



INDIANA STATE WORKFORCE DEVELOPMENT BOARD BYLAWS

ARTICLE I. NAME AND AUTHORITY

- 101.1 This body, known as the State Workforce Development Board (SWDB or Board), has been established in accordance with the Workforce Innovation and Opportunity Act (WIOA), Public Law 113–128, and its implementing regulations (20 CFR § 675 et seq.).
- 101.2 The SWDB was reconstituted through Indiana Executive Order (EO) 25-77, with the Indiana Department of Workforce Development (DWD) serving as its administering entity.

ARTICLE II. PURPOSE AND DUTIES

- 201.1 The SWDB shall serve as the primary statewide strategic workforce body responsible for advising the Governor on workforce development system priorities, system alignment, and implementation of WIOA.
- 201.2 The SWDB shall carry out all duties and functions prescribed under WIOA Section 101 (d), applicable federal regulations, state law, and EO 25-77.
- 201.3 The duties of the SWDB include, but are not limited to:
- a) Development, implementation, and modification of the WIOA State Plan, as defined by WIOA;

- b) Review of statewide policies, statewide programs, and recommendations on actions that should be taken by the State to align workforce development in the State in a manner that supports a comprehensive and streamlined workforce development system in the State, including the review and provision comments on the State plans, if any, for programs and activities;
- c) Development and continuous improvement of the workforce development system in the State as described by WIOA;
- d) Development and updating of comprehensive State performance accountability measures;
- e) Identification and dissemination of information on best practices as described in WIOA;
- f) Development and review of statewide policies affecting the coordinated provision of services through the State's one-stop delivery system, as defined by WIOA;
- g) Development of strategies for technological improvements to facilitate access to, and improve the quality of, services and activities provided through the one-stop delivery system;
- h) Development of strategies for aligning technology and data systems across One-Stop partner programs to enhance service delivery and improve efficiencies in reporting on performance accountability measures;
- i) Development of allocation formulas to distribute funds for employment and training activities for adults and youth workforce investment activities to local areas;
- j) Preparation of performance reports as described in WIOA;
- k) Development of the statewide workforce and labor market information system described in section 15(e) of the Wagner-Peyser Act (29 U.S.C. § 491.2 (e));
- l) Development of such other policies as may promote statewide objectives for, and enhance the performance of, the workforce development system in the State.

ARTICLE III. MEMBERSHIP

SECTION 301. COMPOSITION

301.1 SWDB Membership shall comply with WIOA Section 101 and 107 requirements, as applicable, and all corresponding federal and state requirements related to representation, composition, and appointments.

301.2 Members of the SWDB shall include:

- a) The Governor;

b) At least one member of each chamber of the Indiana state legislature, appointed by the appropriate presiding officers of such chambers; in the event of a change in presiding officers, the SWDB shall initiate contact to confirm appointment status.

c) Members appointed by the Governor, of which:

1) Not less than 51 percent shall be business representatives of targeted industries. Such representatives shall be owners, chief executive or operating officers or others within Indiana with optimum policymaking or hiring authority; members may represent non-profit firms, but only to the extent that they otherwise meet all other requirements for this category under WIOA.

2) Not less than 20 percent shall be workforce representatives within Indiana, including:

(i) At minimum two labor representatives nominated by state labor federations; and

(ii) At minimum one member of a labor organization or a training director from a joint labor-management apprenticeship program;

(iii) Representatives of community-based organizations with demonstrated experience and expertise in addressing the employment, training, or education needs of individuals with barriers to employment, such as organizations that serve veterans or provide or support competitive, integrated employment for individuals with disabilities may be included; and

(iv) Representatives of organizations with demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, such representatives of organizations that serve out-of-school youth may be included.

3) Not less than two chief elected officials (collectively representing both cities and counties, where appropriate); and

4) Lead State officials with primary responsibility for the core programs of the Workforce Innovation and Opportunity Act;

301.3 The Governor may appoint other appropriate members, such as education or economic development representatives at his or her discretion consistent with 20 CFR 679.110(b)(3)(iii)(B).

301.4 Members of the SWDB shall represent diverse geographic areas of the State, including urban, rural, and suburban areas.

301.5 Each member shall represent only one category to ensure distinct and balanced representation across stakeholder groups.

SECTION 302. APPOINTMENT AND NOMINATION PROCESS

302.1 SWDB members shall be appointed by the Governor in accordance with WIOA, applicable federal regulations, state policy, and DWD's established nomination procedures.

302.2 Nominations for SWDB membership shall be solicited by DWD from organizations and stakeholders representing the membership categories required under WIOA. Nominations may be made at any point regardless of current vacancy(s) on the Board.

302.3 Recommendations for appointments shall be submitted to the Governor by DWD for consideration in accordance with EO 25-77.

302.4 The Chair shall be appointed by the Governor from among the business representatives serving on the SWDB in accordance with 20 CFR 679.110(c).

SECTION 303. TERMS OF MEMBERSHIP AND STAGGERING

303.1 Members shall serve three or four-year terms or as otherwise determined by Governor beginning upon their appointment.

303.2 Terms will be staggered to ensure continuity of operations and to prevent the simultaneous expiration of all member terms within the same year.

303.3 Members may continue serving at the discretion of the Governor until reappointed or until the Governor appoints a new member in accordance with WIOA.

303.4 A member shall be considered ineligible when he or she no longer represents the constituency that he or she was nominated to represent.

SECTION 304. VACANCIES

304.1 Vacancies shall be reported promptly to the Governor, the Chair, and DWD.

304.2 Upon notification of a vacancy, the appropriate stakeholder group or nominating entity shall be notified by DWD to submit replacement nominations in accordance with applicable appointment requirements.

- 304.3 Vacancies shall be filled within a reasonable timeframe to maintain compliance with all WIOA membership requirements.
- 304.4 For vacancies due to term-limit expiration, members may continue their duties on the SWDB, although their term has expired, until a qualified successor has been appointed by the Governor.
- 304.5 In the case of any appointments made to fill an unexpected vacancy on the SWDB, the replacement member's term shall expire on the date of original member's term.

SECTION 305. RESIGNATION AND REMOVAL

- 305.1 Any member may resign by submitting written notice of resignation to the Governor, the Chair, and DWD.
- 305.2 The effective date of any resignation shall be the time specified in the statement of resignation, or immediately if no time is specified.
- 305.3 Elected officials who are no longer serving in the elected office they were appointed to represent shall submit their resignation which will be considered effective as of the date his or her term of office ends.
- 305.4 With the exception of the Governor or legislative members, all SWDB members serve at the pleasure of the Governor. Legislative members serve at the pleasure of their respective chamber's presiding officers.
- 305.5 Members may be removed for:
- a) Failure of a member to continue to hold the qualifications that were the basis for their initial appointment;
 - b) Failure to comply with attendance requirements as outlined in Section 701 of this Article; or
 - c) Failure to represent the SWDB in a manner deemed appropriate by the Governor.
- 305.6 In all cases, the Governor, in consultation with the Chair and DWD, will make final determinations.

SECTION 306. CHANGING EMPLOYMENT STATUS

- 306.1 In the event a member changes employers, that member may be allowed to continue to serve on the SWDB if they are still able to fill the member type category for which they were originally appointed, or if they are able to fill a vacancy in another member category.

306.2 In the event that the changing employment status makes the member ineligible to serve, that member must submit their resignation to the Governor, the Chair, and DWD as outlined in Section 305.

SECTION 307. ATTENDANCE

307.1 To ensure broad representation and a quorum, all board members have a responsibility to attend all regular or special meetings of the board and any appropriate committees to which they are assigned and to actively participate in Board business.

307.2 Members who are absent for three or more consecutive face-to-face or virtual meetings shall be subject to removal and shall have his/her attendance reviewed by the Chair and DWD to determine if a recommendation should be made to the Governor for removal.

307.3 An exception may be granted when absences are for good cause and a written request for retention is submitted to and receives approval from the full Board.

SECTION 308. PROXY AND ALTERNATIVE DESIGNEE PARTICIPATION

308.1 SWDB members unable to attend a scheduled meeting of the Board or a meeting of a standing committee to which they are assigned may designate an alternative representative to attend, participate, and vote on their behalf, subject to all statutory qualifications and in accordance with 20 CFR 679.110(d)(4) as follows:

- a) If the alternative designee is a business representative, he or she must have optimum policy-making or hiring authority.
- b) Other alternative designees must have demonstrated experience and expertise and optimum policy-making authority.

308.2 SWDB members representing business, workforce, labor, chief elected officials, government or other key stakeholder categories shall submit written notice in advance to the Chair and DWD to ensure that their alternative representative meets the federal requirements (qualifications and responsibilities) to take any action on behalf of the SWDB member.

308.3 Notice shall be delivered no later than twenty-four (24) hours prior to the scheduled start of the meeting and must explicitly state whether the alternative designee has full voting privileges or is attending strictly as an observer.

308.4 Proxy voting shall only be permitted to the extent authorized under applicable law.

Section 309. MEMBER RESPONSIBILITIES AND ENGAGEMENT

309.1 Members of the SWDB are expected to actively support the SWDB's responsibilities under WIOA and shall contribute their expertise, leadership and professional partnership to strengthen the statewide workforce system.

309.2 Members shall:

- a) Participate regularly in meetings, and SWDB-related activities;
- b) Assist in convening workforce system stakeholders and fostering collaboration among workforce, education, business, labor, economic development and community partners;
- c) Serve as ambassadors for the statewide workforce system and the work of the SWDB.

ARTICLE IV. OFFICERS

SECTION 401. OFFICERS

401.1 Officers of the SWDB shall include a Chair, Vice Chair, and any additional officers as determined by the SWDB.

SECTION 402. CHAIR

402.1 The Chair shall be selected by the Governor from among the business representatives on the Board as required by WIOA.

402.2 The Chair shall:

- a) Preside over meetings of the Board;
- b) Coordinate the development of meeting agendas with Board staff (DWD staff);
- c) Review meeting minutes for accuracy prior to the publication;
- d) Appoint committee members unless otherwise specified;
- e) Serve as a spokesperson for the Board; and
- f) Perform other duties assigned by the Board.

402.3 Some or all of these responsibilities may be delegated by Chair to another Board officer.

SECTION 403. VICE CHAIR

403.1 The Vice Chair shall be selected from among the business representatives on the Board.

403.2 The Vice Chair shall perform the duties of the Chair in the Chair's absence and shall assume the Chair's office should the office be vacated prior to the completion of the Chair's term, subject to the discretion of the Governor.

SECTION 404. ELECTIONS AND OFFICER TERMS

404.1 Officers, other than the Chair, shall be elected by the SWDB.

404.2 Officers shall serve until the term of their current SWDB appointment expires.

ARTICE V. COMMITTEES

SECTION 501. ESTABLISHMENT OF COMMITTEES

501.1 The Chair shall have authority to appoint or dissolve standing, or special committees as needed for the Board's business.

501.2 The term of any committee is contingent on the work of the committee and shall be determined by the Chair.

SECTION 502. STANDING COMMITTEES

502.1 The SWDB may establish standing committees as necessary to carry out the ongoing work of the SWDB.

502.2 Standing committees shall:

- a) Be chaired by an SWDB member;
- b) Include individuals with demonstrated experience and expertise where appropriate;
- c) Report recommendations and activities to the full SWDB; and
- d) Operate in accordance with applicable law.

SECTION 503. EXECUTIVE COMMITTEE

503.1 The SWDB shall have a standing Executive Committee which shall be chaired and vice-chaired by SWDB members in accordance with Section 502. Additional SWDB members or nonmembers who have demonstrated the appropriate experience and expertise may also serve on the Executive Committee. Additional members of the Executive Committee shall be appointed by the Chair.

503.2 The Executive Committee shall be responsible for coordinating and overseeing the activities of the SWDB and its other Committees to ensure the satisfactory

performance of functions stipulated by the Governor, these Bylaws, and all relevant statutes and regulations.

503.3 The Executive Committee shall act on behalf of the SWDB between regularly scheduled meetings on matters requiring timely attention, provided such actions are consistent with the policies, directives, and intent of the SWDB and in accordance with Indiana's Open Door Law (IC § 5-14-1.5).

SECTION 504. AD HOC SPECIAL COMMITTEES AND WORK GROUPS

504.1 The Chair or SWDB may establish temporary committees or work groups for specific purposes and tasks.

504.2 Committees may study issues, develop recommendations, and perform delegated functions, but may not take final action on behalf of the SWDB unless expressly authorized by the Chair or the SWDB.

504.3 The term of any special committee or work group shall expire upon dissolution or upon the completion of the task for which it was created, unless the need for its continued existence is justified.

ARTICLE VI. MEETINGS AND PUBLIC ACCESS

SECTION 601. MEETINGS

601.1 The SWDB shall attempt to meet at least quarterly or as otherwise required by law.

601.2 Special or additional meetings may be called by the Chair by a majority of the Board members.

601.3 SWDB meetings may be in-person, virtual, or hybrid. SWDB members attending virtually should notify DWD in advance.

601.4 Robert's Rules of Order, Newly Revised, shall serve as the SWDB's parliamentary authority and may govern SWDB proceedings in all instances in which they are applicable and not inconsistent with these Bylaws.

601.5 Virtual and hybrid meetings of the SWDB shall be subject to all rules adopted by the SWDB, to govern them, which may include any reasonable limitations on, and requirements for, SWDB members' participation as outlined in Section 506. Any such rules adopted by the Board shall supersede any conflicting rules in the parliamentary authority but may not otherwise conflict with or alter any rule or decision of the Board.

SECTION 602. PUBLIC NOTICE AND OPEN MEETINGS COMPLIANCE

- 602.1 All SWDB meetings shall comply with the WIOA “sunshine provisions” (WIOA Section 101(g) and 20 CFR § 676.105) and Indiana’s Open Door Law (IC § 5-14-1.5).
- 602.2 All SWDB meetings shall be conducted in a manner that promotes public access, transparency, and accountability unless otherwise permitted under applicable law.
- 602.3 SWDB meeting notices, agendas, and supporting materials shall be made available to the public consistent with state transparency¹ and accessibility requirements and published on DWD SWDB webpage.

SECTION 603. QUORUM

- 603.1 A majority of the current SWDB members shall constitute a quorum for the transaction of business at any meetings of the SWDB.
- 603.2 Members attending virtually shall be counted as present for purposes of establishing a quorum.
- 603.2 SWDB members may continue to transact business in SWDB meetings for which a quorum was determined to be present until adjournment.
- 603.4 If a quorum is not present, SWDB members may refer matters to the Executive Committee for action between meetings. Actions taken by the Executive Committee shall be documented in the minutes and subject to ratification or acknowledgment by the full SWDB at the next meeting where a quorum is present.

SECTION 604. VOTING

- 604.1 Each required member shall have one vote. Non-required members may also have voting privileges if bestowed by the Governor.
- 604.2 In all voting matters, members shall adhere to Indiana Code § 35-44.1-1-4 outlining applicable conflict of interest policies
- 604.3 Actions shall be approved by a majority vote of SWDB members present, physically or virtually, unless otherwise specified.
- 604.4 All virtual votes must be taken by roll call.

SECTION 605. USE OF TECHNOLOGY AND REMOTE PARTICIPATION

¹ IC § 5-14-1.5-5)

- 605.1 To maximize member participation and operational efficiency, the SWDB may utilize technology including telephone conferencing, video conferencing, State of Indiana approved web-based meeting platforms, and other electronic communication methods consistent with applicable open meeting laws and state policies.
- 605.2 SWDB members participating remotely through approved electronic means shall be considered present for the purposes of quorum and voting.
- 605.3 The SWDB shall maintain procedures governing remote participation, public access, and technological accommodations necessary to support transparent and accessible meetings.
- 605.4 Virtual and hybrid meetings of the SWDB shall be subject to all rules adopted by the SWDB, to govern them, which may include any reasonable limitations on, and requirements for, Board members' participation. Any such rules adopted by the Board shall supersede any conflicting rules in the parliamentary authority but may not otherwise conflict with or alter any rule or decision of the Board.

ARTICLE VII. ETHICS AND CONFLICT OF INTEREST

SECTION 701. CONFLICTS OF INTEREST AND DISCLOSURE

- 701.1 Board members shall avoid conflicts of interest. This includes potential and actual conflicts of interest, as well as perceptions of conflicts of interest in accordance with all applicable federal² and state ethics laws and policies³.
- 701.2 Board members shall disclose any actual or perceived conflicts of interest at the earliest possible time to the Chair and DWD related to matters before the SWDB.
- 701.3 After disclosure, SWDB members should abstain or designate a proxy or alternative designee for any key decisions or debates where the outcome may or will have an impact on related activities until a determination is made as to whether the conflict affects the integrity of services that State expects from the Board member.
- 701.3 Proxies or alternative designees designated by SWDB members must also avoid any conflicts of interest related to matters being discussed and/or taken action on by the SWDB.

² 2 CFR § 200.112 and 2 CFR § 200.318(c)(1)

³ IC 35-44.1 and 42 IAC 1-5

701.4 As required by Indiana Code § 4-2-6-5.5, SWDB members may need to seek an advisory opinion from the State Ethics Commission by filing a written description that details the nature and circumstances of the particular matter.

SECTION 702. ETHICS

702.1 SWDB members shall conduct themselves in a professional, ethical, and respectful manner that supports public trust and confidence in the workforce system.

702.2 SWDB members, DWD staff, and special state appointees are bound by the statutory requirements managed by the Indiana State Ethics Commission.

702.3 SWDB members shall avoid conduct that creates the appearance of impropriety or undermines the integrity of SWDB decision-making.

ARTICLE VIII. ADMINISTRATION, STAFFING, AND OPERATIONS

SECTION 801. ADMINISTERING ENTITY

801.1 The Indiana Department of Workforce Development (DWD) shall provide administrative and staffing support to the SWDB in accordance with EO 25-77.

Section 802. STAFFING

802.1 DWD agency staff shall serve as staff-to-the-board, including a dedicated SWDB Director.

802.2 The duties of the SWDB Director shall include, but are not limited to:

- a) Developing informational and supporting materials needed for Board business;
- b) Ensuring compliance with the United States Department of Labor's reporting requirements as they pertain to workforce development concerns;
- c) Ensuring compliance with the statutory and regulatory stipulations as defined in all titles of WIOA; and
- d) Providing oversight, staff support, and coordinating efforts for committees or action teams of the Board.

802.3 The SWDB Director shall operate under the direction of DWD as the Governor's designated administrative entity for the SWDB and shall not exercise independent policymaking authority reserved for the SWDB.

SECTION 803. RECORDS AND PUBLIC ACCESS

803.1 Records of the SWDB shall be maintained and made available to the public in accordance with applicable records retention laws, open records requirements, and in accordance with federal and state laws⁴.

803.2 DWD shall maintain a publicly accessible webpage on behalf of the SWDB to support transparency and public access to SWDB activities and information.

SECTION 804. WRITTEN CORRESPONDENCE

804.1 All written correspondence for the Board may be addressed in care of:

State Workforce Development Board Director
Indiana Department of Workforce Development
10 Senate Avenue, Suite 304
Indianapolis, IN 46204-2277

SECTION 805. ELECTRONIC CORRESPONDENCE

805.1 The SWDB may use electronic communication methods, including email and other approved technologies, to distribute meeting materials, provide notices, conduct administrative business and facilitate communication among SWDB members and DWD.

805.2 Electronic communications shall not be used to circumvent public meeting requirements or conduct official SWDB action outside of a properly noticed meeting unless otherwise authorized by law.

ARTICLE IX. AMENDMENTS

901.1 These bylaws may be amended, supplemented, or superseded by a two-thirds affirmative vote of the full SWDB, provided there is a quorum present and members were given at least five calendar days written notice of such proposed amendments.

901.2 Amendments may be proposed by any member of the SWDB or by the DWD.

901.3 Bylaws and amendments cannot conflict with existing federal or state laws, regulations, or guidelines.

⁴ IC § 5-14-3 and 20 CFR § 679.140.

Adopted: May 20, 2026