

**BY-LAWS OF THE
MOHAVE/LA PAZ
WORKFORCE DEVELOPMENT BOARD**

ARTICLE I: ESTABLISHMENT

The Mohave/La Paz Workforce Development Board (WDB) is established in accordance with Public Law 113-128, the Workforce Innovation and Opportunity Act (W.I.O.A.) of 2014, Section 107.

ARTICLE II: NAME

The name of this organization shall be the MOHAVE/LA PAZ WORKFORCE DEVELOPMENT BOARD, hereinafter referred to as the “WDB”.

ARTICLE III: VISION AND PURPOSE

The vision of the WDB is to serve as a strategic leader and convener of local workforce development system stakeholders. The WDB partners with employers and the workforce development system to develop policies and investments to support workforce system strategies and support regional approaches including local and regional sector partnerships and career pathways, and high quality, customer-centered service delivery and service delivery approaches.

The purpose of the WDB is to:

- A. 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 Mohave/La Paz Workforce Development Area (“WDA”).
- B. Assist in the achievement of Arizona’s strategic and operational vision and goals as outlined in the Unified State Plan; and
- C. Maximize and continue to improve the quality of services, customer satisfaction, and effectiveness of the services provided.

ARTICLE IV: DUTIES AND RESPONSIBILITIES

Pursuant to W.I.O.A. Section 107 and 20 CFR 679.370, the WDB will:

- A. **Local Plan:** Develop and submit a 4-year local plan for the WDA, in partnership with the chief elected official and consistent with W.I.O.A. section 108.
- B. **Labor Market Analysis:** In order to assist in the development and implementation of the local plan, conduct workforce research and regional labor market analysis to include:
 - 1. 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.

2. Assistance to the Governor in developing the statewide workforce and labor market information system under the Wagner-Peyser Act for the region.
 3. Other research, data collection and analysis related to the workforce needs of the regional economy as the board, after receiving input from a wide array of stakeholders, determines to be necessary to carry out its functions.
- C. **Convening, Brokering, leveraging:** Convene local workforce development system stakeholders to assist in the development of the local plan under W.I.O.A. section 108 and 20 CFR 679.550 and in identifying non-federal expertise and resources to leverage support for workforce development activities. Such stakeholders may assist the WDB and standing committees in carrying out, convening, brokering, and leveraging functions at the direction of the WDB.
- D. **Employer Engagement:** Lead efforts to engage with a diverse range of employers and other entities in the region in order to:
1. Promote business representation (particularly representatives with optimum policymaking or hiring authority from employers whose employment opportunities reflect existing and emerging employment opportunity in the region) on the WDB.
 2. 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.
 3. Ensure that local 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
 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.
- E. **Career Pathways Development:** With representatives of secondary and post-secondary education programs, lead efforts to develop and implement career pathways within the WDA by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment.
- F. **Proven and Promising Practices:** Lead efforts in the WDA 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 WDA 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.

Identify and disseminate information on proven and promising practices carried out in other local areas for meeting such needs.

- G. **Technology:** Develop strategies for using technology to maximize the accessibility and effectiveness of the workforce development system for employers, workers and jobseekers by:
1. 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 WDA.
 2. Facilitating access to services provided through the one-stop delivery system, including to remote areas.
 3. 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
 4. Leveraging resources and capacity within the WDA workforce development system, including resources and capacity for services for individuals with barriers to employment.
- H. **Program Oversight:** Provide program oversight, in partnership with the chief elected official for the WDA:
1. Conduct oversight of youth workforce investment activities authorized under W.I.O.A. section 129(c), adult and dislocated worker activities and one-stop delivery system in the WDA.
 2. Ensure the appropriate use and management of the funds provided under W.I.O.A. subtitle B for the youth, adult and dislocated worker activities and one-stop delivery system in the WDA; and
 3. Ensure the appropriate use management and investment of funds to maximize performance outcomes under W.I.O.A. section 116.
- I. **Local Performance Accountability Measures:** Negotiate and reach agreement on local performance measures with the chief elected official and the Governor (W.I.O.A. section 116(c)).
- J. **Selection of Operators and Providers:** With the agreement of the chief elected official for the WDA, select the following providers in the WDA, and where appropriate terminate such providers in accordance with 2 CFR part 200:
1. Providers of youth work 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 WDA determines there is

an insufficient number of eligible providers in the region, the WDB may award contracts on a sole-source basis as per the provisions at W.I.O.A. section 123(b). The WDB may terminate for cause the eligibility of such providers.

2. Eligible providers of training services consistent with the criteria and information requirements established by the Governor and W.I.O.A. section 122.
3. Providers of career services through the award of contracts, if the one-stop operator does not provide such services (W.I.O.A. section 134(c) (2)).
4. Designate or certify one-stop operators as described in W.I.O.A. section 121(d)(2)(A) and 20 CFR 678.600 – 678.635.
5. Work with the State to ensure there are sufficient numbers and types of providers of career services and training services serving the WDA, services that are provided in a manner that maximizes consumer choice and provides opportunities that lead to competitive integrated employment for individuals with disabilities. This includes eligible providers with expertise in assisting individuals with disabilities and eligible providers with expertise in assisting adults in need of adult education and literacy activities.

K. Coordination with Education Providers: coordinate activities with education and training providers in the WDA, including:

1. Reviewing applications to provide adult education and literacy activities under title II for the WDA to determine whether such applications are consistent with the local plan.
2. Making recommendations to the eligible agency to promote alignment with such plan; and
3. 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. Cooperative agreement means an agreement entered into by a State designated agency or State designate unit under subparagraph (A) of section 101(a) (11) of the Rehabilitation Act of 1973.

ARTICLE V: MEMBERSHIP

A. COMPOSITION

The members of the WDB are representatives from each of the categories required by the Workforce Innovation and Opportunity Act (W.I.O.A.), Section 107(b)(2), namely, Private Sector, Educational Entities, Labor Organizations, Community-Based Organizations, Economic Development Agencies and representatives from One-Stop Partners.

1. Private Sector

The majority of the members of the WDB must be representatives of business in the local area. As a minimum, two members must represent small business as defined by the U.S. Small Business Administration. Business representatives serving on the WDB may also serve on the Workforce Arizona Council. Each business representative must meet the following criteria:

- a. Be owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority.
- b. 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 W.I.O.A. section (107(b)(2)(A)(ii)); and
- c. Be appointed from among individuals nominated by local business organizations and business trade associations.

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.

As defined in W.I.O.A. section 3(23), in-demand industry sector or occupation means:

- i. 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 growth of other industry sectors; or
- ii. an occupation that currently has or is projected to have a number of 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 will be made by the State or the WDB, as appropriate, using State and regional business and labor market projections, including the use of labor market information.

2. Educational Institutions

The membership of the WDB shall include representatives of entities administering education and training activities in the WDA as follows:

- a. At least one (1) from an institution of higher education providing workforce investment activities, including community colleges.

- b. At least one (1) eligible provider administering adult education and literacy activities under W.I.O.A. title II. 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 (W.I.O.A. 107(b)(2)(C)(i)).

3. Workforce Representatives

Not less than 20 percent of the members of the WDB must be workforce representatives. These representatives:

- a. 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.).
- b. Must include one or more representatives (must be a training director or a member of the 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.
- c. 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
- d. 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.

4. Economic Development Agencies

The membership of the WDB will include at least one representative of Economic and Community Development entities. If available, the membership shall include two (2) or more representatives from Economic Development agencies, with at least one (1) representative from Mohave County and one (1) representative from La Paz County.

5. One-Stop Partners

The WDB must have at least one representative from each of the following governmental entities:

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

6. Other Appropriate Entities

In addition to the representatives enumerated above, the Chief Local Elected Official may appoint other appropriate entities in the local area, including:

- a. 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.
- b. Governmental and economic and community development entities who represent transportation, housing and public assistance programs.
- c. Philanthropic organizations serving the local area; and
- d. Other appropriate individuals as determined by the Chief Local Elected Official.

B. OTHER WDB REQUIREMENTS

1. **Diverse Geographic Areas Represented:** The members of the WDB shall represent diverse geographic areas within the local area.
2. **Represent Multiple Entities:** An individual may be appointed as a representative of more than one entity if the individual meets all the criteria for representation for each entity.
3. **Voting Privilege:** All required board members must have voting privilege. The Chief Local Elected Official may convey voting privileges to non-required members.
4. **Standing Committees:** The local workforce development board may establish standing committees to provide information and assist the Board in carrying out its responsibilities (20 CFR 679.360).

Standing committees may include each of the following:

- a. A standing committee to provide information and to assist with operational and other issues relating to the one-stop delivery system, which may include representatives of the one-stop partners.
- b. A standing committee to provide information and to assist with planning, operational, and other issues relating to the provision of services to youth, which must include community-based organizations with a demonstrated record of success in serving eligible youth.
- c. A standing committee to provide information and to assist with operational and other issues relating to the provision of services to individuals with disabilities. This includes issues relating to compliance with W.I.O.A. section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101) programmatic and physical access to the services, programs and activities of the one-stop delivery system, as well as appropriate training for staff on providing supports for or accommodations to, and finding employment opportunities for, individuals with disabilities.

- d. The WDB may designate other standing committees in addition to those specified in items a - c of this section.
- e. The WDB may designate an entity in existence as of the date of the enactment of W.I.O.A., such as an effective youth council, to serve as a standing committee as long as the entity meets the requirements of W.I.O.A. 107(b)(4).

C. APPOINTMENTS

The appointments to the WDB are made by the Mohave and La Paz Counties Boards 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). The WDB will make a recommendation to the appropriate Board of Supervisors using the following process:

1. Each nominee must submit an application for membership on the WDB.
2. Each application will be presented for review to the WDB Executive Committee and the full WDB for a vote during the next regularly scheduled WDB meeting. The WDB 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 WDB membership compliance.
3. A majority vote in favor of the appointment is required for a recommendation for appointment to be made to the Board of Supervisors.
4. If the organization is a current member of WDB and they are just changing representation, the WDB would not need to nominate the replacement. The application would be forwarded by the Director to the appropriate Board of Supervisors.
5. When vacancies occur the WDA, Director notifies the respective Boards of Supervisors of the vacancy by preparing an official board action accepting the resignation or recommendation for removal. The WDA Director will include in the backup to the Board of Supervisors if there is a need for the position to be refilled. In addition, the WDA e-mails the respective Boards of Supervisor members asking for assistance in filling the vacancy on behalf the WDB, giving the Board members the requirements, that candidate must meet and the contact information to obtain a WDB Application.
6. Vacancies must be filled within 120 days per Arizona Council WIOA Local Governance Policy, Section IV A1(g)

Appointments to the WDB will be staggered with two- and four-year terms. The appointment terms shall be proportionately distributed in each category of membership and determined by lot. Vacancy appointments shall serve the remaining term of their predecessor.

Members of the WDB may be re-appointed to serve additional terms.

D. ATTENDANCE

1. It is expected that WDB members attend all WDB regular and special meetings. WDB members shall notify staff of their intent as soon as possible so a quorum may be established. For the WDB members who signified intention to attend the meeting and later wish to cancel, they must notify staff at least three (3) business days prior to the scheduled meeting. This will assist prompt cancellation of the meeting due to insufficient quorum.
2. It is expected that WDB members attend in person for a minimum of two (2) WDB regular and special meetings.
3. The WDB Executive Committee will have a standing agenda item to review the WDB attendance. The WDB Executive Committee may recommend to the WDB to review attendance related, but not limited, to the following:
 - a. A WDB member with three (3) consecutive absences from WDB Meetings for any reason within the four (4) year term
 - b. A WDB member with two (2) consecutive unexcused absences within a Fiscal Year
4. Upon recommendation of the Executive Committee and a majority vote of the WDB, a recommendation will be made to the respective Board of Supervisors to cancel membership of any WDB member due to lack of attendance.

ARTICLE VI: WDB OFFICERS

- A. The elected officers of the WDB shall be a Chairperson, Vice-Chairperson and Secretary.
- B. The Chairperson and Vice-Chairperson shall be from the private sector of the WDB and shall be elected by a majority vote of the WDB membership.
- C. The Chairperson shall be the chief officer of the WDB and shall preside at meetings.
- D. The Chairperson shall sign all documents on behalf of the WDB.
- E. The Vice-Chairperson shall, in the absence of the Chairperson, act in his/her capacity and responsibility.
- F. The Secretary shall review and keep or cause to be kept the minutes of all business and attendance of the WDB.
- G. Election of officers shall be held **biennially** at the first meeting of the WDB in each Calendar Year.
- H. The WDB Officers shall be elected for a term of two (2) years. If a vacancy of an officer exists, there shall be a Special Election for the purpose of filling the vacant position for the remainder of the term in the next WDB meeting.

ARTICLE VII: PROCEDURES

- A. Parliamentary procedures shall be based on Robert's Rule of Order, except that if a conflict of state or federal W.I.O.A. regulations occur, in all such occurrences, the state or federal W.I.O.A. regulations shall prevail.
- B. A quorum consisting of a simple majority of WDB members is needed for all issues requiring motions and second.
- C. WDB members will not be permitted to delegate any Local Board duties to proxies or alternatives. Each member of the WDB is entitled to one (1) vote (unless the member has a conflict of interest), and any act of the majority of the members present and voting at a Board Meeting, where a quorum is present, constitutes an act of the WDB.

ARTICLE VIII: QUORUM

- A. A quorum at each WDB meeting shall consist of a simple majority (50% plus one) of the members. In determining the quorum, the number of members is considered the current total number of appointed members, as reduced by any vacancy which might exist, after the WDB accepts the member's resignation or membership termination.
- B. A quorum must be present to open a meeting.

ARTICLE IX: MINUTES

- A. The minutes of the meeting shall be kept in accordance with the state W.I.O.A. regulations and all other applicable state and federal statutes, rules and regulations.

ARTICLE X: MEETINGS

- A. The WDB shall hold four (4) regularly scheduled meetings within the Fiscal Year commencing in July. If the Executive Committee determines there is no business necessary to be presented to the WDB, the Chairperson may cancel a regular meeting of the WDB provided a seven-(7) business days' notice has been given. Further, meetings can be canceled at any time when it has been determined there will be no quorum.
- B. Special meetings can be called by the WDB Chairperson with a two-(2) business day's prior notification to the WDB members.
- C. All regular meetings shall be open to the general public and advertised at least seven (7) days in advance in writing. All meetings shall be governed by the open meeting statutes of the State of Arizona in accordance with ARS 38-431 *et seq.*
- D. WDB members may elect to attend meetings by phone and participate in web-based meetings.

ARTICLE XI: COMMITTEES

- A. The Chairperson of the WDB shall appoint the chairperson of all committees, subject to certification by vote of the WDB.

All committees shall function and operate at the discretion of the WDB and any recommendations by the committees shall be forwarded through the Executive

Committee to the WDB for action. Any WDB member may raise an issue to be duly considered by the appropriate committee.

1. Executive Committee

The Executive Committee shall be appointed **biennially** by the WDB Chairperson. The Executive Committee shall consist of the WDB officers and two (2) additional WDB members.

The responsibilities of the Executive Committee shall include, but are not limited to, the following:

- a. The Executive Committee shall meet as necessary between scheduled meetings of the entire WDB and shall be responsible for interpreting and putting into effect the decisions, policies, procedures and programs of the WDB, including but not limited to attendance, bylaws or disciplinary actions of the WDB
- b. If a full WDB meeting has been cancelled and action items are needed to continue the programs, the Executive Committee shall put into effect their vote on the action items until next meeting or replacement meeting of WDB is scheduled.
- c. Emergency actions and all other actions taken by the Executive Committee without the prior approval of the full WDB are conditional and subject to either ratification or rescission by the full WDB at the first meeting following the emergency or action.
- d. Meetings will be held at a minimum, quarterly. Regular schedule to be adopted by the WDB. The Chair may call additional meetings of the Executive Committee as needed.

2. Youth Services Standing Committee

The Youth Services Standing Committee shall be established as a subgroup within the WDA. Members will be appointed by the WDB to a two (2) year term. Youth Council members may serve until their successors are appointed after the expiration of their term. Appointment, to fill a vacancy caused other than expiration of the term, shall be for the unexpired portion of the term.

a. Membership

The membership of the Youth Services Standing Committee must reflect the needs of the local area. Committee members are appointed based on their expertise to help address the employment, training, education, human and supportive service needs of eligible youth. Members shall include, but not limited to, the following:

- i. A member from the WDB, 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 WDB.
- iii. Additional Youth Services Standing Committee members may include:

- Representatives of agencies such as education, training, health, mental health, housing, public assistance and justice.
- Representatives of philanthropic or economic and community development organizations.
- Employers; and
- Parents, participants and youth.

b. Duties and Responsibilities

Under the direction of the WDB, the Youth Services Standing Committee may:

- i. Recommend policy direction to the WDB for the design, development and implementation of programs that benefit all youth.
- ii. 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.
- iii. Recommend ways to coordinate youth services and youth services providers.
- iv. Provide on-going leadership and support for continuous quality improvement for local youth programs.
- v. Assist with the planning, operational and other issues related to youth; and

c. Meetings will be held at a minimum, annually.

3. Performance Review Committee

The Performance Review Committee is a standing committee of the WDB. Members will be appointed by the WDB to a two (2) year term. Members may serve until their successors are appointed after the expiration of their term. Appointment, to fill a vacancy caused other than expiration of the term, shall be for the unexpired portion of the term.

a. Membership

- i. Minimum of five (5) members with a Maximum of seven (7) from WDB; Chair must be a WDB member.
- ii. Representative of the Administrative Entity for the WDA.
- iii. Representatives of contractors/service providers (non-voting).

b. Duties and Responsibilities

- i. Develop, review and approve local performance standards for contractors/service providers.
- ii. Review fiscal and programmatic performance of contractors/service providers.
- iii. Report to the WDB on contractor/service provider performance.

- iv. Make recommendations to the WDB for corrective action regarding service provider deficiencies and corrective action plans.
- v. Review monitoring results and make recommendations to the WDB.
- vi. Make recommendations to the WDB regarding renewal of contracts or MOUs for contractors/service providers.

c. Meetings will be held at a minimum, quarterly.

4. AD HOC COMMITTEES

Ad Hoc Committees may be formed at the discretion of the WDB to address a specific issue(s). Committee members are appointed based on their expertise and may be WDB members or non-WDB members. Appointment duration and size and the number of meetings required of the committee will be at the discretion of the WDB based upon the need in order to address the specific issue(s) and report to the WDB.

ARTICLE XII: FIREWALLS

The Workforce Development Manager reports to the Director. The Director is not involved in any of day-to-day operations associated with Workforce Development program, administrative oversight is provided only. Changes and/or reviews to Workforce Programs operations are completed through the Performance Review Committee. The Workforce Development Manager meets with the Performance Review Committee quarterly to provide updates on program negotiated outcomes, expenditures throughout Adult, Dislocated Worker and Youth programs accounting for community support and positive movement towards measurable outcomes. Any changes, requests for ratifications, strategic guidance or approvals that occur within the bi-monthly Performance Review Committee are then presented to the entire Workforce Development Board for recommendations and further action. The Workforce Development Manager would, then, be given the recommendation and strategic guidance after the entire Workforce Development Board has voted to move forward with strategic guidance, action, and/or ratifications. The Workforce Development Manager is responsible to develop the plan to carry these new recommendations and guidance forward. The Finance personnel do not have access to program information, and the Workforce Development Manager does not have access to the finance data base to ensure continuity of the program.

ARTICLE XIII: AMENDMENT OF BY-LAWS

- A. These by-laws and procedures apply to all committees created by the WDB. The by-laws may be amended by a majority vote of WDB members present upon recommendation of the Executive Committee and in accordance with State and Federal laws and regulations.
- B. Amendments to these by-laws may be made at any regularly scheduled meeting of the WDB, provided the amendment has been submitted in writing to the WDA Director at least thirty (30) days in advance prior to the Executive Committee meeting.

- C. Amendments to these by-laws shall be reviewed and approved by legal counsel prior to the approval of the WDB.
- D. Amendments to these by-laws will become effective only when approved by the Lead Chief Local Elected Official (LCLEO) through Mohave County Board of Supervisors.

ARTICLE XIV: CONFLICT OF INTEREST AND OPEN MEETINGS LAW

- A. State and Federal laws and regulations on conflict of interest shall govern the voting of all members.
- B. The provisions of the State of Arizona Open Meeting Law(s) shall govern all meetings of the WDB, whether in regular, special, advisory or subcommittee meetings.
- C. Members with a Conflict of Interest shall declare such in the official record of the WDB or committees prior to the commencement of discussions on such issue, and such member shall neither cast a vote on nor participate in any decision-making capacity on the provision of services by such member nor on any matter which would provide direct financial benefit to the member or the member's immediate family.
- D. The WDB will avoid even the appearance of a conflict of interest. Prior to taking office, WDB members must provide to the WDB Chairperson a written declaration of all substantial business interests or relationships they, or their immediate families, have with all the businesses or organizations that have received, currently receive, or are likely to receive contracts or funding from the WDB. Such declarations must be updated annually or within thirty (30) days to reflect any changes in such business interests or relationships. The WDB must appoint an individual to review the disclosure information in a timely manner and advise the WDB Chairperson and appropriate members of potential conflicts.
- E. Prior to a discussion, vote, or decision on any matter before the WDB, 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 WDB 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 WDB meeting and be maintained as part of the official record.
- F. It is the responsibility of the WDB members to monitor potential conflict of interest and bring it to the WDB's attention in the event a member does not make a self-declaration.
- G. In order to avoid a conflict of interest, the WDB must ensure that the WDB's workforce service providers for W.I.O.A. Title IB adult, dislocated worker, and youth programs must not employ or otherwise compensate a current WDB member or WDB employee who was employed or compensated by the WDB or its administrative entity, fiscal agent, or grant recipient.
- H. The WDB must ensure that its members, or its administrative staff do not directly control the daily activities of its workforce service providers, workforce system partners or contractors.

- I. WDB members or their organizations may receive services as a customer of a local workforce service provider or workforce system partner.

ARTICLE XV: COMPENSATION

- A. Members of the WDB will serve without compensation.

ARTICLE XVI: CONFLICT RESOLUTION

- A. GENERAL PROCEDURES: Disputes should, wherever possible, be resolved at the local level. Disputes need to be submitted in writing within sixty (60) days of the disagreement to the WDA Director and WDB Chairperson. The written document should state the problem, a history of resolution strategies attempted and their outcomes, and a desired resolution.
 1. All attempts to resolve disputes among or between board members, service delivery partners and/or consortium partners within the Service Delivery Area shall begin with negotiations between the parties of the dispute. All parties are encouraged to put forth good faith efforts in communication and compromise to find solutions to their disagreements in a cooperative and timely manner. All actions taken to resolve disputes must be documented.
 2. Should parties be unable to resolve the dispute through negotiation with the WDA Director and WDB Chairperson within sixty (60) days, the matter will be resolved through the Executive Committee. The members of the Executive Committee will confer with the parties involved, and attempt to resolve the dispute to the satisfaction of all concerned. All actions taken to resolve disputes will be documented.
 3. Should the Executive Committee render a decision unacceptable to one or more of the parties involved in the dispute, the LCLEO and WDB Chairperson shall make a final determination. If the matter is still not resolved, it may be elevated to the Arizona Department of Economic Security to negotiate a resolution.

ARTICLE XVII: SEVERABILITY AND COMPLIANCE

- A. Should any section, paragraph, sentence, clause, or phrase of these by-laws be declared unconstitutional or invalid for any reason, the remainder of said by-laws shall not be affected.
- B. In the execution of its business, the WDB will comply with the W.I.O.A. and regulations as well as the related policies and directives from the Arizona Department of Economic Security and the Workforce Arizona Council.