

## COCONINO WORKFORCE DEVELOPMENT BOARD

### Executive Board Meeting

Thursday, 4/29/2021 ~ 4:00pm via MS Teams

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#### 1. CALL TO ORDER

Agenda items may be taken out of order. Pursuant to A.R.S. 38-431.03(A)(3) the Board may vote to go into executive session for legal advice from its attorney on any item listed on this agenda.

- A. Flag salute and Welcome
- B. Roll Call and Introduction Public Attendees

#### 2. BOARD BUSINESS

A. Executive Director Report – *Cindy Wilson, Interim*

- i. Board Recertification
  1. By-Law Amendment
  2. SGA signature Update and addition

B. Consent Agenda (Action Items) All matters under Consent Agenda are considered by the Board of Supervisors to be routine and will be enacted by a single motion. If discussion is desired on any consent item that item will be removed from the consent agenda and will be considered separately.

- i. Approval of By-Law Amendment
- ii. Approval of SGA Update and addition

#### 3. CALL TO THE PUBLIC

The Chair will call on members of the public to speak on any item or area of concern not listed on the agenda. Members of the Board may not discuss items that are not specifically identified on the agenda. Items cannot be acted upon by the Board and comments are limited to 3-minutes.

#### 4. ADJOURNMENT

- A. Next Workforce Development Board Meeting, Wednesday, May 19, 2021

Full Hyperlink to meeting: [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_YjI5NGFhMDUtYTEyNS00MDRkLThhYTItYzYyYzA2ZGI4NWE1%40thread.v2/0?context=%7b%22Tid%22%3a%2225b21c5d-3fd9-40b5-b4ed-a38aefd2ebc6%22%2c%22Oid%22%3a%222b45092a-a8fe-46e9-90be-84a17f16650c%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YjI5NGFhMDUtYTEyNS00MDRkLThhYTItYzYyYzA2ZGI4NWE1%40thread.v2/0?context=%7b%22Tid%22%3a%2225b21c5d-3fd9-40b5-b4ed-a38aefd2ebc6%22%2c%22Oid%22%3a%222b45092a-a8fe-46e9-90be-84a17f16650c%22%7d)

## Workforce Development Board Bylaw Amendments

On \_\_\_\_\_, 2021, subject to approval by the Coconino County Board of Supervisors, the ARIZONA@WORK Coconino Workforce Development Executive Committee voted to amend the ARIZONA@WORK CWDB By-Laws to include the following:

### ARTICLE I. Section 3. VISION AND PURPOSE

- D. The CWDB is established in accordance with the requirements of WIOA Section 107 (d).

### ARTICLE I. Section 4. ROLES AND RESPONSIBILITIES OF THE CWDB

- D. Employer Engagement: The local board shall actively participate in leading efforts to engage with workforce systems' stakeholders, brokering relationships with a diverse range of employers, and leveraging support for workforce investment entities in the region involved to:

### ARTICLE 1. Section 5. LIABILITY AND CONFLICT OF INTEREST

The CWDB members will adhere to the State Workforce Policy #1, Local Governance, and the State Workforce Policy #8, Conflict of Interest, and follow the rules regarding conflict of interest.

### ARTICLE 1. Section 5. LOCAL BOARD MEMBERSHIP

#### A. Terms

1. Consistent staggered terms have been created in the membership roster. When a seat becomes vacant mid-term that seat is filled for the remainder of the term ensuring future consistency of the set staggered terms. This ensures that only a portion of membership expires each year.

### ARTICLE II. Section 2. LOCAL BOARD MEMBERSHIP

#### F. Vacancies

1. The CWDB Executive Director and/or Chair will notify in writing the Chief Elected Official when  
there is a vacancy as soon as a vacancy is known.

### ARTICLE II. Section 2. LOCAL BOARD MEMBERSHIP

#### I. Election of officers shall be held during the last meeting of the Program Year.

1. Elections for CWDB officers, including Chair, Vice-Chair, and Secretary, will be conducted by the following schedule:



- a. No later than March 1 of the election year, a nomination committee shall be appointed from the full board. The committee will disseminate CWDB officer duties to eligible Board member.
- b. No later than May of the election year: CWDB officer candidates will be presented to the CWDB.
- c. No later than the June meeting of the CWDB the 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 II. Section 8. OPERATING

- E. Board members will not be permitted to delegate a proxy or alternates in their absence.

**Coconino County Chief Elected Officials**  
**and**  
**Local Workforce Development Board Governance Agreement**

**I. PURPOSE**

**WHEREAS**, Coconino County was designated to serve as Chief Elected Official, fiscal agent and administrative entity for the Coconino County Local Workforce Area.

**WHEREAS**, the Coconino County Local Workforce Development Board, hereinafter referred to as LWDB, has been appointed by the Coconino County Board of Supervisors, hereinafter referred to as Chief Elected Officials (CEO), in accordance with the requirements in the Workforce Innovation and Opportunity Act of 2014 (WIOA).

**WHEREAS**, the **CEO AND LWDB GOVERNANCE AGREEMENT** is required by the Workforce Arizona Council to acknowledge LWDB membership and to specify the relationship between the CEO and LWDB.

**II. LOCAL BOARD MEMBERSHIP**

The WIOA Section 107 (c)(1) authorizes the CEO to appoint the members of the LWDB in accordance with the criteria established under Section 107(b)(1) of the WIOA and the guidelines in Workforce Arizona Council Policy 01-2019 entitles Workforce Innovation and Opportunity Act (WIOA) Local Governance.

The CEO must appoint business representatives that meet the criteria established by the Workforce Arizona Council on behalf of the Governor. The authority to appoint members to the LWDB lies solely with the CEO.

**A. Terms**

LWDB members are appointed for staggered 2-year term. Members may be reappointed upon completion of their term. All members were set on staggered terms in 2019 ensuring only a portion of terms expire in any given year. Local Board members replacing out-going members' mid-term will serve the remainder of that term. Completion of out-going members term will ensure the integral staggered terms.

**B. Nomination**

The composition of the LWDB should reflect the demographics of the Local Workforce Development Area (LWDA) in accordance with the most recent US Census and represents the diverse geographic areas within the local area. Board members from urban

and rural locations within Coconino County will be represented in proportion to their influence on the local area; Board members from these areas must exhibit the demographic diversity within their respective local area.

Fair and equitable appointments across Coconino County LWDA will be achieved by selection requirements. Three types of board representatives require uniquely mandated nomination. These are representatives from business, labor, and education. Only organizations specifically involved with these three classifications may nominate such respective board members.

Nominations for these three types of board representatives specifically require a Chief Executive Officer or head official from one of the organizations pertaining respectively to business, labor or education to provide the nomination. The following will be needed for each nominee to the board.

- (a) A CEO signed letter identifying the individual being nominated by his or her organization. This letter must also acknowledge the nominee's optimum policy making authority and include documentation in the form of curriculum vitae, resume' or work history supporting the qualifications of the nomination; and
- (b) A Coconino County LWDB completed application.

Discretionary representative – The LWDB may include such other individuals or representative of entities as the CEO in the local area may determine to be appropriate.

The LWDB must not include members who are staff to the LWDB, staff or board members of the One-Stop Operator, and/or WIOA Title IB adult, dislocated worker, and youth providers, or staff of the grant recipient/administrative entity or fiscal agent.

The department responsible for the direct provision of services cannot manage the LWDB member nomination process or conduct other management responsibilities delegated under WIOA to the Chief Elected Official.

### **C. Appointment**

LWDB appointments must be made by the Coconino County Board of Supervisors as designated CEO. CEO will make appointments based on recommendations submitted to the local administrative entity either in the form of a letter, evidenced within minutes of meetings, or other official communication. An email from the Coconino County Board of Supervisors or their designee will serve as one form of official communication.

LWDB must not include members who are staff to the LWDB, staff or board members of the one stop operator, and/or direct service providers.

### **D. Change in Status**

LWDB members who no longer hold the position or status that made them eligible board members must resign or be removed by the Coconino County Board of Supervisors as

designated CEO immediately upon notification to the LWDB Chair of the change of status as a representative of that entity.

**E. Vacancies**

The required LWDB representation shall be maintained when filling vacancies. Recommended nominees shall be submitted by the appropriate organizations to the Coconino County Board of Supervisors, as designated CEO, for formal appointment. LWDB vacancies must be filled within 120 days of the vacancy. Coconino County Board of Supervisors, as designated CEO, is authorized to make all reappointments of members. Reappointments must be made within 120 days of the term expiration. In the event a vacancy cannot be filled within 120 days, the CEO must request a waiver in writing to the Director 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. The CEO must maintain written approval of the waiver request by the Director of the Workforce Arizona Council and will be monitored according to the process outline in their approved waiver request.

**F. Removal**

LWDB members must be removed by the Coconino County Board of Supervisors, as designated CEO, if any of the following occurs:

- a) Documented violation of conflict of interest.
- b) Failure to meet LWDB representation requirements defined in the WIOA and Workforce Arizona Council policy.
- c) Documented proof of malfeasance, fraud or abuse.

In addition, LWDB members may be removed from the LWDB for cause, as outlined in the LWDB by-laws, if a majority of the LWDB approves such actions at a legally constituted meeting. Such action must be confirmed by a majority of the Coconino County Board of Supervisors, as designated CEO.

**III. RELATIONSHIP BETWEEN CEO AND THE LWDB**

The Coconino County Board of Supervisors, as designated CEO, provides the following guidance to the LWDB. In the case of required partnership or approval by the CEO, the LWDB shall get in writing, either through official communication or evidence in minutes of meetings, evidence of Chief Elected Official involvement.

The LWDB shall in accordance with an agreement with the Chief Elected Officials and according to the Workforce Innovation and Opportunity Act legislative requirements:

**A. In partnership with the Chief Elected Officials, LWDB shall:**

Develop and submit a local workforce business plan consistent with WIOA, Arizona State Integrated Plan, Workforce Arizona Council and other state administrative entity requirements. The local workforce development business plan is developed in partnership with the LWDB, the CEO, the Core Programs, and required partners identified in WIOA. LWDB Staff shall convene key stakeholders and oversee the local workforce business plan development process to ensure input from all partners and consensus on strategy and service delivery. Upon completion of the draft workforce development plan it shall be submitted for review and approval of the LWDB and the CEO.

**B. Approval required by the Chief Elected Officials:**

Develop a budget for carrying out the duties of the LWDB.

The LWDB will develop both an operating and an administrative budget for carrying out all Title 1 activities, including the duties of the LWDB which is approved by the CEO. LWDB staff develops a draft operating budget for each fiscal/program year that includes line items for carrying out the duties of the LWDB and allocating funds for service delivery. Once the draft budget is developed, it is submitted to the LWDB and CEO for review and discussion; any required changes are made by staff and then submitted to LWDB and CEO for final approval. Any revisions to original budget are re-submitted to the LWDB and CEO for approval. LWDB staff provides LWDB with monthly updates on year-to-date spending progress. The LWDB shall be notified in advance if funds are projected to be reverted to the State at the end of the two-year performance period.

**C. Selection of operators and providers.**

The LWDB will utilize Coconino County's established guidelines and Request for Proposal process for the selection of operators and providers in the local area in accordance with WIOA 107(d)(10)(A) through (E) and the Workforce Arizona Council policy, including the CEO agreement on the selections. Coconino County, as the administrative entity, conducts all procurements at the request of the LWDB according to the County procurement policy. The Coconino County Finance Department is responsible for facilitating the procurement process, including the process documentation and scoring of proposals. A selection committee LWDB members and staff is convened to complete the proposal review, scoring, and selection of the top respondent. The recommendation is presented to the full LWDB for approval. Upon approval by the LWDB, a contract is drafted and presented to the CEO for execution, agreement, and signature. The Fiscal Agent oversees the procurement process to ensure compliance with 2 CFR Part 200.

**D. Youth activities**

The LWDB does not have a standing youth committee. The LWDB has retained the responsibility to select providers and oversee the youth activities under youth formula programs. The LWDB will carry out its responsibilities for youth activities under formula funds by developing a Youth Program Design framework that includes an outreach and marketing plan, career pathway models for in-demand and emerging industries and occupations, partnerships with community-based organizations that serve young adults with barriers to employment, and a youth participant framework tool for AIRZONA@WORK partner staff. The Youth program service provider will be responsible for implementation of the Youth Program Design framework.

**E. Mid-Term appointment**

LWDB Members replacing out-going members mid-term will serve the remainder of the out-going member term. This process ensures that the initial staggered 2-year terms are consistent and that only a portion of WDB memberships expire in any given year.

**F. Program Oversight**

The LWDB provides oversight of the Adult, Dislocated Worker, and Youth programs through annually scheduled program monitoring utilizing AZ DES monitoring tool. These monitors will be conducted by local LWDB staff. Additionally, all service providers are required to provide monthly reports to LWDB staff. The process of reviewing, monitoring, and evaluating the Adult, Dislocated worker, and youth programs will be completed in a manner to ensure compliance with the Uniform Guidance on an annual basis. The outcomes of this review will be presented to both the WDB and the CEO to ensure alignment with the Coconino County Workforce vision. Both the WDB and the CEO will provide recommendations for continuous improvement.

The One-Stop Operator will coordinate with LWDB staff and service providers to provide quarterly reports to the LWDB on the performance of the ARIZONA@WORK Coconino County One-Stop System. The One-Stop Operator reports will include updates on activities and performance of the Adult, Dislocated Worker, and Youth programs. LWDB Staff will provide quarterly budget updates to the LWDB that include expenditure reports for the Adult, Dislocated Worker, and Youth programs. Service provider management staff will attend quarterly LWDB meetings to answer any questions that may arise from the One-Stop Operator and/or LWDB Staff reports. At the annual joint LWDB/CEO board meeting, the local board staff will provide a monitoring report to the LWDB and CEO.



**G. Performance accountability measures**

The LWDB and CEO are responsible for performance accountability measures and give authority to LWDB staff to negotiate performance measures with the state. After performance measures have been negotiated, the LWDB staff will provide details to the LWDB and CEO.

**H. Local Board policy**

The CEO is involved in overall strategic direction of the LWDB and designates responsibility to the LWDB to develop local board policy. Local workforce policies shall be developed by the LWDB Staff and Executive Committee and presented to the full LWDB for input and final approval.

**I. LWDB By-Laws**

The CEO must establish by-laws for LWDB which are consistent with the provision of this agreement between the parties. In the event that any such by-laws or procedures shall be found to be in conflict with the provisions of this agreement, the provision of said agreement shall prevail.

Amendments to by-laws may be proposed at any regular meeting of the LWDB by a majority vote, provided notice of the proposed amendment has been given at least one week prior to the meeting at which voting takes place. Amendments to LWDB By-Laws proposed by the LWDB will not be valid nor take effect until approved by the CEO.

**J. Memorandum of Understanding**

The LWDB, with the agreement of the CEO, shall develop and enter into a Memorandum of Understanding (between the LWDB and each of the partners), concerning the operation of the One-Stop delivery system in the local area:

- a) In coordination with the LWDB, the board staff shall develop the Memorandum of Understanding with the core programs;
- b) The LWDB shall review and approve the Memorandum of Understanding;
- c) The Chair of the LWDB shall sign the Memorandum of Understanding; and
- d) The LWDB will submit the Memorandum of Understanding to the CEO for approval and signature.

**K. Other LWDB roles and responsibilities:**

- a) Select a private-sector business representative as LWDB chairperson; and

- b) Create an annual report that must be submitted to the Workforce Arizona Council as per guidelines established by the Workforce Arizona Council; and
- c) Promote One-Stop Center programs and activities; and
- d) Assist the state administrative entity in developing the statewide employment statistics system under the Wagner-Peyser Act; and
- e) Coordinate with economic development strategies and establish employer linkages with workforce development activities; and
- f) Carry out regional planning responsibilities as required by the Workforce Arizona Council and the state administrative entity, and the Workforce Investment Act in Section 107 (d)(6); and
- g) Per WIOA Regulations 679.370, promote private sector involvement in the statewide workforce investment system through effective connecting, brokering, and coaching activities through intermediaries, such as the One-Stop Operator in the local area, the local business services function, or through other organizations to assist employers in meeting hiring needs; and
- h) Conduct business in an open manner by making available to the public information about the activities of the LWDB; this includes the local plan before submission, membership, designation of the local workforce system operator, the awards of grants or contracts, and minutes of LWDB meetings; and
- i) Ensure that partner staff will be governed by their respective personnel laws and collective bargaining agreements in a One-Stop Center.

### **Other LWDB Requirements**

Authority to hire LWDB Staff: WIOA Section 107(f) grants the LWDB authority to hire an Executive Director and other staff to assist in carrying out the functions of the LWDB in agreement with the CEO.

1. LWDBs must establish and apply a set of qualifications for the position of Executive Director that ensures the individual selected has the requisite knowledge, skills, and abilities to meet identified benchmarks and to assist in carrying out the functions of the LWDB.
2. The LWDB Executive Director and staff must be subject to the limitations on the payment of salary and bonuses described in WIOA Section 194(15).
3. In general, LWDB staff only may assist the LWDB to fulfill its functions (20 CFR 679.400 (d)).
4. Salary ranges, bonuses, and wage increases for staff positions shall be consistent with Coconino County policy and are determined by the Executive Committee in agreement with the CEO and approved by the full LWDB.
5. The LWDB Executive Director, who is staff to the board, functionally reports only to the LWDB and, per the attached organizational chart, reports to the Coconino County Public Affairs Director for county payroll signature requirements only. The LWDB

- has full oversight, hiring and dismissal responsibilities for the LWDB Executive Director. All other staff to the board report directly to the LWDB Executive Director.
6. All LWDB staff have a separate reporting structure from program staff and do not have supervision or control over the program staff.

### **Conflict of Interest**

The Coconino County Board of Supervisors (CEO) in partnership with the LWDB have designated to their respective staff the development of an Organizational Chart (see Exhibit A) depicting the staff that perform the governance functions and the associated chain of command as well as the staff that perform the operation functions and the associated chain of command. The Organizational Chart is attached to this document as Exhibit "A".

The designation of different departments within Coconino County and the associated chains of command create the firewalls required by WIOA and corresponding regulations, Uniform Guidance (2 CFR part 200), the State's conflict of interest policy (20 CFR 679.430) and State Workforce Policy (#8), State Workforce Policy #4 (ARIZONA@WORK One-Stop Operator and Service Provider Selection), and State Workforce Policy #1 (Local Governance).

The following description of duties and chains of command shall identify a clear separation of duties and required firewalls as required by 20 CFR 679.430.

### **LWDB Staff**

LWDB Staff shall perform those duties associated with the LWDB's governance and Oversight role. Specifically, LWDB staff is responsible for supporting the Local Workforce Development Board in performing its Roles and Responsibilities: As stated in WIOA Section 107 (d). 20 CFR 679.370, and 20 CFR 679.310 (b), the LWDB must:

1. **Local Policy:** In partnership with the CEO, the LWDB sets policy for the portion of the statewide workforce development system within the Local Workforce Development Area (LWDA) and consistent with State policies (20 CFR 679.310 (b)).
2. **Local Plan:** Develop and submit a 4-year local plan for the LWDA by convening local workforce development system stakeholders to assist in the development. System stakeholders will individually provide information for areas of the plan that they directly oversee. A committee will then provide oversight to all groups to ensure the plan becomes a cohesive, living document that will provide direction to all Coconino County workforce development stakeholders.

In partnership with the CEO and consistent with WIOA Section 108 (20 CFR 679.370 (a)); if the LWDA is part of a planning region that includes other LWDAAs as designated by the Governor under 20 CFR 679.200 and 679.210, the LWDB in partnership with the CEO must develop and submit a regional plan in collaboration with the LWDBs and CEOs from other areas. (WIOA 106 (c)(2) and 20 CFR 679.510). The regional plan must incorporate the local plans from each LWDA in the planning region per 20 CFR 679.540 (a).

3. **Labor Market Analysis:** Workforce and economic development programs and policies that are informed by labor market intelligence are better and more efficient at helping customers achieve employment success. To ensure that Coconino County LWDB is utilizing the most up-to-date labor market research the LWDB will reach out experts in labor market intelligence. These partners will include but are not limited to State experts such as the Governor’s Workforce Arizona Council; local experts such as Northern Arizona University Economic Policy Institute; and the local business communities ensuring that in-demand and growing sectors are included.

In order to assist in the development and implementation of the local plan, conduct workforce research and regional labor market analysis to include:

- a) Analysis 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;
  - c) Other research, data collection, and analysis related to the workforce needs of the regional economy as the LWDB, after receiving input from a wide array of stakeholders, determines to be necessary to carry out its functions.
4. **Convening, Brokering, Leveraging:** To ensure there is active participation from all partners and system stakeholders, a convening will be hosted to identify areas of expertise from each partner that will assist in the development of the local plan under WIOA Section 108 and 20 CFR 679.550. This convening will then set the stage for building outreach teams, developing structured conversations and understanding the support needed. These experts will also assist in identifying non-Federal expertise and resources to leverage support for workforce development activities. Such stakeholders may assist the LWDB and standing committee in carrying out, convening, brokering, and leveraging functions at the direction of the LWDB.
  5. **Employer Engagement:** Coconino County LWDB will utilize branding concepts, tap into communication technology, and improve outreach and engagement methods to

increase awareness of programs and services. This will provide leverage to lead efforts to engage with a diverse range of employers and other entities in the region in order to:

- a) Promote business representation (particularly representative with optimum policymaking or hiring authority from employers whose employment opportunities reflect existing and emerging employment opportunities in the region) on the LWDB;
  - b) Develop effective linkages (including the use of intermediaries) with employers in the regions 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. **Career Pathways Development:** A Career Pathway system will better meet the needs of key industries and provide opportunities for workers. A Career pathways system will be developed by engaging education, training, workforce partners and industry. This system will then be used to develop a Career Pathway program in Coconino County in-demand sectors. Each program will then provide in-demand sectors with a workforce that has industry relevant skills, certifications, and credentials, with the goal of advancing to higher levels of education and employment.

Coconino County will engage representatives of secondary and post-secondary education programs, lead efforts to develop and implement career pathways within the LWDA by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment as defined in WIOA 3(24).

7. **Proven and Promising Practices:** The LWDB shall engage the Business Services Team to understand local business bottlenecks and areas of concern. By utilizing a comprehensive business engagement conceptual model, the Business Services Team will ensure businesses are met in an organized, aligned manner with the least burden. Efforts will focus on solutions for business rather than individual program goals, building long-term relationships, and provide delivery of valuable solutions. This will also include planning for and responding to layoffs and minimizing impacts of

economy downturns wherever possible using the Rapid Response system. To provide this service all staff who interact with businesses will be fully trained across programs, will understand the needs of the business, and will know how to target solutions. Though this engagement they will lead efforts in the local area to an:

- a. identify and promoting proven and promising strategies or initiatives for meeting the needs of employers, and workers and jobseekers to the one-stop delivery system;
- b. identify and disseminate information on proven and promising practices carried out in other local areas for meeting such needs; and
- c. provide 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.

**8. Technology:** The WDB will develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, and workers and jobseekers. The process will begin by determining the outcomes that will enhance the overall services of the Coconino County Workforce system. At all stages, program partners will be part of the process since commitment to change comes as a natural outcome of involvement. Outcomes of the process will support the following:

- 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 LWDA;
- 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. Program Oversight:** Provide program oversight, in partnership with the CEO for the Local Workforce Development Area (LWDA):

- a) Conduct oversight of youth workforce investment activities authorized under WIOA Section 129 (c), adult and dislocated worker employment and training activities under WIOA Sections 134 (c) and (d); and the entire One-Stop delivery system in the LWDA. The LWDB will report to the CEO no less than twice per program year on the current LWDB initiatives and workforce investment

activities designed to further Coconino County workforce development goals as outlined in the local plan and negotiated MOU; and

- b) Ensure the appropriate use and management of the funds provided under WIOA subtitle 1B for the youth, adult, and dislocated worker activities and One-Stop delivery system in the LWDA. The designated fiscal agent will document the use of funds provided, including relevant information described in the IFA, and report to the Coconino County LWDA no less than 4 times per program years at regularly scheduled LWDB meetings. Such documentation will be made available to the CEO in a manner agreed upon by the CEO and the WDB; and
- c) Ensure the appropriate use, management, and investment of funds to maximize performance outcomes under WIOA Section 116. Use of available funds will be outlined in the local plan. The LEDB will report to the CEO no less than twice per program year the status of the expenditure of funds allocated to Coconino County for adult and dislocated worker employment and training activities under WIOA Secs. 134©, youth workforce investment activities authorized under WIOA Sec. 129©, and performance outcomes of the entire ARIZONA@WORK Coconino County service delivery system.

**10. Local Performance Accountability Measures:** Negotiate and reach agreement on local performance measures with the CEO and the Governor (WIOA Section 116 (c)).

**11. Infrastructure Costs:** Recognizing that successful integration is directly related to coordinated and joint use of resources and that WIOA also requires each partner to contribute its proportionate share of costs required for operation of local one-stop delivery system, the Coconino WDB will

- a. Negotiate with CEO and required partners on the methods for funding the infrastructure costs of One-Stop centers in the LWDA in accordance with Section 678.715 and State Workforce Policy #5 MOU and Infrastructure Costs policy
- b. Ensure that the local MOU reflects the shared vision and commitment of the local workforce board and partners to a high-quality workforce system;
- c. Empower all required partners to make commitments for that organization including staff and local representation; and
- d. Encourage required partners to give priority to those shared costs which bring about integration, streamline service delivery and lead to better outcomes.

**12. Selection of One-Stop Operators and Providers:** The LWDB is responsible for the selection of the following operators and providers in the LWDA, and where appropriate terminates such operators and providers in accordance with 2 CFR part 200:

- a) Providers of youth work investment activities through competitive grants or contracts based on the recommendations of the youth standing committee (is such

a committee is established). However, if the LWDB determines there is an insufficient number of eligible providers of youth workforce investment activities in a LWDA, the LWDB may award grants or contracts on a sole-source basis in compliance with State Workforce Policy #4 ARIZONA@WORK One-Stop Operator and Service Provider Selection Policy. The LWDB may terminate for cause the eligibility of such providers.

- b) Eligible providers of training services consistent with the criteria and information requirements established by the Governor and WIOA Section 122.
- c) Providers of career services through the award of contracts in compliance with State Workforce Policy #4 ARIZONA@WORK One-Stop Operator and Service Provider Selection Policy, if the One-Stop Operator does not provide such services.
- d) Designate or certify One-Stop Operators through a competitive process as described in WIOA Section 121 (d)(2)(A), 20 CFR 678.600 – 678.635, and State Workforce Policy #4 ARIZONA@WORK One-Stop Operator and Service Provider Selection Policy. Also, the LWDB may terminate for cause the eligibility of such operators and providers.
- e) Consumer Choice Requirements:

The LWDB will satisfy the consumer choice requirement for training services by:

- Determining the initial eligibility of entities providing a program of training services, renewing the eligibility of providers, and considering the possible termination of an eligible training provider due to the provider's submission of inaccurate eligibility and performance information or the provider's substantial violation of WIOA;
- Working with the State to ensure there are sufficient numbers and types of providers of training services (WIOA §107(d)(10)(E));
- Ensuring the dissemination and appropriate use of the Eligible Training Provider List through the local one-stop delivery system;
- Receiving performance and cost information from the ETPL and disseminating this information through the one-stop delivery systems, and;
- Providing adequate access to services for individuals with disabilities.

The LWDB will satisfy the consumer choice requirement for career services by:

- Determining the career services that are best performed by the one-stop operator consistent with 20 CFR §678.620 and §678.625 and career services that require contracting with a career service provider, and,
- Identifying a wide array of potential career service providers and awarding contracts where appropriate including to providers to ensure:
  - Sufficient access to services for individuals with disabilities, including opportunities that lead to integrated, competitive employment for individuals with disabilities; and
  - Sufficient access for adult education and literacy activities



- 13. Coordination with Education Providers:** The most successful relationships offer “win-win” benefits for the education and business partners. LWDB will facilitate a dialogue between educators and local business groups to serve as a venue for determining the qualities of partnership that both parties deem valuable. The LWDB will then coordinate activities with education and training providers in the LWDA, including:
- a) Reviewing applications to provide adult education and literacy activities under Title II for the LWDA 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. Cooperative agreement means an agreement entered into by a State designated agency or State designated unit under subparagraph (A) of Section 101(a)(11) of the Rehabilitation Act of 1973.

The LWDB shall coordinate activities with education and training providers in the local area to develop and implement career pathways by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment.

- 14. Budget and Administration:** Develop a budget for the activities of the LWDB, with approval of the CEO, and consistent with the local plan and the duties of the LWDB. The LWDB budget includes all activities of the LWDB including the Title I budget amounts to be allocated for youth (Section 133) and adult and dislocated worker (Section 128) career services. The LWDB will also assess needed changes in services and budget allocation to comply with youth program changes mandated by WIOA. The LWDB determines how much of the budget to allocate for these services and how to procure these services.

Budget Disbursal: The local grant recipient or an entity designated as the grant recipient shall disburse the grant funds for workforce investment activities at the direction of the LWDB, pursuant to the requirements of WIOA. The local grant recipient or entity designated as grant recipient shall disburse the funds immediately on receiving such direction from the LWDB (WIOA Section 107 (d)(12)(B)(i)(III)).

- 15. Accessibility for Individuals with Disabilities:** Assess, on an annual basis, the physical and programmatic accessibility of all One-Stop centers in the LWDA, in

accordance with WIOA Section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.). Accessibility will be assessed yearly by LWDB at the same time, as the yearly EO Monitoring Review and utilizing the EO Monitoring Review Guide.

**16. ARIZONA@WORK Job Center Certification:** Certification of ARIZONA@WORK job centers in accordance with 20 CFR Section 678.800 and State Workforce Policy #6 Certification of the ARIZONA@WORK Job Centers. Certification will be conducted every two years by LWDB utilizing the Workforce Arizona Assessment Tool part one and part two for all Job Center sites.

LWDB staff report to the LWDB Executive Director. The Executive Director functionally reports to the LWDB. LWDB Staff have a separate reporting structure from program staff and do not have supervision or control over the program staff.

**Adult, Dislocated Worker, and Youth Program Provider Staff:** Program provider staff shall only perform those duties associated with direct provision of the Adult, Dislocated Worker, and Youth Programs. Staff will not perform any roles listed above as LWDB staff duties.

Program staff report to the Deputy Director of Coconino County Health & Human Services, Office of Community and Career Services. As evidenced on the attached organizational chart, the reporting structure for the Director of Coconino County Health & Human Services has a separate and distinct chain of command from the LWDB Executive Director.

**Fiscal Agent:** The Coconino County Public Affairs Director oversees and is responsible for fiscal oversight of the Fiscal Agent for the LWDB. Coconino County has one financial system that operates a fund accounting system. Separate funds have been established for program staff to track expenditures. Program staff do not have access to the overall budget and funds associated with the LWDB. The LWDB Business Manager serves as staff to the LWDB, preparing and submitting expenditure reports and requests for reimbursement for the Arizona Department of Economic Security. The LWDB Business Manager has access to view the program staff funds for oversight and monitoring purposes.

#### **IV. AMENDMENTS/CHANGE TO AGREEMENT/ELECTION**

This **AGREEMENT** may be amended or changed with a written notice by the CEO to the LWDB. Election notice of a new LWDB Chair or Chief Elected Official will require this agreement to be amended.

**V. MAINTENANCE OF AGREEMENT**

The original **AGREEMENT** and any modifications shall be maintained and available for monitoring at the Coconino County Administrative Entity office.

**VI. COMMUNICATION**

LWDB meeting notices and minutes of meetings will be provided to the Coconino County Board of Supervisors. Coconino County Board of Supervisors, in official capacity as CEO of the local workforce area, will be invited to a joint meeting with the LWDB annually wherein performance information and financial information will be shared. The LWDB will make available to the public, on a regular basis through open meetings, information regarding the activities of the LWDB.

**VII. JOINT REPRESENTATION**

The parties to this agreement have agreed to joint representation in this matter by the Coconino County Attorney’s Office. Both parties understand the advantages and disadvantages of joint representation, including the potential loss of confidentiality, and have determined that the advantages of joint representation outweigh the risks and hereby consent to joint representation.

**REQUIRED SIGNATURES**

By: \_\_\_\_\_  
Matt Ryann Date  
Chair, Board of Supervisors

By: \_\_\_\_\_  
Aaron Tabor Date  
Chair, Workforce Development Board

ATTEST:

Approved as to form:

\_\_\_\_\_  
Lindsay Daley Date  
Clerk of the Board

\_\_\_\_\_  
Rose Winkler Date  
Deputy County Attorney