



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. In execution of its business, the PCLWDB must comply with the Workforce Innovation Opportunity Act and its regulations, applicable Federal and State Laws, rules and regulations, and State policies and procedures.

**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 of the ARIZONA@WORK Pinal County service delivery system 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. On behalf of the Pinal County Board of Supervisors, serves as the steward of WIOA grant funds allocated to Pinal County;
  3. Assist in the achievement of the State’s strategic and operational vision and goals as outlined in the Unified State Plan; and
  4. Maximize and continue to improve the quality of services, customer satisfaction, and effectiveness of the services provided.
- C. The 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 PCBOS:
- a. Conduct oversight of youth workforce investment activities authorized under WIOA Sec. 129(c), adult and dislocated worker employment and training activities under WIOA Secs. 134(c) and (d), and the entire 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 PCLWDB will be a 19 member board based on the following structure:

Category	#
A - Majority Local Business Representatives (>50%)	10
B - Local Workforce - Labor and apprenticeship required; CBOs and other youth-related organizations optional (20% min)	4
C - Education and Training - Title II and higher education required. Local education and CBOs helping barriered individuals (optional)	2
D - Government, Economic, and Community Development - Eco/Dev, Wagner-Peyser, and Voc Rehab required; philanthropic and others optional	3

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

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

- A. The 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 on a majority vote of the full board.
- B. The majority of the members of the PCLWDB must be representatives of private, for profit 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 (Workforce Arizona Council). Each business representative must meet the following criteria:

1. Be owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority. A representative with optimum policy-making authority is an individual who can reasonably be expected to speak affirmatively on behalf of the entity he or she represents and to commit that entity to a chosen course of action.
2. Provide employment opportunities in in-demand industry sectors or occupations, and provide high-quality, work-relevant training and development opportunities to its workforce or the workforce of others (in the case of organizations representing business as per WIOA Sec. 107(b) (2)(A)(ii).

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

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

The determination of whether an industry sector or occupation is in-demand shall be made by the 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). The PCLWDB is to be 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 to serve on the PCLWDB. Applications will be posted on the ARIZONA@WORK Pinal County website.
  2. Each application will be reviewed by the Executive Committee for:
    - a. strategic alignment with board configuration
    - b. meets the categorical requirements of membership
    - c. time commitments
    - d. qualifications to the benefit of the PCLWDB
  3. Qualified applications will be presented to the full PCLWDB for a vote during the next regularly scheduled meeting.
  4. A majority vote in favor of the appointment is required for a recommendation to be made to the 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.
  5. All newly appointed Board members must complete PCLWDB-approved onboarding within 60 days of being appointed to the board. Members who fail to complete the onboarding within the designated timeframe will be referred to the Executive Committee for consideration of membership consistent with Article IX of these By-Laws (Removal).
  6. Board members will not be permitted to delegate a proxy or alternates in their absence.
  7. Required program partner staff members who have a post of duty at either the ARIZONA@WORK Pinal County comprehensive or affiliate site job centers are not eligible for membership on the 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 of the Business category shall be for two years.
- B. The terms of the members of the non-Business categories shall be for three years.
  - 1. At the discretion of the full PCLWDB, the Economic Development representative may be appointed on a rotating one-year basis. The rotation shall include the Pinal County Economic Development Manager and a Economic Development Manager of a Pinal County municipality. All such nominations shall follow the application process outlined in ARTICLE VI - APPOINTMENT TO THE PCLWDB.
- C. Term start date is the date the member was approved by the Pinal County Board of Supervisors. Term end date shall be the last day of the expiration month.
- D. Members may serve multiple terms but must be re-appointed by the Pinal County Board of Supervisors. Members of the Business category will have the option to re-apply for a term of one year but must have completed the initial two year term.

**ARTICLE VIII - ATTENDANCE**

- A. All PCLWDB members are expected to attend regularly scheduled meetings. All members must confirm no later than two business days prior to a scheduled meeting whether they plan to attend or not.
- B. Engagement as member of the PCLWDB is critical to the goals of the board. It is preferred that all members attend meetings in person. However, in instances where in-person attendance is not feasible, members are expected to participate via video conferencing or telephonic. As a member of the PCLWDB each member shall attend all regularly scheduled meetings, as well as special meetings (including committee/workgroup/task forces to which they are a member). Failure to attend three (3) consecutive meetings or 75 percent of the regular and special meetings in any year shall constitute grounds for removal from the PCLWDB by a majority vote of the PCLWDB. Any member in good standing may request a special meeting to review the attendance of a member of the PCLWDB.
- C. 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 the remainder of the leave of absence.
  - 2. A temporary applicant appointment will be made in accordance with *Article VI Appointment to the PCLWDB*.

3. A recommended appointment made under Article VIII(G) must be for the same sector as the individual being replaced.

## **ARTICLE IX – VACANCIES, RESIGNATIONS AND REMOVAL OF 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. If a vacancy occurs otherwise than by expiration of term, the vacancy shall be filled according to *Article VI – Appointment to the PCLWDB*.
- B. 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.
- C. In the event a vacancy cannot be filled within 120 days, the PCLWDB must request a waiver in writing to the Chair or designee of the Workforce Arizona Council with an explanation of why a vacancy was not filled in the 120-day timeframe and a description of the process underway to fill the vacancy.
- D. The PCLWDB must maintain written approval of the waiver request by the Chair or designee 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.
  4. A member fails to fulfill the requirements of membership.

- B. 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.
- C. 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.
- D. 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.
- E. Recommendations for removal of PCLWDB members will be forwarded to the Pinal County Board of Supervisors for final approval.

## **ARTICLE X – OFFICERS**

The PCLWDB shall have a Chair, Chair-elect, Immediate Past Chair and Fiscal Liaison. Officers will comprise the PCLWDB Executive Committee.

### **A. Chair**

The Chair shall be a representative of the business community on the PCLWDB The Chair shall be elected by a majority vote of the PCLWDB.

1. 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 Supervisor
2. The Chair shall be the Chief Officer of the PCLWDB and shall preside at all full board meetings of the PCLWDB.
3. The term of office for the Chair shall be one year.
  - a. In the event the Chair cannot fulfill the terms of his/her appointment for any reason he/she must submit in writing to the Pinal County Board of Supervisors notifying his/her intention to resign from his/her role as Board Chair.
4. The Chair-elect shall assume the role of Chair and serve out the remaining term of their predecessor and if desired, their own subsequent term as Chair.
5. Elections will then be held for the office of Chair-Elect.
6. The Chair-Elect assumes the office of Chair.

**C. Chair-Elect**

The Chair-Elect shall perform the duties of the Chair in his/her absence and to perform such other duties as automatically pertain to such office or as may be designated by the Chair or Executive Committee.

The Chair-elect assumes the office of Chair at the expiration of the current Chair's term. In addition, the Chair-Elect assume the duties of the Chair, should the Chair resign before the Chairs' term is up.

1. The Chair-elect shall be representative of the business category on the PCLWDB.
2. The Vice-Elect shall be elected by a majority vote of the PCLWDB.
3. The term of office for the -Chair-elect shall be one year. No individual may hold this office for more than one consecutive term
4. In the event the Chair-elect 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 Chair-elect.
  - a. Voting for a new Chair will be conducted at the next regularly scheduled Board meeting.

**A. Immediate Past Chair:**

1. The Immediate Past Chair shall serve as the primary liaison to new Business Sector member recruitment. In this capacity the Immediate Past Chair will fulfill the requirement that Business sector candidates "Be appointed from among individuals nominated by local business organizations and/or business trade associations."
2. The immediate Past Chair shall serve a term not to exceed one year.
3. In the event the Chair-Elect cannot fulfill their role, the Immediate Past Chair may assume that role in an acting capacity until the PCLWDB conducts elections for the office of Chair –Elect.

**B. Fiscal Liaison**

1. The Fiscal Liaison will coordinate fiscal tracking of WIOA funds allocated to Pinal County in concert with the designated Fiscal Agent.
2. The Fiscal Liaison will provide the Fiscal Report during PCLWDB meetings and make expenditure recommendations to the full PCLWDB
3. The term of the Fiscal Liaison shall serve a term of one year with the option to extend by majority vote of the PCLWDB.

**C. Election of Officers**

1. Election of officers shall be held during the last meeting of each Program Year.
2. The Chair and Chair-elect 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 following schedule:
  - a. **No later than February 1 of the election year:** dissemination of the “ARIZONA@WORK Pinal County Local Workforce Development Board Officer Nomination Form” to each eligible Board member:
  - b. **No later than April of the election year:** Candidates are announced to the full board
  - c. **No later than the June meeting of the PCLWDB:** Full board votes for officers.
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.

**ARTICLE XI - COMMITTEES**

**A. Executive Committee**

1. 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.
2. The Executive Committee shall consist of the Chair, Chair-elect, Immediate Past Chair and Fiscal Liaison and one or two at large members.
  - a. The Executive Committee at all times must consist of an odd number of membership.
3. The PCLWDB Chair shall serve as the Chair of the Executive Committee.
4. If a full PCLWDB meeting has been cancelled and action items are needed to continue operations, the Executive Committee shall put into effect and vote on the action items until next meeting or replacement meeting of PCLWDB is scheduled.
5. All actions made by the Executive Committee are subject to ratification by a majority vote of the PCLWDB at its next regularly scheduled meeting.
6. 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.

7. 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. Standing Committees/Work Groups/Task Forces**

1. The PCLWDB has authority to establish standing committees, workgroups or task forces in order to address specific issues.
2. All standing committee, workgroups or task force recommendations are presented to the PCLWDB for official action.
3. If the PCLWDB determines that a specific standing committee is no longer needed, it shall officially disband the committee by a majority vote. The By -Laws will thereafter be amended to remove the standing committee.

**C. Workgroups/Taskforces**

A Workgroup/Taskforces 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.

**D. Standing Committee and Workgroups/Taskforce Officers**

1. The PCLWDB Chair appoints the Chair of the standing committees and workgroups/taskforces subject to ratification by a vote of the PCLWDB.

**ARTICLE XII - MEETINGS**

All meetings of PCLWDB will be conducted in accordance with Arizona State open meeting laws

**A. Board Meetings:**

The board will conduct business through three categories of meetings:

**1. Full Board Meetings**

There will be six (6) full board meeting of the PCLWDB per Program Year for the conduct of official board business. The date, time and place will 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.

**2. In-Service/Strategy Session Meetings**

There will be five (5) in-service/strategy session meeting of the PCLWDB per Program Year for the on-going education, continuous improvement and strategic planning of the board. The date, time and place will 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.

**3. Annual Year-End Review/Celebration**

An annual year-end review/celebratory meeting will be planned for the period between November and December of each program year to present the PCLWDB Annual Report and celebrate the accomplishments of the Board.

**B. Standing Committee and Workgroups/Taskforce Meetings:**

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

C. 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*.

D. Engagement as member of the PCLWDB is critical to the goals of the board. It is preferred that all members attend meetings in person. However, in instances where in-person attendance is not feasible, members are expected to participate via video conferencing or telephonic.

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

F. 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.

- G. 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.
- H. The minutes or a recording of a meeting shall be available for public inspection no later than three working days after the meeting.

### **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. Board Expenditures in excess of \$1,000
- F. Amendments to MOU/IFA
- G. Amendments to By-Laws

- H. Initiation of Legal Action
- I. Allocation of Surplus
- J. Assumption of a major new financial obligation (e.g. mortgage or lease) or risk
- K. 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:

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.

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

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

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.

**ARTICLE XVI – ANNUAL REPORT**

No later than October 31 of each Program Year the PCLWDB will produce and publish an annual report to be presented during the Annual Year-End Review/Celebration. The report shall consist of the following elements covering the most recently completed Program Year:

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