

**MINUTES OF PUBLIC MEETING OF THE MARICOPA COUNTY WORKFORCE DEVELOPMENT BOARD  
EXECUTIVE COMMITTEE**

**Thursday, December 13, 2018 – 9:00 a.m.**

Maricopa County WDB Office

701 W. Jefferson Street Phoenix, AZ 85007

<https://bluejeans.com/546993469>

Phone: +1.888.240.2560 Conference ID: 546993469

**Members Present:** Kelsie McClendon (Ph.), Drew Thorpe (Ph), Tom Jenkins (Ph.)

**Members Absent:** Shawn Hutchinson

**Call to Order**

Chairman, Kelsie McClendon called the Executive Committee (EC) meeting to order at 9:07 a.m.

**Roll Call**

Board Liaison, Nancy Avina took roll. Quorum was present (3).

**Consent Agenda Approval**

Chairman, Kelsie McClendon asked for a motion to approve consent agenda items on the EC agenda. Drew Thorpe made a motion. Tom Jenkins seconded the motion. All present were in favor; motion carried.

**EC Charter, Goals & Strategies Discussion/Strategic Planning Oversight Discussion**

Management Analyst, Isabel Creasman reviewed a draft EC Charter document with the Committee. Feedback and minor revisions made throughout the review.

- Discussion was held on authority guidelines and management of staff. The Executive Director, will be discussing staff guidelines with Assistant County Manager, LeeAnn Bohn.
- Executive Committee, Youth Committee and workgroup structure and roles discussed.
- Clarification of language under contract and budget oversight.
- Brief discussion on Executive Committee evaluation.

WDB Staff will send a revised copy for additional committee comments and feedback via Boardable, with a due date of Friday, December 21, 2018.

**Board Member Recruitment and Engagement Discussion**

- 1) **Board Member Application Feedback** – Executive Director, Patricia Wallace provided background information on the revised board member application, per Assistant County Manager (ACM), LeeAnn Bohn’s feedback. The Executive Director briefly reviewed revisions made. The committee discussed board time commitment.
- 2) **Possible Board Member Engagement Survey** – The Executive Director informed of a possible board member engagement survey, at the interest of the ACM. A new survey will be contingent upon a previous survey conducted by the strategic planner.
- 3) **In demand Sector Recruitment** – The Executive Director informed on current recruitment efforts to fill vacancies on the board. Additionally, a brief update was given on upcoming terms ending.

**Compliance Oversight Discussion**

The Executive Director, Patricia Wallace provided brief updates on the following:

- 1) **2020 Budget** – The 2020 budget has been submitted and approved.
- 2) **IFA and MOU Formal Amendment** – A formal amendment will be made. WDD Assistant Director, Tom Colombo requested to inform the Executive Committee of current discussions with DES on a licensing agreement to pay for shared space at the Career Centers (nothing as paid as of July 1), per IFA challenges. Brief discussion was held; Board staff will work with Operations to develop a timeline and identify next steps.

- 3) **Board Recertification** – The Workforce Arizona Council, Performance Excellence committee recommended no approval at this time. A notice was received to provide additional information; staff will be requesting guidance from DES.
- 4) **Career Service Contract RFP Process** – Initial research has been conducted; further discussions are necessary. Goal is to have a contract in place by the end of the Shared Governance Agreement (June 2020).
- 5) **One Stop Center Certification Revisions** – Workgroup working on the One Stop Center Certification has met and are currently working on revisions.

#### **Next Steps/Action Items**

- Updates and action items briefly discussed including strategic planner status, NAWB attendees; and additional committee and workgroup charter development.

#### **Call to the Public**

Chairman, McClendon called for public comment. No public comment.

#### **Adjourn**

Chairman, McClendon adjourned the meeting at 10:29 a.m.

*\*For More Information Contact Nancy Avina, Board Liaison at: [nancy.avina@maricopa.gov](mailto:nancy.avina@maricopa.gov)*



Maricopa County  
Workforce Development Board (WDB)

## Nomination Application

Name: \_\_\_\_\_

Position/Title: \_\_\_\_\_

Business/Organization Representing: \_\_\_\_\_

### Representation

Please complete the section relevant to the category that you represent:

#### Category 1: Business Representative

A. Select one of the following **Roles** that you fulfill:

- Business Owner
- Business Chief Executive Officer or Chief Operating Officer
- Other (Describe policy-making and/or hiring authority) \_\_\_\_\_

B. Select one of the following **Business Types** that you represent:

- Private Sector Large/For-Profit Business (500 employees or more)
- Private Sector Small/For-Profit Business (fewer than 500 employees)
- Organization Representing Business

C. Describe the **In-Demand Industry or Occupation** represented by your business:

D. Describe **Employment Opportunities** in the **In-Demand Industry or Occupation** provided by your business:

E. Describe the nature of your business and your position. Please include a description of your policy-making and hiring responsibilities within your organization, including the role you play in training and/or employee development:

F. Select **Organization Type** nominating you:

- Local Business Organization (List Org Name) \_\_\_\_\_
- Business Trade Association\* (List Org Name) \_\_\_\_\_

\*Association type must be affiliated with the in-demand industry represented by your business.

**Category 2: Workforce Representative**

A. Select one or more of the following **Organization Types** that you represent:

- Labor Organization
- Registered Apprenticeship Program (Joint Labor-Management or Union-Affiliated)
- Community-Based Organization (CBO) providing services to individuals with barriers to employment
- Youth Training, Employment, or Education Organization (WIOA-eligible Youth)

B. If you selected **Registered Apprenticeship Program** above, select one of the following **Roles** that you fulfill:

- Training Director
- Member of a Labor Organization (List Org Name) \_\_\_\_\_

C. If you selected **Community-Based Organization** above, describe the organization’s **Demonstrated Experience** addressing employment, training, and education needs to those with barriers to employment.

D. If you selected Youth Training, Employment, or Education Organization for Disconnected, describe the organization’s **Demonstrated Experience** addressing employment, training, and education needs to WIOA-eligible youth. Please state if the experience is serving in-school or out-of-school youth.

E. If you selected **Labor Organization** or **Registered Apprenticeship Program** above, list the **Local Labor Federation** nominating you: \_\_\_\_\_

**Category 3: Other Representative**

A. Select one of the following **Organization Types** in which you have optimum policy-making authority:

- Adult Education and Literacy Provider (WIOA Title II)
- Higher Education (Providing workforce development activities)
- Economic and Community Development Entity
- Wagner-Peyser (Arizona Department of Economic Security)
- Vocational Rehabilitation (Arizona Department of Economic Security)

B. Name of Organization nominating you: \_\_\_\_\_

**Additional Information**

Business/Organization Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zipcode: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Mobile: \_\_\_\_\_  
Email address: \_\_\_\_\_  
Website address: \_\_\_\_\_  
Business license number: \_\_\_\_\_

1. The Maricopa County Board of Supervisors values member diversity in geographic location, gender, and ethnicity. Briefly describe how your appointment would contribute to the diversity of the Workforce Development Board. (Response Optional)
2. Please list your current chamber and association memberships, the duration of each membership and the positions you currently hold:
3. Please list any professional award(s) or recognition you have received within the last 5 years:

### *Maricopa County WDB Related Questions*

**Please answer the following questions and attach any additional pages, if necessary:**

1. The purpose of the WDB is to provide strategic leadership and operational oversight to Maricopa County's workforce development system through building partnerships, developing career pathways, and providing high-quality workforce development services. What knowledge skills, and abilities do you have that would assist the WDB in effectively achieving this?"
2. Membership on the Maricopa County WDB requires that each member attend a full WDB meeting every month, attend training sessions for board members and become an advocate for workforce development. The time commitment for these activities ranges from 4 to 10 hours per month. Can you make this time commitment?  
Yes  No
3. Serving on a subcommittee of the Maricopa County WDB is strongly encouraged. The time commitment for this activity ranges from 3 to 4 hours per month. Can you make this time commitment? Yes  No
4. Why do you wish to serve on the Maricopa County WDB? *(Describe in 100 words or less)*

### *References*

**Please list professional references below.**

**Professional Reference:**

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Company: \_\_\_\_\_ Phone: \_\_\_\_\_

**Professional Reference:**

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Company: \_\_\_\_\_ Phone: \_\_\_\_\_

**Professional Reference:**

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Company: \_\_\_\_\_ Phone: \_\_\_\_\_

*Additional Required Documentation*

- Nomination Letter: Please include a letter from a senior executive of the nominating organization you listed above in your category of representation.
- Current Resume

*Signature and Acknowledgement*

I, the undersigned, certify that the information on this application is true and correct to the best of my knowledge and that, if appointed to serve, I will do so to the best of my ability and in the best interest of Maricopa County and its citizens.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*Please submit applications to the [WDBrecruitment@maricopa.gov](mailto:WDBrecruitment@maricopa.gov).*

*For more information about the Maricopa County Workforce Development Boards visit: [www.maricopa.gov/378](http://www.maricopa.gov/378)*

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To be completed by County official only

Date received by Maricopa County: \_\_\_\_\_ Received by: \_\_\_\_\_



**DEPARTMENT OF ECONOMIC SECURITY**

*Your Partner For A Stronger Arizona*

Douglas A. Ducey  
Governor

Michael Traylor  
Director

December 28, 2018

Tom Colombo, Assistant Director  
Maricopa County, Human Services Department  
Workforce Development Division  
234 N. Central Ave, 3<sup>rd</sup> Floor  
Phoenix, AZ 85004

Dear Mr. Colombo,

A fiscal review of the Workforce Innovation and Opportunity Act (WIOA), Title 1 program and a procurement review of Maricopa County's procurement of a One Stop Operator (OSO) was conducted on July 25, 2018. The purpose of these reviews was to determine compliance with (i) WIOA regulations and related State policies and (ii) WIOA laws and the Department of Labor (DOL) One Stop Operator procurement standards and guidelines for the OSO procurement.

The periods selected for the fiscal testing was from October 1, 2017 through December 31, 2017. The fiscal review covered areas of internal control, general operations procedures, cash receipts and cash disbursements, accrued expenditures, program income, cash management, a follow-up on previous findings, and additional items as outlined in the Fiscal Monitoring Tool. Documents reviewed within these general categories included disbursements journals, payroll journals, paid expense invoices, receipts and payroll time sheets.

The OSO procurement review covered the LWDB's procurement of an OSO in April 2017. The review covered areas of the procurement process, contract award, conflict of interest, and additional items as outlined in the Procurement of One-Stop Operator – DES Review Tool.

A summary of the findings and observations are detailed below.

### **Monitoring of Subrecipients**

Maricopa County has informed that they do not have any sub-recipients under the WIOA Title I program. Per Training and Employment Guidance Letters (TEGL) 15-16 section 6, the One-Stop Operator is considered a sub-recipient and is required to follow the Uniform Guidance. Section 13 of the same TEGL details the monitoring requirements of the OSO, by the LWDA. DES will be reviewing your monitor of the OSO, during the 2019 monitor cycle.

## Single Audit Report (SAR) Status

The Maricopa County SAR for Fiscal Year Ending June 30, 2017 has been received by the Department of Economic Security (DES). The SAR did not identify any findings related to the WIOA Title I program.

## Current WIOA Title I Fiscal Review

### Definitions:

**Findings:** Denotes non-compliance with the laws, regulations, grant agreements and applicable OMB Cost Principle Circulars, Uniform Administrative Requirements, and DOL - ETA Directives and other State policies that the issue requires immediate attention and corrective action.

**Repeat Finding:** Denotes that the finding is similar or essentially the same as a finding which appeared in a previous comprehensive monitoring report, including unresolved findings from that report.

**Observation:** May be a concern, weakness or flaw in administrative or management practices and /or performance expectations which, at the time of the review, did not rise to the level of a finding. In many instances, an observation, if left unaddressed, could result in performance or compliance problems and/or findings in the future.

## Monitoring Visit Evaluations

WIOA Title I related expenditures, for which journal entries and supporting documentation were reviewed. The expenditures reviewed during the test period were adequately supported by documentation and approvals.

Timesheets for WEX employees were reviewed. Adequate documentation was provided, and no issues were noted.

On the procurement of the One-Stop Operator, documents reviewed included the Request for proposal (RFP), evaluation tool, executed contract with the selected One-Stop Operator and other related documents.

### **Finding** - Deficiencies in Procurement of the One-Stop Operator (OSO)

The procurement process does not comply with WIOA and federal procurement standards for full and open competition (2 C.F.R. §200), based on the following:

1. The RFP did not provide a clear and accurate description of the technical requirements for the services to be procured, nor identify all requirements that the offerors must fulfill 2 CFR part 200. The Scope of Work (SOW) (sections 3.1 to 3.7) are general in nature and subject to change based upon the needs of the Maricopa County Workforce Development Board (MCWDB).



2. The documents and information provided do not support the requirement that profit be negotiated as a separate element of price for the contract with the for-profit entity. 2 C.F.R. § 200.323(b).
3. The solicitation indicated any resultant contract would be a "Requirements" contract, however the contract deleted this section 10.4 in the resultant contract without an Addenda to the solicitation. Also, the Offeror budget was revised in the contract without the use of negotiations.

**Corrective Action required** - The County is requested to provide any additional documentation to assist in addressing the stated deficiencies within twenty (20) working days from the date of this letter. If documentation is not received and/or is not sufficient to address the findings, the County will be required to re-procure the OSO, ensuring compliance with all federal procurement standards and State policies.

DES is available to provide technical guidance upon request.

### **Observations**

No observations were noted.

Your continued cooperation in developing quality programs for WIOA Title I participants is greatly appreciated. We extend our appreciation to Chartrese Pruitt and Nicole Forbes who prepared documentation and were very accommodating in assisting with all aspects of this monitoring visit.

A corrective action response is required, for the finding identified, within 20 working days from the date of this report.

For questions, concerns, or comments concerning this letter, please contact Hunter Griffin at [HGriffin@azdes.gov](mailto:HGriffin@azdes.gov)

Sincerely,



David Steuber  
Business Administrator  
DERS - FBOA  
Department of Economic Security

# MARICOPA COUNTY WORKFORCE DEVELOPMENT BOARD BYLAWS

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## ARTICLE I. NAME AND ESTABLISHMENT

### Section 1. Name

- A. The name of this organization shall be the Maricopa County Workforce Development Board (MCWDB). MCWDB may at times be referred to as the Maricopa County Local Workforce Development Board, Maricopa County WDB, the WDB, the Local Workforce Development Board (LDWDB), the Maricopa County LWDB, or the Local Board.

### Section 2. Establishment

- A. **Authority:** The MCWDB is established and receives its authority in accordance with the Workforce Innovation and Opportunity Act (WIOA), which was signed into law on July 22, 2014 as Public Law 113-128 and replaces and supersedes the Workforce Investment Act of (WIA) of 1998. The Chief Elected Official (CEO), also known as the Maricopa County Board of Supervisors (BOS) shares governance responsibilities with the MCWDB, as outlined in the Shared Governance Agreement, a financial agreement between the BOS and the MCWDB that defines roles and responsibilities of the parties involved, entered by and between both parties. The BOS at its option may designate a BOS Liaison to serve as a liaison between the BOS and the MCWDB.
- B. **Compliance with Other Laws and Governing Documents:** the MCWDB must comply with all WIOA Federal, State and local laws, regulations and policies as well as the Maricopa County Shared Governance Agreement. The provisions of these bylaws may not supersede Federal Law, State Law, or the Shared Governance Agreement.

## ARTICLE II. AREA SERVED

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

## ARTICLE III. PURPOSE

The purpose of the MCWDB is to provide strategic leadership and operational oversight to Maricopa County's workforce development system. The MCWDB will achieve this through 1) building partnerships between local workforce development stakeholders and employers; 2) developing career pathways for in-demand industries; and 3) providing a high-quality workforce system in the local area.

## ARTICLE IV. DUTIES AND RESPONSIBILITIES

### Section 1. Compliance and Role

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In partnership with the Maricopa County BOS, the MCWDB shall carry out the following local board functions:

- A. **Local Plan:** Develop and submit, following approval by the BOS, a local workforce development area plan to the Governor of Arizona;
- B. **Regional Plan:** Collaborate with other local boards in the preparation and submission of a regional plan, if Maricopa County becomes a part of a planning region with other local areas;
- C. **Workforce Research and Regional Labor Market Analysis:** Conduct research, specified regional market labor analysis, and periodic economic and workforce analyses as a part of the local planning process and to assist the Governor in developing the statewide workforce and labor market information system. With input from local workforce stakeholders, conduct analyses of local workforce needs as well as gaps in education, training, and available workers for in-demand industries, and identify solutions;
- D. **Convening, Brokering, and Leveraging:** Convene the local workforce development system stakeholders to assist in the development of the local area plan, and identify non-federal expertise and resources to leverage support for workforce activities;
- E. **Employer Engagement:** Ensure that the local workforce development system provides the skilled workforce needed by employers and supports economic growth. Expand employment and career advancement opportunities for workforce development program participants in in-demand industries;
- F. **Career Pathways Development:** Collaborate with secondary and postsecondary education program representatives leading the efforts in the local workforce development area to develop and implement career pathways, particularly for adults and youth with barriers to employment;
- G. **Proven and Promising Practices:** Identify, promote, and disseminate proven and promising strategies, initiatives, and practices for meeting the needs of job seekers and employers;
- H. **Technology:** Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, workers, job seekers, and those with barriers to employment; promote connections between intake and case management information systems; improvements to remote area access; improve access to services; and improve digital literacy skills;
- I. **Program Oversight:** Conduct program oversight for: local WIOA youth, adult, and dislocated workforce development program activities; the local one-stop service delivery system; and the use, management, and investment of workforce development funds to maximize performance outcomes under WIOA through evidenced-based decision-making;
- J. **Negotiation of Local Performance Accountability:** Establish, through negotiation with the BOS and the Governor, local performance and accountability measures;
- K. **Selection of Operators and Providers:** Designate and certify one-stop operators, identify eligible adult and youth training providers, and also ensure the provision of opportunities that lead to competitive employment for individuals with disabilities; in conjunction with the State, ensure there are sufficient numbers and types of career and training service providers in a manner that maximizes consumer choice;

# MARICOPA COUNTY WORKFORCE DEVELOPMENT BOARD BYLAWS

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- L. **Coordination of Education Providers:** Coordinate activities with education and training providers;
- M. **Budget and Administration:** Develop a budget for the activities of the MCWDB consistent with the local workforce development plan and the duties of the MCWDB under WIOA and with the approval of the BOS; and
- N. **Accessibility for Individuals with Disabilities:** Annually assess the physical and programmatic accessibility of all one-stop centers in the local area in accordance with the Americans with Disability Act of 1990.

## **ARTICLE V. MEMBERSHIP**

### **Section 1. Composition and Size**

- A. The MCWDB shall be comprised of private business sector and public sector members. The Board membership shall be representative of the local area's geography and business demographics. To the greatest extent possible, the MCWDB will seek to have a membership diverse in gender and ethnicity.
- B. An individual may serve as a representative of more than one membership category if the individual meets all the criteria for representative in accordance with WIOA.
- C. At least 51% of members shall be representatives of business in the local area who:
  - 1. Are owners of businesses, chief executives or operating officers of businesses, or other individuals with optimum policymaking or hiring authority;
  - 2. Provide employment opportunities in in-demand industry sectors or occupations, and provide high-quality work-relevant training and development opportunities to its workforce or the workforce of others in the case of organizations representing business;
  - 3. Are appointed from among individuals nominated by local business organizations and business trade associations; and
  - 4. At least two (2) members must represent small business as defined by the U.S. Small Business Association.
- D. At least 20% of the members must be workforce representatives with optimum policymaking authority. These representatives:
  - 1. Must include at least two (2) representatives of labor organizations, nominated by local labor federations or other representatives of employees;
  - 2. Must include at least one (1) representative of a joint labor-management, or union-affiliated, registered apprenticeship program within the local area who must be a training director or member of a labor organization. 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;
  - 3. May include one or more representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of individuals with barriers to employment, including organizations

# MARICOPA COUNTY WORKFORCE DEVELOPMENT BOARD BYLAWS

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- that serve veterans or support competitive, integrated employment for individuals with disabilities; and
4. May also include one or more representatives of organizations that have demonstrated experience in addressing the employment, training, or education needs of eligible youth, including representatives or organizations that serve out-of-school youth.
- E. The balance of the Board membership shall include the following mandated representatives with optimum policymaking authority:
1. At least one (1) eligible provider administering adult education and literacy activities under WIOA Title II, selected from among the providers serving in the local area;
  2. At least one (1) representative from an institution of higher education providing workforce development activities, including community colleges;
  3. At least one (1) representative from economic and community development entities;
  4. At least one (1) representative from the state Employment Service office under the Wagner-Peyser Act;
  5. At least one (1) representative from the programs carried out under Title I of the Rehabilitation Act of 1973, other than sec. 112 or Part C of that title (i.e., the State Vocational Rehabilitation Program or the state agency responsible for the State Vocational Rehabilitation Program); ~~and~~
- F. Members of the MCWDB shall not be permitted to delegate any duties to proxies or alternates.
- G. Membership on the MCWDB shall be on an unpaid, volunteer basis.
- H. No matter how many membership categories an individual represents, the individual is only entitled to one vote.

## **Section 3. Appointments and Reappointments**

- A. It is the duty of the BOS to appoint members of the MCWDB in accordance with WIOA and State and Federal requirements.
- B. WDB members seeking reappointment shall complete the nomination and application process to be considered for appointment to a new term by the BOS.
- C. Board members who change employers or positions shall submit an updated nomination and application via the established appointment/reappointment process seeking reappointment for the remainder of their term.

## **Section 4. Term of Office**

- A. Members appointed to the MCWDB shall serve three year terms, except vacancy appointees who shall serve the remaining term of their predecessor.
- B. Upon expiration of a term, any MCWDB member may continue to serve until the BOS takes action.
- C. Appointments will be staggered to the extent possible to ensure only one-third (1/3) of the membership expires in a given year.

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## Section 5. Resignations

- A. Resignation by MCWDB members shall be submitted in writing to the MCWDB Chair and the Clerk of the Board. A member's resignation is effective when accepted by the BOS.
- B. Resignations will be shared with the MCWDB at the following MCWDB meeting via the Chairman's report.

## Section 6. Terminations

- A. MCWDB members serve at the pleasure of the BOS. The BOS may remove a member for failure to meet WDB member representation requirements as defined in WIOA or based on the Strategic direction of the BOS.
- B. MCWDB members shall be removed in the event of violations of the Conflict of Interest and Ethics imposed by WIOA, A.R.S. § 38-501 *et seq.*, and the County's Code of Conduct; documented malfeasance, fraud, or abuse; and/or failure to meet attendance requirements.

## Section 7. Vacancies

- A. MCWDB vacancies shall be filled within 120 days of the vacancy by the BOS.
- B. If a vacancy occurs by other than an expiration of term, the vacancy shall be filled by appointment by the BOS for the unexpired portion of the term.
- C. In the event a vacancy cannot be filled within 120 days, the BOS Liaison or delegate shall request a waiver in writing to the Director of the State Workforce Development Board with an explanation of why the vacancy was not filled in the 120-day timeframe and a description of the process underway to fill the vacancy. The BOS Liaison or delegate must maintain written approval of the waiver request by the Director of the State Workforce Development Board for State monitoring purposes.
- D. Positions will be filled in compliance with WIOA and via the process determined by the BOS.
- E. Nominees for a vacancy shall meet ~~the same membership requirement as the outgoing member~~ or the criteria needed to fulfill the Board composition requirements of WIOA.

## Section 8. Compensation

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

## ARTICLE VII. OFFICERS AND THEIR ELECTION

### Section 1. Officers

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- A. The officers of the MCWDB shall be Chair, First Vice Chair, and Second Vice Chair.
- B. The Immediate Past Chair of the MCWDB may serve in an ex-officio capacity on the Executive Committee, as determined by the MCWDB.
- C. There shall be elected one (1) individual to serve in each designated office.
- D. The Chair of the MCWDB shall be selected from among the Business representatives.
- E. The remainder of the officers may be elected from any of the representative groups.

## **Section 2. Election and Term of Officers**

- A. All officers shall be elected for two year terms by a majority vote of the current membership of the MCWDB. Officers may not hold their elected positions for consecutive terms, unless approved by the MCWDB.
- B. Elections shall be held at the last regularly scheduled meeting of each Fiscal Year.
- C. The terms of office shall begin on July 1.
- D. If a vacancy occurs by other than an expiration of an Officer term, the vacancy shall be filled for the unexpired portion of the term.

## **Section 4. Duties of Officers**

- A. The MCWDB **Chair** shall:
  - 1. Preside over all regular, special, and Executive Committee meetings of the MCWDB;
  - 2. Serve as Chair of the Executive Committee of the MCWDB;
  - 3. Encourage best and broadest participation possible from all Board members;
  - 4. Provide information for the preparation of the agenda for MCWDB meetings;
  - 5. Appoint all Committee Chairs.
  - 6. Review, and/or appoint MCWDB workgroups based on strategic direction in consultation with the Executive Committee;
  - 7. Represent the MCWDB as appropriate;
  - 8. Advise the WDB Liaison on the performance of the MCWDB Executive Director;
  - 9. Collaborate with the WDB Liaison on MCWDB matters; and
  - 10. Assign and delegate responsibilities as needed.
- B. The MCWDB **First Vice Chair** shall:
  - 1. In the absence of the MCWDB Chair, perform all the duties of the MCWDB Chair;
  - 2. Serve as a Lead to committees/workgroups as necessary; and
  - 3. Perform duties as assigned by Chair.
- C. The MCWDB **Second Vice Chair** shall:
  - 1. In the absence of the MCWDB Chair and MCWDB First Vice Chair, perform all duties of the MCWDB Chair;
  - 2. Serve as a Lead to assigned committees/workgroups as necessary; and
  - 3. Perform duties as assigned by Chair.

## **Section 5. Removal of Officers**

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- A. Any Officer may be removed from their elected position for any reason by a vote of at least two-thirds (2/3) of the current members of the MCWDB.

## **ARTICLE VIII. COMMITTEES/WORKGROUPS**

### **Section 1. General**

- A. All committees, a designated subgroup within the MCWDB including Executive Committee, Youth Committee and any other standing committees; and workgroups, a subset of MCWDB board members tasked to study, review or recommend action on a specific topic established under the MCWDB shall comply with these bylaws.
- B. The Chair of any Standing Committee shall be appointed by the Chair of the MCWDB for a term coinciding with the MCWDB Chair's term.
- C. The MCWDB Chair may from time to time establish workgroups to assist the MCWDB in carrying out its duties or current work and appoint a MCWDB member as the designated lead of that workgroup.
- D. All actions of MCWDB Standing Committees, other committees, and workgroups are advisory to the MCWDB unless, otherwise delegated by the MCWDB.
- E. Chairs of Standing Committees and designated workgroup Leads, shall prepare the agenda for Standing Committee and Workgroup meetings.  
Appointments and resignations of committee and workgroup members will be handled by the Chair or designated lead of each committee or workgroup. Committee and workgroup membership revisions will be acknowledged at each MCWDB meeting.

### **Section 2. Executive Committee**

- A. The Executive Committee shall be comprised of the following Board members: Chair, First Vice Chair, Second Vice Chair, Youth Committee Chair, and up to three other MCWDB members appointed at the discretion of the MCWDB Chair.
- B. The Executive Committee shall always be comprised of an odd number of members
- C. The MCWDB Chair shall serve as Chair of the Executive Committee.
- D. Responsibilities of the Executive Committee shall include:
  - 1. Report on all action taken by the committee at regularly scheduled MCWDB meetings;
  - 2. Emergency actions and all other actions taken by the Executive Committee without the prior approval of the full MCWDB are conditional and subject to either ratification or rescission by the full MCWDB at its subsequent meeting. Make recommendations to the BOS liaison for new Board members when a vacancy exists.
  - 3. Make recommendations for membership to the Youth Committee, Standing Committees, and other committees in compliance with membership requirements as outlined in the WIOA;
  - 4. Create and determine responsibilities of Standing Committees and workgroups including review work plans of such bodies; and
  - 5. Perform other duties as the MCWDB may deem necessary.



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## Section 3. Standing Committees

1. Each Standing Committee shall be chaired by a member of the MCWDB.
2. Each Standing Committee shall have a minimum of three (3) MCWDB members appointed to serve on the committee.
3. Each Standing Committee shall have at least one (1) non-member of the MCWDB.
  - i. Individuals appointed to Standing Committees will have appropriate experience and expertise as determined by the MCWDB.
  - ii. Individual shall be voting members of the Standing Committee they serve on.
4. All members of Standing Committees shall be appointed by the Executive Committee.
5. Youth Committee
  - i. The Youth Committee shall be comprised of a minimum of five (5) of which a minimum of three (3) MCWDB members shall be appointed to the committee.
  - ii. The Youth Committee shall have at least one (1) non-member of the MCWDB who shall:
    1. Have experience and expertise in youth activities and services; and
    1. Be a voting member of the Youth Committee. members appointed by the WDB, as specified in the Shared Governance Agreement.
  - iii. Responsibilities of the Youth Committee shall include, but not be limited to the following:
    1. Conduct monitoring and evaluation of youth services, activities and grants or contracts funded by the WIOA and other funding procured by the MCWDB;
    2. Inform, assist, and make recommendations to the Executive Committee and the full MCWDB in developing and overseeing a comprehensive youth program and eligible providers for those programs;
    3. Foster integration and collaboration of youth activities in the local workforce development area; and
    4. Report back to the full MCWDB on issues as directed by the full MCWDB.
  - iv. The term of each Youth Committee member shall coincide with the term of the MCWDB Chair.

## ARTICLE IX. MEETINGS

### Section 1. Public Meetings

- A. All meetings of the MCWDB, including its committees and workgroups shall be conducted in compliance with Open Meeting Law (Arizona Revised Statutes 38-431 et seq.). Meetings shall be open so that interested citizens or groups can be heard on workforce development matters.

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- B. Where these bylaws and other applicable law do not afford an adequate procedure in the conduct of a meeting, the MCWDB Chair may refer to Robert's Rules of Order as a guide.
- C. The MCWDB shall meet not less than six times per year.
- D. The MCWDB shall have an annual strategic planning retreat.
- E. Regular meetings of the MCWDB and its standing committees as determined by the Executive Committee shall be published in an annual schedule of meetings in June for the period of July 1<sup>st</sup> to June 30<sup>th</sup> of the upcoming program year. Meeting notices shall be posted on the WDB website and at the County Administration Building located at 301 W. Jefferson Street, Phoenix, AZ.
- F. Special meetings of the MCWDB or its committees may be called by the MCWDB Chair. Special meeting notices will be published in the same manner as regular meeting notices.
- G. Phone- and web-based meetings and other use of appropriate technology may be used to promote and enhance MCWDB member participation in conjunction with face-to-face, in-person meetings when applicable. The agenda may state the means of connection to the meeting if participation via phone or other electronic means is being utilized. MCWDB members participating in a telephone conference call or other electronic means shall be clearly identified in the minutes.
- H. The agenda for MCWDB meetings shall be developed by the MCWDB Chair in consultation with MCWDB staff.
- I. The MCWDB Chair shall be responsible for orderly business of meetings and for calling items on the agenda.

## **Section 2. Quorum**

- A. A simple majority of appointed members shall constitute a quorum for the transaction of business at all MCWDB and designated standing committee meetings.
- B. A meeting may not begin until a quorum is established.
- C. A meeting at which a quorum is initially established may not continue to transact business or to discuss business if the quorum is not maintained due to the withdrawal or departure of members.

## **Section 3. Voting**

- A. Each member of the MCWDB shall be entitled to one vote on an action.
- B. No member of the MCWDB shall cast a vote on any matter which has direct bearing on services to be provided by the member or any organization with which that member is associated, or would otherwise be the basis for a conflict of interest, as outlined in these bylaws.
- C. Action brought before the MCWDB shall be resolved by a vote of a simple majority of the members present, provided a quorum is present.
- D. At the request of any member, or at the discretion of the MCWDB Chair, a roll-call or ballot vote may be taken for any action of the MCWDB. The outcome of voting shall be recorded in the minutes of the MCWDB.

## **Section 4. Attendance**

- A. All MCWDB members are expected to attend regularly scheduled meetings.
- B. Board Members may not be absent from more than three regularly scheduled meetings during any 12-month program period (July 1 – June 30).

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- C. Exceptions to the attendance requirements may be made by the WDB Chair due to special circumstances and at the request of the Board member.

## **ARTICLE X. CONFLICT OF INTEREST AND ETHICS**

### **Section 1. Conflict of Interest**

- A. The MCWDB shall follow Arizona Law on Conflict of Interest as set forth in Arizona Revised Statutes, Section 38-501 et seq. MCWDB member may not vote on any matter that would provide direct financial benefit to the member or the member's immediate family, or on matters of the provision of services by the member or the entity the member represents.
- B. MCWDB member must avoid even the appearance of a conflict of interest. Prior to taking office, MCWDB members must provide to the MCWDB Chair a written declaration of all substantial business interests or relationships they, or their immediate families, have with all businesses or organizations that have received, currently receive, or are likely to receive contracts or funding from the MCWDB. Such declarations must be updated annually or within 30 days to reflect any changes in such business interests or relationships. MCWDB must appoint an individual to review the disclosure information in a timely manner and advise the MCWDB chair and appropriate members of potential conflicts.
- C. Prior to a discussion, vote, or decision on any matter before MCWDB, if a member, or a person in the immediate family of such member, has a substantial interest in or relationship to a business entity, organization, or property that would be affected by any official MCWDB action, the member must disclose the nature and extent of the interest or relationship and must abstain from discussion and voting on or in any other way participating in the decision on the matter. All abstentions must be recorded in the minutes of the MCWDB meeting and be maintained as part of the official record.
- D. It is the responsibility of the MCWDB members to monitor potential conflict of interest and bring it to the MCWDB's attention in the event a member does not make a self-declaration.
- E. In order to avoid a conflict of interest, MCWDB must ensure that the MCWDB's workforce service providers for WIOA Title IB adult, dislocated worker, and youth programs do not employ or otherwise compensate a current or former MCWDB member or MCWDB employee who was employed or compensated by the MCWDB or its administrative entity, fiscal agent, or grant recipient anytime during the previous 12 months.
- F. Notwithstanding the foregoing, MCWDB members, or the organizations to which they belong, may receive services as a customer of Maricopa County Workforce Development or any formal workforce system partner.
- G. Board Members shall complete the form found in Arizona Revised Statutes, Section 38-501 Appendix 8.1 Conflict of Interest disclosure memorandum and submit to MCWDB staff if they have a conflict of interest.
- H. Nothing in these bylaws should be construed to prevent any Member's participation in WIOA programs.

### **Section 2. Ethics**

- A. MCWDB members shall comply with the Maricopa County Code of Conduct (HR 2416). MCWDB members who violate this policy will be removed from the MCWDB.

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## **ARTICLE XI. CONFLICT RESOLUTION**

- A. Conflict which arises between MCWDB members that can be resolved with a vote of the MCWDB shall be resolved in this manner.
- B. Except as may otherwise be provided for by law, or otherwise specifically agreed upon to by service delivery partners , any dispute not involving the question of law that is not resolved between the parties within a reasonable time shall first be submitted to the MCWDB Chair for resolution. If a resolution acceptable to all parties is not reached, the conflict shall be escalated to the WDB Liaison. Should the WDB Liaison not find a solution acceptable to all parties, the conflict shall follow the standard conflict resolution process utilized within Maricopa County.

## **ARTICLE XII. AMENDMENTS**

### **Section 1. Amendments**

- A. These bylaws may be amended by the BOS on its own motion or upon request from the MCWDB.
- B. Amendments originating from the MCWDB shall require an affirmative vote of the majority of the MCWDB. Such amendments may be made at any regularly scheduled meeting of the MCWDB, provided the amendment has been submitted in writing at the previous regular meeting or at least seven (7) days in advance of the meeting at which the amendments will be presented for action
- C. Amendments to these bylaws shall be reviewed and approved by the Maricopa County Attorney Office following the approval of the MCWDB.
- D. Following MCAO approval the MCWDB will vote to accept and forward the amended bylaws to the BOS for approval.
- E. An amendment is effective only when approved by the BOS.

## **ARTICLE XIII. SEVERABILITY**

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