



PINAL COUNTY

Innovative Workforce Solutions

# BY-LAWS

Pinal County Local Workforce  
Development Board

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

- A. This advisory board will be known as the Pinal County Local Workforce Development Board (hereinafter referred to as the “PCLWDB”).
- B. The Chief Local Elected Officials are defined as the Pinal County Board of Supervisors.
- 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 Local Workforce Development Area (hereinafter referred to as the “LWDA”).
- D. The Pinal County Board of Supervisors appoints all PCLWDB members as prescribed in the Workforce Innovation and Opportunity Act (hereinafter referred to as the “WIOA”), Public Law 113-128.
- E. The PCLWDB and its committees derive their authority from Section 107 of the WIOA.

**ARTICLE II - MISSION STATEMENT**

The **mission** statement of the Pinal County Local Workforce Development Board is:

*“To provide an environment for cultivating opportunities by using regional resources and partnerships to enhance the economy in Pinal County.”*

**ARTICLE III - VISION AND PURPOSE**

- A. Consistent with 20 CFR §679.300, the vision for the PCLWDB is to serve as a strategic leader and convener of local workforce development system stakeholders. The PCLWDB partners with employers and the workforce development system to develop policies and investments that support public workforce system strategies that support regional economies, the development of effective approaches including local and regional sector partnerships and career pathways, and high quality, customer centered service delivery and service delivery approaches.

The **vision** statement of the Pinal County Local Workforce Development Board is:

*“The creation of a quality workforce environment that connects jobseekers to employers.”*

- B. The purpose of the PCLWDB is to:
  - 1. Provide strategic and operational oversight in collaboration with the required and additional partners and workforce stakeholders to help develop a comprehensive and high-quality workforce development system in the local area and larger planning region;
  - 2. Assist in the achievement of the State’s strategic and operational vision and goals as outlined in the Unified State Plan; and

3. Maximize and continue to improve the quality of services, customer satisfaction, and effectiveness of the services provided.
- C. The PCLWDB is established in accordance with the requirements of WIOA Section 107 (d). All actions of the PCLWDB are advisory and submitted to the Board of Supervisors for final approval.
- D. The PCLWDB shall operate on Program Year basis. **Program Years are defined as July1 – June 30.**

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

- A. As provided in WIOA Sec. 107(d) and 20 CFR §679.370, the PCLWDB must:
  1. Develop and submit a 4-year local plan for the local area, in partnership with the Chief Local Elected Officials and consistent with WIOA Sec. 108;
  2. If the local area is part of a planning region that includes other local areas, develop and submit a regional plan in collaboration with those local areas. If the local area 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 PCLWDB, after receiving input from a wide array of stakeholders, determines to be necessary to 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 PCLWDB and standing committees in carrying out convening, brokering, and leveraging functions at the direction of the PCLWDB;
  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 PCLWDB;
  - 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 local area 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 local area 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 local workforce development system for employers, and workers and job seekers, by:
    - a. Facilitating connections among the intake and case management information systems of the one-stop partner programs to support a comprehensive workforce development system in the local area;
    - b. Facilitating access to services provided through the one-stop delivery system involved, 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 one-stop delivery system, such as improving digital literacy skills; and
- d. Leveraging resources and capacity within the local workforce development system, including resources and capacity for services for individuals with barriers to employment;
9. In partnership with the chief elected official for the local area:
    - 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 one-stop delivery system in the local area;
    - b. Ensure the appropriate use and management of the funds provided under WIOA subtitle B for the youth, adult, and dislocated worker activities and one-stop delivery system in the local area; 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 chief elected official and the Governor;
  11. Negotiate with PCBOS and required partners on the methods for funding the infrastructure costs of one-stop centers in the local area 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 local area, 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 PCLWDB determines there is an insufficient number of eligible training providers in a local area, the PCLWDB may award contracts on a sole-source basis as per the provisions at WIOA sec. 123(b);
    - b. Providers of training services 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 local area 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 local area, including:
  - a. Reviewing applications to provide adult education and literacy activities under WIOA title II for the local area 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 PCLWDB, with approval of the chief elected official and consistent with the local plan and the duties of the Local WDB;
16. Assess, on an annual basis, the physical and programmatic accessibility of all one-stop centers in the local area, 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 one-stop centers in accordance with 20 CFR § 678.800 and applicable polices issued by the State Workforce Board (Workforce Arizona Council)
18. Members are not be permitted to delegate any Board duties to proxies or alternates.
19. Members will complete tasks assigned by the PCLWDB Chair and will carry out assignments from committees to which they have been appointed. Members are expected to be knowledgeable PCLWDB - related topics, including policy guidelines. Members are expected to assist each other in orientation and education related to PCLWDB responsibilities.

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

The members of PCLWDB must be selected by the Chief Local Elected Officials 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 PCLWDB 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 a majority vote of the full board.
- B. The majority of the members of the PCLWDB must be representatives of business in the local area. 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 State Board. 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 State or Local Board, 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 PCLWDB 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 community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that serve veterans or 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 PCLWDB 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 Pinal County Board of Supervisors *may* appoint other appropriate entities in the local area, 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 local area; and
4. Other appropriate individuals as determined by the chief elected official.

**ARTICLE VI - APPOINTMENT TO THE PCLWDB**

- A. Individuals are appointed to the PCLWDB by the Pinal County Board of Supervisors in accordance with State criteria established under WIOA Sec. 107(b)(2), and is certified by the Governor every two years, in accordance with Sec. WIOA 107(c)(2).
- B. The PCLWDB will make a recommendation to the Pinal County Board of Supervisors for appointments to serve on the Board by the following process:
  1. Each nominee must submit an application for membership on the PWCDB. Applications will be posted on the ARIZONA@WORK Pinal County website.
  2. Each application will be presented to the full PCLWDB for a vote during the next regularly scheduled meeting. The PCLWDB Chair may call a special session of the Executive Committee if it is determined that extraordinary circumstances warrant such action. Extraordinary circumstances are those that impact the PCLWDB membership compliance.
  3. A majority vote in favor of the appointment is required for a recommendation for appointment to be made to the Pinal County Board of Supervisors.
  4. Recommendations approved by the PCLWDB will be forwarded to the Pinal County Board of Supervisors with a request that they be considered for approval at the next scheduled board of Supervisor's Regular Session Meeting or appropriate Work Session.
  5. All newly appointed Board members must complete a PCLWDB-approved onboarding session prior to attending their first official meeting as a voting board member.

6. Board members will not be permitted to delegate a proxy or alternates in their absence.
7. 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 PCLWDB due to a potential conflict of interest resulting from the relationship between the PCLWDB, the One stop Operator and job center program staff.

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

- A. The terms of the members shall be for two years. Term start date is the date the member was approved by the Pinal County Board of Supervisors. Members may serve multiple terms but must be re-appointed by the Pinal County Board of Supervisors.
- B. Appointments will be staggered to the extent possible to ensure only one-third (1/3) of the membership expires in a given year.
  1. Existing members' terms as of September 1, 2018 will be allowed to expire based on their appointed term dates. Thereafter, any re-appointment to the PCLWDB will be for a term of two years.
  2. New members recommended for appointment to the PCLWDB after September 1, 2018 will be for a term of two years.
- C. If a vacancy occurs otherwise than by expiration of term, the vacancy shall be filled by appointment by the Pinal County Board of Supervisors for the unexpired portion of the term. The nomination process will be the same as outlined in these Bylaws under *Article VI – Appointment to the PCLWDB*. The new member filling the vacancy shall represent the same board category as the outgoing member.

## **ARTICLE VIII - ATTENDANCE**

- A. All PCLWDB members are expected to attend regularly scheduled meetings. All members must confirm two business days prior to a scheduled meeting whether they plan to attend or not.
- B. A member's absence is considered *unexcused* if the member fails to notify Board staff prior to a scheduled meeting.
- C. Upon first unexcused absence, staff will send a letter to board member. More than two *unexcused* absences by any member during the Program Year shall result in an Executive Committee review. The Executive Committee may then present a recommendation to the PCLWDB with regard to removing the member.

- D. **Excused** absences are those involving sickness, family emergency or business related priorities. Members must notify Board staff immediately upon discovery of circumstances that will require an excused absence.
- E. Three **excused** absences during the Program Year shall also result in an Executive Committee review. The Executive Committee may then present a recommendation to the PCLWDB with regard to removing the member. The PCLWDB, by a majority vote, may recommend removal of a member from the PCLWDB to the Pinal County Board of Supervisors.
- F. All PCLWDB members may attend meetings in person or telephonically. A cell phone call to a member's telephone may be used in case the conference call is not available for the meeting.
- G. Under extraordinary circumstances, the PCLWDB 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 either the remainder of the leave of absence, or remain on the board if active for more than one year or if the member they are replacing does not return to the board.
  - 2. 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 PCLWDB MEMBERS**

Members who no longer hold the position or status that made them eligible Local Board members must resign or be removed by the chief elected officials immediately upon notification to the Local Board chair of the change of status as a representative of that entity.

### **VACANCIES:**

- A. In order to comply with Workforce Arizona Council Local Governance Policy, PCLWDB vacancies must be filled within 120 days of the vacancy. All vacancies will be addressed using the process identified in Article VI.
- B. Reappointments must be made within 120 days that the vacancy is created.
- C. In the event a vacancy cannot be filled within 120 days, the PCLWDB must request a waiver in writing to the Director of the State Workforce Development Board 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.
- D. The PCLWDB must maintain written approval of the waiver request by the Director of the

State Workforce Development Board 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 PCLWDB Chair. An agenda item will be placed on the next full PCLWDB meeting for the Board to “acknowledge” that member’s resignation.

**REMOVAL:**

- A. Board members must be removed by the chief elected officials if any of the following occurs:
  - 1. Documented violation of conflict of interest;
  - 2. Failure to meet Local Board member representation requirements defined in the PCLWDB By-Laws Article V – Membership/Composition of the PCLWDB; or
  - 3. Documented proof of malfeasance, fraud or abuse.
- B. Local Board members may be removed for other reasons as determined by the PCLWDB.
- C. The state administrative entity reserves the right to conduct an investigation regarding allegations of wrong doing that result in the removal of a board member. Chief elected officials and local workforce board chairs will be formally notified in advance of any such investigation and of the results.
- D. The PCLWDB will provide ten days written notice to the member being considered for removal from the PCLWDB before a recommendation for removal is placed on a PCLWDB meeting agenda. The member under consideration for termination can request a hearing with the Executive Committee before any action is taken.
- E. At the request of the member under consideration for removal, the Executive Committee will conduct a hearing with the member under consideration regarding the merits of the recommendation for removal.
- F. Should the Executive Committee determine that it is in the best interest of the PCLWDB to remove a member; a recommendation for removal will be presented to the PCLWDB for official action to remove the member. The recommendation must receive a majority vote.
- G. Recommendations for removal of PCLWDB members will be forwarded to the Pinal County Board of Supervisors for final approval.

## **ARTICLE X - OFFICERS**

### **A. Election of Officers**

1. Election of officers shall be held during the last meeting of each election year.
2. The Chair and Vice-Chair shall serve concurrent terms, commencing on July 1 of the following Program Year in which they were elected.
3. Elections will be conducted by the dissemination of the “ARIZONA@WORK Pinal County Local Workforce Development Board Officer Nomination Form” which shall be disseminated to each eligible Board member no later than April 1 of the election year.
4. Nomination results will be presented to the full Board for a vote during the last meeting of the Program Year in which elections are held.

### **B. Chair**

The Chair shall perform the duties pursuant to these bylaws and procedural decisions resulting from a duly cast vote of the PCLWDB. He/she is the attester to all documents containing necessary concurrences required by the Governor and/or the PCLWDB recommendations deemed necessary to the Pinal County Board of Supervisors.

1. The Chair shall be elected by a majority vote of the PCLWDB.
2. The Chair shall be a representative of the business community on the PCLWDB.
3. The Chair shall be the Chief Officer of the PCLWDB and shall preside at all full board meetings of the PCLWDB.
4. The term of office for the Chair shall be two years. No one individual may hold this office for more than one consecutive term unless so voted by a majority of PCLWDB.
5. In the event the Chair cannot fulfill the terms of his/her appointment for any reason, the Vice-Chair shall perform such duties as the Acting-Chair until a new chair is appointed by the Pinal County Board of Supervisors.
  - a. The Chair must submit in writing to the Pinal County Board of Supervisors notifying his/her intention to resign from his/her role as Board Chair.
  - b. The nomination process outlined in Article X (A) shall be followed to elect a new Chair. Voting for a new Chair will be conducted at the next regularly scheduled Board meeting.

**C. Vice-Chair**

The Vice-Chair shall perform the duties of the Chair in his/her absence or assume the duties of the Chair, should the Chair resign before the Chairs' term is up.

1. The Vice-Chair shall be representative of the business community on the PCLWDB.
2. The Vice-Chair shall be elected by a majority vote of the PCLWDB.
3. The term of office for the Vice-Chair shall be two years. No individual may hold this office for more than one consecutive term unless so voted by a majority of PCLWDB.
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. The Chair may appoint an interim Vice-Chair from the Business sector membership.
  - b. The interim appointment shall commence with the vote of the full Board. The nomination process outlined in Article X (A) shall be followed to elect a new Vice-Chair. Voting for a new Vice-Chair will be conducted at the next regularly scheduled Board meeting.

**D. Other officers**

1. Other officers may be established by a majority vote of the PCLWDB.

**ARTICLE XI - COMMITTEES**

- A. The Chair of the PCLWDB shall appoint the Chair of each standing committee and ad hoc committees, subject to ratification by a majority vote of the full PCLWDB.
- B. Board members who miss three Committee meetings for which they are a member will be referred to the Executive Committee for review of further participation on the committee.
- C. Recommendations by the Executive Committee shall be brought to the full Board with a recommendation for further participation of the member.
- D. Executive Committee members under consideration for removal from such committee are not subject to full board ratification.
- E. **Standing Committees**
  1. The PCLWDB has authority to establish standing committees in order to address specific issues.

2. All standing committee recommendations are presented to the PCLWDB for official action.
3. All standing committees must operate according to Open Meeting Law requirements and establish a regular schedule of meetings.
  - a. The exception to this requirement will be the Executive Committee. Executive Committee meetings will be scheduled on an “as needed” basis at the discretion of the Board Chair.
  - b. The Executive Committee may go into “Executive Session” during the course of a Board meeting on an “as needed” basis at the discretion of the Board Chair.
4. If the PCLWDB determines that a specific standing committee is no longer needed, it shall officially disband the committee. The By -Laws will thereafter be amended to remove the standing committee.
5. The following standing committees have been established by the PCLWDB:
  - a. **Career Pathways Committee**  
Under the direction of the PCLWDB:
    - i. With representatives of secondary and post-secondary education programs, lead efforts to develop and implement career pathways within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment.
    - ii. Identify and develop career pathways for targeted/in-demand occupations/industries.
  - b. **Performance Accountability Committee**  
Under the direction of the PCLWDB:
    - i. Lead efforts in the local area to identify and promote proven and promising strategies and initiatives for meeting the needs of employers, workers and jobseekers (including individuals with barriers to employment) in the local workforce system, as well as in providing physical and programmatic accessibility, in accordance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), to the one-stop delivery system.
    - ii. Identify and disseminate information on proven and promising practices carried out in other local areas for meeting such needs.

- iii. Negotiate and reach agreement on local performance measures *with the chief elected official* and the Governor (WIOA section 116 (c)).

c. **Youth Committee**

The Youth Committee will provide information and assist with planning, operational, oversight, and other issues relating to the provision of services to youth.

In accordance with 20 CFR §681.110, the Youth Committee must include a member of the PCLWDB, who chairs the committee, members of community based organizations with a demonstrated record of success in serving eligible youth, and other individuals with appropriate expertise and experience who are not members of the Local WDB.

Members may represent agencies such as secondary and postsecondary education, training, health, disability, mental health, housing, public assistance, and justice, or be representatives of philanthropic or economic and community development organizations, and employers. The committee may also include parents, participants, and youth.

Under the direction of the PCLWDB, the standing Youth Committee may:

- i. Recommend policy direction to the PCLWDB for the design, development, and implementation of programs that benefit all youth;
- ii. Recommend the design of a comprehensive community workforce development system to ensure a full range of services and opportunities for all youth, including disconnected youth;
- iii. Recommend ways to leverage resources and coordinate services among schools, public programs, and community-based organizations serving youth;
- iv. Recommend ways to coordinate youth services and recommend eligible youth service providers;
- v. Provide on-going leadership and support for continuous quality improvement for local youth programs;
- vi. Assist with planning, operational, and other issues relating to the provision of services to youth; and

- vii. If so delegated by the PCLWDB after consultation with the Pinal County Board of Supervisors oversee eligible youth providers, as well as other youth program oversight responsibilities.

**d. Executive Committee**

- i. The Executive Committee shall meet as necessary between scheduled meetings of the entire PCLWDB and shall be responsible for interpreting and putting into effect the decisions, policies and programs of the PCLWDB, including but not limited to attendance, By-Laws or disciplinary actions of the PCLWDB.
- ii. The Executive Committee shall consist of the Chair, Vice-Chair, the Chairs of each standing committee, and such other members as the Chair may appoint.
- iii. The PCLWDB Chair shall serve as the Chairman of the Executive Committee.
- iv. If a full PCLWDB meeting has been cancelled and action items are needed to continue the programs, the Executive Committee shall put into effect and vote on the action items until next meeting or replacement meeting of PCLWDB is scheduled.
- v. All actions made by the Executive Committee are subject to ratification by a majority vote of the PCLWDB at its next regularly scheduled meeting.

**e. Operational Advisory Committee**

The Operations Advisory Committee will facilitate the establishment a workforce development system that fulfills the Board's vision, mission and goals.

Membership with voting rights shall consist of members of the PCLWDB.

Under the direction of the PCLWDB, the Operational Advisory Committee may:

- i. Development of the ARIZONA@WORK Pinal County Local Workforce Development Plan
- ii. Make recommendations to the Pinal County Local Workforce Development Board on policies necessary to establish a local one-stop service-delivery system which fulfills the Board's vision, mission and

- goals;
- iii. Recommends the selection of Adult and Dislocated Worker and Youth Program provider(s);
- iv. Guides the approval of training providers for the Eligible Training Provider List based on performance;
- v. Facilitates the Memorandum of Understanding between the one-stop partners as required under WIOA Section 121(c), with the agreement of the Chief Elected Official of Pinal County;
- vi. Provides guidance and guidance in the neutral convening of Pinal County workforce development organizations in order to develop mutually beneficial relationships that align efforts to enhance the talent development capacity of the local area;
- vii. Provides guidance and guidance in the use of evidence-based decision-making practices when convening employers or pursuing and implementing sector strategy initiatives;
- viii. Provides guidance and guidance in the development and approval of customized curriculum for professional skills workshops and other trainings that may be required by employers;
- ix. Make recommendations to the Pinal County Local Workforce Development Board Staff on Social Media strategies and web content development as related to Business Service ;
- x. Other duties as assigned by the Board Chairperson

**f. By-Laws Committee**

The Bylaws Committee is authorized by and accountable to the Pinal County Board of Supervisors. The committee is established to receive, review and recommend proposed amendments to the PCLWDB Bylaws. At the Board's request, the committee may review and recommend changes to the Bylaws.

- i. The By-Laws Committee shall consist of the Executive Committee, and such other members as the Chair may appoint.
- ii. The By-Laws Committee shall meet no less than twice in each calendar year to review the By-Laws and discuss any recommended changes.

iii. The PCLWDB Chair may assemble the By-Laws Committee on an “as needed” basis.

iv. Any recommended changes to the By-Laws must be approved by a majority vote of the PCLWDB and submitted to the Pinal County Board of Supervisors.

**g. Ad Hoc Committee**

An ad hoc committee may be established by the PCLWDB for a specific purpose with a specific time frame. Once the Committee has presented its findings/report to the PCLWDB, the PCLWDB will take official action to disband the Committee.

**h. Standing Committee and Ad Hoc Committee Officers**

i. The PCLWDB Chairperson appoints the Chairperson of the standing committees and ad hoc committees subject to ratification by a vote of the PCLWDB.

ii. The committee Vice-Chairperson shall be elected by a majority vote of the specific standing committee or ad hoc committee.

**ARTICLE XII - MEETINGS**

A. All meetings of the PCLWDB, including its standing committees and ad hoc committees shall be held in accordance with the Arizona Open Meeting Law (Arizona Revised Statutes, Title 38-Public Officers and Employees, Chapter 3-Conduct of Office, Article 3.1-Public Meetings and Proceedings).

B. A simple majority of appointed members shall constitute a quorum for the transaction of business at all PCLWDB and designated standing committee meetings. A meeting at which a quorum is initially established, but the quorum is not maintained due to the withdrawal or departure of members, may continue business discussions but take no action.

C. In-person meetings are the preferred method of the PCLWDB. Members may participate by telephone conference call. Whenever possible, each meeting will offer web-conferencing access. Members participating by telephone shall be clearly identified in the minutes.

D. Meeting agendas will be posted at least 24 hours in advance of each meeting on the Pinal County website (<http://www.pinalcountyyaz.gov/Pages/Home.aspx>) and the ARIZONA@WORK Pinal County website (<https://arizonaatwork.com/pinal-county/local-board-pinal-county>)

- E. Meeting agendas may contain a Consent Agenda. A consent agenda groups routine business and reports into one agenda item. The consent agenda can be approved in one action, rather than filing motions on each item separately.

Use of the consent agenda include:

1. The chair decides which items will be placed on the consent agenda.
  2. 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.
  3. Any reason will be sufficient to move an item. A member can move an item to discuss, query or to vote against it.
  4. Once the item has been moved, the chair may decide to take up the matter immediately, or table it for a future meeting.
  5. 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.
  6. 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.
- F. In accordance with A.R.S. 38-431.01(B), all PCLWDB 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:
1. The date, time and place of the meeting.
  2. The members of the PCLWDB recorded as either present or absent.
  3. A general description of the matters considered.
  4. An accurate description of all legal actions proposed, discussed or taken, and the names of members who propose each motion. The minutes shall also include the names of the persons, as given, making statements or presenting material to the PCLWDB and a reference to the legal action about which they made statements or presented material.
- G. The minutes or a recording of a meeting shall be available for public inspection no later than three working days after the meeting.
- H. **Full Board Meetings:**

The PCLWDB shall hold full board meetings at least six (6) times per Program Year on the date, time and place as may be designated by the majority of the PCLWDB. The meeting schedule shall be posted on the Pinal County public website and the ARIZONA@WORK Pinal County website.

**I. Standing Committee and Ad Hoc Committee Meetings:**

Special meetings of the PCLWDB and its standing committees and ad hoc committees may be called, as needed, by the Chair of the PCLWDB or the respective committee chair.

**ARTICLE XIII – VOTING/MOTIONS**

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

Items that require a mover, seconder and a vote 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. Amendments to MOU/IFA
- F. Amendments to By-Laws
- G. Initiation of Legal Action
- H. Allocation of Surplus
- I. Assumption of a major new financial obligation (e.g. mortgage or lease) or risk
- J. Adjournment

**ARTICLE XIV – ETHICS AND CONFLICT OF INTEREST**

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

- 1. 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.
- 2. Workforce Arizona Council Local Governance Policy Section H(k) “Conflict of interest”.
- 3. Pinal County Policies and Procedures:

- A. [ETHICS IN COUNTY EMPLOYMENT](#)
- B. [CONFLICT OF INTEREST](#)

- A. All abstentions must be recorded in the minutes of the Local Board meeting and be maintained as part of the official record.

#### **ARTICLE XV – CONFLICT RESOLUTION**

- A. When a conflict arises between PCLWDB members, or, one-stop 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 Committee for mediation. All impacted Executive Committee 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 Committee will recruit a standing Board member to fulfill the role for purposes of mediation.
- C. All decisions by Executive Committee are final unless requiring legal review.
- D. Decisions will be documented in writing to the impacted parties.

#### **ARTICLE XVI - AMENDMENTS**

- A. Amendments to these Bylaws may be necessary from time to time. Any proposed changes to the Bylaws must be presented to the PCLWDB and approved by a majority vote of the PCLWDB.
- B. The amended Bylaws will then be presented to the Pinal County Attorney and Boards of Supervisors for final approval.
- C. Each time the Bylaws are amended, a copy of the updated Bylaws will be distributed to all PCLWDB members, and Pinal County Boards of Supervisors and posted on the ARIZONA@WORK Pinal County website.