



**BYLAWS  
OF THE  
STATE WORKFORCE  
DEVELOPMENT BOARD**

**Updated April 2025**



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## **STATE WORKFORCE DEVELOPMENT BOARD**

### **MISSION**

*To strengthen Utah's workforce development system to meet employer needs through innovative strategies that keep pace with economic change.*

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# STATUTORY AUTHORITY

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## 1.01 LEGAL BASIS

### Workforce Innovation and Opportunity Act (WIOA)

WIOA is the authorizing legislation for several key “core programs” in the workforce development system:

- Title I – Adult, Dislocated Worker and Youth Workforce and Training Activities
- Title II – Adult Education and Literacy
- Title III – Wagner-Peyser Act of 1933
- Title IV – Rehabilitation Act of 1973

On July 22, 2014, H.R. 803, the Workforce Innovation and Opportunity Act (WIOA), was signed into law. This replaced the Workforce Investment Act of 1998 and amends the Adult Education and Family Literacy Act, the Wagner-Peyser Act and the Rehabilitation Act of 1973.

### The State Workforce Development Board’s Role in the Workforce Innovation and Opportunity Act

- The State Workforce Development Board (SWDB) is established by the Governor in accordance with the requirements of WIOA section 101.
- The SWDB’s principal assets are its informed and dedicated members, which include business, community and government leaders who volunteer their time, knowledge and expertise to Utah’s workforce development efforts.

## 1.02 STATUTORY RESPONSIBILITIES

The SWDB oversees the strategic direction for the core partners of WIOA. SWDB members are appointed by the Governor and have the following statutory functions (679.130):

- Provide leadership in the development and expansion of strategies for meeting the needs of employers, workers and job seekers through industry and sector partnerships related to in-demand industry sectors and occupations.
- Assist the Governor in the development, implementation and modification of Utah’s Combined WIOA State plan.
- Assist in the development of strategies to support the use of career pathways to include low-skilled adults, youth and individuals with barriers to employment, including individuals with disabilities.
- Review statewide policies and programs and make recommendations on actions that should take place to align and coordinate workforce development programs in the state with the core programs.
- Coordinate the planning and delivery of workforce development services with the core programs and other mandatory partners.
- Assist in the development and continuous improvement of the workforce development system and one-stop delivery system in Utah.
- Designate one-stop operators (the Department of Workforce Services is currently Utah’s designated one-stop operator).
- Assist in the development and updating of comprehensive state performance accountability measures to assess the effectiveness of core programs in Utah. This includes approving criteria and eligibility of training providers, as well as publishing performance outcomes on training providers.
- Develop an annual report.
- Assist in the development of strategies for technological improvements to improve the quality of services and activities provided through the one-stop delivery system.
- Improve the understanding and visibility of state workforce service efforts through external and internal marketing strategies.

# PURPOSES

The purpose of the SWDB is to convene state, regional and local workforce systems and partners to:

- Enhance the capacity and performance of the workforce development system;
- Align and improve the outcomes and effectiveness of federally funded and other workforce programs and investments; and
- Through these efforts, promote economic growth.
- Engage public workforce system representatives, including businesses, education providers, economic development, labor representatives, and other stakeholders to help the workforce development system achieve the purpose of the Workforce Innovation and Opportunity Act (WIOA); and
- Assist in achieving the State's strategic and operational vision and goals as outlined in the State Plan.

WIOA is designed to help job seekers access employment, education, training and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy.

## Governor's Vision

The Governor's vision for Utah is outlined in the WIOA state plan. The SWDB supports the Governor's vision, mission and commitment to taxpayers through its partnership of state and local government, education, business, economic development and community organizations.

## 2.01 GUIDING PRINCIPLES

The following principles guide the SWDB in lending support to the vision, mission and commitment to taxpayers:

- The SWDB understands the key current and future workforce needs of business and industry.
- Workforce partnerships are formed between businesses, local government, education, community partners and economic development organizations to address and identify key needs.
- The SWDB serves as a convener of diverse stakeholders who actively participate and collaborate with public and private partners. Solid partnerships are the keys to success.
- The SWDB adopts a common set of key workforce development data elements, goals, measures and a continuous improvement process among the six core programs required by WIOA.
- Training resources focus on programs that prepare and connect unemployed workers with high-quality training to get good jobs, stay employed and meet the needs of employers.
- The SWDB, led by business, focuses a significant portion of its workload on labor market demand trends and issues, which shape the jobs of today and influence the opportunities of tomorrow.

# MEMBERSHIP

## 3.01 APPOINTMENT

The governor shall appoint one of the SWDB business representatives as chair of the board. The chair shall serve at the pleasure of the governor.

The following members of the SWDB are appointed by the Governor:

- Twenty representatives of business in the state, selected among the following:
  - ♦ Owners of businesses, chief executive or operating officers of businesses or other business executives or employees with policymaking or hiring authority
  - ♦ Representatives of businesses, including small businesses, that provide employment opportunities that include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the state
  - ♦ Representatives of businesses appointed from among individuals nominated by state business organizations or business trade associations
- Six representatives of the workforce within the state, which include:
  - ♦ At least two representatives of labor organizations who have been nominated by state labor federations
  - ♦ At least one representative from a registered apprentice program
  - ♦ The option to select one or more representatives from a community-based organization that has demonstrated experience and expertise in addressing the employment, training or educational needs of individuals with barriers to employment
  - ♦ The option to select one or more representatives from an organization that has demonstrated experience and expertise in addressing the employment, training or education needs of eligible youth, including organizations that serve out-of-school youth
- Two elected officials that represent a city or a county

## 3.02 QUALIFICATIONS

The governor shall ensure that members appointed to the board include:

- Representatives from diverse geographic areas of the state, including urban, suburban and rural areas

For the purposes of these bylaws:

- Optimum policy-making authority means someone who can reasonably be expected to speak affirmatively on behalf of the entity he or she represents and to commit that entity to a chosen course of action.
- Demonstrated experience and expertise means someone with documented leadership in developing or implementing workforce development, human resources, training and development, or a core program function. Demonstrated experience and expertise may include individuals with experience in education or training of job seekers with barriers to employment. (679.120 (a), (b))

A SWDB member may not serve as a representative in more than one of these categories, except that where a single government agency is responsible for multiple required programs, the head of the agency may represent each of the required programs:

- Lead state official for the adult, dislocated worker and youth programs authorized under title I of WIOA and Wagner-Peyser Act
- The Adult Education and Family Literacy Act program authorized under title II of WIOA

- The State Vocational Rehabilitation program authorized under the Rehabilitation Act of 1973 as amended by title IV of WIOA
- The lead official that represents more than one core program must ensure adequate representation of the needs of all core programs under his or her jurisdiction
- Chief elected officials representing cities or counties
- Other representatives, such as State agency officials responsible for one-stop partner programs, economic development or juvenile justice programs

### 3.03 COMPOSITION

The board shall consist of the following members (Utah State Code 35A-1-206):

- The governor or governor's designee
- The executive director of the Department of Workforce Services or the executive director's designee
- The executive director of the Department of Health and Human Services or the executive director's designee
- The director of the Utah State Office of Rehabilitation or the director's designee
- The state superintendent of public instruction or the superintendent's designee
- The commissioner of higher education or the commissioner's designee
- The executive director of the Governor's Office of Economic Opportunity or the executive director's designee
- The executive director of the Department of Veterans and Military Affairs or the executive director's designee
- The members appointed by the Governor

### 3.04 GOVERNOR'S DESIGNEE

The Governor has designated the Executive Director of the Department of Workforce Services to serve as his designee for the SWDB.

### 3.05 TERMS OF APPOINTMENT

A member appointed by the governor shall serve a term of four years and may be reappointed to one additional term.

A member shall continue to serve until the member's successor has been appointed and qualified. As terms of board members expire, the governor shall appoint each new member or reappointed member to a four-year term.

The terms of appointment will be staggered to ensure only a portion of memberships expire in a single year. (679.110 (d)(2))

When a vacancy occurs, the governor shall appoint a new member who will begin a four-year term.

### 3.06 RECOMMENDATION OF APPOINTMENT

Potential board members will meet SWDB Chairperson or their designee. Once the potential board member is approved as qualified to fill a vacancy on the SWDB, he or she must apply for membership. (679.110(d)(3)).

#### Application for Membership

Members of the SWDB serve four-year terms and are appointed by the Governor. For a list of current members and more information, please visit: <https://jobs.utah.gov/edo/statecouncil/index.html>

To apply for membership, visit: [boards.utah.gov/board/details/362](http://boards.utah.gov/board/details/362)

**Please direct questions to:**

Elizabeth Carver, Board Liaison Department of Workforce Services  
140 East 300 South  
Salt Lake City, Utah 84111  
Email: [ecarver@utah.gov](mailto:ecarver@utah.gov)  
Phone: 801-514-1017

Membership applications will be reviewed by the Governor for appointment. The Governor will issue a letter of appointment if approved.

## **3.07 REMOVAL**

Members must notify the Chair if they move to another position within their organization or obtain a position at a different organization to ensure, in their new position, they still meet the requirements that qualified them for appointments to the SWDB.

The executive director shall terminate the term of any governor-appointed member of the board if the member leaves the position that qualified them for the appointment.

At the discretion of the Executive Committee, member(s) may be removed by a majority vote for the following reasons:

- Failure to participate or accept assignments within a given fiscal year
- Three absences from all SWDB and committee meetings within a given year (January 1 - December 31)

Members that have missed two consecutive meetings may receive a letter from the Chair reminding them that if they miss a third meeting during the fiscal year, the Chair may recommend they be removed from the SWDB.

Recommendation for removal and replacement shall be approved by the Governor's designee.

## **3.08 RESIGNATION**

The Executive Committee shall accept any SWDB member's resignation submitted to the committee in writing. The committee can begin the process of nominating a new member.

# **MEETINGS**

The SWDB members shall act in the best interests of the State, and the following is expected of each member:

- **Attendance and Punctuality:** Attend quarterly SWDB meetings and designated committee meetings. The SWDB and committee chairs shall start and conclude each meeting in a timely fashion. A minimum of five hours each quarter is the expected commitment of each member. The implementation and maintenance of the state's Combined Plan will require more hours from committee chairs and active committee members. If a member cannot attend a meeting, the member should notify the chair of the SWDB before the meeting.
- **State Workforce Development Board Meeting Schedule:** The meetings are generally held on the second Thursday of the first month of each quarter.

- ♦ The SWDB meeting schedule, location and meeting materials are sent to members in advance and posted on the website at <http://jobs.utah.gov/edo/statecouncil/index.html>.
- **The SWDB Executive Committee Meeting Schedule:** The meetings are held at least quarterly.
- **Committee Meetings:** The meetings are scheduled by the committee chairs and are held as often as necessary depending on the work the committee is engaged in. Committee meetings are held at least quarterly.
- **Proxies/Alternative Designees:** Members may send proxies or alternative designees to represent them if they are not able to attend a meeting. If the alternative designee is a business representative, he or she must have optimum policy-making hiring authority. (679.110(d)(4)(i)) Other designees (from agencies) must have demonstrated experience and expertise and optimum policy-making authority. (679.110 (d)(4)(ii))

## 4.01 SPECIAL MEETINGS

The SWDB members may be asked to participate in additional special meetings, hearings or forums as the SWDB may determine to be necessary to carry out the duties of the SWDB.

## 4.02 VOTING

Each member of the SWDB shall have one vote.

A proxy may be designated by a member to represent and vote for him/her at a specific meeting. The member must notify the SWDB Chair of the proxy's name before the meeting.

## 4.03 CONFLICT OF INTEREST

The SWDB exists for purposes that transcend personal, professional and corporate self-interests. Consequently, any SWDB member who may have a conflict of interest must announce such potential conflict before voting on an affected issue.

No member of the SWDB shall cast a vote on any matter that would provide financial benefit to the member or otherwise give the appearance of conflict of interest under state law.

## 4.04 QUORUM

A majority of members constitutes a quorum for the transaction of business.

A quorum must be present to conduct business. In the event a quorum is not present, actions must be confirmed at the next scheduled meeting or by telephone or email.

## 4.05 EXECUTIVE SESSIONS

All regular and special meetings are open to the public and press, however, the SWDB may go into executive session by a two-thirds vote of the members present and in accordance with the provisions stipulated in the Utah Open Public Meetings Act (Chapter 4, Title 52, Utah Code).

## 4.06 RULES OF ORDER

Business of the SWDB shall be transacted following Robert's Rules of Order as currently revised.

## 4.07 ACCESSIBILITY OF SWDB INFORMATION

The SWDB must conduct business in an open manner as required by WIOA section 101(g).

The SWDB must make available to the public, on a regular basis through electronic means and open meetings, information about the activities and functions of the SWDB, including (section 679.140):

- The state plan or modifications to the state plan before submission of the state plan or modifications of the state plan
- Information regarding membership
- Minutes of formal meetings of the SWDB upon request

## 4.08 ELECTRONIC MEETINGS

As authorized by the Utah Open and Public Meetings Act, Utah Code Ann. Section 52-4-207, the SWDB may hold, convene and conduct any meeting in which one or more of the SWDB members may participate electronically provided that the notice and the procedures of the meeting conforms to the Open and Public Meetings Act and the Utah State Workforce Development Board Resolution Concerning Electronic Meetings (see Appendix B).

# RESOURCES

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## 5.01 PLAN

### System Plans at the State Level

To create a more comprehensive, strategic and streamlined system, WIOA requires a single, combined State Plan that includes all core programs under the Act. The State Plans are designed to improve service delivery and access to the workforce system for job seekers and employers. Developing and deploying a regional workforce strategy requires an understanding of a complex set of public and private systems. Examples of such systems include:

- Housing development
- Transportation networks
- Economic development investments
- Public school systems
- Institutions of higher education
- Business practices related to talent acquisition and recruitment

As a result of this complexity and interconnectivity, a systematic approach has been required to address the challenges of today's multi-dimensional labor market.

### Utah's Combined Plan

#### Vision

A strong economy depends on a world-class workforce. Utah will continue to enhance and expand collaborative efforts with employers, educational institutions and government agencies through business development and partnership in key sectors and occupations to make this happen. Through its implementation of WIOA, Utah will increase access to, and opportunities for, the employment, education, training and support services that individuals—particularly those with barriers to employment—need to succeed in the workforce.

## Strategy

- Focus on achieving the vision and goals.
- Foundation is utilizing data, partnerships and its resources to implement strategies to support operations in providing services to individuals and employers.
- Commitment to changing and/or adjusting strategies to meet the state's workforce needs.
- Workforce development activities include:
- Identifying targeted industry sectors and occupations, aligning programs and services to support them, and ensuring involvement from business and education partners
- Setting collaborative performance goals, sharing information/data and working together to resolve problems and address any gaps
- Collaborating and coordinating on training, marketing and feedback
- Utilizing existing committees, workgroups and programs while working to align and share resources when it is appropriate
- Holding regular SWDB and committee meetings as required by Utah's plan

## 5.02 PARTNERSHIPS

Core partners ensure that employment and training services are coordinated and complementary and that job seekers can acquire the skills and credentials that meet employer needs.

- Adult, Dislocated Worker and Youth programs
- Wagner-Peyser Act programs
- Adult Education and Family Literacy Act programs
- Vocational Rehabilitation programs

### One-Stop Partners

Responsible for creating a seamless, customer-focused, one-stop delivery system, collaborating and aligning services to enhance access for job seekers and businesses.

- Senior Community Service Employment Program (SCSEP)
- Veterans job counseling, training and placement services
- Career and Technical Education (CTE)
- Trade Adjustment Assistance (TAA)
- Community Services Block Grant employment and training activities
- U.S. Department of Housing and Urban Development (HUD) employment and training programs
- Unemployment Compensation programs
- Programs authorized under the Social Security Act Title IV, Part A (TANF)
- Job Corps
- Youthbuild
- National Farmworkers Jobs program

## 5.03 RESOLUTION OF DISAGREEMENTS

To the extent there is a disagreement between the SWDB and the WIOA core partners regarding the resources necessary to carry out the functions of the SWDB as outlined in this section, the disagreement shall be resolved by the Governor's designee.

## 5.04 COMPLIANCE

Under WIOA, the One-Stop Centers are measured by their effectiveness, accessibility and continuous improvement as it relates to their ability to achieve negotiated performance levels, integrate available services and meet the workforce development and employment needs of the local employers and job seekers.

## 5.05 RESOURCES

Resources may include, but are not limited to:

- Meeting space
- Clerical staff
- Professional staff
- Materials and supplies
- Copying services
- Meeting expenses

## 5.06 REIMBURSEMENT TO COUNCIL MEMBERS

### Compensation, Per Diem and Expenses

SWDB members who are not public, state or local government members, or higher education members, may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses at the established State of Utah rates (e.g. only the pre-approved State rate amounts will be reimbursed for hotels and meals) established by the Division of Finance.

## 5.07 PERSONAL BENEFIT

No staff services, property or funds shall be used for the personal benefit of SWDB members or any person(s) assisting the SWDB, except for expenses reimbursement as provided above.

## 5.08 ONE-STOP OPERATOR SELECTION PROCESS

The State of Utah Division of Purchasing and General Services released a sole source procurement (Utah State Code Subsection 63G-6a-802(1)(a)). The Utah Department of Workforce Services (DWS) was selected as the One-Stop Operator for the State of Utah.

# OFFICERS

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- Chairperson
- Operations Committee Chairperson
- Operations Committee Co-Chairperson
- Youth Committee Chairperson
- Youth Committee Co-Chairperson
- Career Pathways Chairperson
- Career Pathways Co-Chairperson
- Apprenticeships Chairperson

- Apprenticeships Co-Chairperson
- Individuals with Disabilities Chairperson
- Individuals with Disabilities Co-Chairperson

## 6.01 SWDB CHAIRPERSON

The Chairperson shall:

- Preside at meetings of SWDB and Executive Committee
- Serve as the spokesperson for the SWDB in matters dealing with the public and/or press
- Appoint committee chair(s) and co-chair(s)
- Assist with the completion of the Annual Report
- Give general direction to the work of the SWDB
- Perform other duties as may be assigned by action of the SWDB, the appointing authority or as may be necessary

Committee Chairpersons and Co-Chairpersons shall:

- Attend SWDB Meetings and report and solicit SWDB feedback/input on committee work
- Be voting members of the SWDB
- Become familiar with the CombinedPlan and related materials, specifically any sections that relate to the committee
- As a member of the Executive Committee, attend meetings to assist with agenda items, report on committee work, coordinate with other chairs
- Hold at least one committee meeting quarterly
- Oversee workgroups—ensure work is being done between meetings
- Utilize agency staff to answer questions and provide support to the committee
- Reach out to colleagues and associates in their organization, networks and communities to participate and/or provide feedback on committee work
- The co-chairperson is responsible for standing in for the chairperson when he/she is unavailable and assisting the chairperson in leading the committee

Committee Responsibilities

- The committee will:
  - ◆ Provide reports and make recommendations to the SWBD, and the SWBD will approve recommendations and provide feedback to the committee
  - ◆ Determine whether a workgroup should be established to complete a goal. If a workgroup is created, the committee will ensure the workgroup understands the assignment(s), provide instructions and deadlines. Receive, provide feedback and approve work on assignments/recommendations
  - ◆ Present recommendations to the SWDB

### Committees and Workgroups (679.360)

Committees can create temporary work groups of experts, operations staff, employers and/or other stakeholders to assist them in meeting their goals.

- Workgroups can be short-term or long-term.
- Workgroups can overlap across committees.
- Workgroup members should be anyone from the public, private or nonprofit sectors as appropriate.

### Agency Staff

Agency staff from the core and required partners are available to provide support to the committees. This includes:

- Assisting with committee meetings
- Providing information

- Leading workgroups (in the temporary absence of the chair or co-chair)
- Ensuring appropriate membership on workgroups
- Recommending goals for the committee
- Reporting agency updates to the committee

## **6.02 EXECUTIVE COMMITTEE**

The chairpersons from all five committees serve on the Executive Committee.

The Executive Committee will meet at least once each quarter.

The Executive Committee is responsible for making recommendations and decisions as representatives of the full SWDB.

## **6.03 COMMITTEE CHAIR NOMINATIONS**

The SWDB Chair should be notified of nominations.

## **6.04 TERMS OF OFFICE**

The term of office for the SWDB Chairperson is four years. The term of office for the committee chairpersons is four years. The term can be rewarded for an additional four years. If a chairperson is unable to serve the full four years, the SWDB chair will approve a replacement to complete the remainder of the four-year term.

## **6.05 VACANCIES**

The Executive Committee may appoint from the SWDB a member(s) to fill a vacancy on the Executive Committee due to death, resignation or removal from office.

# **EXECUTIVE COMMITTEE**

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## **7.01 MEMBERSHIP OF EXECUTIVE COMMITTEE**

The membership of the Executive Committee consists of the SWDB Chairperson and the chairperson for each committee.

## **7.02 POWERS**

During the interval between SWDB meetings, the members of the Executive Committee shall manage the activities and affairs of the SWDB.

## 7.03 MEETINGS

Regular meetings of the Executive Committee will be held on the same dates as the SWDB meetings. Special meetings of the Executive Committee may be called as needed by the Chairperson.

Technology such as phones and web-based meetings may be provided to support participation if necessary. If a member needs this type of accommodation, he or she will contact the chair to request it one week before the meeting. (679.110(d)(5))

The Executive Committee meetings will include, as needed, presentations from committee chairs regarding items requiring full SWDB endorsement, support, and/or approval before presenting these items to the full SWDB.

# COMMITTEES

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## Participation

Beyond attendance and punctuality, each member should prepare for the meetings by reviewing pre-meeting materials and contacting resources for further information and opinions as necessary. To ensure collective effectiveness, each member should provide his/her knowledge and expertise on substantive SWDB issues. A candid expression of ideas and opinions among colleagues, as well as respect for differences and similarities, will ensure success.

Each member of the SWDB should actively participate on his/her designated standing committee.

Technology such as phones or web-based meetings may be provided for committee meetings to support participation. (679.110(d)(5)).

## Access to Resources

Beyond preparing for and participating in SWDB activities, each member should be prepared to tap into other available resources to carry out the SWDB mission, including, but not limited to, professional networks and technical supports.

## 8.01 OPERATIONS COMMITTEE

This committee will support the Combined Plan's goal of utilizing various strategies to align the core programs, one-stop partners and other resources to achieve fully integrated customer services. This includes creating workforce development activities regarding gaps identified in the state's workforce analysis; setting collaborative performance goals, certifying one-stop centers, sharing information/data and working together to resolve problems and addressing gaps; and collaborating and coordinating on training, marketing and feedback by utilizing existing committees, workgroups and programs while aligning and sharing resources when appropriate.

## 8.02 CAREER PATHWAYS COMMITTEE

There are many career pathway activities being carried out around the state. This committee will meet with partners from around the state and gather information and ideas on how these groups can align, share resources

and collaborate. The committee will make recommendations that include the Six Key Elements of the Career Pathways Toolkit (published by the Department of Labor) and support Utah's sector strategies that are aligned with the Governor's Office of Economic Development's industry clusters.

## **8.03 APPRENTICESHIPS COMMITTEE**

This committee will create a plan to partner with education through the creation and expansion of pre-apprenticeship and registered apprenticeship opportunities and to enhance awareness. It will also develop a plan to encourage and recruit employers to become registered apprenticeship sponsors while coordinating and aligning existing career and technical education efforts within the state.

## **8.04 YOUTH COMMITTEE**

This committee provides information and assists with planning, operational and other issues relating to serving youth (681.100 and 681.120). The committee will include community-based organizations with a demonstrated record of success in serving eligible youth.

## **8.05 SERVICES TO INDIVIDUALS WITH DISABILITIES COMMITTEE**

This committee provides information and assists with operational and other issues relating to serving individuals with disabilities. This includes providing programmatic and physical access to the services, programs and activities of the one-stop delivery system and appropriate staff training to provide support, accommodations and help finding employment opportunities for individuals with disabilities. It also includes developing and disseminating appropriate information through workshops, meetings and other requests in response to employers' needs regarding the employment of individuals with disabilities.

# **AMENDMENT**

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### **Amendment of Bylaws**

Bylaws may be changed or amended by a 50 percent vote of the Executive Committee on behalf of the SWDB or by 50 percent of SWDB members present at any regular meeting. Any changes approved by the Executive Committee must be reported at the following SWDB meeting.

# **DISSOLUTION**

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In the event state or federal changes no longer mandate the existence of the SWDB, the SWDB may be dissolved by action of the appointing authority. At dissolution, funds or property held in the name of the SWDB shall be transferred to an entity of similar purpose or returned to the source from whence they came. The SWDB's records shall revert to the custody of the appointing authority for disposition or, in the event of a major reorganization, to the custodian of the state's historical archives.

# APPENDIX A

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## Rules of Order

Robert's Rules of Order exists to facilitate the decision-making process at meetings. They ensure that discussion is clear and that the rights of both the majority and the minority are protected. Below are some of the basic rules that help a meeting run more smoothly and keep the discussion on track. The rules, however, are not meant to disrupt or hold up a meeting, and may be suspended if a member is using them for those purposes.

## Chairperson/Speaker

Each meeting is facilitated or guided by a speaker or chairperson. She/he is responsible for ensuring the meeting runs smoothly and fairly. The chairperson remains impartial during the debate and should command the respect of all those in the room. The chairperson is not the final arbitrator of all decisions; the assembly ultimately has the authority and the responsibility to decide how the meeting should run.

## Main Motion

The basis for discussion is a formal motion. The motion is put forward by being moved by a voting member of the assembly to focus discussion. Each motion must have a mover and a secondary to show that it has at least a minimum of support from the delegates. Once a motion has been put on the floor for discussion, debate must focus on the substance of the motion. All other discussion is out of order and not allowed. A main motion may not be introduced if there is any other motion on the floor. The mover must state the motion before speaking, and motions should be written out and handed to the chair so that everyone is clear on what is being discussed.

Note: Sections of this document were adapted from the National Association of Workforce

Board's publication, "The Workforce Innovation and Opportunity Act (WIOA): Driving Innovation, Collaboration and Performance."

# APPENDIX B

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## RESOLUTION CONCERNING ELECTRONIC MEETINGS

**Whereas**, the Utah State Workforce Development Board (SWDB) desires the ability to convene and conduct electronic meetings as provided for in the Open and Public Meetings Act. Utah Code Annotated 52-4-302 and 305.

**Whereas**, Utah Code Ann. Subsection 52-4-207(2)(a) requires a public body to adopt a resolution, rule or ordinance governing the use of electronic meetings;

**NOW THEREFORE**, be it resolved as follows:

1. As authorized by the Utah Open and Public Meetings Act, Utah Code Ann. Section 52-4-207, the SWDB may hold, convene, and conduct any meeting in which one or more of the SWDB members may participate electronically provided that the notice and the procedures of the meeting conforms to the Open and Public Meetings Act and this Resolution.
  - a. Electronic meetings may be limited based on budget, public policy or logistical considerations;
  - b. May require a quorum of the SWDB to:

- i. be present at a single anchor location for the meeting; and
- ii. vote to approve establishment of an electronic meeting in order to include other members of the SWDB through an electronic connection;
- c. May require a request for an electronic meeting to be made by a member of a public body up to three days prior to the meeting to allow for arrangements to be made for the electronic meeting;
- d. may restrict the number of separate connections for members of the public body that are allowed for an electronic meeting based on available equipment capability; or e. may establish other procedures, limitations, or conditions governing electronic meetings not in conflict with this section.

2. SWDB members not physically present, but who wish to participate electronically in a meeting, shall be connected to an anchor location by means of telephonic, telecommunications, or computer conference provided that the SWDB chairs or Administrative Assistant, at the appointed time, shall initiate contact with those SWDB members who indicated they will attend electronically.

- a. The following procedures shall be used for the electronic meetings:
  - i. SWDB members who wish to participate electronically shall notify the SWDB chairs and the Administrative Assistant at least twenty-four hours before the scheduled start of the meeting and shall provide contact information to allow their participation.
  - ii. The minutes of the meeting shall note that the meeting was conducted electronically in accordance with the Open and Public Meetings Act. The minutes shall note the identity of those SWDB members participating electronically.
  - iii. All members participating electronically should be able to hear and to speak with each other and all individuals present at the anchor location.
  - iv. Electronic participation in a meeting shall constitute presence at that meeting for all purposes, including the determination of a quorum and voting.
  - v. If visual aids or documents are to be presented or used at the meeting, the Administrative Assistant shall make reasonable efforts to provide copies to each member participating electronically.

3. The SWDB when convening or conducting an electronic meeting shall:

- a. give public notice of the meeting:
  - i. in accordance with Section 52-4-202 ([https://le.utah.gov/xcode/Title52/Chapter4/52-4-S207.html?v=C52-4-S207\\_18000101](https://le.utah.gov/xcode/Title52/Chapter4/52-4-S207.html?v=C52-4-S207_18000101)); and
  - ii. except for an electronic meeting held without an anchor location under Utah Code Ann. Subsection 52-4-207(4), post written notice at the anchor location;
- b. in addition to giving public notice required by Subsection 52-4-202(3)(a)(i), provide notice of the electronic meeting to the members of the SWDB at least 24 hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present; and a description of how the members will be connected to the electronic meeting;
- c. except for an electronic meeting held without an anchor location under Subsection 52-4-207(4), establish one or more anchor locations for the public meeting, at least one of which is in the building and political subdivision where the public body would normally meet if they were not holding an electronic meeting:
  - i. provide space and facilities at the anchor location so that interested persons and the public may attend and monitor the open portions of the meeting; or
  - ii. for an electronic meeting held without an anchor location under Subsection 52-4-207(4), provide means by which the public may hear, or view and hear, the open portions of the meeting; and
- d. if comments from the public will be accepted during the electronic meeting:
  - i.

provide space and facilities at the anchor location so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting; or ii. for an electronic meeting held without an anchor location under Utah Code Ann. Subsection 52-4-207 (4), provide means by which members of the public may provide comments by electronic means to the public body.

4. The SWDB may convene and conduct an electronic meeting without an anchor location if the chair:
  - a. makes a written determination that conducting the meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location;
  - b. states in the written determination described in Utah Code. Subsection 52-4-207(4)(a) the facts upon which the determination is based;
  - c. includes in the public notice for the meeting, and reads at the beginning of the meeting, the information described in Subsections 52-4-207 (4)(a) and (b); and
  - d. includes in the public notice information on how a member of the public may view or make a comment at the meeting.
5. A written determination described in Utah Code Ann. Subsections 52-4-207(4)(a) and (b) expires 30 days after the day on which the chair of the SWDB makes the determination.
6. Compliance with the provisions of this section by a public body constitutes full and complete compliance by the public body with the corresponding provisions of Utah Code Sections 52-4-201 and 52-4-202.

DATED on this 3rd day of November, 2021

**The State Workforce Development Board**

Casey R Cameron

Casey Cameron, Governor's Designee

Megen Ralph

Megen Ralph, State Workforce Development Board Chair

Attest: \_\_\_\_\_