting on a matter under consideration by the OCRDB
 - i. Regarding the provision of services by such member or by an entity that such member represents; or
 - ii. That would provide direct financial benefit to such member or the immediate family of such member.
 - b. Participating in the selection or award of a contract if they have an organizational conflict of interest or would realize a financial benefit from the award of a contract.
 - i. An organizational conflict of interest may arise because of a relationship with a parent company, affiliate, or subsidiary organization, such that the workforce board member is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.
 - ii. A financial conflict of interest arises if the member or a member of their immediate family would realize a pecuniary benefit from the award.
 - c. Participating in the selection or award of a contract if they have a real or apparent conflict of interest.
 - d. Engaging in any behavior that conflicts with the best interests of the County.

2. If a question arises as to whether a conflict exists that may prevent a member from voting, the chairperson or designee may consult with County Staff to assist them in making that determination.
3. In order to avoid a conflict of interest or the appearance of such conflict, all members of the **OCRDB** shall annually disclose information regarding their private economic interests on the Fair Political Practices Commission – Statement of Economic Interests, California Form 700 and shall fully comply with County, state or federal laws and policy.
4. Neither the **OCRDB** nor any of its members shall promote, directly or indirectly, any political party, political candidate or political activity using the name, emblem or any other identifier of the **OCRDB**.
5. No assets or assistance provided by the County to the **OCRDB** shall be used for sectarian worship, instruction, or proselytization, except as otherwise permitted by law.

ARTICLE VIII: AUTHORITY

- A. Parliamentary Authority – The latest available edition of *Robert’s Rules of Order Newly Revised* shall govern the meetings of the **OCRDB** and its committees and subcommittees in all cases in which they are applicable and in which they are not inconsistent with these Bylaws, any special rules of order the **OCRDB** may adopt, or any applicable County, state and federal laws, regulations and ordinances.
- B. When circumstances demand that action be taken before the next scheduled **OCRDB** meeting, **the Executive Committee may** act on its behalf.
 1. Such actions taken on behalf of the **OCRDB** will be presented as an information item at the next regular meeting.
 2. Such actions will not require further action by the **OCRDB**.
- C. Standing and Ad Hoc Committees
 1. **The OCRDB shall direct the activities of each of the committees.**
 2. Standing committees **may be directed by the OCRDB** to release a Request for Proposal (RFP) provided the scope of such RFP is within the purview of the committee. Final funding and contract decisions will remain with the **OCRDB** unless the **OCRDB** specifically delegates such authority.

ARTICLE IX: ADOPTION AND AMENDMENT OF BYLAWS

- A. Adoption – Affirmative vote of at least fifty percent + 1 of those voting, a quorum being present, shall be required to adopt these Bylaws.
- B. Amendments
 1. Any member of the **OCRDB** or the **OCRDB** Executive Director may propose amendments to the Bylaws.

- Proposed amendments shall be submitted in writing and made available to each member of the **OCRDB** no less than five (5) days prior to consideration before a vote can be taken.

ARTICLE X: **SEVERABILITY**

Should any part term, portion or provision of these Bylaws be determined to be in conflict with any law, regulation or ordinance or otherwise unenforceable or ineffectual, the remaining parts, terms, portions or provisions shall be deemed severable and their validity shall not be affected thereby provided such remaining portions or provisions can be construed in substance to constitute the provisions that the members intended to enact in the first instance.

ARTICLE XI: **REIMBURSEMENT**

OCRDB members **including committee members** shall not be paid for their services, but shall be reimbursed for their necessary and actual expenses incurred in the performance of their duties connected with their activities or responsibilities under the **WIOA**. All requests for reimbursement must be submitted in accordance with the approved travel and expense policy of the County.

ARTICLE XII: **INDEMNIFICATION**

- The **OCRDB** shall, to the extent legally permissible, indemnify each person who may serve or who has served at any time as an officer, director, or employee of the **OCRDB** against all expenses and liabilities, including, without limitation, counsel fees, judgments, fines, excise taxes, penalties and settlement payments, reasonably incurred by or imposed upon such person in connection with any threatened, pending or completed action, suit or proceeding in which he or she may become involved by reason of his or her service in such capacity; provided that no indemnification shall be provided for any such person with respect to any matter as to which he or she shall have been finally adjudicated in any proceeding not to have acted in good faith in the reasonable belief that such action was in the best interests of the **OCRDB**; and further provided that any compromise or settlement payment shall be approved by a majority vote of a quorum of directors who are not at that time parties to the proceeding.

The indemnification provided hereunder shall inure to the benefit of the heirs, executors and administrators of persons entitled to indemnification hereunder. The right of indemnification under this Article shall be in addition to and not exclusive of all other rights to which any person may be entitled.

No amendment or repeal of the provisions of this Article which adversely affects the right of an indemnified person under this Article shall apply to such person with respect to those acts or omissions which occurred at any time prior to such amendment or repeal, unless such amendment or repeal was voted by or was made with the written consent of such indemnified person.

No amendment or repeal of the provisions of this Article which adversely affects the right of an indemnified officer, director, or employee under this Article shall apply to such officer, director, or employee with respect to those acts or omissions which occurred at any time prior to such amendment or repeal.

B. The OCRDB authorizes the Executive Director to purchase such insurance as is necessary to protect the members of the OCRDB to the extent the board members are not protected by the Orange County Public Officers Liability Insurance.

ADOPTED _____

DRAFT