



# **Pinal Workforce Investment Board Workforce Development Board Bylaws**

*Approved by the Pinal County Board of Supervisors on 6/3/2015*

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

## BYLAWS

### ARTICLE I – NAME, AREA OF SERVICE AND AUTHORIZATION

This advisory board will be known as the Pinal Workforce Development Board (hereinafter referred to as the “PWDB”).

The Chief Elected Officials are defined as the Pinal County Board of Supervisors.

The area served shall be Pinal County, state of Arizona, inclusive of all municipalities and unincorporated areas. This area shall be known as the Local Workforce Innovation & Opportunity Act Area (hereinafter referred to as the “LWIOAA”).

The Pinal County Board of Supervisors appoints all PWDB members as prescribed in the Workforce Innovation and Opportunity Act (hereinafter referred to as the “WIOA”), Public Law 113-128.

The PWDB and its committees derive their authority from Section 107 of the WIOA.

### ARTICLE II – MISSION STATEMENT

*“The PWDB’s mission is to act as a catalyst for change by identifying and utilizing community resources and broad-based partnerships to improve the vitality of the economy through the quality of the workforce; and to strengthen the business community in Pinal County through partnerships, education, and employment opportunities to help drive economic development.”*

### ARTICLE III – PURPOSE

The PWDB is established in accordance with the requirements of Section 107 (d) outlined in the Act. All actions of the PWDB are advisory and submitted to the Board of Supervisors for final approval.

### ARTICLE IV – RESPONSIBILITIES/GOALS

The PWDB functions outlined in the WIOA include:

1. Local Plan: The PWDB, in partnership with the chief elected official, shall develop and submit a local plan to the Governor.
2. Workforce Research and Regional Labor Market: In order to assist in the development and implementation of the local plan, the PWDB shall carry out analyses of the economic conditions of the region, the needed knowledge and skills of the region, the workforce of the region, and workforce development activities (including education and training).

3. **Convening, Brokering and Leveraging:** The PWDB shall convene local workforce development system stakeholders to assist in the development of the Pinal County Plan, and in identifying non-federal expertise and resources to leverage support for workforce activities
4. **Employer Engagement:** The PWDB shall lead efforts to engage with diverse range of employers and with entities in the region involved, promote business representation develop effective linkages with employers, to support employer utilization of Pinal County workforce system, ensure the workforce investment activities meet the needs of employers, and support economic growth in the region.
5. **Career Pathways Development:** The PWDB, with representatives of secondary and postsecondary education programs, shall lead efforts to develop and implement career pathways by aligning employment, training, education and supportive services.
6. **Proven and Promising Practices:** The PWDB shall lead efforts to identify and promote proven and promising strategies and initiatives for meeting the needs of employers and jobseekers as well as identify and disseminate information on proven and promising practices.
7. **Technology & Program Oversight:** The PWDB shall develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce system for employers, and workers and job seekers.
8. **Program Oversight.-** The PWDB in partnership with the chief elected officials shall conduct oversight for youth workforce activities, employment and training activities for dislocated workers, adults and the one-stop delivery system as well as ensure appropriate management of the funds provided
9. **Negotiations of Local Performance Accountability Measures:** The PWDB, chief elected officials, and the Governor shall negotiate and reach agreement on local performance and accountability measures.
10. **Selection of Operators and Providers:** The PWDB, with agreement of the chief elected official, shall designate or certify one-stop operators, youth training providers, identify eligible providers of training services, shall work with the State to ensure there are sufficient numbers and types of providers of career services and training services in a manner that maximizes consumer choice, as well as providing opportunities that lead to competitive employment for individuals with disabilities.
11. **Coordination with Education Providers:** The PWDB shall coordinate activities with education and training providers.
12. **Budget and Administration:** The PWDB shall develop a budget for activities of the PWDB, consistent with the local plan and the duties of the board and subject to the approval of the chief elected officials.
13. **Accessibility for Individuals with Disabilities:** The PWDB shall annually assess the physical and programmatic accessibility of all one stop centers in the local area.

## ARTICLE V – MEMBERSHIP

### Representation/Criteria

The PWDB shall be comprised of 51% of private business members and 49% public sector members, who shall be appointed by the Pinal County Board of Supervisors.

By regulations, the Governor of the State, in partnership with the State Workforce Development Board, shall establish criteria for use by the Chief Elected Officials in the local areas for appointment of members of the local boards. Such criteria shall require, at a minimum, that the membership of the local board include:

1. Majority Local Business Representatives of 51%. WIOA Sec. 107 (b) (2) (A), business must be majority of PWDB, (i) individual must be owners, chief executives, employers with optimum policymaking and hiring authority. (ii) Small business or organizations representing business. (iii) Nominated by local business organizations and business trade associations.
2. Workforce: WIOA Sec. 107 (b) (2) (B), not less than 20%. (i) Labor organizations, must be nominated by labor federations. (ii) Member of labor organizations or training director. (iii) Community based organizations with experience addressing employment needs of individuals with barriers, serve veterans or disabled.
3. Education and Training: WIOA Sec 107 (b) (2) (C), Represent entities administering education and training activities. (i) Shall include Adult Education. (ii) Shall include higher education providing workforce activities. (iii) May include local educational agencies and community based organizations with experience addressing needs of individuals with barriers to employment.
4. Governmental and economic development: WIOA Sec 107 (b) (2) (D). (i) Shall include economic and community development. (ii) Shall include state employment service. (iii) Shall include vocational rehabilitation. (iv) May include transportation, housing and public assistance. (v) May include philanthropic organizations.
5. Others as determined by chief elected officials

### Duties/Expectations

The PWDB will meet at least 6 times in a calendar year. Each member of the PWDB is expected to attend at least 60% PWDB meetings per year, and may be requested by the PWDB Chairperson to serve on a standing committee of the PWDB.

*“Members will complete tasks assigned by the PWDB Chairperson and will carry out assignments from committees to which they have been appointed. Members are expected to be knowledgeable about the essential matters confronting the PWDB, including policy guidelines. Members are expected to assist each other in orientation and education related to PWDB responsibilities.”*

### **Appointment**

Business representatives must be nominated by local business organizations and business trade associations currently serving on the PWDB.

An application for membership on the PWDB is presented to the PWDB for a vote. Upon a majority vote of the PWDB, a recommendation for appointment is made to the Pinal County Board of Supervisors

### **Term of Office**

The terms of the members shall be for four years, except for those initially appointed. Of those members initially appointed, half shall be appointed to a two year term and half shall be appointed to a four year term by the Board of Supervisors. Thereafter, each term shall be four years.

If a vacancy occurs otherwise than by expiration of term, the vacancy shall be filled by appointment by the 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**. The new member filling the vacancy shall represent the same sector as the outgoing member, as outlined in these Bylaws under Article V - **Representation/Criteria**, numbers 1 through 5.

### **Attendance**

All PWDB members are expected to attend regularly scheduled meetings. A member's absence is considered *unexcused* if the member fails to notify county staff in advance of a meeting. More than two consecutive *unexcused* absences by any member during any 12-month period shall result in an Executive Committee review. The Executive Committee may then present a recommendation to the PWDB with regard to removing the member. The PWDB, by a majority vote, may remove a member from the PWDB.

Four *excused* absences during a twelve month period shall also result in an Executive Committee review. The Executive Committee may then present a recommendation to the PWDB with regard to removing the member. The PWDB, by a majority vote, may remove a member from the PWDB.

All PWDB members may attend the meeting in person or telephonically. A cell phone call to a member's phone may be used in case the conference call is not available for the meeting.

### **Termination**

Resignation by members shall be submitted in writing to the PWDB Chairperson. An agenda item will be placed on the next PWDB meeting for the PWDB to “acknowledge” that member’s resignation.

Removal of any member from the PWDB requires a review by the Executive Committee. Should the Executive Committee determine that it is in the best interest of the PWDB to remove a member; a recommendation for removal will be presented to the PWDB for official action to remove the member.

**Ten days written notice by PWDB must be provided to the member being considered for removal from the PWDB before a recommendation for removal is placed on a PWDB meeting agenda. The member under consideration for termination can request a hearing with the Executive Committee before any action is taken.**

Notification will be given to the Chief Elected Officials of any actions taken to remove a member from the PWDB, and when any member submits a resignation.

## **ARTICLE VI – OFFICERS**

### **Chairperson**

The Chairperson shall be elected by a majority vote of the PWDB. The Chairperson shall be the Chief Officer of the PWDB and shall preside at all meetings of the PWDB. The Chairperson of the PWDB shall appoint the Chairperson of standing committees and ad hoc committees, subject to ratification by vote of the PWDB. The PWDB Chairperson shall be responsible for carrying out the policies of the PWDB. He/she is the attester to all documents containing necessary concurrences required by the Governor and/or the PWDB recommendations deemed necessary to the Board of Supervisors. The term of office for the Chairperson shall be two years, and no one individual may hold this office for more than one consecutive term unless so voted by a majority of PWDB. In general, he/she shall perform the duties of the Chairperson pursuant to these Bylaws and procedural decisions resulting from a duly cast vote of the PWDB. The Chairperson shall be a representative of the business community on the PWDB.

### **Vice-Chairperson**

The Vice-Chairperson shall be representative of the business community on the PWDB. The Vice Chairperson shall be nominated and elected by a majority vote of the PWDB. He/she shall perform the duties of the Chairperson in his/her absence. The term of office for the Vice-Chairperson shall be two years, and no one individual may hold this office for more than one consecutive term.

### **Election of Officers**

Election of officers shall be held bi-annually at the regularly scheduled meeting of the PWDB prior to the end of the program year with the term of office to begin at the start of a new program year.

## **ARTICLE VII – COMMITTEES**

### **Standing Committees**

The PWDB has authority to establish standing committees in order to address specific issues. All standing committee recommendations are presented to the PWDB for official action. All standing committees must operate according to Open Meeting Law requirements. If the PWDB 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.

The following standing committees have been established by the PWDB:

### **Fiscal Committee**

The Fiscal Committee shall be responsible for annual preparation and review of the WIOA Allocations for the Adult, Youth, and Dislocated Worker Programs. The Committee shall have the responsibility for the oversight and will present to PWDB for approval the budget throughout the year.

### **Workforce Development Committee**

The Workforce Development Committee shall collaborate to create a unified, seamless customer friendly system of service delivery that will enhance access to programs, and ensure all core services are available at the One-Stop Centers.

The Workforce Development Committee shall review and discuss program and strategic planning issues and make recommendations to the PWDB. The Committee is responsible for the process to select and train service providers.

The Workforce Development Committee shall also be responsible for evaluating the effectiveness of all WIOA programs and will report its findings and/or recommendations to the PWDB.

The Workforce Development Committee shall be responsible for the development and implementation of marketing tools and strategies to promote the WIOA within Pinal County.

### **Youth Committee**

The Youth Committee shall be responsible for the development of a 5-year plan relating to youth, and will recommend providers of youth services to the PWDB. The committee will coordinate local youth programs and initiatives.

### **Executive Committee**

The Executive Committee shall consist of the Chairperson, Vice-Chairperson, past Chairperson of the PWDB and two PWDB members appointed by the PWDB Chairperson subject to ratification by vote of the PWDB. The PWDB Chairperson shall serve as the Chairman of the Executive Committee.

The Executive Committee shall meet as necessary between scheduled meetings of the entire PWDB and shall be responsible for interpreting and putting into effect the decisions, policies and programs of the PWDB, including but not limited to attendance, bylaws or disciplinary actions of the PDWB. If a PWDB 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 next meeting or replacement meeting of PWDB is scheduled.

All actions made by the Executive Committee are subject to ratification by vote of the PWDB at its next regularly scheduled meeting.

### **Ad Hoc Committee**

An ad hoc committee may be established by the PWDB for a specific purpose with a specific time frame. Once the Committee has presented its findings/report to the PWDB, the PWDB will take official action to disband the Committee.

### **Standing Committee and Ad Hoc Committee Officers**

The PWDB Chairperson appoints the Chairperson of the standing committees and ad hoc committees subject to ratification by a vote of the PWDB.

The committee Vice-Chairperson shall be elected by a majority vote of the specific standing committee or ad hoc committee.

## **ARTICLE VIII – MEETINGS**

The PWDB shall hold at least six meetings per year on the date, time and place as may be designated by the majority of the PWDB. Special meetings of the PWDB and its standing committees and ad hoc committees may be called, as needed, by the Chairperson of the PWDB or the respective committee.

If one or more members are unable to be present in person, members may participate by telephone or by electronic means. The meeting agenda will state “Members of the Pinal Workforce Development Board will attend either in person, by telephone conference call or other electronic means.” Members participating in a telephone conference or other electronic means shall be clearly identified in the minutes.

All meetings of the PWDB, 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 Procedures).

## ARTICLE IX – VOTING

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

## ARTICLE X – CONFLICT OF INTEREST, LIABILITY COVERAGE

The PWDB shall follow Arizona law on Conflict of Interest law as set forth in Arizona Revised Statutes, Section 38-501 following, and Section 38-447. PWDB members shall avoid both conflict of interest and the appearance of conflict of interest in the conduct of the PWDB business. A potential conflict of interest exists if a PWDB member takes any action, which would be to his/her private financial gain or loss, or to that of his/her family or employer, or any other apparent legal conflict of interest. A potential conflict does not exist if the financial gain or losses affect to the same degree all people in the LWIOA or a large class of people with which the member is associated. Each individual serving on the PWDB must sign a **Conflict of Interest Statement** on an annual basis.

If a potential conflict of interest arises, the affected PWDB member must give notice before taking action. Such disclosure of potential conflict of interest including the source of conflict will be made part of the minutes of the meeting. The affected PWDB member must refrain from discussing and/or voting on that issue.

The PWDB may spend such funds as are needed to protect the PWDB and its individual members from liability incurred in the performance of their duties as members of the PWDB.

## ARTICLE XI – QUORUM

A majority of the current membership of the PWDB must be present at any meeting of the PWDB to constitute a quorum for the transaction of any business to come before the PWDB. A “roll call” vote can be requested by any member and will be recorded in the minutes.

## ARTICLE XII – AMENDMENTS

Amendments to these Bylaws may be necessary from time to time. Any proposed changes to the Bylaws must be presented to the members of the PWDB and approved by a majority vote of the PWDB. The amended Bylaws are then

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<sup>1</sup> Qualified is defined by this Board as a member with no conflict of interest or benefit from the vote

presented to the Pinal County Attorney and Boards of Supervisors for final approval. Each time the Bylaws are amended, a copy of the updated Bylaws will be distributed to all PWDB members, and Pinal County Boards of Supervisors.