

Yavapai County Workforce Development Board Executive Committee **Revised** Notice of Meeting and Agenda

Pursuant to
ARS 38.431.01

Thursday, September 12, 2019 • 9:00 AM • West County One Stop •
221 N. Marina Street • Prescott, AZ 86301
Teleconference (800)747-5150 Access Code 7781422

Presiding Officer – Anita Payne, Chairman

- 9:00 AM I. Call to Order/Welcome/Introductions**
Anita Payne, Chairman
(Information/Discussion)
- 9:03 AM II. Approval of the July 11, 2019 Minutes**
Anita Payne, Chairman
(Information/Discussion/Action)
- 9:10 AM III. Chair's Report**
Anita Payne, Chairman
(Information/Discussion/Action)
- 9:20 AM IV. Director's Report**
➤ Program Update
➤ Fiscal Update
➤ Policies Update Review and Approval
➤ Bylaws Update Review
➤ Yavapai County Shared Governance Agreement Review and Approval
Teri Drew, Executive Director
(Information/Discussion/Action)
- 9:50 AM V. Member Comments**
(Information/Discussion)
- 9:55 AM VI. Public Comments**
Individuals may address the Board for up to 5 minutes, per the Chair's discretion, on any relevant issue within the Board's jurisdiction. Pursuant to ARS §38-431.01(H), Board members shall not discuss or take action on matters raised during the call to the public. The Board may direct staff to study the matter or direct that the matter be rescheduled for consideration at a later date.
(Information/Discussion)
- 10:00 AM VII. Adjournment**
(Action)

Pursuant to the Americans with Disabilities Act, Yavapai County Workforce Development Board endeavors to ensure the accessibility of its meeting to all persons with disabilities. If you need an accommodation for a meeting, please contact the Northern Arizona Council of Governments office at (928)778-1422 at least 48 hours prior to the meeting (not including weekends and/or holidays) so that an accommodation can be arranged.

Yavapai County Workforce Development Board Executive Committee Minutes

Thursday, July 11, 2019 • 9:00 AM • West County One Stop •
221 N. Marina Street • Prescott, AZ 86301

Pursuant to
481 28 481.01

Presiding Officer – Phil Tovrea, Vice Chairman

Attendees:	Present/Absent	Number of Absences in 2019
Anita Payne, Chairman	Absent	1
Philip Tovrea, Vice-Chairman	Present	1
Steve Silvernale	Present	0
Mark Timm	Present	2
Gary Hassen	Present	0
Mel Ingwaldson	Present (Phone)	0

I. Call to Order/Welcome/Introductions

Vice Chairman Tovrea called the meeting to order 9:00 AM. Introductions were made. Executive Director Drew thanked Ms. Cickavage for taking the minutes for today's meeting; Ms. Sawyer had several projects to catch up on.

II. Approval of the May 9, 2019 Minutes

Vice Chairman Tovrea asked for a motion to approve the May 9, 2019 minutes, Mr. Hassen made a motion, Mr. Timm seconded. The motion carried.

III. Chair's Report

- **2019-2020 Public Voice Representative Appointment**

Executive Director Drew reported for Chairman Payne while she is out of town. Per our by-laws, a public voice rotates on an annual basis. Director Drew and Chairman Payne reviewed all public members. Chairman Payne would like to recommend Rick Duff for the new program year. Mr. Duff is a labor representative for several years on the Workforce Development Board (WDB) and has a pulse on workforce development. Vice Chairman and all members agreed. Chairman Payne will move forward for the appointment of Mr. Duff. The committee thanked Mr. Ingawaldson for his service.

IV. Director's Report

- **Program Update**

Executive Director Drew began with a thank you letter from a client that was provided exceptional service at the Marina St. Prescott One Stop; Ms. Liadis assisted a client with registration. Director Drew noted that Ms. Liadis has a keen focus on customer service and thanked her for her service. Director Drew reminded the committee that Northern Arizona Council of Governments (NACOG) staff is also serving the Department of Economic Security (DES) staffing role. All Executive Committee members commended Ms. Liadis on providing exceptional service.

All Yavapai County Workforce Development Board members received an invitation for a Workforce Arizona Council (WAC) Leadership Convening and is scheduled for July 29, 2019 in Coconino County. Uncertain of the agenda, but the WAC Chairman wants to focus on building partnerships. Mr. Silvernale made a comment that this is a way for our local

voice to be heard. Mr. Silvernale truly enjoyed meeting the WAC members and others across the state at a previous convening.

- **Expenditure Report Title I**

Director Drew stated a notice was received from the Department of Labor (DOL) that the state will receive an undisclosed increase for Title I PY 18-19 and funds will be distributed based on the same allocation method as the original allocations for last year. State allocations came through and the budgets were approved; we are eligible to receive additional funds from possible carryover from other states. Contracts for 19-20 are in que and have not been released at this time.

The annual report is in the making; the last two reports have been well received in the community. Director Drew asked for any ideas for updates to this year's report. Director Drew reviewed preliminary numbers for last year noting significant reductions in services for some partners. Discussion followed regarding loss of staffing and the current unemployment rate and demand for workers. Our distribution of the annual report is to all local elected officials, state and local associations. All were in agreeance to move forward as it is an impactful tool for the area. We are also looking at updating our videos and podcasts to refresh our message; outreach online, websites, etc.

- **IFA Discussion**

Director Drew discussed the Infrastructure Funding Agreement (IFA) is a required document among partners in the Workforce Innovation and Opportunity Act (WIOA) system; Titles I, II, III, IV. When WIOA was enacted, it was mandated that all partners pay a fair share of core infrastructure costs to support One Stops and the Workforce Development Boards. Several efforts have been made without result to finalize the fair share among partners. Yavapai College Title II was the only partner to put funds on the table, resulting in \$15,000 plus on a cost reimbursement basis for Title I staff time to work with students, mileage and approximately \$1,800 for TABE training/testing. Title II contributions are much appreciated to bring us closer to compliance with WIOA, however, our goal is to meet the definition of the law for fair share of career services.

Director Drew recommends today to divide operating costs a forth between the four partners and invoice for payment. Ms. Cickavage who leads the One Stop Committee, purposed this strategy to the committee members, which all partners agreed with this process. All Executive Committee members agreed this would be the best strategy. A cover memo for explanation attached to invoices was suggested from Mr. Timm, which members agreed.

The goal is for compliance, the law states to develop fair share and a WDB budget. The DOL recently conducted a monitoring with the state. The monitors reviewed fair share contributions were not occurring in local areas and many boards throughout the state did not develop budgets. The website of local areas and showed not all data was presented on the site for any local areas, however, the website was down during the audit. Conflict of interest, firewalls, etc. were also noted for most areas and we will respond to the state. Local plans were reviewed as well.

- **Entrepreneurial Bootcamp Update**

Director Drew noted the Entrepreneurial boot camp was successful. We contracted with Russ Yelton, who was the primary business development trainer. Mr. Yelton has a long history of success with business development. Ten students attended, as well as a one hour individual consultation to attendees as well as those that could not attend due to work constraints. Our thanks to Small Business Development Center (SBDC) as well for presenting. We haven't had much communication with Leidos at this time during their final transition for closure in August.

One of the new requirements from the council is approving budgets as our local area has always provided to the WDB. Director Drew reviewed report with committee. Yavapai County has expended all funds. There are a few dollar amounts in some categories, however when the final expenditures come in we will be at 100%. In PY 19-20 Director

Drew noted we always plan for carry over funds to meet local demand. Adult shows \$61,000 thousand remaining, which represents a transfer from DW to Adult. Vice Chairman questioned report; for only Title I.

- **Review and Approve WDB 2019-2020 Policies**

Director Drew noted we have updated WAC policies with responsibility to develop local policies. After this last round of policy approvals, we must show compliance of our WDB. Director Drew noted the committee will consider these policies today and gave a summary of each WAC policy along with DES policies. Director Drew's recommendation is that the WDB approve these policies as adopted by the state council. The state council and DES have reviewed the provided policy draft for today and have accepted the drafts. We can amend policies as needed.

Members commented that local processes should be a local decision. Director Drew noted Director Trailor was very helpful from DES for training, comment periods on policies, etc. so progress has been made. Mr. Hassen said the review of the county attorney will be vital to weigh in. Director Drew stated she looks forward to working in partnership with local officials and council.

Mr. Timm asked after these policies are in place will it change other policies, Director Drew stated yes, the Memorandum of Understanding, possibly the One Stop Operator, etc. Vice Chairman asked for a motion to approve Mr. Timm made a motion pending review, edits, approval from the county attorney, Mr. Hassen seconded. The motion carried.

- **Review and Approve WDB Annual Award Retreat Nominees**

Director Drew went on to the WDB Annual Award Retreat discussion. We moved location this year to Prescott Lakes, larger room, luncheon, etc. All members should have received award recommendations. We have changed award titles this year to employer recognition and client achievement awards. Large and Small Employers will be Leadership Awards. Director Drew reviewed all the award nominees. American Family Insurance, Aspen Communications, Yavapai County Assessors for employers as well as client achievements were reviewed and recommendations made. BOS Supervisors Thurman and Chairman Garrison will be presenting awards. Mr. Timm moved to approve the awards as recommended by Director Drew, Mr. Silvernale seconded. The motion carried.

- **Review and Approve Membership Application**

Director Drew noted with the resignation of Pam Blackburn from Arizona Public Service (APS), we have received an application to consider for the private seat vacated. Brenda Rhodes is recommended by APS. She currently holds the position of Service Planning Supervisor, noted as an optimum policy maker with hiring authority and is a Veteran. Ms. Rhodes can commit up to twelve hours a month for the WDB. Mr. Silvernale moved to accept Ms. Rhodes membership, Mr. Timm seconded. The motion carried.

- **Review and Approve Youth Council Membership Application**

Director Drew stated the Youth Council is seeking new members; Ms. Liadis is on staff with NACOG and has provided an application. Ms. Liadis has a long tenure with NACOG, several years' experience with Humboldt Unified School District and considered to be one of our youth outreach specialists. Because Yavapai County is no longer required per our by-laws, Ms. Liadis is being considered for appointment by the Executive Committee and does not require BOS approval. Mr. Ingwaldson would welcome Ms. Liadis, Mr. Silvernale made the motion, Mr. Timm seconded. The motion carried.

- **PY 2018-19 Budget Transfer Review/Approval**

Director Drew went on to discuss transfer of funds. With Chairman Payne's approval, we would like your vote to transfer \$200,000 from Dislocated Worker to Adult. This will be a total transfer of \$500,000 for the year from Dislocated Worker to Adult. We spend based upon demand which has been with Adult. The youth 16-24 does not fit this category due to restrictions of the youth program. Mr. Silvernale made the motion to approve, Mr. Hassen seconded. The motion carried.

- **Review and Approve WDB Budget**

Director Drew moved onto the WDB Budget, noting new rules. In policies that were just reviewed, career services are now added. All expenses show Marina site only as DES did not submit required data and information. Salaries and fringe for Executive Director Drew and Executive Assistant Ms. Sawyer are included for a percentage of time with the WDB only. Professional services such as Request for Proposals for Youth Services and One Stop Operator are included for consulting fees. Career services are adult, youth, dislocated worker for the one stops, basic services for clients, which includes common spaces. These are general expenses to operate the one stop. \$139,620 are the accumulated for these services. This brings the WDB budget to \$199,633. To meet policy, Director Drew recommended that we simply divide by ¼ of required services to all partners equally of items 1.4-1.7 only for fair share. Of the \$151,000, \$37,780 would be for all partners to pay fair share; ¼ Title I, ¼ Title II, ¼ Title III, ¼ Title IV and NACOG Title I will absorb all other costs. Vice Chairman wanted clarification that the new policies reflect this budget, Director Drew agreed. July 1, 2019 will start the new Program Year for the annual budget. Mr. Silvernale made a motion to approve the budget as presented be split 4 ways between partners per policy #1 WAC Local Governance. That portion to be billed annually to partners and included in the IFA. Mr. Timm seconded. The motion carried. Director Drew concluded her report.

V. Member Comments

Mr. Silvernale shared ADOT job training. Encouraged all members to attend the WAC leadership convening.

VI. Public Comments

Vice Chairman Tovera called for Public Comments. There were no public comments were received.

VII. Adjournment

Vice Chairman Tovera made a motion to adjourn at 10:25 AM

Minutes of the Workforce Development Board Executive Committee – July 11, 2019
Approved:

Program Budget Summary

PY18 FY19

Draft

DATE: 8/13/2019

Inc/(Decr)

PROVIDER NACOG-EWD 221 NORTH MARINA STREET SUITE 201 PRESCOTT, ARIZONA 86301	TITLE: <u>Youth</u> CONTRACT # _____ PROGRAM CONTRACT TERM: <u>July 1, 2018- June 30, 2020</u> AMENDMENT # _____ TITLE AMOUNT: \$ <u>424,221.00</u>
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1.0 ADMINISTRATION	10%		3.0 PARTICIPANT	1%	
1.1 Salaries	\$ 13,300.00		3.1 Salaries	\$ -	
1.2 Fringe at 35%	\$ 4,655.00		3.2 Fringe at 35%	\$ -	
1.3 Capital Purchases			3.3 Capital Purchases	\$ -	
1.4 Other Admin	\$ 22,937.00		3.4 Other Participant Supp	\$ -	
1.5 Indirect Costs 7.4%	\$ 1,401.00		3.5 Financial Assistance	\$ -	
TOTAL ADMINISTRATION	\$ 42,293.00		3.5.1 Needs-Based Pmt	\$ -	
			3.5.2 Support Services	\$ 3,500.00	\$
2.0 TRAINING	89%		3.6 Employ Generating Ser	\$ -	
2.1 Salaries	\$ 119,886.00		3.7 Work Experience	\$ -	
2.2 Fringe at 35%	\$ 41,960.00		3.8 Exemplary Youth	\$ -	
2.3 Indirect Costs 7.4%	\$ 11,977.00		3.9 Indirect Costs 8.2%	\$ -	
2.4 Capital Purchases	\$ -		TOTAL PARTICIPANT SUPPC	\$ 3,500.00	
2.5 Other Training	\$ 24,876.00	\$ 1,293.00	TOTAL ALLOCATION	\$ 424,221.00	
2.6 On-the-Job Training	\$ 36,589.00				
2.7 OCC/VOC Training	\$ 15,339.00		Notes:		
2.8 Customized Training	\$ -		_____		
2.9 Work Experience	\$ 61,617.00		_____		
2.10 Summer Youth	\$ 61,300.00		_____		
2.11 WEX IDC	\$ 4,884.00		_____		
	\$ -		_____		
	\$ -		_____		
TOTAL TRAINING	\$ 378,428.00	\$ 1,293.00			

WDB Approval YES / NO
 Date: _____

Note:

**AZ @ WORK -- Title 1
Program Budget Summary
FY18 FY19**

DRAFT

DATE: 8/13/2019

PROVIDER NACOG-EWD 221 NORTH MARINA STREET SUITE 201 PRESCOTT, ARIZONA 86301	TITLE: <u>Adult</u> CONTRACT # _____ PROGRAM CONTRACT TERM: <u>July 1, 2018 - June 30, 2020</u> AMENDMENT # _____ TITLE AMOUNT: \$ <u>441,330.00</u> Transfer from DW Program \$ <u>300,000.00</u> Adult Balance \$ <u>741,330.00</u>
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Inc/(Decr)

1.0 ADMINISTRATION	10%		Inc/(Decr)
1.1 Salaries	\$ 14,516.00		
1.2 Fringe at 35%	\$ 5,080.00		
1.3 Capital Purchases	\$ -		
1.4 Other Admin	\$ 22,975.00		
1.5 Indirect Costs 7.4%	\$ 1,450.00		
TOTAL ADMINISTRATION	\$ 44,021.00		

2.0 TRAINING	88%		
2.1 Salaries	\$ 205,454.00		
2.2 Fringe at 35%	\$ 71,909.00		
2.3 Indirect Costs 7.4%	\$ 15,409.00		
2.4 Capital Purchases	\$ -		
2.5 Other Training	\$ 47,473.00	\$	1,116.00
2.6 On-the-Job Training	\$ 186,528.00		
2.7 OCC/VOC Training	\$ 43,009.00		
2.8 Customized Training	\$ 48,487.00		
2.9 Work Experience	\$ 60,615.00		
2.10 Summer Youth			
2.11 WEX IDC	\$ 10,925.00		
TOTAL TRAINING	\$ 689,809.00	\$	1,116.00

3.0 PARTICIPANT	2%		Inc/(Decr)
3.1 Salaries	\$ -		
3.2 Fringe at 35%	\$ -		
3.3 Capital Purchases	\$ -		
3.4 Other Participant Supp	\$ -		
3.5 Financial Assistance	\$ -		
3.5.1 Needs-Based Pmt	\$ -		
3.5.2 Support Services	\$ 7,500.00		
3.6 Employ Generating Ser	\$ -		
3.7 Work Experience	\$ -		
3.8 Exemplary Youth	\$ -		
3.9 Indirect Costs 8.2%	\$ -		
TOTAL PARTICIPANT SUPP	\$ 7,500.00		

TOTAL ALLOCATION \$ 741,330.00 \$ **1,116.00**

Notes:

WDB Approval YES / NO
 Date: _____

**AZ @ WORK -- Title I
Program Budget Summary
PY18 FY19**

DRAFT

DATE: 8/13/2019

PROVIDER	Inc/(Decr)
NACOG-EWD	TITLE: Dislocated Worker
221 NORTH MARINA STREET	CONTRACT #
SUITE 201	PROGRAM CONTRACT TERM:
PRESCOTT, ARIZONA 86301	July 1, 2018- June 30, 2020
	AMENDMENT #
	TITLE AMOUNT: \$ 598,978.00
	Transfer to Adult Program \$ (500,000.00)
	Dislocated Worker Balance \$ 98,978.00

1.0 ADMINISTRATION	10%		Inc/(Decr)	3.0 PARTICIPANT	1%		Inc/(Decr)
1.1 Salaries	\$ 18,839.00			3.1 Salaries	\$ -		
1.2 Fringe at 35%	\$ 6,594.00			3.2 Fringe at 35%	\$ -		
1.3 Capital Purchases	\$ -			3.3 Capital Purchases	\$ -		
1.4 Other Admin	\$ 32,414.00			3.4 Other Participant Supp	\$ -		
1.5 Indirect Costs 7.4%	\$ 1,882.00			3.5 Financial Assistance	\$ -		
TOTAL ADMINISTRATION	\$ 59,729.00			3.5.1 Needs-Based Pmt	\$ -		
				3.5.2 Support Services	\$ 5,000.00		
2.0 TRAINING	89%			3.6 Employ Generating Ser	\$ -		
2.1 Salaries	\$ 9,550.00			3.7 Work Experience	\$ -		
2.2 Fringe at 35%	\$ 1,342.00			3.8 Exemplary Youth	\$ -		
2.3 Indirect Costs 7.4%	\$ 342.00			3.9 Indirect Costs 8.2%	\$ -		
2.4 Capital Purchases	\$ -			TOTAL PARTICIPANT SUPPC	\$ 5,000.00		
2.5 Other Training	\$ 8,352.00	\$	1,684.00				
2.6 On-the-Job Training	\$ 3,509.00			TOTAL ALLOCATION	\$ 98,978.00		
2.7 OCC/VOC Training	\$ 5,516.00						
2.8 Customized Training	\$ 2,275.00			Notes:			
2.9 Work Experience	\$ 394.00			_____			
2.10 Summer Youth	\$ -			_____			
2.11 WEX IDC	\$ 2,969.00			_____			
	\$ -			_____			
	\$ -			_____			
TOTAL TRAINING	\$ 34,249.00	\$	1,684.00	_____			

WDB Approval YES / NO
Date: _____

**AZ @ Work -- Title 1
Program Budget Summary
PY18 FY19**

Draft

DATE: 8/13/2019

Inc/(Decr)
24.00%

PROVIDER	TITLE: <u>Rapid Response</u>	
<i>NACOG-EWD</i>	CONTRACT #	
<i>221 NORTH MARINA STREET</i>	PROGRAM CONTRACT TERM:	
<i>SUITE 201</i>	<u>July 1, 2018 - June 30, 2020</u>	
<i>PRESCOTT, ARIZONA 86301</i>	AMENDMENT #	
	TITLE AMOUNT: \$ <u>71,675.00</u>	

		Inc/(Decr)			Inc/(Decr)
1.0 ADMINISTRATION	0%		3.0 PARTICIPANT	%	
1.1 Salaries	_____		3.1 Salaries	\$ -	
1.2 Fringe at 35%	_____		3.2 Fringe at 35%	\$ -	
1.3 Capital Purchases	_____		3.3 Capital Purchases	\$ -	
1.4 Other Admin	_____		3.4 Other Participant Support	\$ -	
1.5 Indirect Costs 7.5%	_____		3.5 Financial Assistance	\$ -	
TOTAL ADMINISTRATION	\$ -		3.5.1 Needs-Based Pmt	\$ -	
			3.5.2 Support Services	_____	
2.0 TRAINING	100%		3.6 Employ Generating Serv	\$ -	
2.1 Salaries	\$ 22,606.00		3.7 Work Experience	\$ -	
2.2 Fringe at 35%	\$ 7,912.00		3.8 Exemplary Youth	\$ -	
2.3 Indirect Costs 7.4%	\$ 2,258.00		3.9 Indirect Costs 8.2%	\$ -	
2.4 Capital Purchases	\$ -		TOTAL PARTICIPANT SUPPORT	\$ -	
2.5 Other Training	\$ 38,899.00				
2.6 On-the-Job Training	_____		TOTAL ALLOCATION	\$ 71,675.00	
2.7 OCC/VOC Training	_____				
2.8 Basic Education	_____		Notes:		
2.9 Work Experience	_____		_____		
2.10 Summer Youth	_____		_____		
2.11 Employ Serv	_____		_____		
2.12 Assessment	\$ -		_____		
Performance-Based			_____		
2.13 Contracts	\$ -				
TOTAL TRAINING	\$ 71,675.00				

WDB Approval YES / NO
Date: _____



YAVAPAI COUNTY

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Yavapai County Local Workforce Development Area

Workforce Innovation and Opportunities Act Title I-B

Incentives Policy

EFFECTIVE DATE: August 14, 2019

I. PURPOSE

The purpose of this policy is to establish guidelines and procedures for approving incentives and the requirements governing their disbursements under the Workforce Innovation and Opportunity Act (WIOA) of 2014, P. L. 113-128. The intent is to provide guidance to ensure incentives meet the guidance provided by the United States Department of Labor and the State Incentive Policy Section 700.

II. BACKGROUND

Incentives may be provided to all WIOA Title I-B eligible participants with written approval from the Department of Economic Security (DES) in the manner outlined in Section 701(C) and (D) of the State Incentive Policy.

- A. Yavapai County has identified approved incentives for all WIOA Title I-B eligible participants per guidance below:
 1. Incentives must be directly related to a training service (including a secondary diploma and High School Equivalency (HSE) or Work Experience (WEX)).
 2. Incentives must **not** be paid to maintain employment in the second and fourth quarters after exit
 3. Incentives may only be paid to a participant:
 - a. During participation and after exit upon receipt of a federally-recognized credential; and
 - b. When the credential is related to a training service that was provided **prior to exit** from the program.
 4. All incentives must be in compliance with 2 CFR part 200 (e.g., federal funds must not be spent on entertainment).
- B. ARIZONA@WORK Yavapai County will complete the *Exhibit 100D WIOA Title I-B Adult and Dislocated Worker Incentive Approval* form to request approval to pay WIOA Title I-

B Incentives to Adults and Dislocated Workers annually. The completed form will be submitted to DES via e-mail at WIOAFiscalReports@azdes.gov.

- C. All incentives must be justified and documented in Arizona Job Connection (AJC) system by staff. A Service and Training (S & T) Plan entry must be recorded into the Individual Employment Plan (IEP) or Individual Service Strategy (ISS) listed as “Incentives and bonuses”.
- D. ARIZONA@WORK Yavapai County staff must document the following in AJC system case notes for each participant receiving the incentive(s):
 - 1. The justification for the contribution to the participant’s success as a result of the incentive payment; and
 - 2. How the incentive payment was calculated. ARIZONA@WORK Yavapai County staff must also internally maintain appropriate and identifiable expenditure records of incentive payments for the purposes of local, state and federal monitoring/audits.

III. PROVISION

ARIZONA@WORK Yavapai County recognizes the need for the provision of incentives to reward Adult, Dislocated Worker and Youth participants for achieving training goals outlined in their IEP and/or ISS.

IV. ELIGIBILITY FOR INCENTIVES

- A. Incentives are available to eligible participants enrolled in the WIOA Title I-B Adult, Dislocated Worker and/or Youth programs.
- B. Incentives may be provided to individuals who are participating in WIOA Title I-B Training Services WEX.
- C. Incentives can be provided as part of Adult, Dislocated Worker or Youth follow-up services for credential as a result of a training service provided prior to exit.

V. INCENTIVE APPROVAL PROCESS

- A. Staff shall request approval/obligation for the disbursement of an Incentive. Case Managers will ensure proof of the earned credential is being placed in the paper file.
 - The Individual Training Account (ITA) documents the agreement of the Participant and Case Manager in regard to the amount of the incentive and documentation required for the incentive to be earned.
- B. ARIZONA@ WORK Yavapai County Job Centers shall maintain administrative procedures for the approval and disbursement of funds for Incentives.

VI. INCENTIVES

Incentives are payments to any WIOA Title I-B eligible participants that are based on performance in obtaining an industry-recognized credential, as defined in [USDOL Training and Employment Guidance Letter 10-16, Change 1](#). The intent is to encourage and reward participants to do what is necessary to earn the credential, thus benefiting the Workforce Development Area by increasing the Credential Attainment Rate and Measurable Skills Gain (MSG) Rate WIOA performance accountability measures.

The following are incentive payments that may be utilized. Appropriate justifications for all incentive payments must be recorded in the AJC system and in hard-copy files. The "Incentives and bonuses" service must be added to the S & T Plan in the AJC system.

- A maximum of \$100 will be offered to WIOA Title I-B Adult, Dislocated Worker or Youth participants as an incentive for successfully passing the five sections of the HSE exam as a result of WIOA Title I-B intervention.
- A maximum of \$100 will be offered as an incentive to WIOA Title I-B Youth participants for earning a Secondary School Diploma.
- A maximum of \$100 - may be offered as an incentive to WIOA Title I-B Adult, Dislocated Worker or Youth participants when they provide documentation that they achieved a recognized credential as a result of training provided during their WIOA Title I-B program participation.

DRAFT

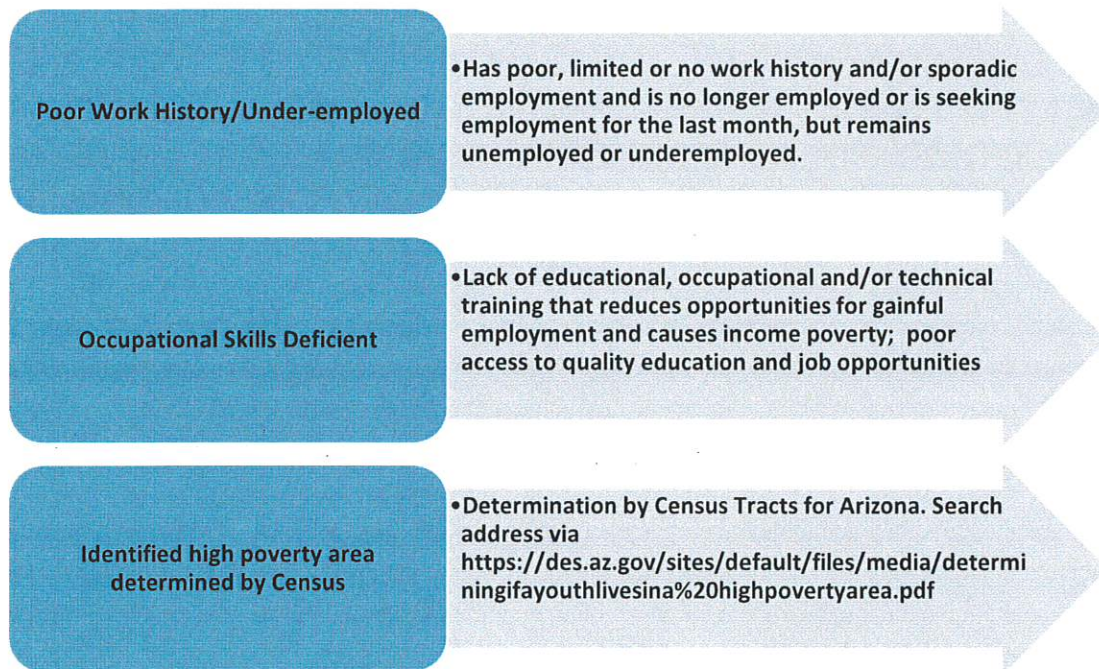


Our Mission: "To Build Economic Success through Workforce Development Partnerships"

Definition for “Requires additional assistance to complete an education program or to secure employment and hold employment” for In-School Youth.

In addition to barriers identified in the definition of In-School Youth, such as basic skill deficient, English language learner, offender, homeless, runaway, in foster care, aged out of foster care and left foster care for kinship guardianship or adoption, youth removed from his/her home and is in out-of-home placement, pregnant/ parenting, youth with a disability, ARIZONA@WORK Yavapai County has defined the 10th barrier, “Requires additional assistance to complete an education program or to secure employment and hold employment”, as follows:

A low-income youth who needs additional assistance to complete an education program or to secure employment may be eligible for services if the youth meets one of the following criteria:



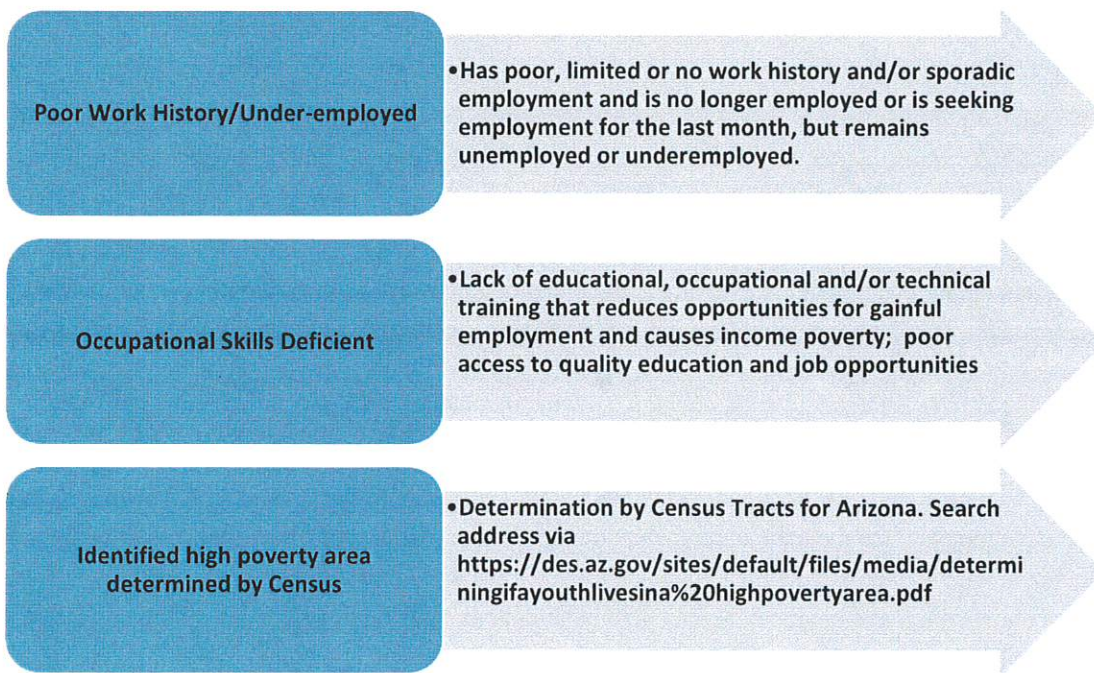
Need Addition Assistance Criterion Limitation

ARIZONA@WORK Yavapai County WIOA Title I-B staff must not enroll more than 5 percent of In-School Youth using solely the definition of “Requires additional assistance to complete an education program or to secure employment and hold employment” in a program year. See WIOA Title I-B Youth Policy Section 205.05. https://des.az.gov/sites/default/files/media/youthpolicy11_16_17.pdf

Definition for “A low income individual who requires additional assistance to enter or complete an education program or to secure employment and hold employment” for Out-of-School Youth.

In addition to barriers identified in the definition of Out-of-School Youth, such as school dropout, a low income individual who is basic skill deficient or an English language learner, offender, homeless, runaway, in foster care, aged out of foster care and left foster care for kinship guardianship or adoption, youth removed from his/her home and is in out-of-home placement, pregnant/ parenting, youth with a disability, ARIZONA@WORK Yavapai County has defined the 10th barrier, “Requires additional assistance to enter or complete an education program or to secure employment and hold employment”, as follows:

A low-income youth who needs additional assistance to enter or complete an educational program or to secure or hold employment may be eligible for services if meets one of the following criteria:



Low Income Exception

All In-School and Out-of-School Youth enrolled using these definitions of “Requires additional assistance” must be low income, unless included in the 5 % “Non-Low-Income” exception. See WIOA Title I-B Youth Services Policy section 205.07. (You would refer to your corresponding local policy here). Note: All In-School Youth are required to be low income, regardless of the type barrier are required to be low income.

Draft 3

**BYLAWS FOR THE
YAVAPAI COUNTY WORKFORCE DEVELOPMENT BOARD**

DRAFT

Approved by WDB:
Approved by BOS:

Revised: September 2019

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**BYLAWS FOR THE
YAVAPAI COUNTY WORKFORCE DEVELOPMENT BOARD**

I. NAME, AREA OF SERVICE AND AUTHORIZATION

- A. This board will be known as the Yavapai County Workforce Development Board (hereinafter referred to as the "LOCAL BOARD").
- B. The Chief Local Elected Officials (CLEO) are defined as the Yavapai County Board of Supervisors.
- C. The area served shall be Yavapai County, State of Arizona, inclusive of all municipalities and unincorporated areas within the Local Area. This area shall be known as the Yavapai County Local Workforce Development Area (hereinafter referred to as the "LWDA").
- D. The Yavapai County Board of Supervisors appoints all LOCAL BOARD members as prescribed in the Workforce Innovation and Opportunity Act (hereinafter referred to as the "WIOA"), Public Law 113-128.
- E. The LOCAL BOARD and its committees derive their authority from Section 107 of the WIOA. In execution of its business, the LOCAL BOARD shall comply with the WIOA and its regulations, as well as policies and directives from the Arizona Department of Economic Security and the Workforce Arizona Council.¹

II. PURPOSE, SCOPE AND MISSION

- A. Consistent with 20 CFR §679.300, the vision for the LOCAL BOARD is to serve as a strategic leader and convener of local workforce development system stakeholders.
The LOCAL BOARD partners with employers and the workforce development system to develop policies and investments that support public workforce system strategies that support regional economies, the development of effective approaches including local and regional sector partnerships and career pathways, and high-quality, customer-centered service delivery and service delivery approaches;
- B. The purpose of the LOCAL BOARD is to:
 - 1. Provide strategic and operational oversight in collaboration with the required and additional partners and workforce stakeholders to help develop a comprehensive and high-quality workforce development system in the local area and larger planning region;
 - 2. Assist in the achievement of the State's strategic and operational vision and goals as outlined in the Unified State Plan; and
 - 3. Maximize and continue to improve the quality of services, customer satisfaction and effectiveness of the services provided.
- C. The LOCAL BOARD is established in accordance with requirements of WIOA Section 107 (d).
- D. The LOCAL BOARD shall operate on a Program Year basis. **Program Years are defined as July 1 – June 30.**

III. DUTIES AND RESPONSIBILITIES

- A. As provided in WIOA Section 107 (d) and 20 CFR §679.370, the LOCAL BOARD must:

1. Develop and submit required plans for the local area including modifications, in partnership with the Yavapai County Board of Supervisor, and consistent with WIOA Section 108 and applicable State policies.
2. If the local area is part of a planning region that includes other local areas, develop and submit a regional plan in collaboration with those local areas. If the local area is part of a planning region, the local plan must be submitted as a part of the regional plan. Currently, Yavapai County is designated as a single Planning Region.
3. Conduct workforce research and regional labor market analysis to include:
 - a. Analyses and regular updates of economic conditions, needed knowledge and skills, workforce and workforce development (including education and training) activities, to include an analysis of the strengths and weaknesses (including the capacity to provide) of such services to address the identified education and skill needs of the workforce and the employment needs of employers;
 - b. Assistance to the Governor in developing the statewide workforce and labor market information system under the Wagner-Peyser Act for the region; and
 - c. Other research, data collection and analysis related to the workforce needs of the regional economy as the LOCAL BOARD, after receiving input from a wide array of stakeholders, determines to be necessary to carry out its functions.
4. Convene local workforce development system stakeholders to assist in the development of the local plan under §679.550 and in identifying non-Federal expertise and resources to leverage support for workforce development activities. Such stakeholders may assist the LOCAL BOARD and standing committees in carrying out convening, brokering and leveraging functions at the direction of the LOCAL BOARD.
5. Lead efforts to engage with a diverse range of employers and other entities in the region in order to :
 - a. Promote business representation (particularly representatives with optimum policy-making or hiring authority from employers whose employment opportunities reflect existing and emerging employment opportunities in the region) on the LOCAL BOARD;
 - b. Develop effective linkages (including the use of intermediaries) with employers in the region to support employer utilization of the local workforce development system and to support local workforce investment activities;
 - c. Ensure that workforce investment activities meet the needs of employers and support economic growth in the region by enhancing communication, coordination and collaboration among employers, economic development entities, and service providers; and
 - d. Develop and implement proven or promising strategies for meeting the employment and skill needs of workers and employers (such as the establishment of industry and sector partnerships) that provide the skilled workforce needed by employers in the region, and that expand employment and career advancement opportunities for workforce development system participants in in-demand industry sectors or occupations.
6. With representatives of secondary and 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.
7. Lead efforts in the local area to identify and promote proven and promising strategies and initiatives for meeting the needs of employers, workers and job seekers, and identify and disseminate information on proven and promising practices carried out in other local areas for meeting such needs.
 8. Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, workers and job seekers by:
 - a. Facilitating connections among the intake and case management information systems of the One-Stop partner programs to support a comprehensive workforce development system in the local area;
 - b. Facilitating access to services provided throughout the One-Stop delivery system, including access in remote areas;
 - c. Identifying strategies for better meeting the needs of individuals with barriers to employment, including strategies that augment traditional service delivery, and increase access to services and programs of the One-Stop delivery system, such as improving digital literacy skills; and
 - d. Leveraging resources and capacity within the local workforce development system, including resources and capacity for services for individuals with barriers to employment.
 9. In partnership with the Yavapai County Board of Supervisors:
 - 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 local area;
 - b. Ensure the appropriate use and management of the funds provided under WIOA subtitle B for the youth, adult, and dislocated worker activities and One-Stop delivery system in the local area; and
 - c. Ensure the appropriate use, management and investment of funds to maximize performance outcomes under WIOA Section 116.
 10. Negotiate and reach agreement on local performance indicators with the Yavapai County and the Governor's designee.
 11. Develop a Board budget that includes all activities of the LWDB including Title I budget amounts to be allocated for Youth, Adult, Dislocated Worker and Rapid Response (career services), and negotiate with the County and required partners on the methods for funding the infrastructure costs of One-Stop Centers in the local area in accordance with 20 CFR §678.715 to determine fair share, or notify the Governor if they fail to reach agreement at the local level and will use a State infrastructure funding mechanism.
 12. Select the following providers in the local area and, where appropriate, terminate such providers in accordance with 2 CFR part 200:
 - a. Providers of youth workforce investment activities through competitive grants or contracts based on the recommendations of the Youth Council; however, if the LOCAL BOARD determines there is an insufficient number of eligible training

- providers in a local area, the LOCAL BOARD may award contracts on a sole-source basis as per the provisions of WIOA Section 123 (b);
 - b. Providers of training services (Eligible Training Providers List (ETPL)) 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; and
 - d. Through a competitive process, identify One-Stop operators in accordance with 20 CFR §§ 678.600 through 678.635 and applicable State Policies.
13. In accordance with WIOA Section 107 (d)(10)(E), work with the State to ensure there are sufficient numbers and types of providers of career services and training services serving the local area and providing the services in a manner that maximizes consumer choice, as well as providing opportunities that lead to competitive integrated employment for individuals with disabilities.
14. Coordinate activities with education and training providers in the local area, including:
- a. Reviewing applications to provide adult education and literacy activities under WIOA Title II for the local area to determine whether such applications are consistent with the local plan;
 - b. Making recommendations to the eligible agency to promote alignment with such plan; and
 - c. Replicating and implementing cooperative agreements to enhance the provision of services to individuals with disabilities and other individuals, such as cross-training of staff, technical assistance, use and sharing of information, cooperative efforts with employers and other efforts of collaboration and coordination.
15. Develop a budget for the activities of the LOCAL BOARD, with approval of the Yavapai County Board of Supervisors and consistent with the local plan and the duties of the LOCAL BOARD.
16. 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 (42 U.S.C. 12101 *et seq.*).
17. Certification of One-Stop Centers in accordance with 20 CFR §678.800 and applicable policies issued by the Workforce Arizona Council.
18. Members are not permitted to delegate any Board duties to proxies or alternates.
19. Members will complete tasks assigned by the LOCAL BOARD Chair and will carry out assignments from committees to which they have been appointed. Members are expected to be knowledgeable of LOCAL BOARD-related topics, including policy guidelines. Members are expected to assist each other in orientation and education related to LOCAL BOARD responsibilities.
20. The LOCAL BOARD may hire a Director to oversee administrative and operational services to the LOCAL BOARD; the Board of Supervisors will be consulted and participate in the selection of board staff; staff to the LOCAL BOARD will assist the LOCAL BOARD to fulfill the required LOCAL BOARD functions found in WIOA Section 107 (d).

IV. MEMBERSHIP/COMPOSITION OF THE LOCAL BOARD

The members of the LOCAL BOARD must be appointed by the CLEO consistent with criteria established under WIOA Section 107 (b)(1) and criteria established by the Governor, and must meet the following requirements of WIOA Section 107 (b)(2):

A. MEMBERSHIP – The LOCAL BOARD may not include members who are employees or directors of grantees or sub-grantees of Arizona WIOA funds except as required by WIOA.

1. An individual may be appointed as a representative of more than one entity if the individual meets all the criteria for representation for each entity. (SWP #1 Section XI (E))

B. PRIVATE SECTOR REPRESENTATION – More than 50% majority of the members of the LOCAL BOARD Local Business Representatives. At a minimum, two members must represent small business as defined by the U.S. Small Business Administration. Business representatives serving on local workforce development boards may also serve on the State Board. Each business representative **must meet the following criteria:**

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

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

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

The determination of whether an industry sector or occupation is in-demand shall be made by the State or LOCAL BOARD, as appropriate, using State and regional business and labor market projections, including the use of labor market information; and

3. Be appointed from among individuals nominated by local business organizations and/or business trade associations (WIOA Section 107(b)(2)(iii)).

C. WORKFORCE REPRESENTATION – At least a 20% minimum of the members of the LOCAL BOARD must be Local Workforce Labor and Apprenticeship Representatives. These representatives:

1. **Must include** two or more representatives of labor organizations who have been nominated by local labor federations, or other representatives of employees (for areas where labor organizations do not exist);

2. **Must include** one or more representatives (must be a training director or a member of a labor organization) of a joint labor-management, or union affiliated, registered apprenticeship program within the area. If no union affiliated registered apprenticeship programs exist in the area, a representative of a registered apprenticeship program with no union affiliation must be appointed, if one exists;
3. *May include* one or more representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive integrated employment for individuals with disabilities; and
4. *May include* representatives of organizations that have demonstrated experience and expertise in addressing the employment, training or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.

D. OTHER ENTITY REPRESENTATION REQUIREMENTS – The balance of membership for the LOCAL BOARD *must* include:

1. *At least* one eligible provider administering adult education and literacy activities under WIOA Title II (Adult Education). When there is more than one local area provider of adult education and literacy activities under Title II, nominations are solicited from those particular entities (WIOA Section 107 (b)(2)(C)(ii));
2. *At least* one representative from an institution of higher education providing workforce investment activities, including community colleges. Where there are multiple institutions of higher education providing workforce investment activities, nominations are solicited from those particular entities (WIOA 107 (b)(2)(C)(ii)); and
3. *At least* one representative from each of the following governmental and economic and community development entities:
 - a. Economic and community development entities;
 - b. The State Employment Service Office under the Wagner-Peyser Act (29 U.S.C. 49 *et seq.*) serving the local area; and
 - c. The programs carried out under Title I of the Rehabilitation Act of 1973, other than Section 112 or Part C of that Title.
4. LOCAL BOARD staff report directly to the Board Chairman with oversight from the Yavapai County Administrator.

E. OTHER CHIEF ELECTED OFFICIAL APPOINTMENTS – In addition to the representatives enumerated above, the Yavapai County Board of Supervisors *may* appoint other appropriate entities in the local area, including:

1. Entities administering education and training activities who represent local educational agencies or community-based organizations with demonstrated expertise in addressing the education or training needs for individuals with barriers to employment;
2. Governmental and economic and community development entities who represent transportation, housing and public assistance programs;
3. Philanthropic organizations serving the local area; and
4. Other appropriate individuals as determined by the CLEO.

F. AUTHORITY TO HIRE STAFF – WIOA Section 107 (f) grants the LOCAL BOARD authority to hire a director and other staff to assist in carrying out the functions of the LOCAL BOARD.

1. The LOCAL BOARD shall establish and apply a set of qualifications for the position of 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 LOCAL BOARD.
2. The LOCAL BOARD director and staff are subject to the limitations on the payment of salary and bonuses described in WIOA Section 194 (15).
3. In general, only LOCAL BOARD staff may assist the LOCAL BOARD to fulfill its functions (20 CFR 679.400 (d)).

V. APPOINTMENT TO THE LOCAL BOARD

A. Individuals are appointed to the LOCAL BOARD by the Yavapai County Board of Supervisors in accordance with State criteria established under WIOA Section 107 (b)(2), and is certified by the Governor every two years, in accordance with WIOA Section 107 (c)(2).

B. Appointments to the LOCAL BOARD will be made by the Yavapai County Board of Supervisors by the following process:

1. Each nominee must submit an application for membership on the LOCAL BOARD to the Executive Committee of the LOCAL BOARD for review. Applications will be posted on the ARIZONA@WORK Yavapai County website.
2. Each application will include a demonstration of how the nominee meets the criteria for membership in the applicable category (Business, Workforce, etc.); including a resume or curriculum vitae that shows work history and level of authority or qualification.
3. Following a majority vote in favor of the nominee's application, the Executive Committee will make a recommendation to the Yavapai County Board of Supervisors for appointment at the next regularly scheduled meeting of the Yavapai County Board of Supervisors.
4. A majority vote in favor of the appointment is required by the Yavapai County Board of Supervisors.
5. All newly-appointed Board members must complete a LOCAL BOARD-approved Orientation session prior to attending their first official meeting as a voting Board member as applicable.
6. Board members will not be permitted to delegate a proxy or alternates in their absence.
7. Title I Program partner staff members who have a post of duty at either the ARIZONA@WORK YAVAPAI COUNTY comprehensive or affiliate site job centers are not eligible for membership on the LOCAL BOARD due to a potential conflict of interest resulting from the relationship between the LOCAL BOARD, the One-Stop Operator and job center program staff.

VI. TERMS OF OFFICE

A. The terms of the members shall be for two years. Term start date is the date the member was approved by the Yavapai County Board of Supervisors. Members may serve multiple terms, but must be re-appointed by the Yavapai County Board of Supervisors. Such re-appointments will take place in the month of June of the year the term will expire, and will remain effective beginning in June for each subsequent two year term.

- B. Appointments will be staggered to the extent possible to ensure only one-third (1/3) of the membership expires in a given year.
- C. If a vacancy occurs otherwise than by expiration of term, the vacancy shall be filled by appointment by the Yavapai County Board of Supervisors for the unexpired portion of the term. The nomination process will be the same as outlined in these Bylaws under *Article V – Appointment to the LOCAL BOARD*. The new member filling the vacancy shall represent the same board category as the outgoing member.

VII. ATTENDANCE

- A. All LOCAL BOARD members are expected to attend regularly scheduled meetings. All members must confirm two business days prior to a scheduled meeting whether they plan to attend or not.
- B. A member's absence is considered **unexcused** if the member fails to notify Board staff prior to a scheduled meeting.
- C. Upon the first unexcused absence, staff will send a letter to the board member. More than two **unexcused** absences by any member during the Program Year shall result in an Executive Committee review. The Executive Committee may then present a recommendation to the LOCAL BOARD with regard to removing the member.
- D. **Excused** absences are those involving sickness, family emergency or business related priorities. Members must notify Board staff immediately upon discovery of circumstances that will require an excused absence.
- E. Three **excused** absences during the Program Year shall also result in an Executive Committee review. The Executive Committee may then present a recommendation to the LOCAL BOARD with regard to removing the member. The LOCAL BOARD, by a majority vote, may recommend removal of a member from the LOCAL BOARD to the Yavapai County Board of Supervisors.
- F. All LOCAL BOARD members may attend meetings in person or telephonically. A cell phone call to a member's telephone may be used in case the conference call is not available for the meeting.

VIII. VACANCIES, RESIGNATIONS AND REMOVAL OF LOCAL BOARD MEMBERS

Members who no longer hold the position or status that made them eligible to serve as LOCAL BOARD members must resign or be removed by the Yavapai County Board of Supervisors immediately upon notification to the LOCAL BOARD chair of the change of status as a representative of that entity.

VACANCIES:

- A. In order to comply with Workforce Arizona Council Local Governance Policy, LOCAL BOARD vacancies must be filled within 120 days of the vacancy. All vacancies will be addressed using the process identified in Article VI.
- B. Appointments and reappointments must be made within 120 days that the vacancy is created.
- C. In the event a vacancy cannot be filled within 120 days, the LOCAL BOARD must request a waiver in writing to the Director of the State Workforce Development Board with an

explanation of why a vacancy was not filled in the 120-day timeframe and a description of the process underway to fill the vacancy.

- D. The LOCAL BOARD must maintain written approval of the waiver request by the Director of the State Workforce Development Council and will be monitored according to the process outlined in the approved waiver request.

RESIGNATIONS:

Resignations by members shall be submitted in writing to the LOCAL BOARD Chair. An agenda item will be placed on the next full LOCAL BOARD meeting for the Board to "acknowledge" that member's resignation.

REMOVAL

- A. Board members must be removed by the Yavapai County Board of Supervisors if any of the following occurs:
 - 1. Documented violation of conflict of interest;
 - 2. Failure to meet LOCAL BOARD member representation requirements defined in the LOCAL BOARD Bylaws Article IV – Membership/Composition of the LOCAL BOARD; or
 - 3. Documented proof of malfeasance, fraud or abuse.
- B. LOCAL BOARD members may be removed for other reasons as determined by the LOCAL BOARD.
- C. The state administrative entity reserves the right to conduct an investigation regarding allegations of wrongdoing that result in the removal of a board member. The Yavapai County Board of Supervisors and the LOCAL BOARD Chair will be formally notified in advance of any such investigations and of the results.
- D. The LOCAL BOARD will provide ten days written notice to the member being considered for removal from the LOCAL BOARD before a recommendation for removal is placed on a LOCAL BOARD meeting agenda. The member under consideration for termination can request a hearing with the Executive Committee before any action is taken.
- E. At the request of the member under consideration for removal, the Executive Committee will conduct a hearing with the member under consideration regarding the merits of the recommendation for removal.
- F. Should the Executive Committee determine that it is in the best interest of the LOCAL BOARD to remove a member; a recommendation for removal will be presented to the LOCAL BOARD for official action to remove the member. The recommendation must receive a majority vote.
- G. Recommendations for removal of LOCAL BOARD members will be forwarded to the Yavapai County Board of Supervisors for final approval.

IX. OFFICERS

A. Election of Officers

- 1. Election of officers shall be held during the last meeting of each election year.
- 2. The Chair and Vice Chair shall serve concurrent terms, commencing on July 1 of the following Program Year in which they were elected.

3. A Nominations Committee will be assigned by the LOCAL BOARD Chair. The Committee will meet to recommend a slate of officers to the Board.
4. Nominations from the floor will be called for at the next regular meeting, after which nominations will close.
5. Officer recommendations will be made and approved by majority vote during the last meeting of the Program Year in which elections are held.

B. Chair

The Chair shall perform the duties pursuant to these Bylaws and procedural decisions resulting from a duly cast vote of the LOCAL BOARD. He/she is the attester to all documents containing necessary concurrences required by the Governor and/or the State and LOCAL BOARD recommendations deemed necessary to the Yavapai County Board of Supervisors.

1. The Chair shall be elected by a majority vote of the LOCAL BOARD.
2. The Chair shall be a representative of the business community on the LOCAL BOARD.
3. The Chair shall be the Chief Officer of the LOCAL BOARD and shall preside at all full board meetings of the LOCAL BOARD.
4. The term of office for the Chair shall be two years. No one individual may hold this office for more than two consecutive terms unless so voted by a majority of the LOCAL BOARD.
5. In the event the Chair cannot fulfill the terms of his/her appointment for any reason, the Vice Chair shall perform such duties as the Acting Chair until a new Chair is appointed by the Yavapai County Board of Supervisors.
 - a. The Chair must submit in writing to the Yavapai County Board of Supervisors notifying his/her intention to resign from his/her role as Board Chair.
 - b. The nomination process outlined in Article IX (A) shall be followed to elect a new Chair. Voting for a new Chair will be conducted at the next regularly scheduled Board meeting.

C. Vice Chair

The Vice Chair shall perform the duties of the Chair in his/her absence or assume the duties of the Chair, should the Chair resign before the Chair's term is up.

1. The Vice Chair shall be a representative of the business community on the LOCAL BOARD.
2. The Vice Chair shall be elected by a majority vote of the LOCAL BOARD.
3. The term of office for the Vice Chair shall be two years. No individual may hold this office for more than one consecutive term unless so voted by a majority of the LOCAL BOARD.
4. In the event the Vice Chair cannot fulfill the terms of his/her appointment for any reason, the member must submit in writing to the Chair his/her intention to resign from his/her role as Board Vice Chair.
 - a. The Chair may appoint an interim Vice Chair from the business-sector membership.

- b. The interim appointment shall commence with the vote of the full Board. The nomination process outlined in Article IX (A) shall be followed to elect a new Vice Chair. Voting for a new Vice Chair will be conducted at the next regularly scheduled Board meeting.

D. Other Officers

Other officers may be established by a majority vote of the LOCAL BOARD.

X. COMMITTEES

- A. The Chair of the LOCAL BOARD shall appoint the Chair of each standing committee and ad hoc committees, subject to ratification by a majority vote of the full LOCAL BOARD.
- B. Board members who miss three Committee meetings for which they are a member shall be referred to the Executive Committee for review of further participation on the committee.
- C. Recommendations by the Executive Committee shall be brought to the full Board for further participation of the member.
- D. Executive Committee members under consideration for removal from such committee are not subject to full board ratification.

E. Standing Committees

- 1. The LOCAL BOARD has authority to establish standing committees in order to address specific issues.
- 2. All standing committee recommendations are presented to the LOCAL BOARD for official action.
- 3. All standing committees must operate according to Open Meeting Law requirements and establish a regular schedule of meetings.
 - a. The exception to this requirement will be the Executive Committee. Executive Committee meetings will be scheduled on an "as needed basis at the discretion of the Board Chair.
 - b. The Executive Committee may go into "Executive Session" during the course of a Board meeting on an "as needed" basis at the discretion of the Board Chair and subject to Open Meeting Law restrictions.
- 4. If the LOCAL BOARD determines that a specific standing committee is no longer needed, it shall officially disband the committee. The Bylaws will thereafter be amended to remove the standing committee.
- 5. The following standing committees have been established by the LOCAL BOARD:
 - a. Executive Committee**
 - i. The Executive Committee shall meet as necessary between scheduled meetings of the entire LOCAL BOARD and shall be responsible for interpreting and putting into effect the decisions, policies, budgets and programs of the LOCAL BOARD, including but not limited to attendance, Bylaws or disciplinary actions of the LOCAL BOARD.
 - ii. THE Executive Committee shall consist of the Chair, Vice Chair, and such other members as the Yavapai County Board of Supervisors may appoint, namely,

one representative from each County District, and one WDB representative of the public sector to act as Public Voice. The Public Voice is a non-voting member of the Executive Committee.

- iii. The LOCAL BOARD Chair shall serve as the Chairman of the Executive Committee.
- iv. If a full LOCAL BOARD meeting has been cancelled and action items are needed to continue the programs, the Executive Committee shall put into effect and vote on the action items until the next meeting or replacement meeting of the LOCAL BOARD is scheduled.
- v. All Policy actions made by the Executive Committee are subject to ratification by a majority vote of the LOCAL BOARD at its next regularly scheduled meeting.

b. Finance and Personnel Committee

The Executive Committee will act in the capacity of Finance and Personnel. The Finance and Personnel Committee shall oversee the fiscal operations for the Board. It shall ensure the development and implementation of an integrated operator/partner budget to finance the One Stop System and submit such financial plan to the Chief Elected Official for review. The Committee shall be comprised of the LOCAL BOARD Executive Committee. All shall possess the skills necessary to carry out the functions of the Committee, which are as follows:

- i. Prepare and recommend the Workforce Development Board Operating Budget to the full Board;
- ii. Recommend allocation of WIOA funds to One Stop Operator after review of each proposed budget;
- iii. Review all financial reports/documents/audits as needed;
- iv. Establish, enforce and review all financial policies and procedures;
- v. May request additional information and reports from One Stop Operator and required Partners on an as needed basis;
- vi. Work with the Executive Director to secure additional grants and funds for the Workforce Development System and Board.

c. Youth Council

The Youth Council will be appointed by the WDB Executive Committee.

Responsibilities include:

- i. Coordinating youth activities in Yavapai County
- ii. Identifying a "Youth Voice/Parent Voice" as outlined in WIOA
- iii. Developing portions of the local plan related to youth activities
- iv. Recommending eligible youth service providers in accordance with WIOA focusing on older/out-of-school youth, subject to the approval of the Executive Committee
- v. Conduct oversight with respect to eligible providers of youth activities
- vi. Establish linkages with educational agencies and other youth service providers
- vii. Identify members for the Council and provide outreach to the community regarding youth services in Yavapai County

- viii. Develop Career Pathway opportunities for in-demand sectors of Yavapai County
- ix. Develop partnerships, including apprenticeships for youth
- x. Perform all other duties as assigned by the Executive Committee

d. One Stop Committee

A One Stop Committee may be established by the LOCAL BOARD for a specific purpose with a specific time frame. Once the Committee has presented its findings/report to the LOCAL BOARD, the LOCAL BOARD will take official action to disband the Committee.

e. Standing Committee and One Stop Committee Officers

- i. The LOCAL BOARD Chairperson appoints the Chairperson of the standing committees and One Stop committees subject to ratification by a vote of the LOCAL BOARD.
- ii. THE COMMITTEE Vice Chairperson shall be elected by a majority vote of the specific standing committee or One Stop committee.

XI. MEETINGS

- A. All meetings of the LOCAL BOARD, including its standing committees and ad hoc committees, shall be held in accordance with the Arizona Open Meeting Law (Arizona Revised Statutes, Title 38 – Public Officers and Employees, Chapter 3 – Conduct of Office, Article 3.1 – Public Meetings and Proceedings).
- B. A simple majority of appointed members shall constitute a quorum for the transaction of business at all LOCAL BOARD and designated standing committee meetings. A meeting at which a quorum is initially established, but the quorum is not maintained due to the withdrawal or departure of members, may continue business discussions but take no action.
- C. In-person meetings are the preferred method of the LOCAL BOARD. Members may participate by telephone conference call. Whenever possible, each meeting will offer web-conferencing access. Members participating by telephone shall be clearly identified in the minutes.
- D. Meeting agendas and applicable handouts will be posted at least 24 hours in advance of each meeting on the NACOG website (<https://www.nacog.org/>), the ARIZONA@WORK Yavapai County website (<https://arizonaatwork.com/locations/yavapai-county>) and the YAVAPAI@WORK website (<http://www.yavapaiatwork.com/>). Meeting agendas and minutes will be posted on the Yavapai County Website (<http://www.yavapai.us/>).
- E. Meeting agendas may contain a Consent Agenda. A consent agenda groups routine business and reports into one agenda item. The consent agenda can be approved in one action, rather than filing motions on each item separately.

Use of the consent agenda includes the following steps:

- 1. The Chair decides which items will be placed on the consent agenda.
- 2. At the beginning of the meeting, the Board Chair will ask members if any of the consent agenda items should be moved to the regular discussion items.

3. Any reason will be sufficient to move an item. A member can move an item to discuss, query or to vote against it.
 4. Once the item has been moved, the Chair may decide to take up the matter immediately or table it for a future meeting.
 5. When there are no items to be moved, or if all requested items have been moved, hearing no objections, the Chair can move to adopt the consent agenda.
 6. The full text of the resolutions, reports and recommendations that were adopted as part of the consent agenda will be documented as part of the meeting minutes.
- F. In accordance with A.R.S. 38-431.01 (B), all LOCAL BOARD meetings shall provide for the taking of written minutes or a recording of all their meetings, including executive sessions. For meetings other than executive sessions, such minutes or recording shall include, but not be limited to:
1. The date, time and place of the meeting.
 2. The members of the LOCAL BOARD recorded as either present or absent.
 3. A general description of the matters considered.
 4. An accurate description of all legal actions proposed, discussed or taken, and the names of members who propose each motion. The minutes shall also include the names of the persons, as given, making statements or presenting material to the LOCAL BOARD and a reference to the legal action about which they made statements or presented material.
 5. The minutes or a recording of a meeting shall be available for public inspection no later than three working days after the meeting.

G. Full Board Meetings

The LOCAL BOARD shall hold full board meetings at least four (4) times per Program Year on the date, time and place as may be designated by the majority of the LOCAL BOARD. The meeting schedule shall be posted on the Yavapai County website, the NACOG website, the ARIZONA@WORK Yavapai County website and the YAVAPAI@WORK website.

1. Standing Committee and Ad Hoc Committee Meetings:

Special meetings of the LOCAL BOARD and its standing committees and ad hoc committees may be called, as needed, by the Chair of the Local Board or the respective committee chair.

a. Executive Committee

The Executive Committee shall hold regularly scheduled meetings at least six (6) times per Program year on the date, time and place as may be designated by the majority of the Executive Committee. A meeting schedule shall be posted on the Yavapai County website, the NACOG website, the ARIZONA@WORK Yavapai County website and the YAVAPAI@WORK website.

b. Youth Council

The Youth Council shall hold regularly scheduled meetings at least four (4) times per Program year on the date, time and place as may be designated by the majority of the Executive Committee. A meeting schedule shall be posted on the Yavapai County website, the NACOG website, the ARIZONA@WORK Yavapai County website and the YAVAPAI@WORK website.

c. One Stop Committee

The One Stop Committee shall hold regularly scheduled meetings at least four (4) times per Program year on the date, time and place as may be designated by the majority of the Executive Committee. A meeting schedule shall be posted on the Yavapai County website, the NACOG website, the ARIZONA@WORK Yavapai County website and the YAVAPAI@WORK website.

XII. VOTING/MOTIONS

Each member in good standing of the LOCAL BOARD shall be entitled to one (1) vote on all matters brought before the LOCAL BOARD at any scheduled meeting. Whenever these Bylaws specify that an action is to be taken by vote of the LOCAL BOARD, the approval shall be granted by a simple majority of the members present and qualified to vote at any scheduled meeting of the LOCAL BOARD at which a quorum exists.

Action Items that require a vote include the following:

- A. Consent Agenda Items (e.g., minutes from previous meeting, new board member approvals, ETPL approvals, etc.)
- B. Organizational policies or revisions
- C. Strategic Plan
- D. Annual budget, or revision to the budget
- E. Amendments to MOU/IFA
- F. Amendments to Bylaws
- G. Initiation of Legal Action
- H. Allocation of Surplus
- I. Assumption of a major new financial obligation (e.g., mortgage or lease) or risk
- J. Adjournment

XIII. BUSINESS CONDUCTED OPENLY

- A. The LOCAL BOARD must conduct its business in an open manner as required by WIOA Section 107 (e), by making available to the public, on a regular basis through electronic means and open meetings, information about the activities of the LOCAL BOARD (20 CFR 679.390). The LOCAL BOARD also must comply with Arizona's Open Meeting Law (A.R.S. Title 38, Chapter 3, Article 3.1).
- B. The LOCAL BOARD will also post the required information on the State's ARIZONA@WORK website (<https://arizonaatwork.com/>) either by direct download or linkage to the LOCAL BOARD website. The required information includes all documents related to the public agenda, including:
 - 1. Agendas
 - 2. Minutes
 - 3. Budgets
 - 4. Information about the Local Plan, or modification to the Local Plan, before submission of the Plan;
 - 5. List and affiliation of LOCAL BOARD members;
 - 6. Selection of One Stop Operators;

7. Award of grants or contracts to Eligible Training Providers of workforce development activities, including providers of youth workforce development activities;
8. Minutes of formal meetings of the LOCAL BOARD; and
9. LOCAL BOARD Bylaws, consistent with §679.310(g).

XIV. CONFLICT OF INTEREST

LOCAL BOARD members shall avoid both conflict of interest and the appearance of conflict of interest in the conduct of LOCAL BOARD business. The LOCAL BOARD shall follow:

- A. Arizona law on Conflict of Interest as set forth in Arizona Revised Statutes, Title 38 – Public Officers and Employees, Chapter 3 – Conduct of Office, Article 4 Section 38-447 and Article 8 Section 38-501 – 511.
- B. Workforce Arizona Council Local Governance Policy Section XI. I. 9 “Conflict of Interest” (adopted 06/05/2019).
- C. All abstention must be recorded in the minutes of the LOCAL BOARD meeting and be maintained as part of the official record.

XV. CONFLICT RESOLUTION

- A. When a conflict arises between LOCAL BOARD members or One Stop partners who have signed the ARIZONA@WORK Yavapai County Memorandum of Understanding and Infrastructure Funding Agreement that cannot be resolved, the parties to the issue shall summarize the issue in writing and submit to the Executive Committee for mediation. All impacted Executive Committee members must recuse themselves if a party to the conflict.
- B. If the stated recusals result in the lack of a quorum, the remaining members of the Executive Committee will recruit a standing Board member to fulfill the role for purposes of mediation.
- C. All decisions by the Executive Committee are final unless requiring legal review.
- D. Decisions will be documented in writing to the impacted parties.

XVI. AMENDMENTS

- A. Amendments to these Bylaws may be necessary from time to time. Any proposed changes to the Bylaws must be presented to and approved by a majority vote of the LOCAL BOARD.
- B. The amended Bylaws will then be presented to the Yavapai County Attorney and Board of Supervisors for final approval.
- C. Each time the Bylaws are amended, a copy of the updated Bylaws will be distributed to all LOCAL BOARD members and the Yavapai County Board of Supervisors, and posted on the ARIZONA@WORK Yavapai County website, the NACOG website, the Yavapai County Website and the YAVAPAI@WORK website.
- D. Changes will be identified at a regular meeting of the LOCAL BOARD with Drafts presented at a subsequent meeting of the LOCAL BOARD:
 1. The Chair will call for a motion and second to open the Bylaws for amendment
 2. The Bylaws will be opened upon a majority vote of the LOCAL BOARD
 3. A draft of the proposed changes to the Bylaws will be presented to the LOCAL BOARD at the next regular meeting for review and recommendation to the Board of Supervisors for approval by majority vote.

4. The Yavapai County Board of Supervisors will review and approve the recommendation of the LOCAL BOARD concerning amendments to the Bylaws.

ⁱ Policies and Directives from the Arizona Department of Economic Security and the Workforce Arizona Council in effect as of September 2019:

- SWP #1 – WIOA Local Governance Policy 06-05-19
- SWP #2 – Vision for One-Stop Delivery System Policy Adopted 02-16-17
- SWP #3 – Structure of One-Stop Delivery System Policy Adopted 02-16-17
- SWP #4 – OSO and Service Provider Selection Policy 06-05-19
- SWP #5 – WAC 05-2016 MOU Infrastructure Policy 08-24-17
- SWP #6 – One-Stop Certification Policy as Adopted 08-24-17
- SWP #7 – Statewide Monitoring Policy 11-30-17
- SWP #8 – Conflict of Interest Policy Adopted 02-28-19

**Shared Governance Agreement
Between
Yavapai County Board of Supervisors and the
Yavapai County Local Workforce Development Board**

Preamble:

This Shared Governance Agreement is entered into between the Yavapai County Board of Supervisors (Chief Elected Officials), and the Yavapai County Local Workforce Development Board (LWDB) to recognize the shared governance responsibility and specify the relationship between these two entities as required by the Workforce Innovation and Opportunity Act of 2014 (Public Law No. 113-128) herein after referred to as “WIOA” (the “Act”).

WHEREAS, the purpose of this agreement is to provide a basis for cooperation and a partnership between the Yavapai County Board of Supervisors (BOS) and the LWDB, which will lead to the success of the employment and training system (ARIZONA@WORK-Yavapai County) within Yavapai County. This agreement envisions a future of cooperation and partnership that will contribute to the overall economic prosperity of the region and its residents; and

WHEREAS, the purpose of a local workforce development area is to serve as a jurisdiction for the administration of workforce development activities using WIOA Adult, Dislocated Worker, and Youth funds allocated by the State and to coordinate efforts related to the other core programs at a local community level; and

WHEREAS, Yavapai County has been designated as the local Grant Recipient, Fiscal Agent and Administrative Entity of the Yavapai County Local Workforce Development Area with liability for said funds, pursuant to Section 107 of the Workforce Innovation and Opportunity Act (WIOA); and

WHEREAS, the local government’s chief elected official(s) in a local area is liable for any misuse of the WIOA grant funds allocated to the local area under WIOA Secs. 128 and 133, unless the chief elected official(s) reaches an agreement with the Governor to bear such liability, and

WHEREAS, the Yavapai County Board of Supervisors **and the WDB mutually agree** and has designated Northern Arizona Council of Governments as the Administrator of the Yavapai County WIOA Adult, Dislocated Worker and Youth services, and

WHEREAS the LWDB is appointed by the BOS in accordance with State criteria established under WIOA sec. 107(b), and is certified by the Governor every 2 years, in accordance with WIOA sec. 107(c)(2), and

WHEREAS the purpose of the LWDB is to—

- a. Provide strategic and operational oversight in collaboration with the required and

additional partners as identified in the WIOA and other workforce stakeholders to help develop a comprehensive and high-quality workforce development system in the local area and larger planning region;

- b. Assist in the achievement of the State’s strategic and operational vision and goals as outlined in the Arizona’s Unified Workforce Development Plan; and
- c. Maximize and continue to improve the quality of services, customer satisfaction, effectiveness of the services provided, and

WHEREAS, the LWDB desires to deliver services to businesses, veterans and other individuals that will lead to maximum employment opportunities and enhance the self-sufficiency of the economically disadvantaged in the region; and

WHEREAS, the LWDB is established in accordance with the requirements of WIOA Section 107 (b) and (c) and receives its authority from the Act; Actions of the LWDB are subject to submittal to the BOS for final approval **as applicable**; and

WHEREAS, the LWDB may appoint a Director to oversee administrative and operational success to the LWDB; The BOS will be consulted and participate in the selection of board staff; Staff to the LWDB will assist the LWDB fulfill the required local board functions found at WIOA Sec. 107(d);

NOW, THEREFORE, Yavapai County Board of Supervisors and the LWDB agree on the following terms and conditions:

Section 1: Role of the Yavapai County Board of Supervisors (BOS)

- A. Per WIOA Section 107(c) (1) the BOS is authorized to appoint the members of the LWDB in accordance with the criteria established by the Governor in partnership with the State Board (WIOA 107(b) (1)).
 - 1. The BOS shall determine the size of the Yavapai County Local Workforce Development Board consistent with WIOA Section 107(b) (2). The LWDB may submit a request to the BOS for consideration of the change in the size of the LWDB. Any approved changes must be consistent with WIOA Section 107(b) (2).
 - 2. The members of the LWDB must be selected by the BOS consistent with criteria established under WIOA Sec. 107(b)(1) and criteria established by the Governor, and must meet the requirements of WIOA Sec. 107(b)(2).

3. The membership shall be categorized as such based on the definitions outlined in the Act:
 - More than 50% majority Local Business Representatives
 - At least a 20% minimum of Local Workforce, Labor and apprenticeship representatives and other youth-related organizations are optional
 - Title II and higher education required. Local education and Community Based Organizations helping barriered individuals are optional
 - Government, Economic and Community Development-Economic Development, Wagner-Peyser, and Vocational Rehabilitation required; philanthropic and others are optional

- B. The **WDB** will establish by-laws, consistent with State policy for LWDB membership, that at a minimum address:
 1. The nomination process used by the BOS to select the LWDB chair and members;
 2. The term limitations and how the term appointments will be staggered to ensure only a portion of membership expire in a given year;
 3. The process to notify the BOS of a LWDB member vacancy to ensure a prompt nominee;
 4. The use of technology, such as phone and web-based meetings, that will be used to promote LWDB member participation and **public access**;
 5. The process to ensure LWDB members actively participate in convening the workforce development system's stakeholders, brokering relationships with a diverse range of employers, and leveraging support for **economic** and workforce development activities; and
 6. A description of any other conditions governing appointment or membership on the LWDB as deemed appropriate by the **WDB**.
 7. In consultation with the BOS, the LWDB may amend such by-laws as it deems necessary, **as described in the WDB bylaws**.

- C. Approve an annual budget developed by the LWDB for the purpose of carrying out the duties of the LWDB. Such a budget will be made based on the annual WIOA allocation

received by Yavapai County. The LWDB will approve such a budget and submit to the BOS for approval.

- D. The BOS delegates to the LWDB the development of the WIOA 4-year local plan for the local area, and modifications of the plan as may be required by WIOA Sec. 108 and applicable state policies. The LWDB will vote to approve such plan and forward to the BOS for approval.
- E. **The WDB shall develop a budget for the activities of the LWDB in the LWDA, consistent with the local plan and the duties of the LWDB under WIOA sec 107(d), subject to the approval of the BOS (WIOA 107(d)(12)(A)).**
- F. **As stated in WIOA 107(d) and 20 CFR 679.370, the BOS and the LWDB share governance responsibility for LWDB functions such as local planning, program oversight, negotiating local performance accountability measures, selection of One Stop Operators and providers, and approving a budget for LWDB activities.**
- G. **The WDB will negotiate with BOS and required partners on the methods for funding the infrastructure costs of one-stop centers in the LWDA in accordance with § 678.715 and State Workforce Policy #5 MOU and Infrastructure Costs policy.**

Section 2: Role of the Yavapai County Local Workforce Development Board (LWDB)

As provided in WIOA Sec. 107(d), the LWDB must:

- A. Elect a chairperson from among the business representatives on the LWDB.
- B. Develop and approve a local plan and subsequent modifications to such plan for the local area to the BOS for their approval. The LWDB will then submit the approved local plan to the designated State administrative entity and Workforce Arizona Council.
- C. If the local area is part of a designated planning region as defined in Sec. 106 of the WIOA that includes other local areas, develop and submit a regional plan in collaboration with other local areas. If the local area is part of a planning region, the local plan must be submitted as a part of the regional plan. Approval and subsequent modifications will follow the same protocol as outlined in Section 2(A) of this agreement.
- D. Conduct workforce research and regional labor market analysis to include:
 - 1. Analyses and regular updates of economic conditions, needed knowledge and skills, workforce, and workforce development (including education and training) activities to include an analysis of the strengths and weaknesses (including the capacity to provide) of such services to address the identified education and skill

needs of the workforce and the employment needs of employers.

2. Assistance to the Governor in developing the statewide workforce and labor market information system under the Wagner-Peyser Act for the region; and
 3. 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.
- E. Convene local workforce development system stakeholders to assist in the development of the local plan under § 679.550 and in identifying non-Federal expertise and resources to leverage support for workforce development activities. Such stakeholders may assist the LWDB and standing committees in carrying out convening, brokering, and leveraging functions at the direction of the LWDB;
- F. Lead efforts to engage with a diverse range of employers and other entities in the region in order to:
1. Promote business representation (particularly representatives with optimum policy-making or hiring authority from employers whose employment opportunities reflect existing and emerging employment opportunities in the region) on the LWDB.
 2. Develop effective linkages (including the use of intermediaries) with employers in the region to support employer utilization of the local workforce development system and to support local workforce investment activities.
 3. Ensure that workforce investment activities meet the needs of employers and support economic growth in the region by enhancing communication, coordination, and collaboration among employers, economic development entities, and service providers; and
 4. Develop and implement proven or promising strategies for meeting the employment and skill needs of workers and employers (such as the establishment of industry and sector partnerships), that provide the skilled workforce needed by employers in the region, and that expand employment and career advancement opportunities for workforce development system participants in in-demand industry sectors or occupations.
- G. With representatives of secondary and postsecondary education programs, lead efforts to develop and implement career pathways within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, especially individuals with barriers to employment.
- H. Lead efforts in the local area to identify and promote proven and promising strategies

and initiatives for meeting the needs of employers, workers and job seekers, and identify and disseminate information on proven and promising practices carried out in other local areas for meeting such needs.

- I. Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, workers and job seekers, 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 involved, including access in remote areas.
 3. Identifying strategies for better meeting the needs of individuals with barriers to employment, including strategies that augment traditional service delivery, and increase access to services and programs of the one-stop delivery system, such as improving digital literacy skills; and
 4. Leveraging resources and capacity within the local workforce development system, including resources and capacity for services for individuals with barriers to employment.
- J. Negotiate and reach agreement on local performance indicators with the **applicable state policies** and the Governor **designee**.
- K. Negotiate with BOS and required partners on the methods for funding the infrastructure costs of one-stop centers in the local area in accordance with 20 CFR §678.715 or notify the Governor if they fail to reach agreement at the local level and will use a State infrastructure funding mechanism;
- L. Select the following providers in the local area, and where appropriate, terminate such providers in accordance with 2 CFR part 200:
 1. Providers of youth workforce investment activities through competitive grants or contracts based on the recommendations of the youth standing committee (if such a committee is established); however, if the LWDB determines there is an insufficient number of eligible training providers in a local area, the WDB may award contracts on a sole-source basis as per the provisions at WIOA Sec. 123(b).
 2. Providers of training services consistent with the criteria and information requirements established by the Governor and WIOA Sec. 122.

3. **Through a competitive process the WDB will recommend to BOS** a selection of One Stop Operator to coordinate the service delivery of required one-stop partners and service providers in accordance with § 678.600 through 678.635.

The fiscal agent shall maintain fiscal oversight of contracted providers including but not limited to conducting financial monitoring and annual financial audits of such providers. The result of the monitoring and audits will be reported to the LWDB during regularly scheduled meetings and made available to the State administrative entity **from** the BOS.

- M. In accordance with WIOA Sec. 107(d)(10)(E) work with the State to ensure there are sufficient numbers and types of providers of career services and training services serving the local area and providing the services in a manner that maximizes consumer choice, as well as providing opportunities that lead to competitive integrated employment for individuals with disabilities.
- N. Coordinate activities with education and training providers in the local area, including:
 1. Reviewing applications to provide adult education and literacy activities under WIOA Title II for the local area to determine whether such applications are consistent with the local plan.
 2. Making recommendations to the eligible agency to promote alignment with such plan; and
 3. Replicating and implementing cooperative agreements to enhance the provision of services to individuals with disabilities and other individuals, such as cross training of staff, technical assistance, use and sharing of information, cooperative efforts with employers, and other efforts at cooperation, collaboration, and coordination.
- O. Develop a budget for the activities of the LWDB, with approval of the BOS and consistent with the local plan and the duties of the LWDB.
 1. The budget shall include all activities of the LWDB including the Title I budget amounts to be allocated for Youth, Adult and Dislocated Worker Program career services as well as Rapid Response Program.
 2. The LWDB will determine how much of the budget to allocate for these services and how to procure these services; and,
 3. The fiscal agent shall immediately disburse the grant funds for workforce investment activities at the direction of the LWDB, **as defined in the approved budgets**, pursuant to the requirements of WIOA.
- P. Monitor, on an annual basis, the physical and programmatic accessibility of all one-stop

centers in the local area, in accordance with WIOA sec. 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*).

Q. Certify one-stop centers in accordance with 20 CFR § 678.800.

Section 3: Joint Roles of the BOS and LWDB:

1. Conduct oversight of Youth workforce investment activities authorized under WIOA Sec. 129(c), Adult and Dislocated Worker employment and training activities under WIOA Secs. 134(c) and (d), and the entire ARIZONA@WORK Yavapai County service delivery system. The LWDB will report to the BOS **at least one joint meeting during the** program year on the current LWDB initiatives and workforce investment activities designed to further Yavapai County workforce development goals as outlined in the local plan.
2. Ensure the appropriate use and management of the funds provided under WIOA Title I-B for the Youth, Adult, and Dislocated Worker/**Rapid Response** activities and one-stop delivery system in the local area.
3. Ensure the appropriate use, management, and investment of funds to maximize performance outcomes under WIOA Sec. 116. Use of available funds will be outlined in the local plan. The LWDB will report to the **County** no less than one time per program year the status of the expenditure of funds allocated to Yavapai County for Youth workforce investment activities authorized under WIOA Sec. 129(c), Adult and Dislocated Worker employment and training activities under WIOA Secs. 134(c) and performance outcomes of the entire ARIZONA@WORK Yavapai County service delivery system.
4. The LWDB, with the agreement of the BOS:
 - (i) Shall designate or certify one-stop operators as described in section 121(d) (2) (A); One-stop operators in accordance with 20 CFR §§ 678.600 through 678.635 **and applicable state policies**;
 - (ii) May terminate for cause the eligibility of such operators.

Section 4: Conflict of Interest

Pursuant to A.R.S. Subsection 38-503, members, officers, staff, or representatives/agents, who wish to enter into contracts for the provision of services, must not participate in the selection of vendors and must make the interest in the proposed contract known in the official records of the LWDB. Any member, officer, staff, or representative/agent wishing to competitively bid on contracts for the procurement of goods and services, of any monetary amount, must annually sign a copy of the affidavit of the Conflict of Interest Policy. All members, officers, staff, representatives/agents of the LWDB will sign an Acknowledgement of Receipt form of the

Conflict of Interest Policy. The signed Policy, Acknowledgements or Affidavits will be filed in the official records of the LWDB and shall be available for public inspection.

In order to avoid a conflict of interest, the LWDB ensures that the Local Workforce service providers for WIOA Title IB Adult, Dislocated Worker, and Youth programs must not employ or otherwise compensate a current Local Board member or Local Board employee who is employed or compensated by the Local Board or administrative entity, fiscal agent, or grant recipient to support the Local Board in carrying out its duties.

The LWDB has established by laws in accordance with applicable local procedures and applicable state and federal laws. The LWDB complies with the Workforce Arizona Council Policy #8, Conflict of Interest.

In addition, any member, officer, staff, or representative/agent of the WDB who participates in the expenditure of WIOA funds shall perform his/her duties in a manner consistent with their obligations to the LWDB and in accordance with sound business practices. In complying with these requirements, members, officers, staff or representatives/agents shall refrain from:

1. Solicitation or acceptance of gratuities, favors, or anything of monetary value, from contractors, potential contractors, or parties to sub-agreements;
2. Participation in awards or administration of contracts to firms in which the member, officer, staff or representative/agent or his/her immediate family has a financial or other interest; or,
3. Procuring to the LWDB any equipment, material, supplies or services, unless member, staff or representative/agents were selected through a competitive bid process.

In addition, any member, officer, staff, representative/agent who is a paid consultant, or who has a relative who is a paid consultant (as defined in A.R.S. 38-502) for any provider which currently transacts business with the LWDB, or which may bid on a future contract for provision of services with the LWDB is prohibited from participating in a decision process which may lead to the award of a contract involving such firm.

Firewalls have been clearly defined between staff that provide or oversee direct services to program participants and the staff assigned to serve the LWDB, **as One Stop Operator, and Service Providers.**

Section 5: Modification and Termination

This Agreement shall take effect upon signature of both parties, and shall remain in effect until terminated in accordance with this paragraph or until the Yavapai County WIOA is otherwise amended or dissolved. Either party may terminate this Agreement by giving a 90 day **written** notice to the other party.

IN WITNESS THEREOF, the parties hereto have affixed their signatures to this Agreement on the dates written below.

**YAVAPAI COUNTY BOARD
OF SUPERVISORS**

**YAVAPAI COUNTY LOCAL WORKFORCE
DEVELOPMENT BOARD**

Randall Garrison, Chairman

Anita Payne, Chairman

Date

Date

ATTEST

Kim Kapin, Clerk of the Board

Date

APPROVED AS TO FORM

Yavapai County Attorney

Date

Equal Opportunity Employer/Program Auxiliary aids and services are available upon request to individuals with a disability