



MARICOPA COUNTY WORKFORCE DEVELOPMENT BOARD BYLAWS

Section 2. Establishment

A. The MCWDB is established and receives its authority in accordance with the Workforce Innovation and Opportunity Act (WIOA), which was signed into law on July 22, 2014 as [Public Law 113-128](#) and replaces and supersedes the Workforce Investment Act of (WIA) of 1998.

ARTICLE I. NAME AND LEGAL AUTHORITY

Section 1. Name

The name of this organization shall be the Maricopa County Workforce Development Board (MCWDB).

Section 3. Legal Authority

A. The MCWDB shall act as the Workforce Development Board ("WDB") for the Maricopa County Local Workforce Development Area. In execution of its business, the MCWDB must comply with the Workforce Innovation and Opportunity Act (hereinafter referred to as "WIOA"), and its regulations, applicable Federal and State Laws, rules and regulations, and State policies and procedures. The MCWDB and its committees derive their authority from Section 107 of the WIOA. The Maricopa County Board of Supervisors (BOS) shares governance responsibilities with the MCWDB and is responsible for all WIOA funds. As such, the MCWDB must follow all County policies and procedures with regard to making payments, entering into contracts, hiring staff, and any other action that obligates funding.

ARTICLE II. AREA SERVED

Pursuant to the State of Arizona designation and in compliance with WIOA, the area to be served by the MCWDB shall be Maricopa County excluding the City of Phoenix. This area shall be known as the Maricopa County Local Workforce Development Area. MCWDB may also provide services in cooperation and coordination with other local workforce areas in the region and the State of Arizona.

ARTICLE III. PURPOSE, VISION, AND VALUES

Section 1. Purpose

The MCWDB shall work collaboratively with the BOS as the Chief Local Elected Officials in strategic planning, oversight, and evaluation of the local workforce development area, and shall promote effective outcomes consistent with statewide goals, objectives, and negotiated local performance. The duties and responsibilities of the MCWDB are outlined in WIOA 107 (d), 20 CFR § 679.370, the Workforce Arizona Council Local Governance Policy, and in the shared governance agreement between the CEO and the LWDB.



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The BOS shall establish the MCWDB to represent a wide variety of individuals, businesses, and organizations throughout the local area. The MCWDB serves as a strategic convener to promote and broker effective relationships between the County and economic, education, and workforce partners. The MCWDB shall maintain strategic and strong relationships with business organizations, chambers of commerce, labor and trade associations, education providers, and others as needed or required.

Section 2. Vision

The MCWDB is a best-in-class workforce system that connects jobseekers to career opportunities and employers to skilled talent, stimulating economic prosperity and enhancing quality of life for all.

Section 3. Values

The MCWDB’s values are as follows:

- A. Customer-centric service
- B. Public trust and accountability
- C. Data-driven and performance-based
- D. Responsive to a changing environment

ARTICLE IV. COMPLIANCE, ROLE, AND METHODS

Section 1. Compliance and Role

MCWDB shall be operated in accordance with applicable Federal, State, and local laws and regulations including without limitation: a.) WIOA and related regulations, including any future amendments and guidance which may be issued; and b.) official policies and directives of the Arizona Department of Economic Security and the Workforce Arizona Council.

In cooperation with County staff identified by the BOS and subject to the approval of the BOS, MCWDB shall be responsible to ensure the completion of the following:

- A. **Local Plan:** Develop and submit a local workforce development area plan to the Governor of Arizona;
- B. **Regional Plan:** Collaborate with the other local boards and chief elected officials, or their delegates, from the other local areas in the preparation and submission of a regional plan, if the local area becomes a part of a planning region with other local areas;
- C. **Workforce Research and Regional Labor Market Analysis:** Conduct research, specified regional market labor analysis, and periodic economic and workforce analyses as a part of the local planning process and to assist the Governor in developing the statewide workforce and labor market information system;
- D. **Convening, Brokering, and Leveraging:** Convene the local workforce development system stakeholders to assist in the development of the local area plan, and identify non-federal expertise and resources to leverage support for workforce activities;

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- E. **Employer Engagement:** Lead efforts to engage with a diverse range of employers, entities in the region, and economic development entities, including coordination with BOS economic development strategies, in order to promote the participation of local area and regional private sector employers, develop effective linkages with employers, support employer utilization of the Maricopa County workforce system, ensure the workforce investment activities meet the needs of employers, and support economic growth in the region;
- F. **Career Pathways Development:** Collaborate with secondary and postsecondary education program representatives leading the efforts in the local workforce development area to develop and implement career pathways;
- G. **Proven and Promising Practices:** Identify, promote, and disseminate proven and promising strategies, initiatives, and practices for meeting the needs of job seekers and employers;
- H. **Technology:** Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, workers, job seekers, and those with barriers to employment; Facilitating connections among the case management information systems of the one-stop partner programs to support a comprehensive workforce development system in the local area and for those with remote access, and improve digital literacy skills while leveraging resources and capacity within the system;
- I. **Program Oversight:** Conduct program oversight for: local WIOA youth, adult, and dislocated workforce development program activities; the local service delivery system; and the use, management, and investment of workforce development funds to maximize performance outcomes under WIOA through evidenced-based decision-making ;
- J. **Negotiation of Local Performance Accountability:** Establish, through negotiation with the BOS and the Governor, local performance and accountability measures;
- K. **Selection of Operators and Providers:** Designate and certify one-stop operators, identify eligible adult and youth training providers, and also ensure the provision of opportunities that lead to competitive employment for individuals with disabilities; in conjunction with the State, ensure there are sufficient numbers and types of career and training service providers in a manner that maximizes consumer choice; select adult, dislocated worker, and youth service providers. Contracts, IGAs, or MOUs for operators or service providers must be pursued collaboratively with the BOS, must conform with all Maricopa County policies and procurement codes, and are subject to formal approval by the BOS.
- L. **Coordination of Education Providers:** Coordinate activities with education and training providers;
- M. **Budget and Administration:** Develop and approve a budget for the activities of the MCWDB and the services provided in the County's workforce system consistent with the local workforce development plan and the duties of the MCWDB under WIOA, and in a manner that maximizes resources for direct services. Should the MCWDB fail to approve a budget within 60 days of the beginning of a fiscal year, the BOS or its designee shall develop and implement a budget; and
- N. **Accessibility for Individuals with Disabilities:** Annually assess the physical and programmatic accessibility of all one-stop centers in the local area in accordance with the Americans with Disability Act of 1990.

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Section 2. Methods

The MCWDB shall perform all duties in accordance with these methods:

- A. *Convener* – Convene local workforce development system stakeholders to assist in the development of the local plan and in identifying expertise and resources to leverage support for workforce development activities. Such stakeholders may assist the MCWDB in carrying out convening, brokering, and leveraging functions at the direction of the MCWD
- B. *Leader* - Lead efforts to engage with a diverse range of employers and other entities in theregion in order to:
 - 1. 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 MCWDB;
 - 2. Develop effective linkages (including the use of intermediaries) with employers in the region to support employer utilization of the local workforce development system andto support local workforce investment activities;
 - 3. 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;
 - 4. 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.
- C. *Workforce Analyst* – Understand and disseminate current local and regional labor market and economic information and trends.
- D. *Broker* – Bring together systems to solve common problems, or broker new relationships with businesses and workers.
- E. *Community Voice* – Advocate for the importance of workforce policy, providing perspective about the need for and availability of skilled workers.
- F. *Capacity Builder* – Enhance the local workforce development area’s and planning region's ability to meet the workforce needs of local employers.

ARTICLE V. STAFFING AND SUPPORT

Section 1. Staffing and Support

- A. Necessary staffing and support of the MCWDB shall be funded by WIOA funds and is subject toapproval by the BOS or their designee.
- B. MCWDB staff shall include staff necessary to support the activities of the MCWDB. Staffing levels shall be determined during the annual budget development process.

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ARTICLE VI. MEMBERSHIP

Section 1. Composition and Size

- A. The MCWDB shall be comprised of private business sector and public sector members.
- B. The Board membership shall be representative of the local area's geography and business demographics.
- C. To the greatest extent possible, the MCWDB will seek to have a membership diverse in gender and ethnicity.
- D. The board's membership shall be kept to the smallest number possible by having members represent more than one category wherever possible and as permitted by WIOA.
- E. An individual may serve as a representative of more than one membership category if the individual meets all the criteria for representative in accordance with WIOA.
- F. At least 51% of members shall be representatives of business in the local area who:
 - 1. Are owners of businesses, chief executives or operating officers of businesses, or other individuals with optimum policymaking or hiring authority;
 - 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;
 - 3. Are appointed from among individuals nominated by local business organizations and business trade associations; and
 - 4. At least two (2) members must represent small business as defined by the U.S. Small Business Association.
- G. At least 20% of the members must be workforce representatives with optimum policy-making authority. These representatives:
 - 1. Must include at least two (2) representatives of labor organizations, nominated by local labor federations or other representatives of employees;
 - 2. Must include at least one (1) representative of a joint labor-management, or union-affiliated, registered apprenticeship program within the local area who must be a training director or member of a labor organization.
 - 3. May include one or more representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of individuals with barriers to employment, including organizations that serve veterans or support competitive, integrated employment for individuals with disabilities; and
 - 4. May also include one or more representatives of organizations that have demonstrated experience in addressing the employment, training, or education needs of eligible youth, including representatives or organizations that serve out-of-school youth.
- H. The balance of the Board membership shall include individuals with optimum policy-making authority, as follows:
 - 1. At least one (1) eligible provider administering adult education and literacy activities under WIOA Title II, selected from among the providers serving in the local area;

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2. At least one (1) representative from an institution of higher education providing workforce development activities, including community colleges;
 3. At least one (1) representative from economic and community development entities;
 4. At least one (1) representative from the state Employment Service office under the Wagner-Peyser Act;
 5. At least one (1) representative from the programs carried out under Title I of the Rehabilitation Act of 1973, other than sec. 112 or Part C of that title (i.e., the State Vocational Rehabilitation Program or the state agency responsible for the State Vocational Rehabilitation Program); and
- I. Members under the category referenced in Article VI, Section 1-H of these bylaws may also include additional local area representatives appointed by the BOS from:
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. Local area philanthropic organizations; and,
 4. Other appropriate individuals based on the WIOA law and regulations as determined by the BOS.
- J. Members of the MCWDB shall not be permitted to delegate any duties to proxies or alternates.
- K. Membership on the MCWDB shall be on an unpaid, volunteer basis.
- L. No matter how many membership categories an individual represents, the individual is only entitled to one vote.

Section 2. Nominations

- A. The CEO is responsible for MCWDB member recruitment and nominations.
- B. At the request of the CEO, the MCWDB, or its designee, may assist in the solicitation of applications and nominations for MCWDB membership in accordance with representation needed.
- C. Nominees who are intended to serve as representatives of business in the local area must be appointed from among individuals nominated by business organizations and business trade associations.
 1. The CEO or designee of the nominating organization must sign the nomination letter submitted to the BOS.
 2. The nomination letter must acknowledge the nominee's optimum policy-making authority and include documentation of the candidate's curriculum vitae, resume, or work history.
- D. Nominees who are intended to serve as representatives of labor must be appointed from among individuals nominated by local labor federations.
- E. For the other mandated categories, nominees must be appointed from among individuals nominated by a senior executive from the agency or institution of employment or affiliation.

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- F. For the mandatory category of adult education and literacy, a solicitation of nominations will be based on a solicitation of Local Workforce Area providers of adult education and literacy activities under WIOA Title II.
- G. For the mandatory category of higher education institutions, a solicitation of nominations will be based on a solicitation of institutions of higher education providing workforce development activities.
- H. For the non-mandated categories, a solicitation of nominations will be handled by:
 - 1. Solicitation of community-based organizations (CBOs). Representative nominations from local CBOs must be qualified by being workforce-centered and having demonstrated positive performance for at least three to five years in the community.
 - 2. Solicitation of nominations from other optional representatives with a workforce mission/focus must hold promise for beneficial partnerships.
- I. Nominees shall meet the qualifications of the membership category for which they are applying. Nominees shall confirm their qualifications for the membership category for which they are applying in writing. Nominating organizations shall confirm the same.
- J. Members shall notify the MCWDB and the Maricopa County Clerk of the Board if they no longer meet the qualification criteria required by WIOA for their position on the MCWDB.
- K. All vacancies shall be publicly noticed on the Maricopa County website.
- L. Written applications and, when applicable, nominations must be submitted to the Maricopa County Clerk of the Board.

Section 3. Appointments

The BOS shall appoint each member of the MCWDB. Notification of appointments will be evidenced within the minutes of the BOS meetings.

Section 4. Term of Office

- A. Members appointed to the MCWDB shall serve three-year terms, except vacancy appointees who shall serve the remaining term of their predecessor. Upon expiration of his or her term, any WDB Member may continue to serve until the BOS takes action.
- B. Board member appointments will be monitored on a regular basis to ensure only one-third (1/3) of the membership expires in a given year.

Section 5. Resignations

- A. Resignation by MCWDB members shall be submitted in writing to the MCWDB Chair, and the Clerk of the Board. A member's resignation is effective when accepted by the BOS.
- B. An agenda item will be placed on the next MCWDB meeting for the MCWDB to acknowledge that member's resignation.

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Section 6. Terminations

BOS may remove a member for any of the following reasons:

- A. Failure to attend MCWDB meetings as required in these bylaws.
- B. Failure to comply with the Conflict of Interest and Ethics as required by WIOA, A.R.S. §38-502 etseq., and Maricopa County Internal Policy HR2421.
- C. Failure of a member to continue to hold the qualifications of membership which were the basis for their initial appointment.
- D. Documented malfeasance, fraud, or abuse.
- E. Knowingly and intentionally acting in a manner that prohibits compliance with Federal law, State policy, or requirements set forth by the Workforce Arizona Council (WAC) or Department of Economic Security (DES). Examples include but are not limited to failing to meet deadlines and failing to provide requested information.
- F. Removal of a WDB member shall require a formal vote of the BOS.

Section 7. Vacancies

- A. 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. The chief elected officials will be immediately notified by the Local Board chair of the change in status as a representative of that entity.
- B. A member's position on the MCWDB may become vacant upon failure to attend regularly scheduled meetings as required in these bylaws, his or her death, resignation, by operation of law, or upon removal by the BOS.
- C. All efforts shall be made to fill MCWDB vacancies within 120 days of the vacancy by the BOS.
- D. If a vacancy occurs by other than an expiration of term, the vacancy shall be filled by appointment by the BOS for the unexpired portion of the term.
- E. In the event a vacancy cannot be filled within 120 days, BOS designated staff shall 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. Maricopa County must maintain written approval of the waiver request by the Director of the State Workforce Development Board for State monitoring purposes.
- F. Positions will be filled in compliance with WIOA and these Bylaws.
- G. Nominees for a vacancy shall meet the same membership requirement as the outgoing member or the criteria needed to fulfill the Board composition requirements of WIOA.

Section 8. Reappointments

- A. Reappointments are not guaranteed.
- B. Reappointments must be made within 120 days of the term expiration.
- C. The nomination process will be the same as outlined in these bylaws.

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Section 9. Compensation

- A. Members of the MCWDB shall serve without compensation except for any pre-authorized travel expenses incurred in connection with their duties, including transportation, meals, and lodging; in accordance with WIOA and all applicable Maricopa County policies and regulations.
- B. The BOS through the Fiscal Agent is authorized to reimburse those expenses identified in post-travel to the extent such expenses are allowable and reimbursable under WIOA and all applicable Maricopa County policies and regulations.

ARTICLE VII. OFFICERS AND THEIR ELECTION

Section 1. Officers

- A. The officers of the MCWDB shall be Chair, Vice Chair, and Second Vice Chair.
- B. There may be an Immediate Past Chair of the MCWDB, which shall be a business member of the MCWDB.
- C. There shall be elected one (1) individual to serve in each designated office.
- D. The Chair of the MCWDB shall be selected from among the Business representatives.
- E. The remainder of the officers may be elected from any of the representative groups.

Section 2. Election and Term of Officers

- A. All officers shall be elected for two-year terms by a majority vote of the current membership of the MCWDB.
- B. Elections shall be held at the last regularly scheduled meeting of each Program Year.
- C. The terms of office shall begin on July 1 of each year.
- D. At its option, MCWDB may elect an Immediate Past Chair whose term shall be one (1) year.
- E. If a vacancy occurs by other than an expiration of an Officer term, the vacancy shall be filled for the unexpired portion of the term using the process outlined in Section 1 of this Article.

Section 4. Duties of Officers

- A. Chair. The MCWDB Chair shall:
 - 1. Preside over all regular, special, and Executive Committee meetings of the MCWDB;
 - 2. Serve as Chair of the Executive Committee of the MCWDB;
 - 3. Encourage best and broadest participation possible from all Board members;
 - 4. Provide information for the preparation of the agenda for MCWDB meetings;
 - 5. Appoint all committee Chairs and committee members;
 - 6. Work cooperatively with BOS assigned staff to provide information on workforce

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- development in the local area;
- 7. Review, and/or appoint a MCWDB workgroup;
- 8. Represent the MCWDB as appropriate; and
- 9. Assign and delegate such responsibilities as needed.
- B. Vice Chair. The MCWDB Vice Chair shall:
 - 1. In the absence of the MCWDB Chair, perform all the duties of the MCWDB Chair; and
 - 2. Assign and delegate such responsibilities as directed by the MCWDB Chair.
- C. Second Vice Chair. The MCWDB Second Vice Chair shall:
 - 1. In the absence of the MCWDB Chair and MCWDB Vice Chair, perform all duties of the MCWDB Chair; and
 - 2. Assign and delegate such responsibilities as directed by the MCWDB Chair.
- D. Immediate Past Chair. The MCWDB Immediate Past Chair shall:
 - 1. Mentor the Chair in the transition period regarding Board operations.

Section 5. Removal of Officers

Any Officers may be removed from office for cause and a vote of majority of the current members of the MCWDB.

ARTICLE VIII. COMMITTEES/WORKGROUPS

Section 1. General

- A. The MCWDB has authority to establish committees and workgroups in order to address specific issues and to accomplish strategic goals of the MCWDB.
- B. All committees and workgroups established under the MCWDB shall comply with these bylaws.
- C. The MCWDB Chair may appoint MCWDB members to serve on committees and workgroups.
- D. The Chair of any Standing Committee shall be appointed by the Chair of the MCWDB for a term coinciding with the MCWDB Chair's term.
- E. All actions of MCWDB Standing Committees, workgroups and other ad-hoc committees are advisory to the MCWDB.
- F. Chairs of Standing Committees and workgroups, in consultation with the MCWDB Chair, shall prepare the agenda for Standing Committee and workgroup meetings.
- G. Members who are designated as a One-Stop Career Center Operator shall not serve on any Standing Committee or workgroup that deals with the oversight of the Job Center or One-Stop system or allocation of resources that would potentially be allocated to that member's program or might otherwise be the basis of a conflict of interest as outlined in these bylaws.
- H. Resignations of committee and workgroup members must be submitted in writing and sent to the MCWDB Chair and MCWDB Executive Director. A member's resignation is effective when accepted by the MCWDB.

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Section 2. Executive Committee

- A. The Executive Committee shall be comprised of the following Board members: Chair, Vice Chair, Second Vice Chair, Youth Committee Chair, the Chair of any other Standing Committee, and up to two other MCWDB members appointed at the discretion of the MCWDB Chair.
- B. If the Immediate Past Chair position is filled, this position shall also be on the Executive Committee.
- C. The Executive Committee shall always be comprised of an odd number of members
- D. The MCWDB Chair shall serve as Chair of the Executive Committee.
- E. Responsibilities of the Executive Committee shall include:
 - 1. Report on all action taken by the committee at regularly scheduled MCWDB meetings; Emergency actions and all other actions taken by the Executive Committee without the prior approval of the full MCWDB are conditional and subject to either ratification or rescission by the full MCWDB at its subsequent meeting.
 - 2. In consultation with BOS assigned staff, make recommendations for membership to the Youth Committee, Standing Committees, and other committees in compliance with membership requirements as outlined in the WIOA;
 - 3. Determine responsibilities of all Standing Committees and other ad-hoc committees and review work plans of such bodies; and
 - 4. Perform other duties as the MCWDB may deem necessary.

Section 3. Standing Committees

- A. The MCWDB shall have at least one Standing Committee, which is the Youth Committee.
- B. To the extent possible, Standing Committees shall be comprised of the required MCWDB representative categories as outlined in WIOA.
 - 1. Each Standing Committee shall be chaired by a member of the MCWDB.
 - 2. Each Standing Committee shall have at least one (1) non-member of the MCWDB.
 - i. This individual must have related knowledge and background as determined by the board chair or the Standing Committee they are appointed.
 - ii. This individual shall be voting members of the Standing Committee they serve.
 - 3. Each Standing Committee shall have a minimum of three (3) MCWDB members appointed to serve on the committee.
- C. All members of Standing Committees shall be appointed by the MCWDB Chair in consultation with the Executive Committee and BOS assigned staff.
- D. The term of each Standing Committee member shall coincide with the term of the MCWDB Chair or as determined at the discretion of the board chair
- E. The term of the Standing Committee chair shall coincide with the term of the MCWDB Chair or as determined at the discretion of the board chair.

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Section 4. Youth Committee

- A. The Youth Committee shall be a WDB Standing Committee comprised of a minimum of five (5) members (MCWDB members and non-members) appointed by the MCWDB Chair in consultation with the Executive Committee and BOS assigned staff.
- B. Responsibilities of the Youth Committee may include, but not be limited to the following:
 - 1. Identify eligible providers of youth workforce development activities by:
 - i. Exercising the option described in CFR 681.400 to have the grant recipient provide directly some or all of the youth workforce investment activities; and/or
 - ii. Choosing to recommend for MCWDB approval to competitively award grants or contracts to youth service providers to carry out some or all youth workforce investment activities;
 - 2. Inform, assist, and make recommendations to the Executive Committee and the full MCWDB in developing and overseeing a comprehensive youth program, including disconnected youth;
 - 3. Foster integration and collaboration of youth activities in the local workforce development area;
 - 4. Recommend system enhancements to ensure a broad range of services and opportunities for youth, including disconnected youth;
 - 5. Recommend ways to leverage resources and coordinate services among schools, public programs, and community-based organizations serving youth; and
 - 6. Provide leadership and support for continuous quality improvement efforts for youth services programs.
- C. The term of each Youth Committee member shall coincide with the term of the MCWDB Chair or as determined at the discretion of the board chair
- D. The term of the Youth Committee chair shall coincide with the term of the MCWDB Chair or as determined at the discretion of the board chair.

Section 5. Other Ad-Hoc Committees

- A. The MCWDB may from time to time establish other ad-hoc committees to assist the MCWDB in carrying out its duties or current work.
- B. Ad-Hoc committees may include individual(s) who are not appointed to the MCWDB so long as the MCWDB Chair determines the individual(s) has expertise in the topic/task of such body.
- C. All members of other Ad-Hoc committees shall be appointed by the MCWDB Chair in consultation with the Executive Committee and BOS assigned staff.
- D. The term of each Ad-Hoc member shall coincide with the term of the MCWDB Chair or as determined at the discretion of the board chair
- E. The term of the Ad-Hoc chair shall coincide with the term of the MCWDB Chair or as determined at the discretion of the board chair

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Section 6. Workgroups

The MCWDB may establish or dissolve workgroups as needed. Workgroups may consist of workforce partners and stakeholders to support MCWDB initiatives such as priorities identified in the strategic or local plan. Workgroups will inform the Executive committee and Full Board on initiatives and are not required to adhere to the Arizona Open Meeting Law and Sunshine Provision. Workgroup information will be available to the public through the MCWDB website.

ARTICLE IX. MEETINGS

Section 1. Public Meetings

- A. All meetings of the MCWDB, including its committees shall be conducted in compliance with Open Meeting Law (Arizona Revised Statutes 38-431 et seq.). Meetings shall be open, and it shall be a stated policy that interested citizens or groups will be heard on workforce development matters.
- B. Where these bylaws and other applicable law do not afford an adequate procedure in the conduct of a meeting, the MCWDB chair may refer to Robert’s Rules of Order as a guide.
- C. The MCWDB shall meet not less than six times per year.
- D. Regular meetings of the MCWDB and its Standing Committee(s) as determined by the Executive Committee shall be published in an annual schedule of meetings in June for the period of July 1st to June 30th of the upcoming program year. The annual meeting schedule shall be posted on the Maricopa County public website and the ARIZONA@WORK Maricopa County website.
- E. Special meetings of the MCWDB or its committees may be called by the MCWDB Chair or any other officer of the MCWDB. Special meetings shall be announced in the same manner as regular meetings.
- F. Phone- and web-based meetings and other use of appropriate technology may be used to promote and enhance MCWDB member participation in conjunction with face-to-face, in-person meetings when applicable. The agenda may state the means of connection to the meeting if participation via phone or other electronic means is being utilized. MCWDB members participating in a telephone conference call or other electronic means shall be clearly identified in the minutes.
- G. The agenda for MCWDB meetings shall be developed by the MCWDB Chair or officer calling the meeting in consultation with MCWDB Executive Director.
- H. The MCWDB Chair or officer calling the meeting shall be responsible for orderly business of meetings and for calling items on the agenda.
- I. Within three (3) business days of any WDB meeting, including its committees and Ad-Hoc committees, the WDB staff shall make available the meeting minutes on the WDB website.

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Section 2. Quorum

- A. A simple majority of appointed members shall constitute a quorum for the transaction of business at all MCWDB and designated standing committee meetings; vacant positions shall not be counted when determining quorum.
- B. A meeting at which a quorum is initially established may not continue to transact business if the quorum is not maintained due to the withdrawal or departure of members.

Section 3. Voting

- A. Each member of the MCWDB shall be entitled to one vote on an action.
- B. No member of the MCWDB shall cast a vote on any matter which has direct bearing on services to be provided by the member or any organization with which that member is associated, or would otherwise be the basis for a conflict of interest, as outlined in these bylaws.
- C. Action brought before the MCWDB shall be resolved by a vote of a simple majority of the members present, provided a quorum is present.
- D. Members recusing or abstaining from a vote shall be counted as “absent” from the vote, so as not to inadvertently affect the desired outcome of the majority of voting members.
- E. At the request of any member, or at the discretion of the MCWDB Chair, a roll-call or ballot vote may be taken for any action of the MCWDB. The outcome of voting shall be recorded in the minutes of the MCWDB.

Section 4. Attendance

- A. All MCWDB members are expected to attend regularly scheduled meetings.
- B. More than three consecutive absences from regularly scheduled meetings by any member during any 12-month program period (July 1 – June 30) may result in the removal of the member from the MCWDB.
- C. Any four absences from regularly scheduled meetings during a twelve-month period by any member during any 12-month program period (July 1 – June 30) may result in the removal of the member from the MCWDB.
- D. Within seven (7) days of notification of attendance policies violation a member may provide a written explanation to MCWDB staff on the reason for the absences.
- E. Exceptions to attendance policies may be made by BOS appointed staff due to special circumstances.

ARTICLE X. CONFLICT OF INTEREST AND ETHICS

Section 1. Conflict of Interest

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- A. The MCWDB shall follow Arizona Law on Conflict of Interest as set forth in [Arizona Revised Statutes, Section 38-501](#) et seq. and comply with [State Workforce Policy #1 \(Local Governance\)](#) and [State Workforce Policy #8 \(Conflict of Interest\)](#) regarding conflicts of interest.
- B. Should a conflict of interest arise, MCWDB members shall follow the procedures delineated in the [MCWDB's Conflict of Interest Policy](#).
- C. MCWDB member may not vote on any matter that would provide direct financial benefit to the member or the member's immediate family, or on matters of the provision of services by the member or the entity the member represents.
- D. MCWDB member must avoid even the appearance of a conflict of interest. Prior to taking office, MCWDB members must provide to the MCWDB Chair and to Maricopa County Human Services Department (HSD) a written declaration of all substantial business interests or relationships they, or their immediate families, have with all businesses or organizations that have received, currently receive, or are likely to receive contracts or funding from the MCWDB. Such declarations must be updated annually or within 30 days to reflect any changes in such business interests or relationships. MCWDB must appoint an individual to review the disclosure information in a timely manner and advise the MCWDB chair and appropriate members of potential conflicts.
- E. Prior to a discussion, vote, or decision on any matter before MCWDB, if a member, or a person in the immediate family of such member, has a substantial interest in or relationship to a business entity, organization, or property that would be affected by any official MCWDB action, the member must disclose the nature and extent of the interest or relationship and must abstain from discussion and voting on or in any other way participating in the decision on the matter. All abstentions must be recorded in the minutes of the MCWDB meeting and be maintained as part of the official record.
- F. It is the responsibility of the MCWDB members to monitor potential conflict of interest and bring it to the MCWDB's attention in the event a member does not make a self-declaration.
- G. In order to avoid a conflict of interest, MCWDB must ensure that the MCWDB's workforce service providers for WIOA Title IB adult, dislocated worker, and youth programs must not employ or otherwise compensate a current or former MCWDB member or MCWDB employee who was employed or compensated by the MCWDB or its administrative entity, fiscal agent, or grant recipient anytime during the previous 12 months.
- H. The MCWDB shall ensure that the MCWDB, its members, or MCWDB staff do not have any supervisory responsibility for the daily activities of its workforce service providers, workforce system partners or contractors. There must be a complete separation between governance functions and operating functions within an organization including different reporting structures.
- I. Notwithstanding the foregoing, MCWDB members, or the organizations to which they belong, may receive services as a customer of Maricopa County Workforce Development or any formal workforce system partner.

Section 2. Ethics

MCWDB shall comply with the Maricopa County Internal Policy on Professional Conduct

MARICOPA COUNTY WORKFORCE DEVELOPMENT BOARD BYLAWS

(HR2421). MCWDB Members who violate this policy may be removed from MCWDB.

ARTICLE XI. CONFLICT RESOLUTION

- A. Conflict which arises between MCWDB members will be resolved through the MCWDB Executive Committee. If the conflict involves members of the Executive Committee and/or if a resolution cannot be reached by the Executive Committee, then the resolution shall be reached pursuant to the process stated in Article XI,
- B. Except as may otherwise be provided for by law, or otherwise specifically agreed upon to by service delivery partners and/or consortium partners (Partners), any dispute not involving the question of law that is not resolved between the parties within a reasonable time shall be submitted to the following Maricopa County’s dispute process:
 - 1. Disputes must be filed with the Program Administrator administering the program, if one has been appointed, or if not, with BOS assigned staff.
 - 2. The Program Administrator or BOS assigned staff shall respond in writing to the dispute within fourteen (14) days.
 - 3. The partners may abide by the decision or may appeal the decision to the County Ombudsman within seven (7) days.
 - 4. The decision of the County Ombudsman shall be final unless appealed timely pursuant to [A.R.S. §12-904](#).

ARTICLE XII. AMENDMENTS

Section 1. Amendments

- A. Amendments to the MCWDB Bylaws may be necessary from time to time. Any proposed changes to the Bylaws must:
 - 1. Be submitted to the Maricopa County Attorney for legal review;
 - 2. Approved by the MCWDB;
 - 3. Receive final approval by the BOS.
- B. Each time the Bylaws are amended, a copy of the updated Bylaws will be distributed to all MCWDB members, the BOS, County Attorney, and will be posted on the ARIZONA@WORK Maricopa County website.

ARTICLE XIII. SEVERABILITY

If any part of these bylaws is held to be null and/or void, the validity of the remaining portion of the bylaws shall not be affected.