



## NORTH DAKOTA WORKFORCE DEVELOPMENT COUNCIL

### ATTENDANCE POLICY

#### POLICY 1-01-01 (3)

#### PURPOSE:

The purpose of this policy is to remind North Dakota Workforce Development Council members of the importance of attending Council meetings.

Section 101 of the Workforce Innovation and Opportunity Act of 2014 and 20 CFR Part 679.110 provides the authority for the Governor to appoint a State Workforce Development Board. Section 106 of the Workforce Innovation and Opportunity Act of 2014 and 20 CFR Part 679.310 provides the authority of the Governor to appoint a Local Workforce Development Board.

North Dakota is a Single Local Area State. The North Dakota Workforce Development Council serves as both the State and Local Workforce Development Board for North Dakota.

The North Dakota Workforce Development Council was authorized under Executive Order 95-01. On December 31, 1999, the Governor designated the Council as the State's Workforce Investment Board in accordance with section 101(e) of the Workforce Innovation and Opportunity Act of 2014.

Members of the North Dakota Workforce Development Council are appointed by the Governor to a three-year term. North Dakota membership aligns with WIOA section 101(b)(c).

**Attendance and participation** in Council meetings and activities is important to workforce development efforts of the State. Two consecutive absences from the Council and subgroup meetings may be cause for the Executive Committee to make a recommendation for forfeiture of the appointment to the Governor.

#### POLICY:

1. Members should make every effort to attend both Council and subgroup meetings to ensure the work of the board is carried out in accordance with WIOA.
2. If a member is unable to attend an in-person Council or subgroup meeting, the member has the option to attend through a virtual online platform, or a conference telephone line. Either option will count toward meeting attendance.
3. Two consecutive absences by a board member may result in a recommendation for forfeiture of the appointment to the Governor. Absences are applicable to both Council and subgroup meetings.
4. A board member who is unable to attend a Council meeting or Council committee meeting may designate a proxy to attend the meeting in the member's place. The proxy must meet the following criteria:
  - A. If the board member is a business representative, the proxy must have hiring authority and optimum policy-making authority. "Optimum policy-making authority" means an individual can reasonably be expected to speak affirmatively on behalf of the entity he or she represents and to commit that entity to a chosen course of action. [20 CFR § 679.120(a).]

- B. If a board member chooses to name a proxy to attend a Council meeting or Council committee meeting in the member's place, the member must do the following:
1. Before the meeting, the board member must notify the WDC Director in writing of the intent to name a proxy and include the following information:
    - a. Name of the proxy.
    - b. Whether the proxy can vote on the member's behalf.  
Failure to include this information will result in the proxy being unable to vote.
  2. Board members may designate a proxy for no more than 25% of meetings during the member's term unless extenuating circumstances exist and are approved by the WDC Chair.

**REFERENCE:**

- (0) NDWDC minutes dated May 12, 2015
- (1) NDWDC Administrative minutes dated September 28, 2018
- (2) NDWDC Administrative minutes dated October 28, 2021
- (3) NDWDC Administrative minutes dated March 27, 2024

**REVIEW:** March 27, 2027