



PINAL COUNTY

Innovative Workforce Solutions

# BY-LAWS

Pinal County Workforce Development Board

**Revised: December 2021**

*Approved by Pinal County Workforce Development Board: December 16, 2021*

*Approved by Pinal County Board of Supervisors: April 21, 2021*

**ARTICLE I - NAME, AREA OF SERVICE AND AUTHORIZATION**

- A. This board will be known as the Pinal County Workforce Development Board (hereinafter referred to as the “PCWDB”).
- B. The Chief Elected Officials are defined as the Pinal County Board of Supervisors (hereinafter referred to as the “PCBOS”).
- C. The area served shall be Pinal County, State of Arizona, inclusive of all municipalities and unincorporated areas. This area shall be known as the Pinal County Workforce Development Area (hereinafter referred to as the “PCWDA”).
- D. The PCBOS appoints all PCWDB members as prescribed in the Workforce Innovation and Opportunity Act (hereinafter referred to as the “WIOA”), Public Law 113-128 and the Shared Governance Agreement between the PCWDB and the PCBOS.
- E. The PCWDB and its committees derive their authority from Section 107 of the WIOA. In execution of its business, the PCWDB must comply with the WIOA and its regulations, applicable Federal and State Laws, rules and regulations, and State policies and procedures.

**ARTICLE II - MISSION STATEMENT**

- A. The **mission** statement of the Pinal County Workforce Development Board is:

*“The mission of the Pinal County Workforce Development Board is to fulfill the Six Purposes of WIOA.”*

- B. The six purposes of WIOA are:

- 1. Increase opportunities for individuals with barriers to employment;
- 2. Support alignment of services;
- 3. Improve quality and relevance;
- 4. Improve structure and delivery;
- 5. Increase prosperity of workers and employers; and
- 6. Enhance productivity and competitiveness.

**ARTICLE III –VISION AND PURPOSE**

- A. The **vision** statement of the Pinal County Workforce Development Board is:

*“Pinal County: A vibrant, affordable community, home to a skilled, diverse workforce; providing innovative opportunities for job seekers, employers, and employees to learn, grow, and prosper.”*

- B. The purpose of the PCWDB is to:
1. Provide strategic and operational oversight of the ARIZONA@WORK Pinal County service delivery system in collaboration with partners and workforce stakeholders.
  2. On behalf of the PCBOS, serves as the steward of WIOA grant funds allocated to Pinal County;
  3. Assist in the achievement of the State’s strategic and operational vision and goals as outlined in the Unified State Plan; and
  4. Maximize and continue to improve the quality of services, customer satisfaction, and effectiveness of the services provided.
- C. The PCWDB is established in accordance with the requirements of WIOA Section 107 (d).
- D. The PCWDB shall operate on a Program Year basis. **Program Years are defined as July 1 – June 30.**

#### **ARTICLE IV – DUTIES AND RESPONSIBILITIES**

- A. As provided in WIOA Sec. 107(d), 20 CFR §679.370 and the Shared Governance Agreement, the PCWDB must:
1. Develop and submit a 4-year local plan, in partnership with the PCBOS and consistent with WIOA Sec. 108;
  2. If Pinal County is part of a planning region that includes other local areas as defined in WIOA Sec. 106, develop and submit a regional plan in collaboration with those local areas. If the PCWDA is part of a planning region, the local plan must be submitted as a part of the regional plan;
  3. Conduct workforce research and regional labor market analysis to include:
    - a. Analyses and regular updates of economic conditions, needed knowledge and skills, workforce, and workforce development (including education and training). Activities to include an analysis of the strengths and weaknesses (including the capacity to provide) of such services to address the identified education and skill needs of the workforce and the employment needs of employers;
    - b. Assistance to the Governor in developing the statewide workforce and labor market information system under the Wagner-Peyser Act for the region; and
    - c. Other research, data collection, and analysis related to the workforce needs of the regional economy as the PCWDB, along with input from

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stakeholders, so the PCWDB can carry out its functions;

4. Convene local workforce development system stakeholders to assist in the development of the local plan under § 679.550 and in identifying non-Federal expertise and resources to leverage support for workforce development activities. Such stakeholders may assist the PCWDB and standing committees in carrying out convening, brokering, and leveraging functions at the direction of the PCWDB;
5. Lead efforts to engage with a diverse range of employers and other entities in the region in order to:
  - a. Promote business representation (particularly representatives with optimum policy-making or hiring authority from employers whose employment opportunities reflect existing and emerging employment opportunities in the region) on the PCWDB;
  - b. Develop effective linkages (including the use of intermediaries) with employers in the region to support employer utilization of the local workforce development system and to support local workforce investment activities;
  - c. Ensure that workforce investment activities meet the needs of employers and support economic growth in the region by enhancing communication, coordination, and collaboration among employers, economic development entities, and service providers; and
  - d. Develop and implement proven or promising strategies for meeting the employment and skill needs of workers and employers (such as the establishment of industry and sector partnerships), that provide the skilled workforce needed by employers in the region, and that expand employment and career advancement opportunities for workforce development system participants in in-demand industry sectors or occupations;
6. With representatives of secondary and postsecondary education programs, lead efforts to develop and implement career pathways within the PCWDA by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment;
7. Lead efforts in the PCWDA to identify and promote proven and promising strategies and initiatives for meeting the needs of employers, workers and job seekers, and identify and disseminate information on proven and promising practices carried out in other local areas for meeting such needs;

8. Develop strategies for using technology to maximize the accessibility and effectiveness of the ARIZONA@WORK Pinal County workforce development system for employers, and workers and job seekers, by:
  - a. Facilitating connections among the intake and case management information systems of the ARIZONA@WORK partner programs to support a comprehensive workforce development system in the PCWDA;
  - b. Facilitating access to services provided through the ARIZONA@WORK Pinal County delivery system including access in remote areas;
  - c. Identifying strategies for better meeting the needs of individuals with barriers to employment, including strategies that augment traditional service delivery, and increase access to services and programs of the ARIZONA@WORK Pinal County delivery system, such as improving digital literacy skills; and
  - d. Leveraging resources and capacity within the ARIZONA@WORK Pinal County workforce development system, including resources and capacity for services for individuals with barriers to employment;
9. In partnership with the PCBOS:
  - a. Conduct oversight of youth workforce investment activities authorized under WIOA Sec. 129(c), adult and dislocated worker employment and training activities under WIOA Secs. 134(c) and (d), and the entire ARIZONA@WORK delivery system in the PCWDA;
  - b. Ensure the appropriate use and management of the funds provided under WIOA subtitle B for the youth, adult, and dislocated worker activities and ARIZONA@WORK delivery system in the PCWDA; and
  - c. Ensure the appropriate use management, and investment of funds to maximize performance outcomes under WIOA Sec. 116;
10. Negotiate and reach agreement on local performance indicators with the PCBOS and the Governor;
11. Negotiate with PCBOS and required partners on the methods for funding the infrastructure costs of ARIZONA@WORK Job Centers in the PCWDA in accordance with 20 CFR §678.715 or must notify the Governor if they fail to reach agreement at the local level and will use a State infrastructure funding mechanism;

12. Select the following providers in the PCWDA, and where appropriate terminate such providers in accordance with 2 CFR part 200:
  - a. Providers of youth workforce investment activities through competitive grants or contracts based on the recommendations of the youth standing committee (if such a committee is established); however, if the PCWDB determines there is an insufficient number of eligible training providers in a PCWDA, the PCWDB may award contracts on a sole-source basis as per the provisions at WIOA sec. 123(b);
  - b. Providers of training services to be listed on the Eligible Training Provider list consistent with the criteria and information requirements established by the Governor and WIOA sec. 122;
  - c. Providers of career services through the award of contracts, if the one-stop operator does not provide such services; and
  - d. One-stop operators in accordance with 20 CFR §§ 678.600 through 678.635;
13. In accordance with WIOA Sec. 107(d)(10)(E) work with the State to ensure there are sufficient numbers and types of providers of career services and training services serving the PCWDA and providing the services in a manner that maximizes consumer choice, as well as providing opportunities that lead to competitive integrated employment for individuals with disabilities;
14. Coordinate activities with education and training providers in the PCWDA, including:
  - a. Reviewing applications to provide adult education and literacy activities under WIOA title II for the PCWDA, to determine whether such applications are consistent with the local plan;
  - b. Making recommendations to the eligible agency to promote alignment with such plan; and
  - c. Replicating and implementing cooperative agreements to enhance the provision of services to individuals with disabilities and other individuals, such as cross training of staff, technical assistance, use and sharing of information, cooperative efforts with employers, and other efforts at cooperation, collaboration, and coordination;
15. Develop a budget for the activities of the PCWDB, with approval of the PCBOS and consistent with the local plan and the duties of the PCWDB;

16. Assess, on an annual basis, the physical and programmatic accessibility of all ARIZONA@WORK Job Centers in the PCWDA, in accordance with WIOA Sec. 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*); and
17. Certification of ARIZONA@WORK Job Centers in accordance with 20 CFR § 678.800 and applicable polices issued by the State Workforce Board (Workforce Arizona Council)
18. Members will review Fiscal Report at each meeting and consider for approval the budgets of the WIOA Title I-B Adult, Dislocated Worker and Youth programs.
19. Members will complete tasks assigned by the PCWDB Chair and will carry out assignments from committees/work groups/task forces to which they have been appointed. Members are expected to be knowledgeable of PCWDB related topics, including policy guidelines. Members are expected to assist each other in orientation and education related to PCWDB responsibilities.

**ARTICLE V – MEMBERSHIP/COMPOSITION OF THE PCWDB**

The PCWDB has 19 members based on the following structure:

Category	#
A - Majority Local Business Representatives (>50%)	10
B - Local Workforce - Labor and apprenticeship required; Community-Based Organizations (CBOs) and other youth-related organizations optional (20% min)	4
C - Education and Training - Title II and higher education required. Local education and CBOs helping individuals with barriers to employment (optional)	2
D - Government, Economic, and Community Development - Economic/Community Development Entities, Wagner-Peyser, and Vocational Rehabilitation required; philanthropic and others optional	3

For the *business category*, the board will target members representing the following industries:

<ul style="list-style-type: none"> <li>• Health Services</li> <li>• Natural/Renewable Resources</li> <li>• Tourism</li> <li>• Advanced Manufacturing/Technology</li> <li>• Aerospace/Defense</li> </ul>	<ul style="list-style-type: none"> <li>• Transportation/Logistics</li> <li>• Construction</li> <li>• Retail</li> <li>• Small Business</li> </ul>
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The members of the PCWDB must be appointed by the PCBOS consistent with criteria established under WIOA Sec. 107(b)(1) and criteria established by the Governor, and must meet the following requirements of WIOA Sec. 107(b)(2):

- A. The PCWDB may not include members who are employees or directors of grantees or sub-grantees of Arizona WIOA funds except as required by WIOA.
  1. An individual may be appointed to represent more than one category. When an individual is appointed to represent more than one category, the individual must have policy-making authority in each category.
  2. Documentation is required indicating the dual/multiple role is acceptable based on a majority vote of the full board.
  
- B. The majority of the members of the PCWDB must be representatives of private, for profit business in the PCWDA. At a minimum, two members must represent small business as defined by the U.S. Small Business Administration. Business representatives serving on local workforce development boards may also serve on the Workforce Arizona Council. Each business representative must meet the following criteria:
  1. Be owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority. A representative with optimum policy-making authority is an individual who 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.
  2. Provide employment opportunities in in-demand industry sectors or occupations, and provide high-quality, work-relevant training and development opportunities to its workforce or the workforce of others (in the case of organizations representing business as per WIOA Sec. 107(b) (2)(A)(ii).

As defined in WIOA Sec. 3(23), in-demand industry sector or occupation means:

- a. an industry sector that has a substantial current or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the State, regional, or local economy, as appropriate, and that contributes to the growth or stability of other supporting businesses, or the growth of other industry sectors; or
  
- b. an occupation that currently has or is projected to have a number of positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector so as to have a significant impact on the State, regional, or local economy, as appropriate.

The determination of whether an industry sector or occupation is in-demand shall be made by the Workforce Arizona Council or PCWDB, as appropriate, using State



and regional business and labor market projections, including the use of labor market information.

3. Be appointed from among individuals nominated by local business organizations and/or business trade associations.

**C. Not less than 20 percent of the members of the PCWDB must be workforce representatives. These representatives:**

1. **Must include** two or more representatives of labor organizations who have been nominated by local labor federations, or other representatives of employees (for areas where labor organizations do not exist);
2. **Must include** one or more representatives (must be a training director or a member of a labor organization) of a joint labor-management, or union affiliated, registered apprenticeship program within the area. If no union affiliated registered apprenticeship programs exist in the area, a representative of a registered apprenticeship program with no union affiliation must be appointed, if one exists;
3. *May include* one or more representatives of CBOs that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive integrated employment for individuals with disabilities; and
4. *May include* representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.

**D. The balance of membership for the PCWDB must include:**

1. *At least* one eligible provider administering adult education and literacy activities under WIOA Title II (Adult Education). When there is more than one local area provider of adult education and literacy activities under Title II, nominations are solicited from those particular entities (WIOA Sec. 107(b)(2)(C)(i));
2. *At least* one representative from an institution of higher education providing workforce investment activities, including community colleges. When there are multiple institutions of higher education providing workforce investment activities nominations are solicited from those particular entities (WIOA 107(b)(2)(C)(ii)); and
3. *At least* one representative from each of the following governmental and economic and community development entities:
  - a. Economic and community development entities;

- b. The State Employment Service Office under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) serving the local area; and
- c. The programs carried out under Title I of the Rehabilitation Act of 1973, other than section 112 or Part C of that Title.

**E. In addition to the representatives enumerated above, the PCBOS may appoint other appropriate entities in the PCWDA, including:**

- 1. Entities administering education and training activities who represent local educational agencies or community-based organizations with demonstrated expertise in addressing the education or training needs for individuals with barriers to employment;
- 2. Governmental and economic and community development entities who represent transportation, housing, and public assistance programs;
- 3. Philanthropic organizations serving the PCWDA; and
- 4. Other appropriate individuals as determined by the PCBOS.

**ARTICLE VI - APPOINTMENT TO THE PCWDB**

- A. Individuals are appointed to the PCWDB by the PCBOS in accordance with State criteria established under WIOA Sec. 107(b)(2). The PCWDB is to be certified by the Governor every two years, in accordance with Sec. WIOA 107(c)(2).
- B. The PCWDB will make a recommendation to the PCBOS for appointments to serve on the Board by the following process:
  - 1. Each nominee must submit an application for membership to serve on the PCWDB. Interested individuals may access applications via the ARIZONA@WORK Pinal County website. Each business member must describe their optimum-policy making or hiring authority in the application, and include documentation of curriculum vitae, resume or work history supporting the qualifications of nomination.
  - 2. Each application will be reviewed by PCWDB staff for:
    - a. Strategic alignment with board configuration;
    - b. Categorical requirements of membership, including optimum-policy making or hiring authority, if applicable;
    - c. Time commitments; and

- d. Qualifications to the benefit of the PCWDB.
3. Qualified applications will be presented to the full PCWDB for a vote during the next regularly scheduled meeting.
4. A majority vote in favor of the appointment is required for a recommendation to be made to the PCBOS with a request that they be considered for approval at the next scheduled PCBOS' Regular Session Meeting. The PCWDB's recommendation, and application will be provided to the PCBOS, and the PCBOS appointment will be evidenced in PCBOS minutes.
5. All newly appointed Board members must complete PCWDB-approved onboarding within 60 days of being appointed to the board. Members who fail to complete the onboarding within the designated timeframe will be referred to the Executive Team for consideration of membership consistent with Article IX of these By-laws (Removal).
6. Required program partner staff members who have a post of duty at either the ARIZONA@WORK Pinal County comprehensive or affiliate site Job Centers are not eligible for membership on the PCWDB due to a potential conflict of interest resulting from the relationship between the PCWDB, the One-stop Operator and Job Center program staff.

## **ARTICLE VII - TERMS OF OFFICE**

Staggered appointments ensure that only a portion of the membership expires in a given year.

- A. The terms of the members of the Business category shall be for two years.
- B. The terms of the members of the non-Business categories shall be for three years.
- C. Term start date is the date the member is approved by the PCBOS. Term end date shall be the last day of the expiration month.
- D. Members may serve multiple terms but must be re-appointed by the PCBOS. Members of the Business category will have the option to re-apply for a term of one or two years.
- E. PCWDB staff shall notify PCWDB members 60 days prior to the end of the term that their term is ending.
  1. 45 days prior to the end of their term, the PCWDB member shall notify the PCWDB whether or not they are interested in re-appointment.
  2. If the PCWDB member is interested in re-appointment, he/she must complete a new PCWDB application.

3. If the PCWDB member does not commit to re-appointment 30 days before the expiration of his/her term, a replacement will be sought to fill his or her vacancy. In this case, the PCWDB staff will notify the PCBOS of the approaching vacancy.
- F. PCWDB members shall serve without compensation except for reimbursement for travel and subsistence expenses.

### **ARTICLE VIII – ATTENDANCE**

- A. All PCWDB members are expected to attend regularly scheduled meetings. All members must confirm no later than two business days prior to a scheduled meeting whether they plan to attend or not.
- B. Engagement as member of the PCWDB is critical to the goals of the board. It is preferred that all members attend meetings in person. However, in instances where in-person attendance is not feasible, members are expected to participate via video or telephone conferencing.
1. As a member of the PCWDB each member shall attend all regularly scheduled meetings, as well as special meetings (including committee/workgroup/task forces to which they are a member).
  2. A member's failure to attend three (3) regular board meetings within one calendar year may be asked to resign from the PCWDB by a majority vote of the PCWDB.
  3. Any member in good standing may request a special meeting to review the attendance of a member on the PCWDB.
- C. Board members will not be permitted to delegate a proxy or alternates in their absence.
- D. Under extraordinary circumstances, the PCWDB may vote to grant an active member a leave of absence (e.g., military duty, health related, etc.) for up to one year. A member granted a leave of absence is not counted as an active member for purposes of quorum or composition.
1. The board may recommend for approval, a temporary applicant to fulfill the remainder of the leave of absence.
  2. A temporary applicant appointment will be made in accordance with *Article VI Appointment to the PCWDB*.
  3. A recommended appointment made under Article VIII (G) must be for the same sector as the individual being replaced.

**ARTICLE IX – VACANCIES, RESIGNATIONS AND REMOVAL OF PCWDB MEMBERS**

Members who no longer hold a position or status that made them eligible PCWDB members, must notify the PCWDB to assess their eligibility to remain on the board.

Members who are determined not to qualify as a member, must resign or be removed by the PCBOS.

**VACANCIES:**

- A. If a vacancy occurs otherwise than by expiration of term, the vacancy shall be filled according to *Article VI – Appointment to the PCWDB*.
- B. In the event of a vacancy, PCWDB staff will notify the Pinal County Clerk of the Board for the purpose of informing the PCBOS.
- C. In order to comply with Workforce Arizona Council Local Governance Policy, PCWDB vacancies must be filled within 120 days of the vacancy. All vacancies will be addressed using the process identified in Article VI.
- D. In the event a vacancy cannot be filled within 120 days, the PCWDB must request a waiver in writing to the Chair or designee of the Workforce Arizona Council with an explanation of why a vacancy was not filled in the 120-day timeframe and a description of the process underway to fill the vacancy.
- E. The PCWDB must maintain written approval of the waiver request by the Chair or designee of the Workforce Arizona Council and will be monitored according to the process outlined in the approved waiver request.

**RESIGNATIONS:**

- A. Resignation by members shall be submitted in writing to the PCWDB Chair.
- B. An agenda item will be placed on the next full PCWDB meeting for the Board to “acknowledge” that member’s resignation.

**REMOVAL:**

- A. PCWDB members must be removed by the PCBOS if any of the following occurs:
  - 1. Absences as defined in Article VIII (B) (2);
  - 2. Documented violation of conflict of interest;
  - 3. Failure to meet Local Board member representation requirements defined in the PCWDB By-Laws Article V – Membership/Composition of the PCWDB;

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4. Documented proof of malfeasance, fraud or abuse; or
  5. A member fails to fulfill the requirements of membership.
- B. The state administrative entity reserves the right to conduct an investigation regarding allegations of wrongdoing that result in the removal of a board member. PCBOS and PCWDB chairs will be formally notified in advance of any such investigation and of the results.
- C. At the request of the member under consideration for removal, the Executive Team will conduct a hearing with the member under consideration regarding the merits of the recommendation for removal.
- D. Should the Executive Team determine that it is in the best interest of the PCWDB to remove a member; a recommendation for removal will be presented to the PCWDB for official action to remove the member. The recommendation must receive a majority vote.
- E. Recommendations for removal of PCWDB members will be forwarded to the PCBOS for final approval.

## **ARTICLE X – OFFICERS**

The PCWDB shall have a Chair, Vice Chair, Immediate Past Chair and Fiscal Liaison.

### **A. Chair**

The Chair shall be a representative of the business category on the PCWDB. The Chair shall be elected by a majority vote of the PCWDB.

1. The Chair shall perform the duties pursuant to these by-laws and procedural decisions resulting from a duly cast vote of the PCWDB. He/she is the attester to all documents containing necessary concurrences required by the Governor and/or the PCWDB recommendations deemed necessary to the PCBOS.
2. The Chair shall be the lead Officer of the PCWDB and shall preside at all full board meetings of the PCWDB.
3. The term of office for the Chair shall be two years.
  - a. In the event the Chair cannot fulfill the terms of his/her appointment for any reason he/she must submit in writing to the PCBOS notifying his/her intention to resign from his/her role as Board Chair.
4. No individual may hold this office for more than two consecutive terms.

**B. Vice Chair**

The Vice Chair shall perform the duties of the Chair in his/her absence and to perform such other duties as automatically pertain to such office or as may be designated by the Chair or Executive Team. The Vice Chair assumes the duties of the Chair, should the Chair resign before the Chair's term is completed.

1. The Vice Chair shall be representative of the business category on the PCWDB.
2. The Vice Chair shall be elected by a majority vote of the PCWDB.
3. The term of office for the Vice Chair shall be two years. No individual may hold this office for more than two consecutive terms.
4. In the event the Vice Chair cannot fulfill the terms of his/her appointment for any reason, the member must submit in writing to the Chair his/her intention to resign from his/her role as Board Vice Chair.
  - a. Voting for a new Vice Chair will be conducted at the next regularly scheduled Board meeting.

**C. Immediate Past Chair:**

1. The Immediate Past Chair may serve as a liaison to new Business Sector member recruitment as well as providing advice/assistance to new Chairs.
2. The Immediate Past Chair position is not a required to be filled. If vacant the chair can appoint a PCWDB member to the Executive Committee in lieu of an Immediate Past Chair.

**D. Fiscal Liaison**

1. The Fiscal Liaison will provide fiscal oversight by reviewing fiscal reports prepared by the Pinal County Fiscal Agent which track WIOA funds allocated to Pinal County.
2. The Fiscal Liaison and/or the Pinal County Fiscal Agent will provide the Fiscal Report during PCWDB meetings and potentially make expenditure recommendations to the full PCWDB
3. The term of the Fiscal Liaison shall serve a term of one year with the option to extend by majority vote of the PCWDB.

## **ARTICLE XI – ELECTION OF OFFICERS**

- A. Election of officers shall be held during the last meeting of each Program Year.
- B. Elections will be conducted by the following schedule:
  - 1. **No later than February 1 of the election year:** dissemination of the “PCWDB Officer Nomination Form” to each eligible Board member
  - 2. **No later than April of the election year:** Candidates are announced to the full board
  - 3. **No later than the June meeting of the PCWDB:** Full board votes for officers.
  - 4. The Chair, Vice Chair, and Fiscal Liaison will commence their terms on July 1 of the following Program Year in which they were elected.
- C. Results of the PCWDB elections will be forwarded to the Pinal County Clerk of the Board in order to inform the PCBOS.

## **ARTICLE XII – EXECUTIVE TEAM**

- A. The Executive Team shall meet as necessary between scheduled meetings of the entire PCWDB and shall be responsible for interpreting and putting into effect the decisions, policies and programs of the PCWDB, including but not limited to attendance, by-laws or disciplinary actions of the PCWDB.
- B. The Executive Team shall consist of the Chair, Vice Chair, Immediate Past Chair and Fiscal Liaison and one or two at large members.
- C. The Executive Team at all times must consist of an odd number of members.
- D. The PCWDB Chair shall serve as the Chair of the Executive Team.
- E. The PCWDB may periodically grant limited authority to the Executive Team to vote on and put into effect time-sensitive actions related to operational requirements that are non-binding in nature.
- G. Actions made by the Executive Team are subject to ratification by a majority vote of the PCWDB at its next regularly scheduled meeting.
- H. The Executive Team may go into “Executive Session” during the course of a Board meeting on an “as needed” basis at the discretion of the Board Chair and legal counsel.



## **ARTICLE XIII COMMITTEES/WORKGROUPS/TASK FORCES**

### **A. Standing Youth Committee**

1. The purpose of the standing youth committee includes providing information to assist with planning, operations, oversight, and other issues related to the provision of the WIOA Title I-B youth program. Under the direction of the PCWDB, a standing youth committee may:
  - a. Recommend policy direction to the PCWDB for the design development and implementation of programs that benefit all youth;
  - b. Recommend the design of the comprehensive community youth workforce development system to ensure a full range of services and opportunities for youth, including disconnected youth;
  - c. Recommend ways to leverage resources and coordinate services among schools, public programs, and community-based organizations serving youth;
  - d. Recommend ways to coordinate youth services and youth service providers;
  - e. Provide on-going leadership and support for continuous quality improvement for local youth programs;
  - f. Assist with the planning, operational and other matters related to youth; and
  - g. Oversee eligible youth providers, as well as other youth program responsibilities.
  
2. The standing youth committee membership must include a minimum of 5 individuals. The committee members are appointed based on their expertise to help address the employment, training, education, human and supportive service needs of eligible youth.
  - a. The standing youth committee must include:
    - i. A member from the PCWDB, who chairs the committee;
    - ii. Members of community-based organizations with a demonstrated record of success in serving eligible youth and other individuals with appropriate expertise who are not members of the local board;
  - b. Additional standing youth committee members may include:
    - i. Representatives of agencies such as secondary and post-secondary education, training, health, mental health, disability, housing, public assistance and justice;
    - ii. Representatives of philanthropic or economic and community development organizations;
    - iii. Employers; and
    - iv. Parents, participants and youth.

**B. Standing Committees/Workgroups/Task Forces**

1. The PCWDB has authority to establish standing committees, workgroups or task forces in order to address specific issues, and to accomplish strategic goals of the PCWDB.
2. The Chair of the PCWDB shall appoint the Chair of any standing committees and/or work groups/task forces.
3. All standing committee, workgroups or task force recommendations are to be presented to the PCWDB for official action.

**a. Standing Committees**

1. If the PCWDB decides to form a standing committee, the following requirements must be met:
  - a. The committee must meet the requirements of WIOA Sec. 107(b)(4)
  - b. The standing committees must be chaired by a member of the PCWDB;
  - c. Other members of the PCWDB may be included;
  - d. PCWDB must appoint other individuals who are not PCWDB members and who the PCWDB determines have appropriate experience and expertise.
2. The Chair of the PCWDB shall appoint the Chair of any standing committees.
3. If the PCWDB determines that a specific standing committee is no longer needed, it shall officially disband the committee by a majority vote. The By-laws will thereafter be amended to remove the standing committee.

**b. Task Forces and Workgroups**

1. Taskforces and workgroups shall be chaired by a board member and shall not have more than five members of the board.
2. The Chair of the PCWDB shall appoint the Chair of any work groups/task forces.

## **ARTICLE XIV - MEETINGS**

Full Board, Executive Team, Special Meetings, Standing Committee, and Workgroups/Task Force meetings of PCWDB will be conducted in accordance with Arizona State open meeting laws.

All PCWDB meetings will be guided by Roberts Rules of Order and Arizona Open Meeting Laws

The PCWDB will conduct business through two categories of meetings:

### **A. Full Board Meetings**

There will be six (6) full board meetings of the PCWDB per Program Year for the conduct of official board business. The date, time and place will be designated by the majority of the PCWDB. The meeting schedule shall be posted on the Pinal County public website and the ARIZONA@WORK Pinal County website.

1. Full Board Meeting agendas will be posted at least 24 hours in advance of each meeting on the Pinal County website (<http://www.pinalcountyz.gov/Pages/Home.aspx>) and the ARIZONA@WORK Pinal County website (<https://arizonaatwork.com/pinal-county/local-board-pinal-county>)
2. Meeting agendas may contain a Consent Agenda. A consent agenda groups routine business and reports into one agenda item. All items will be handled by a single vote as part of the consent agenda, unless a Board Member, or member of the public objects at the time the agenda item is called. The chair decides which items will be placed on the consent agenda.
3. The use of a consent agenda may include:
  - a. At the beginning of the meeting, the board chair will ask members if any of the consent agenda items should be moved to the regular discussion items.
  - b. Any reason will be sufficient to move an item. A member can move an item to discuss, query or to vote against it.
  - c. Once the item has been moved, the chair may decide to take up the matter immediately, or table it for a future meeting.
  - d. When there are no items to be moved or if all requested items have been

moved, hearing no objections the chair can move to adopt the consent agenda.

- e. The full text of the resolutions, reports, and recommendations that were adopted as part of the consent agenda will be documented as part of the meeting minutes.
4. A simple majority of appointed members shall constitute a quorum for the transaction of business at all PCWDB meetings. A meeting at which a quorum is initially established, but the quorum is not maintained due to the departure of members, may continue business discussions *but take no action*.
  5. In accordance with A.R.S. 38-431.01(B), all PCWDB meetings shall provide for the taking of written minutes or a recording of all their meetings, including executive sessions. For meetings other than executive sessions, such minutes or recording shall include, but not be limited to:
    - a. The date, time and place of the meeting.
    - b. The members of the PCWDB recorded as either present or absent.
    - c. A general description of the matters considered.
    - d. An accurate description of all actions proposed, discussed or taken, and the names of members who propose each motion. The minutes shall also include the names of the persons making statements or presenting material to the PCWDB.
  6. The minutes or a recording of a meeting shall be available for public inspection no later than three working days after the meeting.
  7. The PCWDB may go into “Executive Session” during the course of a Board meeting on an “as needed” basis at the discretion of the Board Chair and legal counsel.

## **B. Special Meetings, Executive Team Standing Committees, and Workgroups/Taskforce Meetings**

Special meetings of the PCWDB, the Executive Team, Standing Committees and Workgroups/Task Forces may be called, as needed, by the Board Chair and/or the respective Committee or Workgroup/Task Force Chair.

1. A simple majority of board members shall constitute a quorum for the transaction of business at all PCWDB meetings. A meeting at which a quorum is initially established, but the quorum is not maintained due to the departure of members, may continue business discussions but take no action.

2. Final meeting agendas will be posted in accordance with ARTICLE XIV (A)(1) of these by-laws.
3. Meeting agendas may contain a Consent Agenda. A consent agenda groups routine business and reports into one agenda item. All items will be handled by a single vote as part of the consent agenda, unless a Board Member, or member of the public objects at the time the agenda item is called.
4. Executive Team and Standing committee minutes shall be written and posted in accordance with Sections (A)(1)(d) of this article.

### **ARTICLE XV – VOTING/MOTIONS**

Each member of the PCWDB shall be entitled to one (1) vote on all matters brought before the PCWDB at any scheduled meeting. Whenever these by-laws specify that an action is to be taken by vote of the PCWDB, the approval shall be granted by a simple majority of the members present and qualified to vote at any scheduled meeting of the PCWDB at which a quorum exists.

Items that require a mover, seconder and a vote may include the following:

- A. Consent Agenda Items (e.g. minutes from previous meeting, new board member approvals, ETPL approvals etc.);
- B. Organizational policies or revisions;
- C. Strategic Plan;
- D. Annual budget, or a revision;
- E. Board Expenditures in excess of \$4,999;
- F. Amendments/revisions to MOU/IFA;
- G. Amendments/revisions to By-laws;
- H. Initiation of legal action;
- I. Allocation of surplus items;
- J. Assumption of a major new financial obligation (e.g. mortgage or lease) or risk; and
- K. Adjournment of meetings

## **ARTICLE VI – ETHICS AND CONFLICT OF INTEREST**

PCWDB members shall avoid both conflict of interest and the appearance of conflict of interest in the conduct of the PCWDB business. The PCWDB shall follow:

- A. Arizona law on Conflict of Interest as set forth in Arizona Revised Statutes, Title 38 – Public Officers and Employees, Chapter 3 – Conduct of Office, Article 4 Section 38-447 and Article 8 Section 38-501 – 511.
- B. Arizona Department of Economic Security WIOA Policy Chapter 2, Section 1200(03)(L) By-Laws requirements.
- C. Workforce Arizona Council Local Governance Policy Section H (k) “Conflict of interest” and Workforce Arizona Council Conflict of Interest Policy.
- D. Pinal County Policies and Procedures:
  - 1. [ETHICS IN COUNTY EMPLOYMENT](#)
  - 2. [CONFLICT OF INTEREST](#)
- D. All abstentions must be recorded in the minutes of the Local Board meeting and be maintained as part of the official record.
- E. Prior to the beginning of each program year, each PCWDB member must sign the Conflict of Interest Acknowledgment form.

## **ARTICLE XVII – CONFLICT RESOLUTION**

- A. When a conflict arises between PCWDB members, or, ARIZONA@WORK Pinal County partners who have signed the ARIZONA@WORK Pinal County Memorandum of Understanding and Infrastructure Funding Agreement that cannot be resolved, the parties to the issue shall summarize the issue in writing and submit to the Executive Team for mediation. All impacted Executive Team members must recuse themselves if a party to the conflict.
- B. If the stated recusals result in the lack of a quorum, the remaining members of the Executive Team will recruit a standing Board member to fulfill the role for purposes of mediation.
- C. All decisions regarding conflict resolution by the Executive Team are final unless requiring legal review.
- D. Decisions will be documented in writing to the impacted parties.

### **ARTICLE XVIII - AMENDMENTS**

- A. Amendments to these by-laws may be necessary from time to time. The by-laws may be amended or repealed in part or in whole only by a majority vote of the PCWDB members at a regular or special meeting with a quorum present.
- B. Each time the by-laws are amended, a copy of the updated by-laws will be distributed to all PCWDB members, the PCBOS and posted on the ARIZONA@WORK Pinal County website.

### **ARTICLE XIX – ANNUAL REPORT**

It is recommended that no later than October 31 of each Program Year the PCWDB will produce and publish an annual report to be presented during the Annual Year-End Review/Celebration. The report may include the following elements covering the most recently completed Program Year:

- A. Final Program Year Levels of Performance Outcomes
- B. Economic Contributions to Pinal County
- C. Summary of Job Seeker Services
- D. Summary of Business Services
- E. Testimonials from Customers
- F. Expenditure/Fiscal Summary
- G. Other topics as identified by the PCWDB