

# **CareerSource Suncoast**

## **EXECUTIVE COMMITTEE MEETING**

Thursday, March 10, 2022 - 8:00 a.m. to 9:30 a.m.

### **Location: In-Person**

**3660 N. Washington Blvd, Sarasota, FL**

[Join Microsoft Teams Meeting](#)

[+1 786-600-3104](#) United States, Miami (Toll)

Conference ID: 407 675 565#

### **AGENDA**

**Call to Order / Introductions – Eric Troyer, Partner, Kerkering Barberio & Company**

#### **Action Items – Eric Troyer, Chair**

- Approval of February 10, 2022 Executive Committee Meeting Minutes
- Approval of Policies – Christina Witt - CareerSource Suncoast
  - #14-21 Priority of Service Policy
  - #13-21 Disaster Recovery Dislocated Worker Grants Policy
- Approval of Revised CSS Bylaws – Christy Cardillo, Carr Riggs & Ingram

#### **Staff Reports**

- Robin Dawson
- Kathy Bouchard
- Anthony Gagliano
  - Performance Update PY 21-22
  - CSS Community Impact Dashboard
- Josh Matlock

**Public Comments/Closing Remarks – Eric Troyer, Chair; Partner, Kerkering Barberio**

**Adjournment**

**Next Executive Committee Meeting is *May 12, 2022***



# ACTION ITEMS

**CAREERSOURCE SUNCOAST  
EXECUTIVE COMMITTEE MEETING**

1112 Manatee Avenue East  
Bradenton, FL  
Thursday, February 10, 2022  
8:00 a.m.

Absent Present	<u>Committee Members</u>
P	Eric Troyer, CPA, Partner, Kerkering Barberio & Company
P	Christy Cardillo, CPA, Partner, Carr, Riggs & Ingram, LLC.
P	David Kraft, President, Vision Consulting Group
P	Rick Mosholder, Human Resource Director, Hoveround Corporation
P	Sharon Hillstrom, President/CEO, Bradenton Area Economic Development Corporation
A	Walter Spikes, Coldwell Banker Realty
A	Peter Hayes, President, Tandem Construction
	Staff Present, Josh Matlock, Robin Dawson, Kathy Bouchard, Anthony Gagliano, James Disbro, Linda Benedict, Michael Meerman, Karima Habity, Cody Solar, Christina Witt, Tracey Barta

**I. Call to Order**

Eric Troyer, Chair, called the meeting to order at 8:00 a.m. and welcomed Josh Matlock to his first meeting as President/CEO

**II. Action Items**

**Approval of January 13, 2022 Combined Executive and Finance/Performance Committee Meeting minutes**

Mr. Troyer asked for a motion to approve the January 13, 2022 meeting minutes.

**Motion: Christy Cardillo**

**Second: Sharon Hillstrom**

The motion to approve the minutes passed unanimously.

**III. Committee Reports**

There were no committee reports

**IV. Staff Reports**

Robin Dawson reported the link to the IRS Form 990 – Return of Organization Exempt from Income Tax for PY Ending 6/30/2021 was sent to all board members for review. The deadline for review is February 15, 2022, after that time the IRS Form 990 will be filed electronically. DEO will be doing the finance and programmatic monitoring in March; the monitoring will be virtual. We are evaluating new accounting software, we currently use MIP, but are reviewing several other programs to see what the best fit for our organization is and checking with other regions with the possibility of better pricing if we change together.

Kathy Bouchard reported we have set up an Ad-Hoc By-Laws committee meeting for February 18<sup>th</sup> to review and make changes to our by-laws to conform to the new rules and regulations.

Linda Benedict reported on the Ticket to Work program, we have 95 clients, and 37 have been employed. Income from this program for the last 18 months is over \$120,000 in revenue. We are also working on several other grants including the DEO/DOL grant, COVID grant, and United Way Suncoast. We also applied for the TD foundation grant for \$150,000 and partnering with other non-profits including JFCS for a three-year \$1,500,000 grant for homeless veterans to receive quality training. Sharon Hillstrom reported that Manatee County is converting the old jail into Vet housing for homeless veterans, and this may be useful when applying for this grant.

Anthony Gagliano reported on the conferences we are working on including SOTC, SOJC and E-Rising. We are working on offering one sponsorship for all three conferences. We have completed the RFQ for rapid response, and Ted Abernathy has been chosen as the consultant and will do focus groups to study what businesses fail and why. We have a list of 229 clients working with THRIVE on starting a business, these businesses vary from consulting to IT to graphic design and travel. Mr. Gagliano shared a link on our first successful THRIVE candidate Cordell Jeter's business, Eco Rovers. Our IT department is working on making our WIOA applications totally automated. On the operations side we have provided over 9,000 services to

2,388 individuals, with 13,000 using the self-assist portals. On the program side we will be participating in the DEO monitoring in March, and we will also have our annual performance presentation from DEO at the March board meeting. We are working on several apprenticeships with New Dawn Electric who have 3 clients going into apprenticeship, PGT has 5 clients that completed the apprenticeship program for tool and die maker and will add additional occupations.

Josh Matlock reported on several promotions, Anthony Gagliano has been promoted to COO, and Christina Witt promoted to Organizational Support Services Director in preparation for Tracey Barta's retirement. Christina will be taking over the board duties and we will also be hiring an Organization Support specialist to backfill Tracey Batra's position.

Mr. Matlock reported on the FWDA meeting attended in West Pam Beach. There was discussion regarding the accusations of the Pinellas County Executive Director, the investigation showed there is a toxic work environment. There was a letter by the CEO discussing merging with other regions, but their board and local elected officials are not in favor of merging. There are no discussions at the legislative level regarding merging regions. Mr. Matlock also mentioned the staff retention challenge regarding affordable housing, and discussed we are working on raising the minimum on entry level wages to be more competitive. Hybrid remote work varies across the state, we are remaining on a hybrid work schedule that may help in staff retention and attracting new employees. The Local Workforce Development Board will now receive a letter grade for their performance. We will see how this works out in the future performance reviews we receive from DEO. Mr. Matlock stated that several staff and Executive Committee members will be attending the NAWB conference in April that conflicts with the Executive Committee meeting schedule. Discussion on whether to cancel the meeting or re-schedule. If there are no pending items we will cancel, if a meeting is necessary, we will re-schedule. The Executive committee is ok with either choice.

**V. Public Comment/Closing Remarks – Eric Troyer, Chair**

There were no public comments.

**VI. Adjournment**

The next meeting is March 10, 2022. There being no further business, Chair Troyer adjourned the meeting at 8:47a.m.

**Respectfully submitted,**



Josh Matlock  
President & CEO

**CAREERSOURCE SUNCOAST**  
**Policy Approval**  
**Executive Committee Summary Report**  
**March 10<sup>th</sup>, 2022**

**Background Information:**

CareerSource Florida Administrative Policies are business rules, requirements, processes and responsibilities that expand, explain, or further specify federal or state legislation or policies developed by the Florida Department of Economic Opportunity. As CareerSource Florida (CSF) approves new Administrative and/or Strategic Policies, CareerSource Suncoast will review these policies to create or revise existing CSS policy and procedures for proper alignment. Earlier this year DEO released a memorandum requiring local boards to present all local policies to the Board of Directors for review and approval. Outlined below are two (2) CSS Board Policies for your review and approval.

**Summary of Policy Additions/Changes:**

Disaster Recovery Dislocated Worker Grants Policy #13-21:

This is a new policy that outlines the provision of services allowable under the requirements of the Workforce Innovation and Opportunity Act (WIOA) Disaster Recovery Dislocated Worker Grants that are awarded to CSS. The policy is based on the release of the CareerSource Florida (CSF) Administrative Policy # 113 - *Disaster Recovery Dislocated Worker grants*.

Priority of Service Policy #14-21:

This policy supersedes and replaces Policy and Procedure #02-02 R7, Priority of Service for WIOA Adult Training Funds dated 07/01/2016. The Policy was expanded to include definitions, priority eligibility criteria, and Priority of Service ranking and application. These revisions are based on the CareerSource Florida Policy #105 - *Priority of Services* and Policy #111 - *Priority of Service for Veterans and Eligible Spouses*. The CSS priority of service ranking order remained the same and is in compliance with the CSF policies.

**Requested Action:**

**A motion that the Executive Committee approve the CSS Policy #14-21 - *Priority of Service* and CSS Policy #13-21 - *Disaster Recovery Dislocated Worker Grants*.**

Respectfully submitted,  
Robin Dawson, CFAO



**POLICY# 14- 21**

<b>Policy:</b> Priority of Service	<b>Page</b> 1 of 5
<b>Program:</b> Workforce Innovation and Opportunity Act (WIOA), Wagner-Peyser (WP), Trade Adjustment Assistance (TAA), Migrant and Seasonal Farmworkers (MSFW), National Dislocated Worker Grants (NDWG)	
<b>Section:</b> Program Operations	
<b>Date of Issuance:</b>	<b>Revision Date:</b> N/A
<b>Distribution:</b> CareerSource Suncoast Team Members	

**Background**

On November 7, 2002, the Jobs for Veterans Act (JVA), Public Law (P.L.) 107-288 was signed into law. One provision of the JVA, codified at 38 U.S.C. 4215, establishes a priority of service requirement for covered individuals (i.e., veterans and eligible spouse, including widows and widowers, as defined by this statute) in qualified job training programs. While recipients of U.S. Department of Labor(USDOL) funds for qualified job training programs have been required to provide priority of service since 2002, the publication of 20 CFR Part 1010, Priority of Service for Covered Persons Final Rule, which took effect on January 19, 2009, signaled that recipients of USDOL funds for these job training programs should review, and if necessary, enhance their current policies and procedures to ensure that adequate protocols are in place to ensure that priority is given to veterans and eligible spouses.

**Purpose**

To provide Career Source Suncoast (CSS) Team members guidance on Priority of Service requirements for USDOL funded programs.

**Policy**

Priority of service means that covered persons are given priority over non-covered persons for the receipt of employment, training, and placement services funded in whole or in part by USDOL, including, but not limited to:

- Workforce Innovation and Opportunity Act (WIOA) Title I, (Adult, Youth and Dislocated Worker);
- WIOA Title III, (Wagner-Peyser);
- Trade Adjustment Assistance (TAA);
- Migrant and Seasonal Farmworkers (MSFW);
- National Dislocated Worker Grants (NDWG); and
- Senior Community Service Employment Program (SCSEP).

**Definitions:**

- Covered Person - An individual who meets the definition of veteran, or eligible spouse and as such, is eligible for priority of service.
- Non-Covered Person - Any individual who meets neither the definition of veteran, nor the definition of eligible spouse.
- Disabled Veteran - A veteran who is entitled to compensation, or who, except for the receipt of military retirement pay, would be entitled to compensation, under the Department of Veteran Affairs, or a veteran who was discharged or released from active duty, because of a service-connected disability.

- **Low Income** – An individual who:
  - Receives, or in the past six months has received, or is a member of a family that is receiving or in the past six months has received, assistance through the Supplemental Nutrition Assistance Program (SNAP), the program of block grants to States for Temporary Assistance for Needy Families (TANF), or the Supplemental Security Income program, or other state or local income-based assistance;
  - Is in a family with total family income that does not exceed 100% of the poverty line; or 70% percent of the Lower Living Standard Income Level;
  - Is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 ([42 U.S.C. 14043e-2\(6\)](#)), or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act ([42U.S.C. 11434a \(2\)](#)));
  - An individual(WIOA-youth) who receives or is eligible to receive a free or reduced-price lunch under the Richard B.Russell National School Lunch Act ([42 U.S.C. 1751](#) et seq.);
  - Is a foster child(WIOA-youth) for whom state or local government payments are made; or
  - An individual with a disability whose own income meets the low-income requirement, but who is a member of a family whose income does not meet this income requirement.
- **Basic Skills Deficient** – An individual who is unable to compute or solve problems, or read, write, or speak English at a level necessary to function on the job, in the individual’s family or in society.

### **Eligibility:**

Covered persons may self-attest their status as eligible for priority of service, unless the program requires eligibility verification where a decision is made to commit funding (i.e., WIOA training) to a covered person over another non-covered individual. Covered persons, for purposes of the provision of priority of service, are defined as follows:

- **Veteran**: A person who served at least one day in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable, as specified in 38 U.S.C 101(2). Active service includes full-time Federal service in the National Guard or a Reserve component. It does not include full-time duty performed strictly for training purposes, nor does it include full-time active duty performed by National Guard personnel who are mobilized by state rather than federal authorities.
- **Eligible Spouse**: The spouse of:
  - A veteran who died of a service-connected disability.
  - A member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
    - Missing in action;
    - Captured in the line of duty by a hostile force;
    - Forcibly detained or interned in the line of duty by a foreign government or power;
    - A spouse of any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs; or
    - A spouse of any veteran who died while a total, service- connected disability was in existence.

Note: The statutory requirements for the Jobs for Veterans’ State Grant (JVSG) require application of a more narrowly defined definition of veteran (i.e., eligible veteran) to receive individualized career services from a Disabled Veteran Outreach Program (DVOP) specialist, “eligible veteran” means a person who meets any of the following:

- Served on active duty for a period of more than 180 days and was discharged or released with a character of service other than dishonorable;
- Was discharged or released from active duty by reason of a sole survivorship discharge;

- Was discharged or released from active duty because of a service-connected disability; or
- As a member of a reserve component under an order to active duty, served on active duty during a period of war or in a campaign or expedition for which a campaign badge is authorized and was discharged or released

### **Priority of Service Rules of Application:**

The application of priority of service varies depending on the eligibility requirements of the program. The four basic categories for WIOA Title I funded programs are listed below:

#### Universal Access Programs:

Programs that operate or deliver services to the public without targeting specific groups (i.e., Wagner-Peyser, WIOA basic career services), veterans and eligible spouses receive priority of service over all other program clients. Priority of service provides covered persons access to a service earlier than a non-covered person, or if a service or resource is limited, the person receives access instead of or before the non-covered person.

For example: If a veteran arrives at the career center and there is a waiting list to use a resource room computer, the covered person moves the front of that list. Priority of service does not mean that staff ask a non-covered person to cease using the resource room computer to allow the covered person access. Covered persons do not supplant non-covered persons who are already in receipt of a resource of service.

#### Programs with Eligibility Criteria:

Eligibility criteria identifies basic conditions that each client in a specific program is required to meet.

For example: The WIOA Adult, Dislocated Worker, and Youth programs, requires all clients to meet program eligibility (i.e., age, selective service registration, etc.). A veteran or eligible spouse must first meet all the eligibility criteria to be considered eligible for participation in the program. Once determined eligible for participation, the covered person receives priority for participation in the program and receipt of services.

#### Programs with Statutory Priorities:

In addition to the eligibility criteria that all clients are required to meet, some programs have priorities that target certain populations and establish a rank order for enrolling or serving clients. While veterans' priority is required under federal law and cannot be waived, it is not intended to displace existing eligibility requirements and statutory priorities. Therefore, in these instances, veterans and eligible spouses must first meet both the program's eligibility and statutory priority criteria to receive priority for participation in the program and receipt of services (i.e., WIOA Adult).

#### Programs with Discretionary Priorities:

Programs with discretionary priorities may try to provide a certain level of service to a group. However, the law does not mandate that the target group be served before other eligible individuals. With respect to priority of service, the only feature that distinguishes discretionary targeting programs from universal access programs is the additional application of the discretionary targeting criterion to non-covered persons. Therefore, CSS will apply priority of service in the order below:

1. Veterans and eligible spouses;
2. Non-covered persons within the discretionary targeting group; then
3. Non-covered persons outside the discretionary targeting group.



**CSS Priority of Service Guidelines/Rank:**

WIOA focuses on serving individuals with barriers to employment and ensures access to these services on a priority basis. Under WIOA, priority must be provided regardless of the level of funds. WIOA also expanded the priority to include individuals who are basic skills deficient as defined in WIOA section 3(5). CSS will give priority for the provision of individualized career and training services in the following sequential order:

1. Recipients of public assistance.
2. Low-income individuals as defined above. Military earnings are not to be included when calculating income for veterans or transitioning service members for this priority, in accordance with 38 U.S.C. 4213. Payments for unemployment compensation, child support payments and old-age survivors' insurance are **not** excluded from income calculations for determining if an individual is low income.
3. Individuals who are basic skills deficient.

**Veterans/ Eligible Spouses and Adult Priority of Service:**

Veterans/Eligible Spouses receive priority of service over non-covered individuals for all USDOL-funded job training programs. However, when programs are statutorily required to provide priority for a particular group, such as the WIOA priority for adult funds described above, priority must be provided in the order described below. Veterans who receive priority of service must meet all WIOA adult program eligibility requirements. For income-based eligibility determinations, amounts paid while on active duty or paid by the Department of Veterans Affairs (VA) for vocational rehabilitation, disability payments, or related VA-funded programs cannot be considered income for eligibility purposes.

Priority of service must be provided to eligible WIOA adult program clients in the following order:

1. Veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, including the underemployed, or individuals who are basic skills deficient.
2. All other non-covered(non-veteran) individuals who are recipients of public assistance, other low-income individuals, including the underemployed, or individuals who are basic skills deficient.
3. Veterans and eligible spouses who are not included in the WIOA priority of service categories who fall below the CSS self-sufficiency income level.
4. All other non-covered(non-veteran) individuals who do not meet the WIOA priority of service categories, but who fall below the CSS self-sufficiency income level.

**Programmatic Monitoring:**

Programmatic monitoring will be conducted throughout the program year by the CSS internal Program Monitor under the direction of the CSS Director, Regional Alignment & Programs Development. Monitoring will include a formal review conducted by a third-Party Programmatic Monitoring vendor of client records that include Provisions of Priority of Services in relation to the CSS WIOA funded programs.

**Attachments:**

- None

**Authority:**

- [CareerSource Florida Administrative Policy #111, Priority of Service for Veterans and Eligible Spouses](#)
- [CareerSource Florida Administrative Policy #105, Priority of Service](#)

- [Training and Employment Guidance Letter No. 15-10, Employment & Training Administration \(ETA\) - U.S. Department of Labor \(USDOLeta.gov\)](#)
- [Title 38, U.S.C., Chapters 41 and 42](#)
- [Public Law 107-288](#)
- [20 Code of Federal Regulations \(CFR\), Part 1010](#)
- [VPL 07-09 Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in Whole or in Part by the U.S. Department of Labor \(USDOL.gov\)](#)
- [Training and Employment Guidance Letter No. 10-09, Employment & Training Administration \(ETA\) - U.S. Department of Labor \(USDOLeta.gov\)](#)
- [Training and Employment Guidance Letter No. 19-16, Employment & Training Administration \(ETA\) - U.S. Department of Labor \(USDOLeta.gov\)](#)

**Supersession:**

- Supersedes and replaces Policy and Procedure #02-02 R7, Priority of Service for WIOA Adult Training Funds dated 07/01/2016.

**Inquiries:**

Any questions about this policy should be directed to the CEO, COO, CFAO and/or their designee.



**POLICY# 13- 21**

<b>Policy:</b> Disaster Recovery Dislocated Worker Grants	<b>Page</b> 1 of 9
<b>Program:</b> Workforce Innovation and Opportunity Act (WIOA)	
<b>Section:</b> Program Operations	
<b>Date of Issuance:</b>	<b>Revision Date:</b> N/A
<b>Distribution:</b> CareerSource Suncoast Team Members	

**Background**

Dislocated Worker Grants (DWGs) are discretionary grants awarded by the Secretary of Labor under Section 170 of WIOA to provide employment-related services for dislocated workers. The Department funds two types of DWGs: Disaster Recovery and Employment Recovery. Disaster Recovery DWGs provide funding to create temporary employment opportunities to assist with clean-up and recovery efforts when an area impacted by an emergency or major disaster is declared eligible for public assistance by the Federal Emergency Management Agency (FEMA), or is declared, or otherwise recognized, as an emergency or disaster of national significance by a federal agency with authority or jurisdiction over federal response to the disaster or emergency. Employment Recovery DWGs temporarily expand capacity to serve dislocated workers and to meet the increased demand for employment and training services following a qualifying event. Qualifying events include major economic dislocations, such as plant closures, mass layoffs, or higher-than-average demand for employment and training activities for dislocated members of the Armed Forces and their spouses. Under 20 CFR 687.110(a)(5), the Secretary of Labor may determine other major dislocations eligible for Employment Recovery DWGs.

Disaster Recovery Grants DWGs are meant to address situations beyond those that are the focus of WIOA formula funds. Disaster Recovery DWGs enable areas impacted by a disaster to employ workers in jobs assisting in recovery and humanitarian efforts, as well as to provide training opportunities that support customers in accessing employment.

**Purpose**

To provide Career Source Suncoast (CSS) Team members guidance on the eligibility and provision services allowable to be provided under the requirements of the Workforce Innovation and Opportunity Act (WIOA) Disaster Recovery Dislocated Worker Grant funded program.

**Policy**

When an emergency or disaster has met the criteria for disaster grant funding, the Florida Department of Economic Opportunity (DEO) will coordinate with the impacted local area(s) to assess the need for clean-up and humanitarian efforts, ascertain the availability of eligible individuals to perform the disaster relief work, and provide technical assistance on the application process and operational considerations.

If the CSS region has been impacted by an emergency or disaster, they will work with DEO in accordance with Administrative Policy #113, *Disaster Recovery Dislocated Worker Grants*, following the emergency applications process to receive DWG funding to serve the impacted community.

If the application is approved, DEO will notify CSS of their sub-grant award amounts. Funds are released to CSS through Notices of Grant Award/Fund Availability (NFAs) which describe special grant conditions. A NFA may include grant conditions that restrict the application of some of the provisions of services provided to clients outlined in this Policy.

### **Client DWG Eligibility:**

Clients receiving services must meet basic WIOA eligibility requirements. Eligibility must be documented in the client's Employ Florida (EF) program application, including, but not limited:

- a) Citizenship or right to work;
  - o A copy of the completed I-9 must be maintained in the file of a client placed into a temporary disaster-relief position.
- b) Selective Service Registration (males only); and
- c) One of the four Dislocated Worker (DW) grant-specific eligibility requirements listed;

CSS will ensure client receiving services funded by a Disaster Recovery DWG meet at least one of the following WIOA DW eligibility requirements:

- a) Temporarily or permanently laid off because of the disaster;
- b) A dislocated worker as defined in WIOA section 3(15);
- c) A long-term unemployed individual;
  - o A long-term unemployed individual for Disaster Recovery DWGs is defined as an individual who has been unemployed for six (6) out of the last 13 weeks;
  - o An individual is considered unemployed if they were not employed during the weeks in question and were available for work;
- d) A self-employed individual who became unemployed or significantly underemployed as a result of the covered disaster.

Examples of documentation demonstrating dislocated worker status include:

- Letter of separation from employer;
- Verification of Reemployment Assistance (RA) or other forms of unemployment assistance;
- Paystubs or other payroll records showing the last day of employment;
- Self-Attestation may be accepted as an exception and must not be used as a regular method of determining eligibility. When self-attestation is accepted due to its being the only verification method, CSS must describe efforts made to obtain other, independent documentation.

Circumstances surrounding the disaster may make documentation of eligibility difficult to obtain during the initial stages of disaster recovery. In these circumstances, CSS may determine an individual initially eligible based on self-attestation when a client has experienced loss of eligibility verification documentation due to the physical damage and loss as a result of a natural disaster. However, eligibility verification/documentation must be obtained within six (6) months of the client's enrollment or the grant closeout date, whichever occurs first. **Note:** Staffing agencies may require I-9 documentation for temporary employment regardless of the physical loss due to a disaster, in these cases self-attestation may not be sufficient for eligibility.

If, during the eligibility reverification review of clients enrolled through self-attestation, CSS discovers the client is in fact ineligible, grant services will immediately be closed. This situation will not result in a disallowed cost.

Self-employed individuals must submit documentation to establish their self-employment prior to the disaster and unemployment/underemployment due to the declared disaster through the following:

- Self-Attestation describing the impact of the disaster, supported by one of more of the following:
  - Federal tax return and/or evidence of payment of estimated taxes to the Internal Revenue Service (IRS);
  - Evidence of business closure;
  - Business ledger;
  - Business license;
  - Customer/client verification (bank records);
  - Self-attestation may be initially accepted as an exception if other documents are not available (and are subject to re-verification).

To verify that an individual was unemployed six (6) out of the last 13 weeks, the following documentation may be used:

- Self-attestation supported by wage records for the quarter in which the WIOA application is taken (and previous quarter if relevant);
  - Probative wage records will not be available at the time of application and must be verified the following quarter(s)
- Self-attestation may be accepted initially as an exception if other documents are not available (and are subject to re-verification within 6 months)
  - **Note:** If wage records indicate that there may be a discrepancy between the self-attestation and the reported earnings, the CSS will follow up to resolve the discrepancy.

**Priority of Service:**

Covered persons (veterans and eligible spouses) determined eligible for services under a Disaster Recovery DWG must receive priority over non-covered persons in accordance with *DEO Administrative Policy #111: Priority of Service for Veterans and Eligible Spouses*.

**DWG Allowable Activities:**

Clients may be enrolled into temporary disaster relief employment, career, and training services, concurrently, sequentially, or as stand-alone services. The NFA issued for the DWGs will outline the activities allowable within that specific DWG.

*Temporary Disaster Relief Jobs:*

Disaster-relief employment is temporary employment of eligible individuals for the purposes described in WIOA Section 170(b)(1)(B) and (d), 20 CFR 687.180(b) and (c), and TEGL 12-19. CSS will ensure that disaster-relief employment created under a DWG aligns with the categories of humanitarian assistance or cleanup activities. Post-disaster response and recovery activities address needs associated with mass care/sheltering, public health, and health care, (re)housing, debris/infrastructure removal and repair, support to business owners, emotional/psychological support, public health and health care, and mitigation activities. Allowable mitigation activities are those that are directed at correcting existing damage. Activities that are in preparation for future disasters are not allowed.

Humanitarian assistance provided by temporary disaster-relief workers generally includes actions designed to alleviate suffering and maintain human dignity in the immediate aftermath of disasters. The immediate aftermath involves time and causality. With declared natural disasters, there will be physical damage which results in the dislocation of individuals, families, and businesses, as well as economic and emotional damage. Temporary disaster-relief workers may be provided to help deal with these

crises since they are the immediate consequence of the disaster for the time necessary to help affected individuals recover. The humanitarian assistance provided by disaster-relief workers must relate directly to needs created by the disaster and economic consequences due to the disaster. Disaster-relief positions that deliver humanitarian assistance to address humanitarian needs cannot be used to fund the actual humanitarian aid. For example, funding could be used to support food delivery workers at food shelters but not the food itself.

#### Duration of Temporary Disaster Relief Jobs:

Eligible Clients may be enrolled into temporary disaster-relief jobs under a DWG for a maximum of up to 12 months or 2,080 hours, whichever comes sooner. Duration of temporary jobs will be based on the specific NFA and the availability of funding to maximize the amount of client CSS serves. The only time a temporary job may exceed these limits is if the Department of Labor (DOL) approves an extension for up to an additional 12 months through a grant modification requested by DEO.

#### Pay Rates and Benefits of Disaster Relief Jobs:

Clients must be paid the higher of the comparable rate of pay for individuals employed in similar occupations by the same employer, and no less than the federal or state minimum wage. In accordance with WIOA Section 181(a)(1)(A), generally, clients must be compensated at the same rates, including periodic increases, as employees who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills.

Where applicable, fringe benefits should be paid in accordance with the policies of the worksite employer. If other employees of the worksite employer are doing similar work and receiving hazard pay, disaster-relief temporary workers can also be paid hazard pay rates for their work. In addition, overtime is allowable if employees of the worksite employer are receiving equivalent overtime opportunities.

#### **Training and Career Services**

Training and career services may be offered to clients who meet WIOA eligibility and pre-requisite requirements to help them obtain (re)employment that leads to self-sufficiency when they are unlikely to return to their prior employment. These services may include:

- Individualized Career Services;
- Literacy instruction including English as a second language;
- Occupational skills training;
- Work-based training such as: On-the-Job Training or Customized Training.

Clients who meet the eligibility criteria and receive these services must have an Individual Employability Plan detailing the need for training services as well as certain individualized career services, such as work experiences, literacy/GED prep/ESOL, short-term prevocational services, out-of-area job searches/relocation.

#### **Supportive services**

Supportive services are allowable to enable a client involvement in DWG activities. Supportive services for a Disaster Recovery DWG are based on grant funding availability and must align with CSS Policy #01-21 *Provision of Supportive Services*, “When CSS receives any special grant funding for projects being administered through CSS, terms of the grant should be reviewed to determine the allowability/limitations of support services.”

When funding availability permits, Needs-Related Payments (NRP) may be made to those individuals enrolled in training services who do not qualify for or have exhausted benefits under Re-employment Assistance or Disaster Unemployment Assistance (DUA). Individuals who receive wages from disaster-relief temporary jobs are **not** eligible for NRPs.

## **DWG Program Goals, Performance, and Reporting Outcomes:**

### **Goals:**

CSS will provide information to DEO to describe their planned levels of service and planned expenditures. In addition, DEO will be provided measurable goals with milestones and timelines in the following areas:

- Planned number of clients to be served in temporary disaster-relief employment;
- Planned worksite employers with description of worksites, tasks, length of time needed, and number of workers needed<sup>14</sup> (and, for modifications, percentage of work completed);
- Planned number of clients to be enrolled in training, including on-the-job training, targeted industries and occupations, anticipated length of training;
- Planned number of clients to be enrolled in work experiences, types of work experience sites, anticipated length of activity;
- Planned number of clients to receive supportive services, types of supportive services;
- Planned number of clients to be placed in employment upon completion of grant activities;
- Planned other outcomes, such as continuation in training/other WIOA services after the grant ends, and/or credential attainment.

### **Reporting:**

Progress is tracked monthly through a review of client data in Employ Florida and financial information entered in DEO's financial management systems. CSS will use DEO provided worksite information and submit monthly updates to DEO. Such information is to be submitted via the [DWG@deo.myflorida.com](mailto:DWG@deo.myflorida.com) mailbox.

### **Disaster-Relief Worksites:**

Disaster-relief worksites must be in the geographic area covered by the qualifying event and within Manatee and Sarasota County. WIOA requires that cleanup activities respond to the impacts of natural disasters. CSS will give the highest priority to clean-up of the disaster area's most severely damaged public facilities and to the cleanup and the provision of humanitarian assistance to economically disadvantaged portions of the disaster area. The administration of grant funds must be in coordination with projects administered by emergency management and disaster recovery agencies.

**Note:** The provision of disaster-relief activities that focus on prevention and planning for future disasters is **not** an allowable activity for a temporary disaster-relief worker.

### **Worksite Employers:**

There is no limitation on what type of entity may be a worksite employer. Disaster-recovery worksites may be governmental agencies, community/faith-based organizations (CBO), private, or for-profit employers. Any of these types of employers may be approved to host eligible temporary disaster-relief workers under the following conditions:

- Priority of disaster-relief activities are in coordination with the Manatee or Sarasota county's disaster-recovery team that identifies the need for and use of private for-profit worksites, as applicable;
- The delivery of temporary disaster-relief activities through a private for-profit worksite is coordinated through a governmental entity or CBO; and
- The funding of temporary disaster-relief positions shall not duplicate or supplant other funding.

### Private Property Worksites:

The use of private properties for DWG temporary employment may be authorized under the following circumstances:

- The specific worksite and temporary-relief job on private property has been submitted to DEO for approval by DOL and subsequently approved;
- The work is necessary to remove health and safety hazards to the larger community located on private lands or around homes or other structures and only to return them to a safe and habitable level and not to improve them;
  - For example, fallen trees on private properties that become a hazard to the community or debris fields from storm adjacent to a navigable waterway and at risk of clogging the waterway water could be removed.
- The work is intended to address or alleviate specific economic or employment-related impacts of the disaster, such as clean-up work needed for disaster-affected employers to resume operations;
  - If the cost of repairs to a damaged structure is to be covered by insurance, only stabilizing activities may take place, such as placement of tarps on roofs, removal of damaged sheetrock and insulation, etc.
- Priority is to be given to older individuals and individuals with disabilities;
- Funds may **not** be used to cover the cost of materials to do repairs.

Private property worksites will be prioritized in the following manner:

- Private homes of Veterans or Eligible spouses who are older individuals, or individuals with disabilities;
- Private homes of non-veterans who are older individuals, or individuals with disabilities;
- Private homes of Veterans or Eligible spouses who are low-income individuals;
- Private homes of non-veterans who are low-income individuals;

### **Coordination with FEMA and Non-duplication of Funds:**

Disaster-relief activities must be coordinated with the appropriate Manatee and Sarasota local emergency management agencies to avoid duplication of benefits and ensure that grant activities appropriately respond to the affected community's needs after a disaster. CSS will coordinate with federal agencies responding to the natural disaster either through direct contact or through state or local agencies working with the federal agencies.

CSS will coordinate with Manatee and Sarasota County government, to determine what services and/or funding FEMA is or will be supplying to local employers and what disaster-recovery services will be provided by disaster-relief temporary workers. CSS will request a statement from the counties that include a brief description of what staff, equipment, supplies, etc., are being paid for through FEMA. In the event a Disaster Recovery DWG funded disaster-relief temporary job client works at a site which is later approved for FEMA reimbursement, and it is time for FEMA to reimburse the costs of the project, the wages of the temporary job clients must be deducted from the cost of the project before FEMA reimburses 75% of the cost of the project to the local government.

CSS will require worksite partners to complete an employer information form to include the resources they have received in the past, are currently receiving, scheduled to receive, have applied for, or have been denied funding for. Worksites are required to report any funding and purpose of the funding received for disaster recover to CSS. CSS will require worksites to repay any grant funds expended for activities or services which other funds become available from FEMA, public or private insurance,



or other available resources. Note: Disaster Recovery DWG funds may NOT be used to match FEMA funds.

**Use of equipment for temporary disaster-relief workers:**

Generally, Disaster Recovery DWG funds may not be used to purchase equipment. [Administrative Policy 87, Prior Approval Administrative Policy for Local Workforce Development Boards](#) requires prior approval by DEO before funds awarded to CSS may be used to purchase equipment for such cases which may be subject to exception.

If equipment needed for the temporary disaster-relief worker to complete their assigned task is not available from the worksite employer, such equipment may be rented as long as it does not cause the cost per client to exceed the maximum allotted amount. Equipment rental expenses will be detailed as a separate line item in the budget(s) submitted to DEO. Modifications will be sent for approval as needed.

**Prioritizing Disaster-Relief Worksites**

CSS will coordinate with local government, community and faith-based organizations, economic development, and industry stakeholders, to prioritize the types of disaster-relief jobs and worksites. Prioritization will be assessed on the following factors:

- Physical impact on public properties;
- Human impact on the elderly, people with disabilities, low-income and other special needs populations;
- Impact on organizations that are needed to respond to the disaster or emergency (governmental, community and faith-based);
- Impact on local businesses, industry sectors, and the overall economic health of the area.

**Approval and Tracking of Worksites:**

CSS will assess and approve temporary disaster-recovery worksites and job duties for temporary disaster-relief workers. Worksite and job description information will be obtained and reported to DEO according to a schedule and in a format provided by DEO for each Disaster Recovery DWG. Worksite files must include:

- The worksite agreement between CSS, the employer and staffing agency (if applicable);
  - The agreement should include non-duplication requirements
- Approved job descriptions;
- Evidence of appropriate OSHA/safety training (if applicable);
- Evidence that worksite supervisor orientation was provided by CSS representatives;
  - To include but not limited to, allowable job duties, timekeeping and submission, disciplinary rules and actions, communication, etc.
- Description of supplies and equipment needed and responsibility for providing such;
- Copies of payroll records.

## **Employer of Record:**

Each temporary disaster-relief worker must have an employer of record. The employer of record is responsible for maintaining all personnel and payroll records related to the employment of temporary disaster-relief workers, including employer and employee withholdings, and other benefits, if applicable. The employer of record will be responsible for unemployment claims filed by temporary disaster-relief workers when their assignment ends. In addition, the employer of record is required to secure workers' compensation for temporary disaster-relief workers and ensure that the workers receive adequate OSHA/security training. In any event, CSS is responsible for ensuring and maintaining documentation that worker orientation and OSHA/safety training has occurred when required.

CSS may opt to use the DEO procured contract with a staffing agency to be the employer of record for temporary disaster-relief workers. This contract is available to CSS to utilize without having to individually procure a staffing agency for each DWG received. CSS may opt to use the DEO-procured staffing agency for the placement of temporary workers in a Disaster Recovery DWG project pursuant to DEO's contract with the staffing agency. The DEO procured staffing agency will invoice CSS directly for all Temporary disaster-relief worker's wages and provide required supporting documentation.

CSS may opt to independently procure a staffing agency to be the employer of record for temporary disaster-relief workers. CSS will follow the process outlined in the CSS Policy #02-21 *Purchasing and Procurement* to procure a staffing agency to act as the employer of record.

## **Monitoring**

### Worksite Monitoring:

Each worksite must be monitored by CSS as part of its formal programmatic & fiscal monitoring plan. The formal monitoring must be conducted by an independent person or entity not engaged in worksite development/management or case management. The worksite monitor must engage with worksite supervisors and temporary disaster-relief workers on-site. Monitoring visits must be documented in a written report and address corrective actions, as needed.

If at any time CSS becomes aware of temporary disaster-relief workers being employed in activities that are not disaster-relief activities, immediate action will be taken to remedy the finding and/or terminate the agreement.

### Programmatic Monitoring:

Programmatic monitoring will be conducted throughout the program year by our internal Program Monitors under the direction of the CSS Director, Regional Alignment & Programs Development. Monitoring will include a formal review conducted by a third-Party Programmatic Monitoring vendor of client records that include WIOA DWG eligibility determination, enrollment, and case management compliance.

## **Attachments:**

- None

## **Authority:**

- [Workforce Innovation and Opportunity Act \(WIOA\) Sections 3\(15\); 170\(a\) and \(d\); 134; ;181; 184; 185; 188; 189.](#)
- [TEGL 12-19 Attachment-1](#)
- [eCFR :: 20 CFR Part 687 -- National Dislocated Worker Grants](#)

- [TRAINING AND EMPLOYMENT GUIDANCE LETTER No. 12-19, Change 1, Employment & Training Administration \(ETA\) - U.S. Department of Labor \(doleta.gov\)](#)
- [TRAINING AND EMPLOYMENT GUIDANCE LETTER No. 19-16, Employment & Training Administration \(ETA\) - U.S. Department of Labor \(doleta.gov\)](#)
- [DEO Administrative Policy #113 Disaster Recovery Dislocated Worker Grants](#)
- [National Dislocated Worker Grant Program Guidance \(doleta.gov\)](#)

**Supersession:**

- **None**

**Inquiries:**

Any questions about this policy should be directed to the CEO, COO, CFAO and/or their designee.

Draft

**CAREERSOURCE SUNCOAST**  
**Bylaws Review and Approval**  
**Executive Committee Summary Report**  
**March 10<sup>th</sup>, 2022**

**Background Information:**

Bylaws are the provisions by which the local area is governed, and the Local Workforce Development Board(LWDB) and its operations are managed. They provide consistency and clarification on the roles and responsibilities of the various representatives governing the local workforce development system. The LWDB must ensure that its bylaws are up- to-date and in alignment with requirements of WIOA and state policy. CareerSource Florida (CSF)/Department of Economic Opportunity(DEO) Policy #110 - Local workforce Development Area and Board Governance and Policy #091 - Local Workforce Development Board Composition and Certification are the state policies in which CareerSource Suncoast follow.

**Bylaws Approval Summary:**

The CareerSource Suncoast leadership team met with the Bylaws Ad Hoc Committee on February 18, 2022 to review the revisions made to the bylaws based on the CSF/DEO Administrative Policies. The Executive Committee has been provided a mark-up version of the current bylaws; new language is reflected in red font and the removals are highlighted in yellow with strike through the text. A clean version of the revised bylaws has also been provided for a comparison and clear read.

**Requested Action:**

**A motion that the Executive Committee approve the revised CareerSource Suncoast Bylaws to be presented to the full Board of Directors for approval on March 24<sup>th</sup>, 2022.**

Respectfully submitted,  
Robin Dawson, CFAO

# **BYLAWS OF SUNCOAST WORKFORCE BOARD, INC.**

## **ARTICLE I – NAME, INCORPORATION, TAX EXEMPT STATUS, PURPOSES AND POWERS**

- Section 1.1. Name. The name of this Corporation shall be **Suncoast Workforce Board, Inc.**, dba CareerSource Suncoast also referred to herein as “the Board” and “the Corporation” and CSS.
- Section 1.2. Incorporation. The Corporation is a not-for-profit corporation organized and existing under the laws of the State of Florida.
- Section 1.3. Tax Exempt Status. The Corporation is intended to be an organization which is exempt from federal income taxation under Code Section 501(c) of the Internal Revenue Code of 1954 and the Regulations thereunder as the same now exist or as they may hereafter be amended from time to time.
- Section 1.4. Suncoast Workforce Board, Inc. may also do business as CareerSource Suncoast.
- Section 1.5. Mission and Purposes.
- A. Regional Mission: To recruit, train and retain talent for employers on the Suncoast.
  - B. Vision: Employers will locate, expand, and flourish on the Suncoast because of our high-talent workforce.
  - C. Values: Business Driven, Continuous Improvement, Integrity, Talent Focus and Purpose Driven.
- Section 1.6. Powers. The Corporation shall have and exercise all rights and powers stated in its Articles of Incorporation, Bylaws, and as permitted by the laws of the State of Florida for not-for-profit corporations, including, but not limited to, the power to do all acts necessary or proper for the administration of its affairs and the attainment of its purposes.

## **ARTICLE II – OFFICES**

- Section 2.1. Principal Office. The principal office of this Corporation in the State of Florida shall be located in the County of Sarasota or Manatee.
- Section 2.2. Other Office. The Corporation may establish additional offices, as the Board of Directors may from time to time determine.

### ARTICLE III – LIMITATION ON ACTIVITIES

Section 3.1. The Corporation shall be non-partisan, non-sectional and non-sectarian and shall take no part in, or lend its influence or facilities to, the nomination, election, or appointment of any candidate for public office.

### ARTICLE IV – DIRECTORS

Section 4.1. Function. The Board of Directors is vested with the management of the business and affairs of the Corporation, and all corporate powers shall be exercised by or under the authority of the Board subject to law, the Articles of Incorporation, and these Bylaws. Management of the corporation shall not be inconsistent with the provisions of the Workforce Innovation and Opportunity Act, Public Law 113-128, Chapter 445, Florida Statutes, as the same may be amended from time to time.

Section 4.2. Structure. The Chief Local Elected Officials shall be the appointing authority for the members of the Board of Directors of the Corporation. Membership and appointment shall be consistent with the applicable provisions of Pub. L. No. 113-128 Title I and Chapter 445, Florida Statutes.

#### *a. Business*

A majority of the LWDB members must represent local businesses in the local area who:

- Are owners of a business, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority;
- Represent businesses, including small businesses, or organizations representing businesses that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area (at least two representatives of small businesses must be included); and
- Are appointed from among individuals nominated by local business organizations and business trade associations.

[§ 107(b)(2)(A), WIOA]

#### *b. Labor/Apprenticeships*

No less than 20% of the members shall be representatives of the workforce within the local area, including:

- **Include** at least two representatives of labor organizations nominated by local labor federations. For a local area in which no employees are represented by such organizations, at least two other representatives of employees will be included.
- **Include** at least one representative of a labor organization or a training director from a joint labor-management apprenticeship program. If no such joint program exists in the

area, at least one representative of an apprenticeship program in the area, if such a program exists.

- May include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that serve veterans or provide/support competitive integrated employment for individuals with disabilities.
- May include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives or organizations that serve out-of-school youth.

[§ 107(b)(2)(B), WIOA]

***c. Education***

Each local board shall include representatives of entities administering education and training activities in the local area, including:

- **Include** a representative of eligible providers administering adult education and literacy activities under Title II of WIOA.
- **Include** a representative of institutions of higher education providing workforce investment activities (including community colleges).
- **Include** a private education provider. CareerSource Florida may waive this requirement if requested by a LWDB if it is demonstrated that such representatives do not exist in the local area.
- May include representatives of local educational agencies, and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment.

When there is more than one institution in each of the types of educational entities listed above, nominations are solicited from representatives of each of these entities.

[§ 107(b)(2)(C), WIOA, § 445.007(1), Fla. Stat.]

***d. Economic/Community Development and Other Entities***

Each local board shall include representatives of governmental and economic and community development entities serving the local areas, including:

- **Include** a representative of economic and community development entities serving the local area. An economic agency is defined as including a local planning or zoning commission or board, a community development agency, or another local agency or institution responsible for regulating, promoting, or assisting in local economic development.
- **Include** a representative of Vocational Rehabilitation serving the local area.

- May include representatives of agencies or entities serving the local area relating to transportation, housing, and public assistance.
- May include representatives of philanthropic organizations serving the local area.
- May include other individuals or representatives of entities as the Chief Local Elected Officials in the local areas determines to be appropriate.

[§ 107(b)(2)(D) & (E), § 3(17) WIOA]

Section 4.3. Term of Office.

- A. All appointments to the Board shall be for four (4) years, subject to approval of the Chief Local Elected Officials, and shall commence upon approval of the Chief Local Elected Officials, ~~and terminate on September 30th of the year such appointment ends, except as provided below.~~
- 
- B. When a Board member's term expires, they can reapply using the same process as the original procedure. ~~Members shall serve staggered terms and may not serve for more than eight (8) consecutive years, unless the member is a representative of a government entity. Individuals who have served 8 consecutive years, may reapply for membership after not serving as a Board member for a minimum of one year.~~
- C. ~~Board members who no longer hold the position or status that made them eligible appointees must resign or be removed by the CLEO. Board members must reapply with their new position to be considered for re-appointment.~~

Section 4.4. Vacancies. A vacancy shall occur automatically when a Board member no longer meets the criteria for membership as originally appointed in accordance with their category of membership. ~~A vacancy on the Board of Directors shall be filled for the remainder of the unexpired term.~~

- A. ~~Vacancies in Board membership created by death, resignation or disqualification shall be filled by an appointment made in the same manner as the original appointment, and the appointee shall serve the remainder of the unexpired term.~~
- B. ~~Vacancies must be filled within a reasonable amount of time, but no more than 12 months from the vacancy occurrence.~~
- C. ~~New Board member's must be appointed to fill the same category of membership as that in which the vacancy occurred; however, new members do not have to be from the same organization as the members being replaced. All appointments for vacancies shall begin a new term.~~

Section 4.5. Removals.



- A. Absence of a member of the Board from three (3) consecutive regular meetings of the Board without a valid reason and/or prior written request shall be grounds for removal of the member from the Board upon recommendation of the Executive Committee and vote of the Board.
- B. A member of the Board may be removed when deemed to be in the best interest of the Board upon recommendation by the Executive Committee, and a two-thirds (2/3) vote of the Board members present after a quorum is seated at a meeting noticed for said purpose.
- C. Upon a motion approved by the Board the recommendation for the removal of a member shall be communicated to the appointing authority which may act to remove the member and shall then appoint an individual in the same category as the terminated member.

Section 4.6. Meetings. All meetings shall be open to the public and noticed in accordance with the requirements of the Florida Government in the Sunshine Law, Section 286.011, Florida Statutes. The Board of Directors shall hold the following types of meetings:

- A. Regular Meetings. Regular meetings of the Board shall be held on a quarterly or more frequent basis if necessary. The annual meeting shall be scheduled in the month of September.
- B. Special Ad-Hoc Meetings. Special meetings of the Board may be called by the Chair of the Board, a majority of the Executive Committee, or by no fewer than ten (10) members of the Board.
- C. The Chair shall designate the date, time, and place of meetings, otherwise, the President/CEO.
- D. All meetings shall be held in a meeting place open and accessible to the general public in accordance with the Florida Government in the Sunshine Law, Section 286.011, Florida Statutes.
- E. Parliamentary procedures not otherwise governed by the Bylaws shall be guided by with Roberts Rules of Order, Revised.
- F. Participation in meetings shall be limited to members of Board, or their designated representative (who shall have no voting rights and who shall not count toward a quorum at the meeting) with the following exceptions:
  - 1. Regularly scheduled agenda items that call for reports or participation by nonmembers.
  - 2. The Chairman shall allow for comments or other participation by nonmembers on items under consideration before the group prior to

the vote. However, the Chair may limit the time allotment for those seeking to comment.

Section 4.7. Quorum and Voting.

- A. A majority of the total current membership of the Board of Directors shall constitute a quorum for a meeting of the Board of Directors.
- B. Once a quorum has been seated, a vote by a majority of the members present is required to organize and conduct the business of the Board, except when otherwise provided for herein. There shall be no alternates or proxy voting. Board members may send a representative in their place but will not be counted toward a quorum.
- C. A Board member shall not cast a vote on, nor participate in, any decision-making capacity on the provision of services by such member (or any organization which that member directly represents) nor on any matter which would provide any direct financial benefit to that member, or a member of their immediate family as defined by the Florida Statutes. A Conflict-of-Interest form must be filled out by board members having any conflict and filed with the meeting minutes.

Section 4.8. Notice of Meetings. Written or ~~printed~~ **electronic** notice stating the place/ **virtual link**, the day and hour of the meeting together with a written agenda of the business to be conducted shall be emailed to all members entitled to vote at least seven (7) days in advance of the meeting. But in case of an emergency the **Board Chair President / CEO** may call a meeting on less notice. Said notice shall be delivered ~~personally, by mail,~~ by electronic mail, **and publicly posted on the CareerSource Suncoast Website** or by facsimile. ~~If sent by mail, a notice of meeting shall be deemed delivered when deposited in the United States mail, postage prepaid, addressed to the member at his address as it appears on the records of the Corporation at the time of mailing.~~ Items not on the agenda may be taken up subject to a two-thirds (2/3) vote of the members present and voting.

Section 4.9. Minutes. Minutes shall be prepared documenting all formal actions of the Board and its Committees.

Section 4.10. Powers. Except as otherwise provided in the Articles of Incorporation, Workforce Innovation and Opportunity Act, Public Law 113-128, Chapter 445, Florida Statutes, or these Bylaws, the powers of this Corporation shall be exercised, its properties controlled, and its affairs conducted by the Board of Directors, which may, however, delegate the performance of any duties or the exercise of any powers to such officers and agents as the Board may from time to time designate.

Section 4.11. Duties. In addition to all customary duties to be carried out by the Board of Directors, as set forth herein and as provided by law, including but not limited to the

provisions of the Workforce Innovation and Opportunity Act, Public Law 113-128 Chapter 445, Florida Statutes, or these Bylaws as amended from time to time, the duties of the Board of Directors of this Corporation shall include:

- A. Annually establishing, reviewing and/or amending performance goals for the Corporation designed to fulfill the mission of the Corporation.
- B. The Board of Directors and its officers shall be responsible for the prudent use by the Corporation of all public and private funds and shall ensure that the use of each fund is in accordance with all applicable laws, Bylaws, or contractual requirements.
- C. In the performance of its functions and duties, the Board of Directors may establish and implement policies, strategies, and programs so long as they are not in conflict with state or federal law.
- C. Except as delegated or authorized by the Board of Directors, individual Board members have no authority to control or direct the operations of the Corporation or the actions of its officers and employees, including the President/CEO.
- D. Board Members appointed to the Board of Directors are required to participate in orientation and annual training to ensure they understand the purpose of the participation on the Board. The purpose of orientation and training is to provide Board Members with information that empowers them to effectively serve. All new Board Members, within six (6) months of appointment, will complete a new Board Member orientation. The Board is responsible for and shall develop Board Member orientation.
- E. Board Members will complete annual refresher training to remind them of the purpose of their appointment as a Member of the Board.
- F. New Board Members and refresher training may be offered in-person and/or virtually at the discretion of the Board. The Board must retain and provide attendance records of participants and the dates of completion.

Section 4.12. Common Trust Funds. The Board of Directors may duly adopt and establish one or more common trust funds for the purpose of furnishing investments to the Corporation, or to any organization for any purpose permitted exempt organizations as set forth in Section 501(c) of the Internal Revenue Code of 1954 and the Regulations thereunder as the same now exist or as they may hereafter be amended from time to time, or to any organization, society, or corporation holding funds or property for the benefit of any of the foregoing institutions whether holding such

funds or property as fiduciary or otherwise, subject to such terms and conditions as are set forth in the Articles of Incorporation of this Corporation and Bylaws.

Section 4.13. Indemnification of Officers and Directors and Bonding. The Board shall indemnify, defend, save, and hold harmless each member from personal liability to the maximum extent authorized by law as same may exist from time to time. It is specifically understood that each member is serving in a volunteer capacity and without compensation. It is the intent of this Article that no member shall have personal liability for his or her acts or omissions, except in those instances where the Board is prohibited, by law, from indemnifying, defending, saving, and holding harmless such member. The Suncoast Workforce Board, Inc. will therefore maintain Directors and Officers liability insurance for board members.

The rights accruing to any person under the foregoing provisions of this Section shall not exclude any other right to which such person may be lawfully entitled, nor shall anything herein contained, restrict the right of the Corporation to indemnify or reimburse such person in any proper case even though not specifically herein provided for.

The Directors of this Corporation shall not be personally liable for its debts, liabilities, or other obligations.

The President/CEO and such other officers and staff as the Board of Directors may designate shall be bonded by a sufficient fidelity bond in the amount set forth under State and Federal requirements and shall be protected through the purchase of Directors and Officers Liability Insurance.

## **ARTICLE V – OFFICERS**

Section 5.1. Elected and Appointed Officers: The officers of the Corporation shall consist of a President/CEO, a Chair, a Chair-Elect, and a Treasurer designated by the Board. The Chair may also appoint such other officers as the Board may deem appropriate. The Chair-Elect and the Treasurer may be the same person.

Section 5.2. Duties. The officers of the Corporation shall have the following duties:

- A. President/CEO. The President/CEO of the Corporation shall be hired by the Board of Directors which shall fix the salary and other terms and conditions of employment, upon the recommendation of the Executive Committee.

The President/CEO is the chief administrative and operational officer of the Board of Directors and of the Corporation and shall direct and supervise the administrative affairs of the Board of Directors and any Committees of the Corporation. The Board of Directors may delegate to the President/CEO those powers and responsibilities it deems appropriate.

The President/CEO shall have the authority to assign any of the following duties or responsibilities to another CSS executive staff member to act as a designee executive in the President/CEO's stead, in the event the President/CEO is unavailable.

The President/CEO or their designee shall have authority to hire, supervise, direct, and terminate all employees, and to determine their compensation within approved budget limitations.

The President/CEO or their designee shall have the authority to enter into contracts and MOUs as the Board or Executive Committee may approve from time to time, or as approved by the Board or Executive Committee through the enactment of policies pertaining to matters of procurement and program delivery.

The President/CEO shall have overall responsibility for the development, planning and implementation of the workforce development program for the Corporation in accordance with policies established by the Board of Directors.

The President/CEO shall establish staff policies, participate in the preparation of annual budgets, engage the services of outside professionals, and otherwise attend to the day-to-day operation of the Corporation and carry out the instructions of the Board of Directors and the Executive Committee.

The President/CEO shall be ex-officio, non-voting member of the Board, Executive Committee, and all other Committees.

The President/CEO shall serve as advisor to the Board Chair and all Committee Chairs and shall assemble information and data to be used to prepare reports as directed by the Board.

In coordination with the Treasurer, the President/CEO shall be responsible for the preparation of an operating budget covering all activities of the Board, subject to approval by the Board. The President/CEO shall further be authorized to make disbursements within approved budget allocations.

The President/CEO shall report to the Board through the Executive Committee. The Executive Committee shall review the performance of the President/CEO on an annual basis.

The President/CEO shall serve as the Executive Secretary of the Corporation. The President/CEO shall keep a record of the proceedings of the Board of Directors and is the custodian of all books, documents, and papers filed with the Board of Directors, the minutes of the meetings, and all

board membership records, and exhibit such records to any director of the Corporation, or to his agent, or to any person or agency authorized by law to inspect them, at all reasonable times and on demand.

The President/CEO shall coordinate with the CLEOs regarding the identification and nomination of Board members to the LWDB and ensuring membership is compliant with WIOA and Florida Statutes;

The President/CEO shall organize board meetings and ensuring meetings are held according to the LWDB's bylaws and Florida's sunshine laws;

The President/CEO shall develop and submit the local and regional workforce development plan;

The President/CEO shall negotiate and reach an agreement on local performance measures;

The President/CEO shall certify the one-stop career centers.

- B. Chair. The Chair shall be elected from among the members of the Board who are representatives of the private sector and shall have been a member of the Board for at least one (1) year prior to taking office.

~~The Chair shall be the chief elected officer of the Board and shall preside at all Board and Executive Committee meetings, except as noted in "C" below.~~

The Chair shall appoint Committee Chairs for all Committees from members of the Board. The Chair may serve on all Committees and shall perform such other duties as set forth in the Bylaws or as determined by the Board.

The Chair must be from the business community and may serve for a term of no more than two years, with service limited to two consecutive terms.

The Chair shall lead the board to develop a guiding vision that aligns with the state's priorities;

The Chair shall act as the lead strategic convener to promote and broker effective relationships between CLEOs and economic development, education, and workforce partners in the local area;

The Chair shall lead an executive committee to guide the work of the board, and ensure that committees or task forces have necessary leadership and membership to perform the work of the board; and

The Chair shall the agenda setting process for the year and guide meetings to ensure both tactical and strategic work is completed in all meetings.

- C. Chair-Elect. The Chair-Elect shall be elected from among the members of the Board who are representatives of the private sector and shall have been a member of the Board for at least one (1) year prior to taking office, and shall, in the absence of the Chair or in the event of the Chair's inability, perform the duties of the Chair and shall perform such other duties as are assigned by the Chair.
- D. Treasurer. The Treasurer shall chair the Finance & Performance Committee and be responsible to the Board for oversight of the Corporation's financial management system.

Section 5.3. Officer Nominating Committee. The Nominating Committee shall be appointed by the Chair, in consultation with the President/CEO. The Nominating Committee shall accept recommendations **in May** from the Board in assembling a slate of officers. The Nominating Committee will recommend to the full Board a slate of officers to serve on the Executive Committee. At the discretion of the Executive Committee, an At-Large Member may also be proposed to serve as an Officer.

Section 5.5. Elections. The Chair, Chair-Elect and Treasurer of the Executive Committee shall provide the confirmed slate to be confirmed annually by the Board at the September meeting, at which meeting the recommended and confirmed officers will be installed.

Section 5.5. Removal. The Board of Directors may recommend to the Chief Local Elected Officials the removal of any officer when it is deemed in the best interest of the Corporation.

## ARTICLE VI – COMMITTEES

Section 6.1. Executive Committee.

- A. The Executive Committee shall be composed of the Chair, Chair-Elect, Treasurer, and Chairs of all Committees, with the Past Chair having the choice of serving on the Executive Committee. All Executive Committee members shall serve one-year terms except the Chair as noted in 5.2 B. At least a majority of the members of the Executive Committee shall be representatives of the private sector. The Executive Committee is empowered to act and take necessary interim action between meetings of the Board.
- B. The Executive Committee and the President/CEO shall have such additional authority as the Board of Directors lawfully delegates to it.

- C. The Executive Committee shall assist the Treasurer with financial review responsibilities and shall review the President/CEO's recommended budget and make recommendations regarding the budget to the Board. The annual audit will be reviewed by the Executive Committee when the audit report is completed.

Section 6.2. Standing Committees. The Chair may appoint committees to fulfill the Boards' responsibilities to obtain technical assistance. The Board Chair shall name a Committee Chair for each Committee from among the members of the Committee who are also members of the Board of Directors. Each Committee may meet at the call of its Chair or at the direction of the Board of Directors but shall meet at least quarterly. **Standing Committees may include non-Board members, but the Chair and Vice Chair of all Committees shall be members of the Board.**

- A. Finance & Performance Committee. The Finance & Performance Committee shall review the President/CEO's recommended budget and make recommendations regarding the budget to the Executive Committee. The Finance & Performance Committee shall consist of the Treasurer, **the Chief Financial Officer of the Corporation,** and such members of the Board of Directors as are appointed by the Chair. The Finance & Performance Committee shall serve as the Audit Committee.

Section 6.3. Ad hoc Committees. Ad hoc Committees may be created and established by the Board of Directors. The scope and function, including any budget allocation, shall be established by the Board. Any special committee created by the Board of Directors shall automatically be abolished one (1) year after its creation unless the need for its continued existence is justified to the satisfaction of the Board of Directors.

Section 6.4. ~~A. Membership.~~ **All Ad-Hoc Committees may include non-Board members, but the Chair and Vice Chair of all Committees shall be members of the Board.**

- A. **Board of Directors Membership Committee. The Board of Directors membership committees shall be comprised of Board Members and/or Designees, with the Board's Chair Elect serving as the Committee Chair. The primary function of the Board of Directors Membership Committee is to recruit, vet, and nominate Board members, with consideration to equitable minority and gender representation reflective of the diversity of the Local Workforce Development Area. Meeting frequency shall be set as needed.**

Section 6.4.5. Compliance with Sunshine Law. All Committee meetings shall be noticed and conducted in compliance with the requirements of the Florida Government in the Sunshine Law, Section 286.011, Florida Statutes.



## ARTICLE VII – OPERATIONS

- Section 7.1. Fiscal Year. The fiscal year of the Corporation shall be July 1<sup>st</sup> through June 30<sup>th</sup> of the following calendar year.
- Section 7.2. Execution of Documents. The President/CEO or their designee shall have the authority to enter into contracts as the Board or Executive Committee may approve from time to time, or as approved by the Board or Executive Committee through the enactment of policies pertaining to matters of procurement and program delivery.
- Section 7.3. Books and Records. The Corporation shall keep correct and complete books and records of account and shall keep minutes on the proceedings of the Board of Directors. The Corporation shall keep at its principal place of business a membership register listing the names, addresses and other details of each Board of Directors' member, and the original or a copy of its Bylaws, including amendments to date certified by the Treasurer of the Corporation.
- Section 7.4. Inspection of Books and Records. All books and records of the Corporation shall be public records subject to inspection and copying as provided for in Chapter 119, Florida Statutes, as amended from time to time.
- Section 7.5. Contracts. The Corporation shall have the authority to contract with public and private entities as necessary to further the purposes of the Corporation. All contracts executed by the Corporation must include specific performance expectations and deliverables.
- Section 7.6. Budget. The Board of Directors of this Corporation shall adopt for each fiscal year a budget for the organization in accordance with the requirements of law. A budget shall be prepared annually prior to the commencement of the fiscal year. The President/CEO shall be responsible for preparation of the budget. The President/CEO will present the budget for review by the Finance & Performance Committee and the Executive Committee and approval by the Board of Directors. Allocation and expenditure of the funds of the Corporation shall be governed by the budget previously approved for the current fiscal year. The budget may be amended from time to time by the Board of Directors.
- Section 7.7. Gifts and Contributions. The Board of Directors is authorized to accept on behalf of the Corporation any contribution, gift, bequest, or devise of any property whatsoever, for the general and special purposes of this Corporation. The Board of Directors may from time to time on behalf of the Corporation accept gifts of money or securities upon such terms as they shall approve, and may hold such cash or securities in the name of the Corporation or of such nominee or nominees as the Board of Directors may appoint, and may collect and receive the income thereof and devote the principal or income of such gifts to such purposes within the scope of the activities of the Corporation as the Board of Directors may determine.

The Board of Directors may enter into an agreement with any donor to continue to devote the principal or income of his gift to such particular purpose as the donor may designate, provided that such purpose is duly approved or ratified by resolution of the Board of Directors; and after such agreement, the principal or income of that particular gift shall be devoted in accordance with such agreement for the time specified therein.

Section 7.8. Deposits. All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies, or other depositories as the Board of Directors may select.

#### **ARTICLE VIII – AMENDMENT**

Section 8.1. Amendment. The Bylaws may be altered, amended, or repealed and new Bylaws adopted by the affirmative vote of a majority of the full membership of the Board at a regular or special meeting, provided that any proposal to alter, amend or repeal Bylaws be submitted to each Board member at least fifteen (15) days prior to the meeting at which the proposal is to be considered.

#### **ARTICLE IX – PROHIBITION AGAINST SHARING IN CORPORATE EARNINGS**

Section 9.1. Prohibition Against Sharing in Corporate Earnings. No member, director, officer, or employee of or member of a Committee of or person connected with the Corporation, or any other private individual shall receive at any time any of the net earnings or pecuniary profit from the operations of the Corporation, provided that this shall not prevent the payment to any such person of such reasonable compensation for services rendered to or for the Corporation in effecting any of its purposes as shall be fixed by the Board of Directors; and no such person or persons shall be entitled to share in the distribution of any of the Corporate assets upon the dissolution of the Corporation. All members of the Corporation shall be deemed to have expressly consented and agreed that upon such dissolution or winding up of the affairs of the Corporation, whether voluntary or involuntary, the assets of the Corporation, after all debts have been satisfied, remaining in the hands of the Board of Directors shall be distributed within the intendment of Section 501(c) of the Internal Revenue code of 1954 and its Regulations as they now exist or as they may be amended, and consistent with other applicable law.

#### **ARTICLE X – EXEMPT ACTIVITIES**

Section 10.1. Exempt Activities. Notwithstanding any other provision of these Bylaws or the Articles of Incorporation, no member, director, officer, employee, or representative of this Corporation shall take any action or carry on any activity by or on behalf of the Corporation not permitted to be taken or carried on by an organization exempt

under Section 501(c) of the Internal Revenue Code of 1954 and its Regulations as they now exist or as they may be amended.

**ARTICLE XI – DISSOLUTION OF CORPORATION**

Section 11.1. Dissolution. In the event of the liquidation or dissolution of the Corporation, whether voluntary or involuntary, no member shall be entitled to any distribution or division of its remaining property or its proceeds, and the balance of all money and other property received by the Corporation from any source, after the payment of all debts and obligations of the Corporation, shall be used or distributed to the State of Florida within the intentment of Section 501(c) of the Internal Revenue Code of 1954 and the Regulations thereunder.

**ARTICLE XII – NON-DISCRIMINATION POLICY**

Section 12.1 The members, Officers, Directors, committee members, employees, and persons served by this Corporation shall be interviewed, selected, appointed, and promoted without regard to race, color, religion, sex, national origin, age, disability, handicap, marital status, sexual orientation, or status as a veteran except as provided for in applicable federal and/or state legislation.

**ARTICLE XIII – HARASSMENT POLICY**

Section 13.1 It is the policy of the Corporation to strive for an environment that is free from all forms of Harassment based upon a protected category. Harassment based upon any of the categories found in Article XII, or found in any federal, state, or local law, in any manner or form is expressly prohibited. Any concerns and complaints should be brought to the attention of the Board Chair, or the President/CEO. CareerSource Suncoast also has a Whistleblower Policy with an Integrity Hotline 941-358-40804200 x 1119 which goes to the attention of the Board Chair.

**WE HEREBY CERTIFY** that these Bylaws have been adopted by the Board of Directors of the Suncoast Workforce Board, Inc., dba CareerSource Suncoast on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, by the requisite affirmative vote of a majority of the full membership of the Board pursuant to the prior Bylaws.

\_\_\_\_\_  
Eric Troyer, Chair

\_\_\_\_\_  
Joshua Matlock, President/CEO/Executive Secretary to the Board of Directors

# **BYLAWS OF SUNCOAST WORKFORCE BOARD, INC.**

## **ARTICLE I – NAME, INCORPORATION, TAX EXEMPT STATUS, PURPOSES AND POWERS**

Section 1.1. Name. The name of this Corporation shall be **Suncoast Workforce Board, Inc.**, dba CareerSource Suncoast also referred to herein as “the Board” and “the Corporation” and CSS.

Section 1.2. Incorporation. The Corporation is a not-for-profit corporation organized and existing under the laws of the State of Florida.

Section 1.3. Tax Exempt Status. The Corporation is intended to be an organization which is exempt from federal income taxation under Code Section 501(c) of the Internal Revenue Code of 1954 and the Regulations thereunder as the same now exist or as they may hereafter be amended from time to time.

Section 1.4. Suncoast Workforce Board, Inc. may also do business as CareerSource Suncoast.

Section 1.5. Mission and Purposes.

- A. Regional Mission: To recruit, train and retain talent for employers on the Suncoast.
- B. Vision: Employers will locate, expand, and flourish on the Suncoast because of our high-talent workforce.
- C. Values: Business Driven, Continuous Improvement, Integrity, Talent Focus and Purpose Driven.

Section 1.6. Powers. The Corporation shall have and exercise all rights and powers stated in its Articles of Incorporation, Bylaws, and as permitted by the laws of the State of Florida for not-for-profit corporations, including, but not limited to, the power to do all acts necessary or proper for the administration of its affairs and the attainment of its purposes.

## **ARTICLE II – OFFICES**

Section 2.1. Principal Office. The principal office of this Corporation in the State of Florida shall be located in the County of Sarasota or Manatee.

Section 2.2. Other Office. The Corporation may establish additional offices, as the Board of Directors may from time to time determine.

### ARTICLE III – LIMITATION ON ACTIVITIES

Section 3.1. The Corporation shall be non-partisan, non-sectional and non-sectarian and shall take no part in, or lend its influence or facilities to, the nomination, election, or appointment of any candidate for public office.

### ARTICLE IV – DIRECTORS

Section 4.1. Function. The Board of Directors is vested with the management of the business and affairs of the Corporation, and all corporate powers shall be exercised by or under the authority of the Board subject to law, the Articles of Incorporation, and these Bylaws. Management of the corporation shall not be inconsistent with the provisions of the Workforce Innovation and Opportunity Act, Public Law 113-128, Chapter 445, Florida Statutes, as the same may be amended from time to time.

Section 4.2. Structure. The Chief Local Elected Officials shall be the appointing authority for the members of the Board of Directors of the Corporation. Membership and appointment shall be consistent with the applicable provisions of Pub. L. No. 113-128 Title I and Chapter 445, Florida Statutes.

#### *a. Business*

A majority of the LWDB members must represent local businesses in the local area who:

- Are owners of a business, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority;
- Represent businesses, including small businesses, or organizations representing businesses that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area (at least two representatives of small businesses must be included); and
- Are appointed from among individuals nominated by local business organizations and business trade associations.

[§ 107(b)(2)(A), WIOA]

#### *b. Labor/Apprenticeships*

No less than 20% of the members shall be representatives of the workforce within the local area, including:

- Include at least two representatives of labor organizations nominated by local labor federations. For a local area in which no employees are represented by such organizations, at least two other representatives of employees will be included.
- Include at least one representative of a labor organization or a training director from a joint labor-management apprenticeship program. If no such joint program exists in the

area, at least one representative of an apprenticeship program in the area, if such a program exists.

- May include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that serve veterans or provide/support competitive integrated employment for individuals with disabilities.
- May include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives or organizations that serve out-of-school youth.

[§ 107(b)(2)(B), WIOA]

***c. Education***

Each local board shall include representatives of entities administering education and training activities in the local area, including:

- Include a representative of eligible providers administering adult education and literacy activities under Title II of WIOA.
- Include a representative of institutions of higher education providing workforce investment activities (including community colleges).
- Include a private education provider. CareerSource Florida may waive this requirement if requested by a LWDB if it is demonstrated that such representatives do not exist in the local area.
- May include representatives of local educational agencies, and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment.

When there is more than one institution in each of the types of educational entities listed above, nominations are solicited from representatives of each of these entities.

[§ 107(b)(2)(C), WIOA, § 445.007(1), Fla. Stat.]

***d. Economic/Community Development and Other Entities***

Each local board shall include representatives of governmental and economic and community development entities serving the local areas, including:

- Include a representative of economic and community development entities serving the local area. An economic agency is defined as including a local planning or zoning commission or board, a community development agency, or another local agency or institution responsible for regulating, promoting, or assisting in local economic development.
- Include a representative of Vocational Rehabilitation serving the local area.

- May include representatives of agencies or entities serving the local area relating to transportation, housing, and public assistance.
- May include representatives of philanthropic organizations serving the local area.
- May include other individuals or representatives of entities as the Chief Local Elected Officials in the local areas determines to be appropriate.

[§ 107(b)(2)(D) & (E), § 3(17) WIOA]

Section 4.3. Term of Office.

- A. All appointments to the Board shall be for four (4) years, subject to approval of the Chief Local Elected Officials, and shall commence upon approval of the Chief Local Elected Officials.
- B. When a Board member's term expires, they can reapply using the same process as the original procedure. Members shall serve staggered terms and may not serve for more than eight (8) consecutive years, unless the member is a representative of a government entity. Individuals who have served 8 consecutive years, may reapply for membership after not serving as a Board member for a minimum of one year.
- C. Board members who no longer hold the position or status that made them eligible appointees must resign or be removed by the CLEO. Board members must reapply with their new position to be considered for re-appointment.

Section 4.4. Vacancies. A vacancy shall occur automatically when a Board member no longer meets the criteria for membership as originally appointed in accordance with their category of membership.

- A. Vacancies in Board membership created by death, resignation or disqualification shall be filled by an appointment made in the same manner as the original appointment.
- B. Vacancies must be filled within a reasonable amount of time, but no more than 12 months from the vacancy occurrence.
- C. New Board member's must be appointed to fill the same category of membership as that in which the vacancy occurred; however, new members do not have to be from the same organization as the members being replaced. All appointments for vacancies shall begin a new term.

Section 4.5. Removals.

- A. Absence of a member of the Board from three (3) consecutive regular meetings of the Board without a valid reason and/or prior written request

shall be grounds for removal of the member from the Board upon recommendation of the Executive Committee and vote of the Board.

- B. A member of the Board may be removed when deemed to be in the best interest of the Board upon recommendation by the Executive Committee, and a two-thirds (2/3) vote of the Board members present after a quorum is seated at a meeting noticed for said purpose.
- C. Upon a motion approved by the Board the recommendation for the removal of a member shall be communicated to the appointing authority which may act to remove the member and shall then appoint an individual in the same category as the terminated member.

Section 4.6. Meetings. All meetings shall be open to the public and noticed in accordance with the requirements of the Florida Government in the Sunshine Law, Section 286.011, Florida Statutes. The Board of Directors shall hold the following types of meetings:

- A. Regular Meetings. Regular meetings of the Board shall be held on a quarterly or more frequent basis if necessary. The annual meeting shall be scheduled in the month of September.
- B. Ad-Hoc Meetings. Special meetings of the Board may be called by the Chair of the Board, a majority of the Executive Committee, or by no fewer than ten (10) members of the Board.
- C. The Chair shall designate the date, time, and place of meetings, otherwise, the President/CEO.
- D. All meetings shall be held in a meeting place open and accessible to the general public in accordance with the Florida Government in the Sunshine Law, Section 286.011, Florida Statutes.
- E. Parliamentary procedures not otherwise governed by the Bylaws shall be guided by with Roberts Rules of Order, Revised.
- F. Participation in meetings shall be limited to members of Board, or their designated representative (who shall have no voting rights and who shall not count toward a quorum at the meeting) with the following exceptions:
  - 1. Regularly scheduled agenda items that call for reports or participation by nonmembers.
  - 2. The Chairman shall allow for comments or other participation by nonmembers on items under consideration before the group prior to the vote. However, the Chair may limit the time allotment for those seeking to comment.



Section 4.7. Quorum and Voting.

- A. A majority of the total current membership of the Board of Directors shall constitute a quorum for a meeting of the Board of Directors.
- B. Once a quorum has been seated, a vote by a majority of the members present is required to organize and conduct the business of the Board, except when otherwise provided for herein. There shall be no alternates or proxy voting. Board members may send a representative in their place but will not be counted toward a quorum.
- C. A Board member shall not cast a vote on, nor participate in, any decision-making capacity on the provision of services by such member (or any organization which that member directly represents) nor on any matter which would provide any direct financial benefit to that member, or a member of their immediate family as defined by the Florida Statutes. A Conflict-of-Interest form must be filled out by board members having any conflict and filed with the meeting minutes.

Section 4.8. Notice of Meetings. Written or electronic notice stating the place/ virtual link, the day and hour of the meeting together with a written agenda of the business to be conducted shall be emailed to all members entitled to vote at least seven (7) days in advance of the meeting. But in case of an emergency the Board Chair may call a meeting on less notice. Said notice shall be delivered by electronic mail, and publicly posted on the CareerSource Suncoast Website. Items not on the agenda may be taken up subject to a two-thirds (2/3) vote of the members present and voting.

Section 4.9. Minutes. Minutes shall be prepared documenting all formal actions of the Board and its Committees.

Section 4.10. Powers. Except as otherwise provided in the Articles of Incorporation, Workforce Innovation and Opportunity Act, Public Law 113-128, Chapter 445, Florida Statutes, or these Bylaws, the powers of this Corporation shall be exercised, its properties controlled, and its affairs conducted by the Board of Directors, which may, however, delegate the performance of any duties or the exercise of any powers to such officers and agents as the Board may from time to time designate.

Section 4.11. Duties. In addition to all customary duties to be carried out by the Board of Directors, as set forth herein and as provided by law, including but not limited to the provisions of the Workforce Innovation and Opportunity Act, Public Law 113-128 Chapter 445, Florida Statutes, or these Bylaws as amended from time to time, the duties of the Board of Directors of this Corporation shall include:

- A. Annually establishing, reviewing and/or amending performance goals for the Corporation designed to fulfill the mission of the Corporation.

- B. The Board of Directors and its officers shall be responsible for the prudent use by the Corporation of all public and private funds and shall ensure that the use of each fund is in accordance with all applicable laws, Bylaws, or contractual requirements.
- C. In the performance of its functions and duties, the Board of Directors may establish and implement policies, strategies, and programs so long as they are not in conflict with state or federal law.
- C. Except as delegated or authorized by the Board of Directors, individual Board members have no authority to control or direct the operations of the Corporation or the actions of its officers and employees, including the President/CEO.
- D. Board Members appointed to the Board of Directors are required to participate in orientation and annual training to ensure they understand the purpose of the participation on the Board. The purpose of orientation and training is to provide Board Members with information that empowers them to effectively serve. All new Board Members, within six (6) months of appointment, will complete a new Board Member orientation. The Board is responsible for and shall develop Board Member orientation.
- E. Board Members will complete annual refresher training to remind them of the purpose of their appointment as a Member of the Board.
- F. New Board Members and refresher training may be offered in-person and/or virtually at the discretion of the Board. The Board must retain and provide attendance records of participants and the dates of completion.

Section 4.12. Common Trust Funds. The Board of Directors may duly adopt and establish one or more common trust funds for the purpose of furnishing investments to the Corporation, or to any organization for any purpose permitted exempt organizations as set forth in Section 501(c) of the Internal Revenue Code of 1954 and the Regulations thereunder as the same now exist or as they may hereafter be amended from time to time, or to any organization, society, or corporation holding funds or property for the benefit of any of the foregoing institutions whether holding such funds or property as fiduciary or otherwise, subject to such terms and conditions as are set forth in the Articles of Incorporation of this Corporation and Bylaws.

Section 4.13. Indemnification of Officers and Directors and Bonding. The Board shall indemnify, defend, save, and hold harmless each member from personal liability to the maximum extent authorized by law as same may exist from time to time. It is specifically understood that each member is serving in a volunteer capacity and without compensation. It is the intent of this Article that no member shall have

personal liability for his or her acts or omissions, except in those instances where the Board is prohibited, by law, from indemnifying, defending, saving, and holding harmless such member. The Suncoast Workforce Board, Inc. will therefore maintain Directors and Officers liability insurance for board members.

The rights accruing to any person under the foregoing provisions of this Section shall not exclude any other right to which such person may be lawfully entitled, nor shall anything herein contained, restrict the right of the Corporation to indemnify or reimburse such person in any proper case even though not specifically herein provided for.

The Directors of this Corporation shall not be personally liable for its debts, liabilities, or other obligations.

The President/CEO and such other officers and staff as the Board of Directors may designate shall be bonded by a sufficient fidelity bond in the amount set forth under State and Federal requirements and shall be protected through the purchase of Directors and Officers Liability Insurance.

## **ARTICLE V – OFFICERS**

Section 5.1. Elected and Appointed Officers: The officers of the Corporation shall consist of a President/CEO, a Chair, a Chair-Elect, and a Treasurer designated by the Board. The Chair may also appoint such other officers as the Board may deem appropriate. The Chair-Elect and the Treasurer may be the same person.

Section 5.2. Duties. The officers of the Corporation shall have the following duties:

A. President/CEO. The President/CEO of the Corporation shall be hired by the Board of Directors which shall fix the salary and other terms and conditions of employment, upon the recommendation of the Executive Committee.

The President/CEO is the chief administrative and operational officer of the Board of Directors and of the Corporation and shall direct and supervise the administrative affairs of the Board of Directors and any Committees of the Corporation. The Board of Directors may delegate to the President/CEO those powers and responsibilities it deems appropriate.

The President/CEO shall have the authority to assign any of the following duties or responsibilities to another CSS executive staff member to act as a designee executive in the President/CEO's stead, in the event the President/CEO is unavailable.

The President/CEO or their designee shall have authority to hire, supervise, direct, and terminate all employees, and to determine their compensation within approved budget limitations.

The President/CEO or their designee shall have the authority to enter into contracts and MOUs as the Board or Executive Committee may approve from time to time, or as approved by the Board or Executive Committee through the enactment of policies pertaining to matters of procurement and program delivery.

The President/CEO shall have overall responsibility for the development, planning and implementation of the workforce development program for the Corporation in accordance with policies established by the Board of Directors.

The President/CEO shall establish staff policies, participate in the preparation of annual budgets, engage the services of outside professionals, and otherwise attend to the day-to-day operation of the Corporation and carry out the instructions of the Board of Directors and the Executive Committee.

The President/CEO shall be *ex-officio*, non-voting member of the Board, Executive Committee, and all other Committees.

The President/CEO shall serve as advisor to the Board Chair and all Committee Chairs and shall assemble information and data to be used to prepare reports as directed by the Board.

In coordination with the Treasurer, the President/CEO shall be responsible for the preparation of an operating budget covering all activities of the Board, subject to approval by the Board. The President/CEO shall further be authorized to make disbursements within approved budget allocations.

The President/CEO shall report to the Board through the Executive Committee. The Executive Committee shall review the performance of the President/CEO on an annual basis.

The President/CEO shall serve as the Executive Secretary of the Corporation. The President/CEO shall keep a record of the proceedings of the Board of Directors and is the custodian of all books, documents, and papers filed with the Board of Directors, the minutes of the meetings, and all board membership records, and exhibit such records to any director of the Corporation, or to his agent, or to any person or agency authorized by law to inspect them, at all reasonable times and on demand.

The President/CEO shall coordinate with the CLEOs regarding the identification and nomination of Board members to the LWDB and ensuring membership is compliant with WIOA and Florida Statutes;

The President/CEO shall organize board meetings and ensuring meetings are held according to the LWDB's bylaws and Florida's sunshine laws;

The President/CEO shall develop and submit the local and regional workforce development plan;

The President/CEO shall negotiate and reach an agreement on local performance measures;

The President/CEO shall certify the one-stop career centers.

- B. Chair. The Chair shall be elected from among the members of the Board who are representatives of the private sector and shall have been a member of the Board for at least one (1) year prior to taking office.

The Chair shall appoint Committee Chairs for all Committees from members of the Board. The Chair may serve on all Committees and shall perform such other duties as set forth in the Bylaws or as determined by the Board.

The Chair must be from the business community and may serve for a term of no more than two years, with service limited to two consecutive terms.

The Chair shall lead the board to develop a guiding vision that aligns with the state's priorities;

The Chair shall act as the lead strategic convener to promote and broker effective relationships between CLEOs and economic development, education, and workforce partners in the local area;

The Chair shall lead an executive committee to guide the work of the board, and ensure that committees or task forces have necessary leadership and membership to perform the work of the board; and

The Chair shall the agenda setting process for the year and guide meetings to ensure both tactical and strategic work is completed in all meetings.

- C. Chair-Elect. The Chair-Elect shall be elected from among the members of the Board who are representatives of the private sector and shall have been a member of the Board for at least one (1) year prior to taking office, and shall, in the absence of the Chair or in the event of the Chair's inability, perform the duties of the Chair and shall perform such other duties as are assigned by the Chair.

- D. Treasurer. The Treasurer shall chair the Finance & Performance Committee and be responsible to the Board for oversight of the Corporation's financial management system.

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Section 5.5. Removal. The Board of Directors may recommend to the Chief Local Elected Officials the removal of any officer when it is deemed in the best interest of the Corporation.

## **ARTICLE VI – COMMITTEES**

Section 6.1. Executive Committee.

- A. The Executive Committee shall be composed of the Chair, Chair-Elect, Treasurer, and Chairs of all Committees, with the Past Chair having the choice of serving on the Executive Committee. All Executive Committee members shall serve one-year terms except the Chair as noted in 5.2 B. At least a majority of the members of the Executive Committee shall be representatives of the private sector. The Executive Committee is empowered to act and take necessary interim action between meetings of the Board.
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- C. The Executive Committee shall assist the Treasurer with financial review responsibilities and shall review the President/CEO's recommended budget and make recommendations regarding the budget to the Board. The annual audit will be reviewed by the Executive Committee when the audit report is completed.

Section 6.2. Standing Committees. The Chair may appoint committees to fulfill the Boards' responsibilities to obtain technical assistance. The Board Chair shall name a Committee Chair for each Committee from among the members of the Committee who are also members of the Board of Directors. Each Committee may meet at the call of its Chair or at the direction of the Board of Directors but shall meet at least

quarterly. Standing Committees may include non-Board members, but the Chair and Vice Chair of all Committees shall be members of the Board.

- A. Finance & Performance Committee. The Finance & Performance Committee shall review the President/CEO's recommended budget and make recommendations regarding the budget to the Executive Committee. The Finance & Performance Committee shall consist of the Treasurer, and such members of the Board of Directors as are appointed by the Chair. The Finance & Performance Committee shall serve as the Audit Committee.

Section 6.3. Ad hoc Committees. Ad hoc Committees may be created and established by the Board of Directors. The scope and function, including any budget allocation, shall be established by the Board. Any special committee created by the Board of Directors shall automatically be abolished one (1) year after its creation unless the need for its continued existence is justified to the satisfaction of the Board of Directors. Ad- Hoc Committees may include non-Board members, but the Chair and Vice Chair of all Committees shall be members of the Board.

- A. Board of Directors Membership Committee. The Board of Directors membership committees shall be comprised of Board Members and/or Designees, with the Board's Chair Elect serving as the Committee Chair. The primary function of the Board of Directors Membership Committee is to recruit, vet, and nominate Board members, with consideration to equitable minority and gender representation reflective of the diversity of the Local Workforce Development Area. Meeting frequency shall be set as needed.

Section 6.4. Compliance with Sunshine Law. All Committee meetings shall be noticed and conducted in compliance with the requirements of the Florida Government in the Sunshine Law, Section 286.011, Florida Statutes.

## **ARTICLE VII – OPERATIONS**

Section 7.1. Fiscal Year. The fiscal year of the Corporation shall be July 1<sup>st</sup> through June 30<sup>th</sup> of the following calendar year.

Section 7.2. Execution of Documents. The President/CEO or their designee shall have the authority to enter into contracts as the Board or Executive Committee may approve from time to time, or as approved by the Board or Executive Committee through the enactment of policies pertaining to matters of procurement and program delivery.

Section 7.3. Books and Records. The Corporation shall keep correct and complete books and records of account and shall keep minutes on the proceedings of the Board of Directors. The Corporation shall keep at its principal place of business a membership register listing the names, addresses and other details of each Board of

Directors' member, and the original or a copy of its Bylaws, including amendments to date certified by the Treasurer of the Corporation.

Section 7.4. Inspection of Books and Records. All books and records of the Corporation shall be public records subject to inspection and copying as provided for in Chapter 119, Florida Statutes, as amended from time to time.

Section 7.5. Contracts. The Corporation shall have the authority to contract with public and private entities as necessary to further the purposes of the Corporation. All contracts executed by the Corporation must include specific performance expectations and deliverables.

Section 7.6. Budget. The Board of Directors of this Corporation shall adopt for each fiscal year a budget for the organization in accordance with the requirements of law. A budget shall be prepared annually prior to the commencement of the fiscal year. The President/CEO shall be responsible for preparation of the budget. The President/CEO will present the budget for review by the Finance & Performance Committee and the Executive Committee and approval by the Board of Directors. Allocation and expenditure of the funds of the Corporation shall be governed by the budget previously approved for the current fiscal year. The budget may be amended from time to time by the Board of Directors.

Section 7.7. Gifts and Contributions. The Board of Directors is authorized to accept on behalf of the Corporation any contribution, gift, bequest, or devise of any property whatsoever, for the general and special purposes of this Corporation. The Board of Directors may from time to time on behalf of the Corporation accept gifts of money or securities upon such terms as they shall approve, and may hold such cash or securities in the name of the Corporation or of such nominee or nominees as the Board of Directors may appoint, and may collect and receive the income thereof and devote the principal or income of such gifts to such purposes within the scope of the activities of the Corporation as the Board of Directors may determine.

The Board of Directors may enter into an agreement with any donor to continue to devote the principal or income of his gift to such particular purpose as the donor may designate, provided that such purpose is duly approved or ratified by resolution of the Board of Directors; and after such agreement, the principal or income of that particular gift shall be devoted in accordance with such agreement for the time specified therein.

Section 7.8. Deposits. All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies, or other depositories as the Board of Directors may select.

## **ARTICLE VIII – AMENDMENT**



Section 8.1. Amendment. The Bylaws may be altered, amended, or repealed and new Bylaws adopted by the affirmative vote of a majority of the full membership of the Board at a regular or special meeting, provided that any proposal to alter, amend or repeal Bylaws be submitted to each Board member at least fifteen (15) days prior to the meeting at which the proposal is to be considered.

#### **ARTICLE IX – PROHIBITION AGAINST SHARING IN CORPORATE EARNINGS**

Section 9.1. Prohibition Against Sharing in Corporate Earnings. No member, director, officer, or employee of or member of a Committee of or person connected with the Corporation, or any other private individual shall receive at any time any of the net earnings or pecuniary profit from the operations of the Corporation, provided that this shall not prevent the payment to any such person of such reasonable compensation for services rendered to or for the Corporation in effecting any of its purposes as shall be fixed by the Board of Directors; and no such person or persons shall be entitled to share in the distribution of any of the Corporate assets upon the dissolution of the Corporation. All members of the Corporation shall be deemed to have expressly consented and agreed that upon such dissolution or winding up of the affairs of the Corporation, whether voluntary or involuntary, the assets of the Corporation, after all debts have been satisfied, remaining in the hands of the Board of Directors shall be distributed within the intendment of Section 501(c) of the Internal Revenue code of 1954 and its Regulations as they now exist or as they may be amended, and consistent with other applicable law.

#### **ARTICLE X – EXEMPT ACTIVITIES**

Section 10.1. Exempt Activities. Notwithstanding any other provision of these Bylaws or the Articles of Incorporation, no member, director, officer, employee, or representative of this Corporation shall take any action or carry on any activity by or on behalf of the Corporation not permitted to be taken or carried on by an organization exempt under Section 501(c) of the Internal Revenue Code of 1954 and its Regulations as they now exist or as they may be amended.

#### **ARTICLE XI – DISSOLUTION OF CORPORATION**

Section 11.1. Dissolution. In the event of the liquidation or dissolution of the Corporation, whether voluntary or involuntary, no member shall be entitled to any distribution or division of its remaining property or its proceeds, and the balance of all money and other property received by the Corporation from any source, after the payment of all debts and obligations of the Corporation, shall be used or distributed to the State of Florida within the intendment of Section 501(c) of the Internal Revenue Code of 1954 and the Regulations thereunder.

#### **ARTICLE XII – NON-DISCRIMINATION POLICY**

Section 12.1 The members, Officers, Directors, committee members, employees, and persons served by this Corporation shall be interviewed, selected, appointed, and promoted without regard to race, color, religion, sex, national origin, age, disability, handicap, marital status, sexual orientation, or status as a veteran except as provided for in applicable federal and/or state legislation.

**ARTICLE XIII – HARASSMENT POLICY**

Section 13.1 It is the policy of the Corporation to strive for an environment that is free from all forms of Harassment based upon a protected category. Harassment based upon any of the categories found in Article XII, or found in any federal, state, or local law, in any manner or form is expressly prohibited. Any concerns and complaints should be brought to the attention of the Board Chair, or the President/CEO. CareerSource Suncoast also has a Whistleblower Policy with an Integrity Hotline 941-358-4200 x 1119 which goes to the attention of the Board Chair.

**WE HEREBY CERTIFY** that these Bylaws have been adopted by the Board of Directors of the Suncoast Workforce Board, Inc., dba CareerSource Suncoast on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, by the requisite affirmative vote of a majority of the full membership of the Board pursuant to the prior Bylaws.

\_\_\_\_\_  
Eric Troyer, Chair

\_\_\_\_\_  
Joshua Matlock, President/CEO/Executive  
Secretary to the Board of Directors



# STAFF REPORTS

CareerSource Suncoast  
WIOA Indicators of Performance

PY 2021-2022 2nd Qtr Ending 12/31/21

Measures	PY2020-2021 4th Quarter Performance	PY2020-2021 % of Performance Goal Met For Q4	PY2020-2021 Performance Goals	PY2021-2022 1st Quarter Performance	PY2021-2022 % of Performance Goal Met For Q1	PY2021-2022 2nd Quarter Performance	PY2021-2022 % of Performance Goal Met For Q2	PY2021-2022 Performance Goals
<b>Adults:</b>								
Employed 2nd Qtr After Exit	91.10	95.89	95.00	91.80	96.63	92.50	97.37	95.00
Median Wage 2nd Quarter After Exit	\$10,192	107.28	\$9,500	\$10,498	106.04	\$10,915	110.25	\$9,900
Employed 4th Qtr After Exit	83.30	87.68	95.00	81.80	86.11	83.20	87.58	95.00
Credential Attainment Rate	75.70	90.12	84.00	66.70	79.40	68.70	81.79	84.00
Measurable Skill Gains	70.60	128.36	55.00	69.50	126.36	62.90	114.36	55.00
<b>Dislocated Workers:</b>								
Employed 2nd Qtr After Exit	77.80	83.66	93.00	78.90	83.05	76.20	80.21	95.00
Median Wage 2nd Quarter After Exit	\$11,107	140.59	\$7,900	\$10,080	120.00	\$10,289	122.49	\$8,400
Employed 4th Qtr After Exit	75.00	85.23	88.00	72.70	80.78	83.30	92.56	90.00
Credential Attainment Rate	57.10	81.57	70.00	33.30	47.57	30.80	44.00	70.00
Measurable Skill Gains	77.80	163.45	47.60	76.10	155.31	55.80	113.88	49.00
<b>Youth:</b>								
Employed 2nd Qtr After Exit	92.60	106.44	87.00	96.30	107.00	95.00	105.56	90.00
Median Wage 2nd Quarter After Exit	\$4,174	70.75	\$5,900	\$3,900	63.93	\$3,900	63.93	\$6,100
Employed 4th Qtr After Exit	89.20	96.43	92.50	84.80	89.26	85.20	89.68	95.00
Credential Attainment Rate	85.00	111.11	76.50	76.50	100.00	83.30	108.89	76.50
Measurable Skill Gains	56.00	112.00	50.00	47.60	86.55	50.00	90.91	55.00
<b>Wagner Peyser:</b>								
Employed 2nd Qtr After Exit	64.30	88.08	73.00	60.80	81.07	58.80	78.40	75.00
Median Wage 2nd Quarter After Exit	\$5,935	109.91	\$5,400	\$5,901	107.29	\$6,236	113.38	\$5,500
Employed 4th Qtr After Exit	63.10	90.14	70.00	60.70	84.31	59.30	82.36	72.00

Not Met (less than 90% of negotiated)
Met (90-100% of negotiated)
Exceeded (greater than 100% of negotiated)