

## STATE OF NEVADA



# Governor's Workforce Development Board

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## Bylaws

Effective: *Upon Approval* (~~128/136~~/2023)

The following document constitutes the rules of practice for the Governor's Workforce Development Board ('state board'), as authorized in [NRS 232.935](#).

## CONTENTS

ARTICLE 1: Name, Authority, Duties, and Service Areas.....	3
Section 1.1.    NAME.....	3
Section 1.2.    LEGAL AUTHORITY.....	3
Section 1.3.    DUTIES OF THE STATE BOARD.....	3
Section 1.4.    AREAS SERVED .....	4
Section 1.5    DESIGNATED STATE AGENCY, BOARD STAFF AND CONTACT INFORMATION .....	4
ARTICLE 2: Membership, Terms of Office and Officers.....	5
Section 2.1.    MEMBERSHIP .....	5
Section 2.2.    TERMS OF OFFICE.....	6
Section 2.3.    OFFICERS .....	6
ARTICLE 3: Meetings Procedures, Attendance, Quorum, and Voting Rights.....	6
Section 3.1.    MEETING PROCEDURES .....	6
Section 3.2.    ATTENDANCE .....	7
Section 3.3.    QUORUM.....	7
Section 3.4.    VOTING RIGHTS.....	7
Section 3.5.    CONFLICT OF INTEREST .....	8
ARTICLE 4: Executive Committee, Councils, Subcommittees, and Workgroups.....	8
Section 4.1.    EXECUTIVE COMMITTEE .....	8
<b>Section 4.1.1.</b> Appointment.....	8
<b>Section 4.1.2.</b> Membership .....	8
<b>Section 4.1.3.</b> Meetings & Quorum .....	9
<b>Section 4.1.4.</b> Duties.....	9
Section 4.2.    INDUSTRY SECTOR COUNCILS .....	9
Section 4.3.    OTHER STANDING COMMITTEES, SUBCOMMITTEES, and WORKGROUPS.....	10

ARTICLE 5: Amendment of Bylaws..... 10

    Section 5.1.  BYLAW REVISION..... 10

    Section 5.2.  BYLAW REVIEW ..... 10

APPROVAL..... 11

## ARTICLE 1: NAME, AUTHORITY, DUTIES, AND SERVICE AREAS

### **Section 1.1. NAME**

The name of this board is the GOVERNOR'S WORKFORCE DEVELOPMENT BOARD (hereinafter the 'state board'; GWDB), *previously known as* the State Workforce Investment Board (SWIB) and the Governor's Workforce Development Board (GWIB).

### **Section 1.2. LEGAL AUTHORITY**

The state board was established in accordance with sec. 111 of the Workforce Investment Act of 1998 (WIA), and reauthorized in sec. 101 of the Workforce Innovation and Opportunity Act of 2014 (WIOA). The state board is codified in Nevada Revised Statutes [\(NRS\) 232.935](#), and through Governor's Executive Order No. [2015-08](#); modified through Governor's Executive Order No. [2016-08](#).

### **Section 1.3. DUTIES OF THE STATE BOARD**

In accordance with WIOA Title I, subtitle A, chapter 1, sec. 101(d), the state board shall assist the Governor with:

1. The development, implementation and modification of the state plan.
2. The review of statewide policies, programs and recommendations on actions that should be taken by the state to align workforce development programs in a manner that supports a comprehensive and streamlined workforce development system, including review and commentary on the state plan for programs and activities of one-stop partners that are not WIOA core programs.
3. The development of, and recommendations for, the continuous improvement of the workforce development system.
4. The development and update of comprehensive state performance accountability measures to assess the effectiveness of core programs in the state.
5. The identification and dissemination of information on best practices.
6. The review and development of statewide policies affecting the coordinated provision of services through the state's one-stop delivery system.
7. The development of strategies for implementing and funding technological improvements to facilitate access to, and improve the quality of, services and activities provided through the state's one-stop delivery system.

8. The development of strategies for aligning technology and data systems across one-stop partner programs to enhance service delivery and improve efficiencies in reporting on performance accountability measures.
9. The review and development of allocation formulas for the distribution of funds to local areas for employment and training activities for adults and youth workforce investment activities to local areas.
10. The preparation of annual reports.
11. The development of the statewide workforce and labor market information system, as described in the Wagner-Peyser Act (29 U.S.C. 491-2(e)).
12. The development of any other policies and recommendations that will encourage and promote improvements to the workforce development system in the state.

**Section 1.4. AREAS SERVED**

Nevada currently has two designated local workforce development areas: northern Nevada and southern Nevada. The following counties and cities are designated as local workforce development areas within those two respective regions:

**Northern Nevada:** Carson City, Churchill, Douglas, Elko, Eureka, Humboldt, Lander, Lyon, Mineral, Pershing, Storey, Washoe, and White Pine counties.

**Southern Nevada:** Clark, Esmeralda, Lincoln, Nye, Boulder City, Henderson, Las Vegas, and North Las Vegas.

**Section 1.5 DESIGNATED STATE AGENCY, BOARD STAFF AND CONTACT INFORMATION**

The Department of Employment, Training and Rehabilitation (DETR) is the designated state agency for administering WIOA.

500 E. Third Street  
Carson City, NV 89713

The Governor’s Office of Workforce Innovation (GOWINN) is the designated entity to provide strategic and administrative support to the state board and its committees within the limits of available resources.

GOWINN  
555 East Washington Avenue, Suite 4900  
Las Vegas, NV 89101

## ARTICLE 2: MEMBERSHIP, TERMS OF OFFICE AND OFFICERS

### **Section 2.1. MEMBERSHIP**

In accordance with sec. 101(d) of WIOA, state board membership shall include:

1. The Governor or his/her designee;
2. One member from each chamber of the Nevada State Legislature, who shall be appointed by the appropriate presiding officer;
3. Two or more chief elected officials, who shall collectively represent cities and counties;
4. Representatives of businesses, as required by WIOA, who shall comprise a simple majority (51 percent) of the state board, and shall include business owners and business representatives from various industry sectors and business trade associations;
5. Representatives of workforce, as required by WIOA, who shall comprise no less than 20 percent of the state board, and shall include representatives of labor federations, labor organizations, and joint labor management or apprenticeship programs;
6. Representatives of state government, as required by WIOA, who are officials with primary responsibilities for the core programs contained in WIOA; and,
7. Any other representation the Governor may deem necessary.

Except for item 2.1.(2), membership of the state board is appointed by the Governor to represent diverse geographic areas of the state, and serve at the pleasure of the Governor.

The application process to the Governor's office boards and commissions can be found at: <https://gov.nv.gov/Board/Boards/> .

Boards and commissions have specific requirements that are described in the legislation or Executive Order by which they were created. Most boards and commissions require appointees to be Nevada residents and at least 18 years old. Qualifications for each seat is provided in state statute NRS 232.935: <https://www.leg.state.nv.us/Division/Legal/LawLibrary/NRS/NRS-232.html#NRS232Sec935>.

To be considered for GWDB appointment or reappointment to a Nevada State board or commission, an application must be submitted along with a current resume. The vacancy list is updated monthly with current vacancy seat positions: [https://gov.nv.gov/Board/features\\_20191221/BoardVacancies/](https://gov.nv.gov/Board/features_20191221/BoardVacancies/).

Submit application and Authorization for Release of Personal Information form to the board and allow for a few weeks to process. Also send the notarized waiver and any other application materials requested. The applicant will be notified once an appointment decision is made.

**Section 2.2.                    TERMS OF OFFICE**

Members of the state board shall be appointed to serve three-year terms. There is no limit on the number of terms an individual may serve; however, a member may serve no more than two consecutive terms. After serving two consecutive terms, a former member is eligible to serve again after a two-year absence from the state board. Staggered member terms and ending dates will be established in order to ensure a balance of new and existing membership among board members.

**Section 2.3.                    OFFICERS**

The officers of the state board shall be: chair and vice chair. The officers are designated by the Governor. The duties of the officers are:

**Chair:**                    The chair shall preside over all meetings of the state board, and shall have other duties as assigned by the Governor, the state board and/or these bylaws.

**Vice Chair:**            The vice chair shall act as the chair in his/her absence, and shall have other duties as assigned by the Governor, the state board, the chair, and/or these bylaws.

**ARTICLE 3: MEETINGS PROCEDURES, ATTENDANCE, QUORUM, AND VOTING RIGHTS**

**Section 3.1.                    MEETING PROCEDURES**

The state board shall meet at least four times per year at a time and location to be determined at the prior meeting. The chair may call special meetings at his/her discretion. Members may provide input and recommendations on relevant workforce topics they want to discuss for future meetings. GOWINN will help support the coordination of relevant speakers.

All meetings shall comply with Nevada’s Open Meeting Law, [NRS 241.020](#). Communications from persons not members of the state board must be made to the chair in writing at least 20 days before a regularly scheduled state board meeting, or made during published public comment period at the public meetings. All state board meetings and business will be conducted pursuant to Roberts Rules of Order (current version).

Minutes of the state board meetings shall be recorded and maintained by the designated state agency pursuant to [NRS 241.035](#).

**Section 3.2. ATTENDANCE**

State board members are expected to attend all meetings in person. State board members may not access the meeting remotely unless extenuating circumstances such as inclement weather or personal hardship preclude their in-person attendance. In these circumstances, the board member must notify the board liaison and/or board chair of their intention to attend the meeting via remote access. If the chair calls a special meeting, the chair may elect for the meeting to be held remotely in a virtual format. The public meeting notice should specify the location and address of a place where board members and members of the public may appear and listen to the meeting discussion over a telephone speaker device, video conference equipment, or other electronic media.

State board members who miss two regular meetings shall be recommended by the chair to the Governor for replacement. An exception may be granted when absences are justified for good cause. Said exception for retention must be made in writing to the chair no later than one week in advance of the meeting, except in cases of emergency where the notice requirement is waived. The chair will either approve the absence and mark as excused or will not approve the absence and mark as unexcused. If the chair is not notified of a non-emergency absence before the meeting, then it is automatically unexcused. In the event that the chair is not available, the vice chair is able to review absences.

**Section 3.3. QUORUM**

A quorum of the state board shall consist of a simple majority (51 percent) of the current membership positions required by WIOA, to-wit: 33. A quorum of any state board committee or subcommittee shall consist of a simple majority of the members of said committee, council and/or subcommittee. A minimum of 7 business industry representative positions and 3 workforce/labor representative positions must be filled for the State Board to conduct board proceedings.

If a quorum is present, the affirmative vote of the majority shall be an official act of the state board. Proxy votes are not allowed for the state board, committee, council, and/or subcommittee meetings.

**Section 3.4. VOTING RIGHTS**

Each member of the state board who is present shall cast one vote on any question.



**Section 3.5. CONFLICT OF INTEREST**

1. Except as provided in paragraph (2) of this section, a member of the state board shall:
  - a. When met with a potential conflict of interest, announce publicly the nature of the potential conflict prior to taking any action thereon; or
  - b. When met with an actual conflict of interest, announce publicly the nature of the conflict and refrain from participating in any discussion or debate on the issue out of which the actual conflict arises and refrain from voting on the issue.
2. WIOA forbids a member from voting on a matter under consideration by the state board regarding the provision of services by such member (or by an entity that such member represents), without exception. A state board member shall announce publicly the nature of the conflict regarding provision of services by such member, refrain from participating in any discussion or debate on the matter and refrain from voting on the matter under any circumstance.

**ARTICLE 4: EXECUTIVE COMMITTEE, COUNCILS, SUBCOMMITTEES, AND WORKGROUPS**

**Section 4.1. EXECUTIVE COMMITTEE**

Pursuant to Governor’s Executive Order No. [2016-08](#), the executive committee of the state board is formed to assist the work of the state board. The executive committee shall operate pursuant to its **Rules of Practice**, which were approved and ratified by the Governor’s Workforce Development Board on April 21, 2016.

**SECTION 4.1.1. APPOINTMENT**

The executive committee shall be appointed by and serve at the pleasure of the Governor.

**SECTION 4.1.2. MEMBERSHIP**

The executive committee shall be appointed by and serve at the pleasure of the Governor, and shall be comprised of no more than nine members selected from the state board. Members shall include:

1. The current chair of the state board, who shall also serve as chair of the executive committee;
2. Four members representing businesses or the workforce;

3. One member representing state government;
4. One member representing local government;
5. One member representing higher education; and,
6. One member representing either K-12 education or local workforce training programs.

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**SECTION 4.1.3. MEETINGS & QUORUM**

The executive committee may meet as often as necessary at the discretion of its chairperson, and all meetings shall be subject to Nevada’s Open Meeting Law, [NRS 241.020](#).

A quorum of the executive committee shall consist of a simple majority (51 percent) of the current membership positions.

If a quorum is present, the affirmative vote of the majority shall be an official act of the executive committee.

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**SECTION 4.1.4. DUTIES**

The executive committee shall assist and expedite the work of the State Board. Duties include evaluating reports provided by the Office of Workforce Innovation, making recommendations to the state board regarding the allocation of workforce development funds within the state board’s purview and undertaking any other task or consider any other matter properly within the purview of and as directed by the State Board. The executive committee has the authority to and must vote on and approve any non-substantive changes to WIOA State Compliance Policies (SCP)s. Any substantive changes to WIOA SCPs will first be voted on by the executive committee and then be voted on by the full board.

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**Section 4.2. INDUSTRY SECTOR COUNCILS**

The state board shall establish industry sector councils. The industry sector councils shall operate pursuant Governor’s Executive Order No. [2016-08](#), and their adopted Overview and Guidelines established on July 14, 2016. With guidance from the state board, GOWINN shall make appointments and provide strategic and administrative support to the sector councils consistent with Executive Order 2016-08.

The Board shall be updated on the activities of the Industry Sector Councils as it pertains to the in-demand occupations, skills, and credentials every six months.

**Section 4.3. OTHER STANDING COMMITTEES, SUBCOMMITTEES, and WORKGROUPS**

The state board may establish standing committees, councils, subcommittees, and workgroups as needed to carry out its duties and responsibilities.

Standing committees, councils and subcommittees may conduct public meetings, and are subject to Nevada’s Open Meeting Law, [NRS 241.020](#), and shall provide any reports and/or recommendations back to the state board for approval and/or ratification.

Any workgroups assigned by the state board shall not deliberate, as defined in [NRS 241.015\(2\)](#), and therefore shall not constitute a ‘public body’ as defined in [NRS 241.020\(4\)](#) and be bound by Nevada’s Open Meeting Law, [NRS 241.020](#). Said workgroups shall only work on ad hoc state board projects and present said workings to the state board at its public meetings.

Formation of a new standing committee, council, or subcommittee will be voted on by the full board. Upon consultation with the Governor and the Office of Workforce Innovation, the state board chair shall appoint the chair of the subcommittee. The subcommittee chair shall determine the number of seats on the subcommittee, which shall be no more than 11 seats (one third of the full board). The subcommittee chair shall determine the composition of those seats and appoint members to the subcommittee. Non-GWDB members can be appointed to a subcommittee but must not comprise more than ~~30 percent~~three of the total subcommittee seats.

Subcommittees may also have non-voting members. They do not have the power to vote and are not counted when determining the quorum for the subcommittee.

Subcommittees shall meet on a quarterly basis, unless otherwise determined by the subcommittee chair. If a subcommittee member misses two or more consecutive subcommittee meetings, the Chair has the authority to remove them from the subcommittee and appoint a new person to serve in their position.

**ARTICLE 5: AMENDMENT OF BYLAWS**

**Section 5.1. BYLAW REVISION**

These bylaws can be amended, repealed or new bylaws enacted at any regular or special meeting of the state board. Said action must be placed on a future agenda for *possible action*, properly posted and noticed to the state board and the public per Nevada’s Open Meeting Law, [NRS 241.020](#).

**Section 5.2. BYLAW REVIEW**

GOWINN shall review these bylaws on an annual basis based on board members' feedback throughout the year. Any changes proposed to the bylaws shall be presented to the full state board for approval.

**APPROVAL**

These bylaws have been ratified by the Governor's Workforce Development Board's on December August  
1613, 2023

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Chair, Governor's Workforce Development Board

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Date