

BYLAWS FOR THE COCONINO WORKFORCE DEVELOPMENT BOARD

ARTICLE I

Name & Purpose

Section 1. NAME

Coconino Workforce Development Board (CWDB)

Section 2. STATUTORY AUTHORITY

Workforce Innovation and Opportunity Act of 2014 and subsequent Amendments. In execution of its business, the Local Board will comply with the WIOA and regulations as well as policies and directives from the Arizona Department of Economic Security, and the State Workforce Development Board.

Section 3. VISION AND PURPOSE

- A. The vision of the Coconino Workforce Development Board (CWDB) is to serve as a strategic leader and convener of local workforce development system stakeholders; partner 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 approaches.
- B. The purpose of the CWDB is to provide strategic and operational oversight in collaboration with partners and workforce stakeholders to help develop a comprehensive and high-quality workforce development system in the local area and larger planning region; assist in the achievement of the strategic and operational vision and goals as outlined in the Unified State Plan; and maximize and continue to improve the quality of services, customer satisfaction and effectiveness of the services provided.
- C. The CWDB is authorized to conduct such activities, as it deems necessary to carry on the WIOA programs.

Section 4. ROLES AND RESPONSIBILITIES OF THE CWDB

In accordance with the vision and purpose described in Section 3 above, the following shall constitute the principle responsibilities of the CWDB:

- A. Local Plan: Develop and submit a 4-year Local Plan in partnership with the Chief Elected Official, who is the Chair of the Coconino County Board of Supervisors, as well as a regional plan in collaboration with other Local Boards and chief elected officials from other areas.
- B. Labor Market Analysis: Workforce research and regional labor market analysis to include regular updates of economic conditions, needed knowledge and skills, workforce and

workforce development activities with analysis of strengths and weaknesses of such services to address identified education and skills needs as well as employment needs of employers; assist in developing a regional workforce and labor market information system to be shared in development of a statewide system; and research data collection and analysis of workforce needs of the regional economy.

- C. Convening, brokering, and leveraging: Convene local workforce development system stakeholders to assist in the development of the local plan and in identifying non- Federal expertise and resources to leverage support for workforce development activities.
- D. Employer Engagement: Lead efforts to engage with a diverse range of employers and other entities in the region.
 - 1. Promote business representation on the Local Board.
 - 2. Develop effective linkages with employers in the region to utilize the local workforce development system and support local workforce investment activities.
 - 3. Ensure workforce investment activities meet the needs of employers and support economic growth in the region by enhancing communication, coordination, and collaboration among employers, economic development entities and service providers.
 - 4. Develop and implement proven or promising strategies for meeting the employment and skill needs of workers and employers 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 local area 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 local area to identify and promote proven and promising strategies and initiatives for meeting the needs of employers, workers and jobseekers in the local workforce system, as well as providing physical and programmatic accessibility in accordance with the Americans with Disabilities Act of 1990 to the one-stop delivery system.
- G. Technology: Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers and 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 local area.
 - 2. Facilitating access to services provided through the one-stop delivery system, including access in remote areas, outside of Tribal 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 system such as improving digital literacy skills.
 4. Leveraging resources and capacity within the local workforce development system, including resources and capacity for services for individuals with barriers to employment.
- H. Program Oversight: Provide program oversight of the partners mandated as collaborators by WIOA in partnership with the chief elected official for the local area.
1. Conduct oversight of youth workforce development activities authorized under WIOA and the entire one-stop delivery system in the local area.
 2. Support 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.
 3. Support the effective management, of the various WIOA grant funds to maximize performance outcomes under WIOA section 116.
- I. Local Performance Accountability Measures: Negotiate and reach agreement on local performance measures with the chief elected official and the Governor.
- J. Selection of Operators and Providers: With the agreement of the chief elected official, select the following providers in the local area and where appropriate terminate such providers in accordance with 2CFR part 200:
1. Providers of youth workforce development activities through competitive grants or contracts based on the recommendations of the youth Tactical Team. If the Local board determines there is an insufficient number of eligible providers in a local area, the Local Board may award contracts on a sole-source basis. The Local Board may terminate the eligibility of such providers for cause.
 2. Eligible providers of training services consistent with the criteria and information requirements established by the Governor and WIOA sec. 122.
 3. Designate one-stop operators as described in WIOA section 121(d)(2)(A) and 20 CFR 678.600-678.635. Also, may terminate the eligibility of such operators for cause.
 4. Work with the State and Department of Education to ensure there are sufficient numbers and types of providers of career services and training services serving the local area, services 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 local area, including:
 1. Review applications to provide adult education and literacy activities under Title II for the local area to determine whether such applications are consistent with the local plan.
 2. Make recommendations to the eligible agency to promote alignment with such plan.
 3. Replicate and implement 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.
- L. Budget and Administration: Develop a budget and identify staff support from partners to support for the activities of the Local Board with approval of the chief elected official and consistent with the local plan and the duties of the Local Board.
- M. Accessibility for Individuals with Disabilities: Assess, on an annual basis, the physical and programmatic accessibility of all one-stop centers in the local area, in accordance with WIOA Section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990.
- N. Develop a process for the Local Board, the chief elected official and the Governor to agree on local performance accountability measures in accordance with WIOA.

Section 5. LIABILITY AND CONFLICT OF INTEREST

No member of the CWDB shall cast a vote on any matter that would provide direct financial benefit to the member or the member’s immediate family, or on matters of the provision of services by the member or the entity the member represents.

A member must avoid even the appearance of a conflict of interest and sign a Conflict of Interest Agreement. It is the Board members responsibility, prior to any discussion, vote, or decision on any matter, to disclose any substantial interest or relationship to a business entity, organization, or property that would be affected by any official Local Board action. The member must recuses themselves from voting on any matter related to an agency the individual represents.

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

The Local Board must ensure that workforce service providers for WIOA Title 1B adult, dislocated worker, and youth programs do not employ or otherwise compensate a current or former Local Board Member or employee. They must also ensure that the Board does not directly control the daily activities of its workforce providers, partners, or contractors. Local Board members or their organizations may receive services under the WIOA program.

The Workforce Development Board is committed to reaching a prompt and fair resolution of any disputes, conflicts, or disagreements that may arise from time to time, and that may threaten the functioning of the Board.

Conflicts will be resolved by action(s) of the Workforce Development Board in the following manner:

- A. In case of a conflict between board members, the matter will be resolved by a meeting of the interested parties with the Executive Committee of the Workforce Development board. If the matter is not resolved at the Board level, the conflict may be elevated to the Coconino County Board of Supervisors.
- B. In the case of a conflict with service delivery partners, the parties shall first attempt to resolve all disputes informally at the lowest possible level of the organization involved. If the matter fails to be resolved, the Chair of the Workforce Development Board may place the matter on the agenda of an executive session of the Executive Committee to mediate and issue a written recommendation. The provider will be advised of their options for appealing to the Arizona Department of Economic Security.
- C. Conflict with Consortium Partners will be dealt with in a similar approach using the described conflict resolution with Service Delivery Partners.

ARTICLE II

Organization

For the newly created CWDB, the State Workforce Development Board will evaluate the composition of the Local Board to determine compliance with the membership criteria identified in the Local Governance Policy, which is consistent with WIOA membership requirements and recommend certification to the Governor. Recertification will be conducted by the State once every two years to ensure the CWDB meets all membership requirements, and support meeting WIOA performance measures and any prescribed outcomes as outlined in the local grant agreement.

Section 1. OFFICERS

The officers of this Board shall include a chair, a vice-chair and secretary.

Section 2. LOCAL BOARD MEMBERSHIP

- A. **Terms:** After the initial WIOA transition year, and upon receipt of final regulations, terms will last two years and be staggered to ensure only a portion of membership expires each year. At the end of a term, the member may reapply for an additional two-year term, providing they meet the definition of membership as noted in Section 2. H.
- B. **Nomination:** For each Board position requiring a nomination, the nominating organization must submit to the Chief Elected Official a letter signed by the chief executive officer or designee identifying the individual being nominated. It must acknowledge the nominee's

policy-making authority and include work history to support the qualifications of the nomination.

- C. Appointment: Local Board member appointments must be made by the chief elected official and submitted to the local administrator with appropriate written communication.
- D. Change in status: Local Board members who no longer hold the position that made them eligible for membership must resign or be removed by the chief elected official immediately upon notification to the Local Board chair of the change of status.
- E. Mid-term appointment: Local Board members replacing out-going members' mid-term will serve the remainder of that term.
- F. Vacancies: Local Board vacancies must be filled within 120 days of the vacancy. The chief elected official will make all reappointments of members. If the vacancy cannot be filled within 120 days, the local administrative entity must request a waiver in writing from the Director of the State Workforce Development Board, explaining the process to fill the vacancy. The administrator must maintain written approval of the waiver request and will be monitored according to the process in the approved request.
- G. Removal: Local Board members must be removed by the chief elected official if any of the following occurs:
 - 1. Documented violation of conflict of interest, failure to meet member representation requirements defined in the WIOA and these bylaws, or documented proof of malfeasance, fraud or abuse.
 - 2. Lack of attendance. A member's absence from three (3) consecutive board meetings as noted in the minutes, without notification to the Chair and without just cause may result in recommendation to the LEO for the member's removal. Following the third absence, the Chair will submit a letter to the member notifying them of their lack of attendance and requesting a written response with their commitment to serve as a member and to attend subsequent meetings. The board will review the response and approve continuation of membership or make a recommendation to the LEO for removal. Failure by the member to respond by written correspondence within 20 business days of the notification will result in the automatic recommendation to the LEO for removal of the member.
 - 3. A board member submits a notification of resignation to the Chair.
- H. Membership: The majority of the members of the local board shall be representatives of business in the local area. A minimum of two members must represent small business. Members must be owners, chief operating officers or executives of businesses or employers with optimum policymaking or hiring authority; provide employment opportunities in in-demand industry sectors or occupations and provide high-quality training and development opportunities to its workforce or the workforce of others; and be appointed from among individuals nominated by local business or trade organizations. Not less than 20 percent of the members must be workforce representatives and include two or more representatives of labor organizations or representatives of employees and one representatives of a registered apprenticeship program, if available in local workforce area. An individual may be appointed as a representative of more than one entity if the

individual meets all the criteria for representing each entity.

- I. Election of chair and officers: The Chair shall be elected from the business members by majority of the board to serve a two-year term. The Vice-Chair and Secretary shall be elected to serve a two-year term.

Section 3. CHAIR

The Chair must be a business representative and shall preside at Board meetings, designate standing and ad hoc committees and Tactical Teams deemed appropriate and appoint their chair. Except as otherwise authorized by action of the Board, the Chair shall execute agreements and other instruments of the Board.

Section 4. VICE-CHAIR

The Vice-Chair shall assume all duties and responsibilities of the Chair in his/her absence from meetings. In the event that the office of Chair is vacated before the end of the term, the Vice-Chair shall assume the office in an acting capacity until such time as the Board elects a new Chair at the next meeting of the CWDB.

The Vice-Chair is not considered the Chair elect and does not succeed to the Chair unless representative of the business sector and is voted into office.

Section 5. SECRETARY

The Secretary shall approve minutes of meeting before dispersal to the Board.

Section 6. EXECUTIVE COMMITTEE

Executive Committee shall consist of all three (3) officers, the current Chair of all Tactical Teams, State Workforce Board members, and a County representative. The immediate past chair will serve on the executive committee to provide continuity. If the CWDB does not include an immediate past Chair, the Chair may appoint a previous officer to fill this vacancy. Should an individual who is not already a member of the CWDB be appointed to serve on the State Workforce Development Board, that individual shall be an advisor to this CWDB Executive Committee.

Responsibilities of the Executive Committee are as follows: appoint Tactical Team chair, make Tactical Team assignments, prepare recommendations to the Board on state and national issues, act as needed between regularly scheduled Board meetings, and develop immediate and long-range goals for Board concurrence.

Section 7. TACTICAL TEAMS

The CWDB may establish Tactical Teams to provide information and assist the Board in carrying out its responsibilities. The Executive Committee shall appoint Tactical Team chair. Tactical Team members shall be empowered to provide recommendations to the CWDB and membership on a team is not limited to WDB members.

The CWDB has no established standing committees.

Section 8. OPERATING

- A. Unless officially authorized, no member or group of members can act or speak on behalf of the CWDB.
- B. Recommendations and/or Actions by the CWDB: Recommendations and/or action requests shall be stated as motions during meetings of the CWDB. An individual member may not, alone, make a recommendation outside a meeting. The proposal must be voted upon by the CWDB during meetings. Robert's Rules of Order will be used as a guidance for effective meetings.
- C. Quorum: In order to conduct official business, there will be a majority of the membership at meetings.
- D. Voting:
 - 1. Each member present at a meeting shall have one vote.
 - 2. All decisions shall be made by a majority vote of the members present.
 - 3. Only duly appointed members may vote.
 - 4. A sitting member representing more than one organization shall have just one vote.
 - 5. Members connected to the meeting by telephone or other electric technology shall be considered as present and introduce themselves for the record. They may vote by these means.
- E. Alternates: There are no provisions for alternates.
- F. Members will not be paid for their services except for travel reimbursement related to Board-approved activities if needed. The travel policies of Coconino County will be followed.

ARTICLE III

Section 1. MEETINGS

- A. The regular meeting will be held a minimum of one meeting each quarter for the program year. Meetings will be conducted in adherence to Arizona Open Meeting Law A.R.S. §§ 38-431 to 431.09 ("Open Meeting Law").
 - 1. Agenda for CWDB meetings are developed by the Chair at least three (3) working days prior to date of meeting. Agenda will be developed in accordance with Open Meeting Law.
- B. If deemed necessary, the Chair may call a special meeting of the CWDB. A minimum of 72 hours' notice must be given.

1. The Chair of the Board may, when deemed necessary, call a special meeting of the Board for the purpose of transacting any business designated in the call. Notice of special meetings shall be delivered to each member at least three (3) working days in advance.
- C. All meetings, except Executive Sessions, shall be open to the public. Comments from the public will be heard only when recognized by the Chair.
- D. Meetings will be conducted in accordance with Open Meeting Law.
- E. Minutes: Minutes and agendas will be kept of all CWDB meetings and made available on the internet.
- F. Provisions for Public Input:
1. Public Comment during Course of CWDB Meeting.
At the outset of CWDB meetings, the Chair may make the following announcement:
At the end of discussion of the agenda, the chair will recognize any person in the audience who wishes to comment on any item.
 2. Agenda Presentations by the Public:
Following the meeting agenda items, the audience or the public in general is invited to present comments in writing or orally. An oral presentation by any person may be added to the agenda up to three (3) days prior to the next regular meeting. Such notification is to include the specific topic to be addressed and the length of time required for presentation. The item will then be placed on the agenda and the Chair will allocate a period of time.

ARTICLE IV

Amendments

Section 1. AMENDMENT PROCEDURE

Board Bylaws can be amended at any regular Board meeting provided the proposed amendment(s) has been submitted in writing to the Board members at least two weeks prior to the meeting.

Section 2. VOTE NEEDED

The Bylaws shall be amended upon affirmative vote by a majority of the Board.