

LOCAL WORKFORCE DEVELOPMENT BOARD

Local Area for Labor Development
Mayagüez Las Marías

Internal regulation of the Local Development Board

Labor

Mayagüez Las Marías

Review and Approval

November 18, 2016

LOCAL AREA FOR LABOR DEVELOPMENT MAYAGÜEZ LAS MARÍAS

This document is created with the purpose of regulating the organization of the Local Labor Development Board so that it can exercise its functions in an organized manner, in law and order as established in Section 107 of the Workforce Innovation and Opportunity Act (WIOA).

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Internal Regulation for the Local Board of Investment in the Workforce
Local Area Mayagüez Las Marías

Part I: General Provisions:

Article 1: Introduction:

The Workforce Investment and Opportunity Act(P.L. 113-128) (WIOA), signed by President Barack Obama on July 22, 2014, aims to develop a workforce and an employment system that meets the needs of local area employers with workers who have the necessary education skills, education, training, and employment; training and educating people who are available to be employed. The legislation establishes as a mandatory requirement the coordination and integration of training and employment services through a system called the One Stop Career Center in each Labor Development Area.

In accordance with the provisions of Section 107 of the WIOA Act, it is essential to establish a Local Board in each Local Labor Development Area. In this section, it is up to the governor and the State Board to establish the procedure so that the mayors who make up the area have a clear criterion to be able to appoint the members of the Board according to Section 107. The Governor of Puerto Rico will certify any Local Board that meets the criteria of this section. To fulfill these purposes the State Board and the Department of Commerce and Economic Development and its Labor Development Program established the *Administrative Memorial WIOA- 2-2015 regarding Public Policy and Requirements for the Certification and Decertification of Local Boards under WIOA.*

In accordance with the provisions of the WIOA Act, applicable regulations and procedures,

the Local Board is created with the fundamental purpose of collaborating and advising the Board of Mayors, in the formulation of public policy, planning and development its workforce, promoting the creation of employment, in addition to raising the productivity and efficiency of human resources in the local area. The Board will be responsible for selecting eligible suppliers, exercising oversight over the Technical Management Center, and designating the operator of the center, among other functions. Section 107 allows for the adoption of a local council, Regional Board for the Development of the Workforce or any similar entity in its composition organized to serve the local area.

Article 2: Name and Offices:

The official name of this body will be the Local Board for Labor Development of the Local Labor Development Area Mayagüez Las Marías.

This Regulation will be known as: **Internal Regulation of the Local Board for Labor Development Local Area Mayagüez Las Marías.**

Administrative Offices: They will be located the headquarters facilities of the Offices of the Local Area for Labor Development Mayagüez Las Marías.

Article 3: Legal Basis and Purpose of the Regulation

A. This regulation is established under the Workforce Innovation and Opportunity Act, Public Law 113-128; hereinafter WIOA and in response to section 107.

B. Purpose:

a. The Internal Regulation of the Local Board for Labor Development of the Local Area Mayagüez Las Marías, established with the purpose of having a guiding instrument for

the organization operation, in order to effectively fulfill the functions, duties and responsibilities prescribed by the Law.

- b. Establish the appropriate organization to facilitate compliance with the provisions of the WIOA Act.
- c. In addition, to institute the general rules and procedures that regulate the operation of the Board in Plenary and its different working committees.

Article 4: Definitions:

1. **Economic Development Agenda:** Commissions, corporations or local zoning planning boards, community development agency and other local agendas responsible for regulation, development, or assistance in economic development within the Local Investment Area, including private sector economic development entities.
2. **Mayor:** Chief Officer or Executive elected to direct and administer a municipality.
3. **Local Labor Development Area:** Designation of the Governor to a geographic area composed of one or more municipalities with the purpose of receiving WIOA funds for Puerto Rico, in accordance with Section 106 of WIOA.
4. **Workplace Occupational Counselor:** Means an individual employed by an organization who possesses the knowledge and skills necessary to advise other employees of the organization about education, skill development, training, career counseling services, and credentials, including services provided through the workforce development system, necessary to achieve the occupational goals of these employees so that they can meet the employer's requirements for available jobs and opportunities that promote economic self-sufficiency.

5. **Association of Professionals and Business:** Organization that admits among its partners companies, institutions, people and / or entities within the Local Investment Area, such as, without limitation, the Chamber of Commerce of the West Area, the Association of Retailers of Mayagüez, the College of Engineers, among others.
6. **Permanent Committees:** They are Committees appointed by the President of the Local Board to provide information and assist the LB in fulfilling its responsibilities, which must be directed by a Member of the Local Board. It may include other non-LB members who have demonstrated expertise and experience.
7. **Consortium:** Two or more municipalities that voluntarily join under Law No. 81 of August 30, 1991, Law on Autonomous Municipalities, as amended, organized through an intermunicipal agreement, which as a government entity has the legal power to operate and administer activities for youth, adults and displaced workers financed with WIOA funds. By designation of the Chief Elected Executive (CEE) or the Board of Mayors of Puerto Rico, is the sub-recipient of WIOA funds. Once constituted, in accordance with Article 2.001 (p) of the Law of Autonomous Municipalities, as amended, it acquires its own legal personality separate from the municipalities that compose it.
8. **Department of Commerce and Economic Development (DCED):** Government agency of the Commonwealth of Puerto Rico created by the Reorganization Plan Num. 4 of 1994, as amended, under the Law 171-2014 the Labor Development Program (LDP) is integrated, designated as the administrator of the federal funds ‘en bloc’ that the Government of Puerto Rico receives in accordance with Federal Public Law 113-128 of July 22, 2014 known as the Workforce Investment and Opportunity Act(WIOA).
9. **Successful Performance:** Means to meet or exceed the performance levels of the primary indicators negotiated between the Governor and the Local Board and the

CEE described in section 116(b)(2)(A) of WIA, as in effect prior to the approval of WIOA, for the two (2) consecutive program years prior to the approval of WIOA.

For the purpose of this definition, ‘meets’ means when the execution achieved in each of the execution measures reaches between eighty (80) and one hundred (100) percent of the level of execution negotiated for each measure.

For the purpose of this definition, ‘exceeded’ means when the execution achieved in each of the enforcement measures exceeds one hundred (100) percent of the level of execution negotiated for each measure.

10. **Sustained Fiscal Integrity:** Means when the Secretary of the Federal Department of Labor has not issued a formal determination in any of the two consecutive years preceding the determination related to such integrity, either to the recipient of the funds or to the administrative entity of the Local Area, indicating it has wasted the funds.
11. **Board of Mayors (BM):** Body composed of the mayors of the municipalities that comprise the Local Area for Labor Development and that in coordination and / or collaboration with the Local Boards for Labor Development share the responsibility of establishing the public policy of ITS geographical area.
12. **State Board:** Body created under Section 101 of the WIOA Act, which in coordination and/or collaboration with the Governor of Puerto Rico establishes public policies and carries out the functions delegated to it by the WIOA Act.
13. **Local Labor Development Board (LB):** Body created under Section 107 of WIOA that in coordination and / or collaboration with the Board of Mayors share the responsibility of establishing public policy and carrying out the functions and responsibilities established by the WIOA Act for each Local Area.
14. **Members of the Local Board:** Person designated by an organization or agency

appointed by the Board of Mayors President and / or by the Chief Elected Executive (CEE), representing different sectors, as provided in Section 107 of the WIOA Act.

15. **Operator of the Single Management Center:** It is the entity designated and certified to operate the Single Management Center in accordance with the provisions of Section 121 of the WIOA Act.
16. **Commercial Organization(s):** Any company or group of private companies established with or without profit within the Local Labor Development Area.
17. **Community Organization(s):** A private, non-profit, community-based entity(s) with expertise and experience in addressing the employment needs of the individual with barriers to employment. It has demonstrated expertise and effectiveness in the field of development and investment in the workforce. Also, organizations with expertise and proven experience in meeting the needs of education, employment, and training for young people.
18. **Annual Plan:** The Annual Plan outlines the annual activities to be developed by the Local Area in accordance with the goals established in the Five-Year Plan.
19. **Four-Year Plan:** In compliance with section 108 WIOA, the plan must be developed for four (4) years. It will outline the strategies and activities that will be carried out in the long term to achieve the goals of the Local Area.
20. **President:** Member of the Local Board for Labor Development, representative of the Private Business Sector, elected by the members of the Board in Plenary to preside over this Body.
21. **President, Vice-President, Secretary:** Refers to members elected by the Full Board to occupy the respective positions.

22. **Main Elected Executive (CEE):** Is the main elected official (Mayor) of a municipality designated as a Local Area; in the case of Consortiums, each of the Mayors of the municipalities that compose it, one of which will be the President of the Board of Mayors.
23. **Quorum:** Number of members present necessary for the Local Labor Development Board to be constituted and take a valid agreement; in accordance with the provisions of Article V of these Regulations.
24. **Governor Representative:** In accordance with Circular Letter WIOA-2-2015, of the Labor Development Program.
25. **Business Representative:** Sector represented by business owners, general directors of operations of private commercial companies or other executives who have optimal participation in the management decision-making process and authority over recruitment in the companies they represent on the Local Board, including small companies organizations that provide employment opportunities that, at a minimum, include sectors of industries high quality training related to employment and the development of industrial sectors and occupations in demand within the Local Area in question. Members appointed as business representatives must be nominated individuals for trade organizations and professional and business associations. At least two (2) members of the Board must represent the small business, as defined by the *"Small Business Administration."* **Minimum amount of members 10.**
26. **Workforce Representatives:** At least twenty percent (20%) of the members of the Meeting Local must be of this sector. The representatives have to be nominated by local labor federations or other employee representative bodies. Should include two or more representatives of labor organizations or employee representatives, one or more representatives of a coordinated managerial work-based apprenticeship program ("joint work-management apprenticeship program") and one or more representatives of one Community base

Organization. **Minimum quantity of members: 4**

27. Representatives of Educational and Development Activities Management

Entities: Must include at least one representative of eligible providers of adult education and literacy activities and one representative of higher education institutions of workforce investment activities. If there are multiple eligible providers of adult education and literacy activities or multiple institutions of higher education serving the Local Area, each representative must be appointed from among the individuals nominated by the providers representing those institutions. **Number of members: 2**

28. Representatives of Government Entities, Community Economic

Development: Must include a representative of an economic and community development entity; a representative of the state employment service office under "Wagner-Peyser" Law and a representative of the Vocational Rehabilitation program who does not belong to the agency designated to conduct the client assistance program or the vocational rehabilitation services of the Native American tribes. **Number of members: 3**

29. **Other Sectors or Individuals:** Any other individual or entity that the Board of Mayors or, in the case of a municipality, the CEE of the Local Area, deems necessary.

Part II: Composition of the Local Labor Development Board and its Members

Article 1: Composition of the Local Labor Development Board

The composition of the Board will be carried out subject to the provisions of Section 107 of the WIOA Act and circular letter WIOA-2-2015. This Local Board of Labor Development of the Mayagüez Las Marías Local Area will be composed with the representation of the following sectors:

- a. **Business Representatives:** Minimum Amount Ten (10)
- b. **Workforce Representatives:** Minimum number four (4) or 20% of total LB members
- c. **Representatives of Entities Administrator of Educational Activities and Training:** Minimum quantity (2)
- d. **Representatives of Government Entities, of Community Economic Development:** Minimum Quantity three (3)
- e. **Other sectors or individuals:** The Board of Mayors President will determine amount, subject to the majority of the composition of the Board being the Business Representative.

Article 2. Appointments terms:

- a. **Appointments:** The members of the Local Board for Labor Development of the Mayagüez Las Marías Local Area will be nominated by the different organizations, associations and agendas of the Local Area and will be selected among the nominees and appointed by the Board of Mayors President and / or Chief Elected Executive (CEE).
- b. **Agreement between Principal Elected Officials (Mayors):** Agreement between the Mayors of both municipalities which establishes the method by which each Mayor will have the right to recommend appointments among the

nominees.

c. Appointments Terms: All appointments will be for a fixed term of no more than four (4) years, and staggered; whose duration will be determined by the Chief Elected Executive Board of Mayors, for the type of membership of a given sector in question. No more than half of the appointments may expire at the same time. The Governor will certify appointments as established in Section 107 of WIOA, as established in Circular Letter WIOA 2-2015.

Article 3. Responsibilities and Functions of the Local Labor Development Board:

Preamble:

1. The Local Labor Development Board and the Board of Mayors agreed to designate the Local Area for Labor Development Mayagüez Las Marías as the local administrative and sub-recycling entity of the WIOA funds, leaving it the responsibilities of administration, planning, monitoring, and monitoring of the activities authorized by WIOA, except the function of establishing the public policy for the local system. It is arranged that they delegate to the Executive Director of the Local Area for Labor Development Mayagüez Las Marías the executive responsibility of the Local Area for Labor Development Mayagüez Las Marías, responding directly to the Board of Mayors.
2. The Executive Director of the Mayagüez Las Marías Local Labor Development Area may represent both bodies in official acts inside and outside Puerto Rico and is delegated to him the responsibility of recruiting the necessary personnel ("staff"). The recruitment of personnel will be carried out upon recommendation of the Board of Mayors and in faithful compliance with principles of merit protected by the Law of Autonomous Municipalities. Local Board staff, if necessary, shall be recruited on the recommendation of the Local Board and the Chairman of the Board of

Mayors.

Functions and Responsibilities of the Local Board according to the law:

FIRST: Jointly with Area Board shall establish the Public Policy, within the Local System for Investment in the development of the Workforce.

Pursuant to Section 107(d) of WIOA, the functions of the Local Board also
SECOND: include the following:

1st. Local Plan: Consistent with the provisions of section 108 of WIOA, develop and submit a four-year local plan, in coordination with the President of the Board of Mayors. This Local Area is part of a regional plan that includes other local areas, the Local Area through the Local Board, must collaborate with the other local boards and the Presidents of The Boards of Mayors of said local areas with the preparation and presentation of the regional plan, as described in section 106(c)(2) of WIOA. Consistent with the above, it will establish the policies and operational guidelines for the activities of adults, displaced workers, and youth of Title I of WIOA.

2nd. Labor Market Analysis and Regional Workforce Research: Conduct analysis of the economic conditions, knowledge and skills of the labor force and labor force activities, including training and education within the region; assist the Governor in the development of an integrated state system of labor market and labor force information, the collection, analysis, and use of labor market information for the region; any other studies, data collection and analysis related to the needs of the regional workforce that the Local Board deems necessary to carry out its functions.

3rd. Convening Brokering, Leveraging :

Convene stakeholders of the workforce development system to assist in the development of the local plan and identify non-federal experts and resources to encourage support for the development of workforce activities.

4th. Employer Commitment: Make necessary efforts to attract a range of diverse employers and entities in the region to promote business representatives on the

Local Board that reflect existing and newly created employment opportunities in the region; develop effective links with the employers of the region to support the employers' use of the local labor development system and its activities; ensure that investment activities in the region workforce meet the needs of employers and support economic growth in the region by emphasizing communication, coordination and collaboration between employers, economic development entities and service providers; and develop and implement proven and promising strategies that meet the employment and skills needs of workers and employers in a way that provides the necessary workforce to employers in the region and increases employment opportunities and career advancement for system participants within in-demand occupations or industrial sectors.

5th. **Career Pathway:** The Local Board, with representatives of the secondary and post-secondary education programs, should promote efforts in the Local Area to develop and implement career development through the alignment of employment, training, education, and support services necessary for youth and adults, particularly those with barriers to employment.

6th. **Proven and Promising Practices:**

Make efforts to identify and promote proven and promising strategies and initiatives that meet the needs of employers, workers, and job seekers, including individuals with barriers to employment, in the workforce development system, including the provision of physical accessibility and programming to the technical management system for people with disabilities; and identify and disseminate information on the practices carried out in the Local Area to meet these needs.

7th. **Technology:** Develop strategies for the use of technology to maximize the accessibility and effectiveness of the workforce development system for employers, employees , and jobseekers through :

- a. The facilitation of connection between the information entry

systems and case management for the unique programs of the management partners to support a comprehensive system of labor development in the Local Area.

- b. The facilitation of access to the services provided through the technical management system, including access in remote areas.
- c. The identification of strategies to meet and improve the needs of individuals with barriers to employment, including strategies that provide traditional services and increase access to the services and programs of the technical management system, such as the improvement of digital literacy skills; and
- d. Maximizing capacity and resources within the local workforce development system, including resources and capacity for services to individuals with barriers to employment.

8th. Program Supervision: in coordination with the Board of Mayors President, must supervise the investment activities in the youth workforce, the training and employment activities and the single management system in the Local Area, ensure the proper use and proper management of funds for activities and the system; ensure the appropriate use, management, and investment of funds to maximize the execution and results.

9th• Negotiation of Local Enforcement Measures: In coordination with the Board of Mayors President and the Governor, he or she will negotiate and agree on local execution levels.

10th. Selection of Operators and Suppliers:

- a. **Selection of the Single Management Center Operator:** In agreement with the Board of Mayors President, must designate or

certify the operators of the single management centers, to whom she/he may terminate their eligibility for just cause.

- b. **Youth Program Operators Selection:** Identify suppliers for activities for Youth workforce investment through a competitive process for the allocation of funds or award of contracts based on the recommendations of the Youth Permanent Committee, to whom may terminate their eligibility for just cause.
- c. **Qualification of Eligible Training Service Providers:** In accordance with section 122 of WIOA, identify training service providers in the Local Area.
- d. **Career Service Providers:** Identify eligible career service providers and granting of contracts when the operator of the management center (SMC) does not provide them in the Local Area.
- e. **Customer Selection Requirements:** In collaboration with the State, you must ensure that there are sufficient types and numbers of career and training service providers, including those with experience in assisting persons with disabilities and for adults with educational and literacy needs, serving the Local Area and providing services in a manner that maximizes customer selection asf commen with the provision of opportunities aimed at integrated competitive employment for people with disabilities.

11th. Coordination with Education Providers: Review applications to provide adult and literacy education activities under Title II for the Local Area to determine if the request is consistent with the Local Plan; make recommendations to the eligible agenda to promote alignment with the Local Plan. Reproduce and implement cooperative agreements that encourage the provision of services to people with disabilities and other

individuals, such as cross-training of personnel, technical assistance, exchange of information, cooperation efforts with employers, and other coordination and collaboration efforts.

12th. Administration and Budget: Develop a budget for the activities of the Local Board consistent with the Local Plan and its responsibilities, subject to the approval of the President of the Board of Mayors, and as provided in Section 107(d)(12)(B)(II)(III).

13th. Accessibility for People with Disabilities: You must annually evaluate the physical and program accessibility of the Single Management Centers of the Local Area, in accordance with section 188 of WIOA and the ADA.

Administrative Functions of the Local Board:

1. Prepare and approve its internal budget. Such approval shall be subject to the approval of the President of the Board of Mayors.
2. Recruit the personnel that considered necessary for the execution of their functions and according to the approved budget.
3. Hire professional and advisory services to carry out their functions, if necessary. These services may be contracted in coordination with the Local Labor Development Area to reduce costs and efforts.

Article 4. Officers of the Local Labor Development Board:

The officers of the Local Board will be President, Vice-President, and Secretary. They will be elected in an extraordinary meeting convened by the Board of Mayors for these

purposes once the Board is constituted.

Article 5. Functions of the Officers of the Local Labor Development Board:

A. Functions of the President:

1. Transmit the decisions and recommendations of the Local Board to the Board of Mayors' President through the Executive Director of the Local Area for Labor Development Mayagüez Las Marías, as well as to organizations, institutions, state and federal agencies and other relevant entities.
2. Convene and chair the meetings of the Local Board in accordance with the provisions of the regulations.
3. Represent the Local Board in official acts or, failing that, appoint a representative.
4. Convene regular meetings, in coordination with the Executive Director, and extraordinary and to conduct such meetings.
5. In coordination with the Executive Director, Designate among the members of the Local Board ,the components of the different committees, as well as the presidents of them.
6. Designate, in coordination with the Executive Director, the committees constituted under these regulations and those that may be constituted in accordance with the needs of the Board.
7. Be an ex-officio member of each committee.

8. To present an Annual Report, in conjunction with the Executive Director, to the Board of Mayors' President, the Governor and other entities relevant to the Local Board, as well as any other reports that is required by WIOA.

B. Functions of the Vice-President:

1. Exercise the functions of President in the absence of him/her, or when he/her is unable to exercise them. When this happens, will be subject to all the powers and limitations needed to perform the functions of the President.
2. Collaborate directly with the President and perform the functions delegated to him.

C. Functions of the Secretary:

1. Raise, certify, contract, and safeguard the Minutes of the meetings of the Local Investment Board and submit them for consideration and approval.
2. Ensured that all approved minutes are certified and signed.
3. It will be the responsibility of the secretary to record the official meetings of the Local Board and maintain an official record of them for the use of audits.
4. Certify all documents, agreements or resolutions issued by the Local Investment Board and issue those certifications that were officially required by the President or through him.

Part III: Meetings, Attendance, Quorum, Vacancy, Abstention and Conflict of interests:

Article 1. Ordinary Meetings:

1. The Board will meet quarterly in ordinary session for a total of four (4) ordinary meetings during the year, at the time and place specified in the call, issued by the President, in coordination with the Executive Director.
2. The Board may adopt a different date for holding any or all of its ordinary sessions by an affirmative vote of the majority of the members at an ordinary meeting at which there is a quorum.
3. The President shall issue and circulate the meeting announcement, so that all members receive them for at least five (5) days before the date of the meeting. This call will detail the issue or issues to be discussed and documents to be discussed at the meeting.
4. The notification of suspension of an ordinary meeting will be made with no less than two (2) days in advance of the scheduled date.
5. The President or Vice President shall chair the meetings of the Local Board.

Article 2. Extraordinary Meetings:

1. The Local Board shall hold such extraordinary meetings as it deems necessary at the initiative of the President in coordination with the Executive Director or at the request of the majority of its members and/or at the invitation of the President of the Board of Mayors.
2. The President shall issue and circulate the meeting announcements, so that all members receive them at least two (2) days before the meeting. In this call, the matter, or issues to be discussed will be

detailed.

3. No new issues will be added to the agenda of extraordinary meetings.
4. The President or Vice-President must chair these meetings.

Article 3. Attendance:

1. The members of the Local Board of Labor Development must attend punctually and regularly the meetings of the Board and / or committees to which they belong and actively participate in their work and activities. Any member who is notified of a meeting and is unable to attend the meeting must make a reasonable excuse, if possible at least one (1) day in advance.
2. Those members who do not attend the meetings, at least three (3) consecutive times without just cause, their position shall be considered vacant.
3. It is provided that mayors may delegate their attendance in writing to officials of their trust who have a prominent participation in the management decision-making process of the programs that institutionally represented under WIOA. The authorized representative may not delegate to a substitute, nor may the delegation alternate in more than one representative, so it must be the same person who attends all meetings on behalf of the appointed member.

Article 4. Vacancies:

1. Any vacancy that arises on the Local Board must be notified immediately to the President of the Board of Mayors.
2. Any vacancy must be filled in the same manner as the appointment was originally made. The replacement person serves the remaining of the term.

3. Any member of the Local Board may resign voluntarily, by written communication addressed to the President of the Board of Mayors, with a copy to the President of the entity, agencies or organization that nominated him.
4. Any representative who ceases his relationship with the organization, institution or program that nominates him will have to resign immediately and be replaced according to this procedure.

Article 5. Quorum:

1. At the meetings of the Local Board and/or their respective committees, half of the members plus one shall constitute a quorum. If more than half of its members are not present, proceed to wait half an hour, and then constitute a quorum with the members present, and the decisions reached at this meeting will be valid.
2. In extraordinary situations where it is difficult for the members of a Committee to meet, they may hold the meeting by telephone conference call, e-mail, or other means of communication, in which all participants in the meeting can communicate simultaneously. The participation of any member in a meeting described above shall constitute attendance at the meeting. All members of the committee will have to agree, were summoned by email, and must confirm their participation. A meeting minutes shall be drawn up.

Article 6. Abstention:

1. When a matter is presented to the consideration of the Local Board in the plenary session and it contemplates a possible conflict of interest, with any of the members of the Local Board, the affected member must inform about the possible conflict and abstain from voting on it.

Article 7. Conflict of interests:

1. A conflict of interest is understood to mean any matter or matters which has a
· direct relationship with the services offered by the member of any
organization that directly represents and / or that could economically benefit
this member or his/her organization, in accordance with the applicable ethics
regulations.

Article 8. Vote:

1. Each member of the Local Board shall have the right to cast one vote.
2. The President shall abstain from voting; except when necessary to break a tie.
3. No member of the Local Board may vote or participate in decision-making on any matter under its consideration related to the offer of services offered by this member (or by the entity he/she represents); or provide benefits to a member of his or her immediate family or become involved in any other entity that the Governor determines constitutes a conflict of interest specified in the State Plan. Must notify the situation in writing, prior to the next meeting to the Local Board, regarding its intention to submit any request or proposal to offer services about any matter that provides economic benefits to him or her or to a member of his or her family or immediate relative.

4. The representatives of the different Work Committees that are not Members of the Local Board will have the right to speak without vote in the determinations of the Local Board that are present.
5. All determinations of the Local Board shall be approved by secret ballot and by simple majority vote, except for amendments to these regulations that will be held by extraordinary majority of the Board in Plenary (2/3 of those present). An open vote may be carried out, providing the prior authorization of the Local Board in a plenary.

Article 9. Consideration of Special Matters:

1. Any member may request in written communication addressed to the President, to include in the Agenda of an Ordinary Meeting any matter of interest to improve the functioning of the Board.

Part IV. Working Committees of the Local Labor Development Board:

Article 1: Designation of Committees:

The President shall appoint the Presidents and the members of the Committees, necessary to create for the evaluation of any matter before the consideration of the Local Board of Labor Development.

Article 2: Permanent Working Committees:

The Local Board shall have the following permanent committees:

1. **Single Management System Center Operational Committee:** This committee shall provide information and assist with operational and other

matters related to the system of provision of management services (SMC), which may include as members, representatives of the partners of the management centers .

2. **Youth Committee:** This committee shall provide information and assist with planning and operational matters related to the provision of services to Youth, which should include community-based organizations with successful proven experience of service to eligible Youth.

3. **Committee for Persons with Disabilities:** This committee shall provide information and assist with operational and other matters related to the provision of services to persons with disabilities, including the prohibition of discrimination and provisions under the American with Disabilities Act regarding the physical accessibility to the program, and of the other services, opportunities, and activities of the Single Management Center, as well as adequate training to the staff, in providing support or accommodation, and in the search for employment opportunities to people with disabilities.

4. **Other Permanent Committees:** The Local Board will also have the following committees, subject to the needs and priorities established by the Board of Mayors :

1. **Planning, Evaluation and Budget Committee:**

- A. Recommend the public policy, service priorities and occupations in demand in the local area that frame the development of the Annual Plan. Evaluate the plan and submit recommendations for final approval by the President of the Local Board and the President of the Board of Mayors.

- B. Together with the staff of the Local Labor Development Area,

they will agree and negotiate the execution measures with the Governor. Assist the Governor in the development of employment statistics.

- C. Develop a budget that allows the functions of the Board to be performed.
- D. No Service Provider may belong to this Committee.

2. Service Providers Certification Committee:

- A. Evaluate and recommend the proposals submitted by service providers to develop programs, activities under WIOA's Title I, Adult and Displaced Worker Program two.
- B. Evaluate and recommend service providers for adult and displaced training activities and intensive services
- C. Evaluate and recommend Service Providers for Youth activities based on the recommendations of the Youth Council.
- D. Evaluate the annual execution of Service Providers as part of the certification process.
- E. No Service Provider may belong to this Committee.

3. Business Liaison Committee :

- A. Develop links with the Patrons of the local area.
- B. Promote the participation of private sector employers

- C. Ensure the participation of the private sector by assisting, enacting, and as an intermediary.
- D. Promote the participation of other entities in the Local Area within the activities of the Local Board.
- E. Plan promotion and/or dissemination activities to be carried out by the Local Board only and/or in coordination with the Local Labor Development Area.
- F. The President of the Local Labor Development Board in coordination with the Executive Director will prepare the Promotion Plan.

4. Monitoring Committee:

- A. Prepare an Annual Monitoring Plan.
- B. Conduct monitoring and evaluation with respect to Youth programs authorized under Section 129 of WIOA and training authorized under Section 134 of WIOA, as well as the Single Management Center.
- C. Coordinate in union with the Local Area of Labor Development, the hiring of the company of external auditors that will perform the annual Simple Audits.

5. Executive Committee:

- A. The committee shall be composed of the President, Vice-President, Secretary, the Chairmen of the Standing Working Committees, and

the Executive Director of the Local Area.

- B. It will be the Board of Directors of the Local Board and its primary function will be the internal administration of the Local Board and the establishment of the public policy of the Local Labor Development Board.
- C. Evaluate and recommend rules and measures to regulate the functioning of the State Board, the efficient discharge of its duties and other related matters
- D. In the event that the full Local Board cannot meet, the President may convene this Committee to consider the most pressing matters before the Local Board and that do not require convening the Full Board, according to what is established by the Regulations.
- E. Follow up on all the tasks of the Permanent and Special Work Committees.
- F. Evaluate the reports submitted by the Executive Director of the Local Area.
- G. Draft Administrative Memorandums aimed at providing guidelines to comply with the policy designed to develop the Workforce.

Article 3. Special Committees (Ad Hoc):

The President may appoint one or more Special Committees, as he deems necessary, to carry out special activities related to the functions of the Local Board of Labor Development, which may arise in the discharge of their responsibilities. These will be established for a certain period of time, with a fixed date, depending on the complexity

of the task.

Article 4. Rules of Operation of the Committees:

1. The Committees will follow the Rules of the Local Board regarding attendance, quorum, and abstentions.
2. The members of the Committees may resign by written notification, addressed to the President of the Local Board.
3. Shall submit reports including relevant recommendations to the Local Board for consideration and evaluation. The Local Board may adopt, modify, or reject them.
4. The vacancies of the members of the Committees, due to death, resignations, disqualification, or any other cause, must be filled by the Board of Mayors following the same nomination and appointment procedure used to appoint the member that caused the vacancy.
5. No Service Provider shall be a member of the Proposal Certification Committees or the Evaluation Committees for Proposals for the Adult, Youth, and Displaced Worker Programs under **WIOA** Title I.

Part V. Compensation:

Article 1: Per Diem and Travel Expenses:

1. Any member of the Local Board of the Mayagüez Las Marías Local Area, except public employees, may receive a per diem of up to forty dollars (\$40.00) for each attendance at each meeting of the Committees subject to the availability of funds, according to the financial circumstances of the Local Labor Development Area. The allowances will be limited to one meeting per day and will be subject to the LA member arriving on time and staying until the end of the meeting.

2. Members of the Local Board shall be entitled to receive compensation for travel expenses incurred on official authorized travel on behalf of the Local Board. The compensation of travel expenses will be in accordance with the Travel Expenses Regulations of the Mayagüez Las Marías Local Labor Development Area.

Part VI. Public Policy of Non-Discrimination:

Article 1: Compliance

1. The Local Investment Board will comply with the provisions of non-discrimination and offer equal opportunities in employment following these laws:

- Civil Rights Act 1964, Title I, as amended
- Persons with Disabilities Act of 1990, as amended (ADA Act)
- Vocational Rehabilitation Act of 1974, Section 504, as amended
- Non-Traditional Employment for Women Act 1991
- Workforce Innovation and Opportunity Act, Sec. 188
- Age Discrimination Act, as amended
- Title IX of the Education Amendments of 1962

Part VII. Miscellaneous Provisions

Article 1. Exception Clause:

In the event of a challenge, judicial interpretation or any other legal action, the parties to these Regulations are considered separate among itself and such actions will only apply to the affected parts.

Article 2. Parliamentary Authority:

Where there is no provision in these Rules of Procedure for the parliamentary procedure to be followed, recourse shall be had to the Reece Bothwell parliamentary methods manual.

Article 3. Amendments to the Rules of Procedure:

The amendments will be made in accordance with the terms and conditions established between the Cooperative Agreement with the Board of Mayors and these Regulations.

Article 4. Repeal:

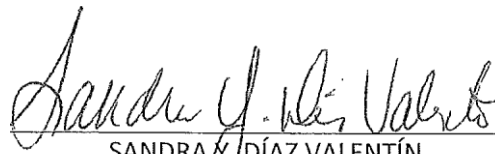
This regulation repeals and replaces any other Regulations of the Local Investment Board.

Article 5. Validity:

These Rules of Procedure are effective today, November 18, 2016, as approved by the majority vote of the members at the Extraordinary Meeting, held today in Mayagüez, Puerto Rico.

Approved by:


ÁNGEL A. SAN MIGUEL HERNÁNDEZ


SANDRA Y. DÍAZ VALENTÍN
Secretaria

President