

Santa Cruz County Workforce Investment Board Bylaws

Adopted September 2016

Amended November 2019

Santa Cruz County Workforce Investment Board Bylaws

Adopted October 2016
Amended November 2019

ARTICLE I - NAME, AREA OF SERVICE AND AUTHORIZATION

This Local Workforce Board will be known as the Santa Cruz Workforce Development Board (hereinafter referred to as the "SCC WDB").

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

The area served shall be Santa Cruz County, state of Arizona, inclusive of all municipalities and unincorporated areas.

The Santa Cruz County Board of Supervisors appoints all SCC WDB members as prescribed in the Workforce Innovation and Opportunity Act (hereinafter referred to as the "WIOA"), Public Law 1 13-128, Section 107, and WIOA Rules.

The SCC WDB and its committees derive their authority and responsibilities from Section 107 of the WIOA.

The SCC WDB shall follow all Federal Laws, State of Arizona Statutes, State of Arizona Conflict of Interest Policies, and Santa Cruz County Conflict of Interest Policies.

SCC WDB shall follow 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 II - VISION STATEMENT

Through the One Stop System we prepare and provide a qualified workforce to local business and assist business to grow and prosper.

ARTICLE III - PURPOSE

The vision and purpose of the SCC WDB is:

- (a) The vision of the Local WDB is to serve as a strategic leader and convener of local workforce development system stakeholders. The Local WDB 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 caret pathways, and high quality, customer centered service delivery and service delivery approaches;

- (b) The purpose of the Local WDB is to –
 - (1) Provide strategic and operational oversight in collaboration with partners and workforce stakeholders to help develop a comprehensive and high-quality workforce development system in the local area and larger planning region;
 - (2) Assist in the achievement of the State’s strategic and operational vision and goals as outlined in the Unified State Plan or Combined State Plan; and
 - (3) Maximize and continue to improve the quality of services, customer satisfaction, effectiveness of the services provide.

The SCC WDB is established in accordance with the requirements outlined in the WIOA Section 107 (d) and 20 CFR 679.370. All actions of the SCC WDB are submitted to the SCC Board of Supervisors for final approval.

ARTICLE IV - RESPONSIBILITIES/GOALS

The SCC WDB responsibilities, per WIOA, Section 107, include:

1. Local Plan. The SCC WDB, 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 SCC WDB 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 SCC WDB shall convene local workforce development system stakeholders to assist in the development of the SCC Plan...and in identifying non-Federal expertise and resources to leverage support for workforce activities...
4. Employer Engagement - The SCC WDB 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 SCC workforce system ... ensure the workforce investment activities meet the needs of employers and support economic growth in the region...
5. Career Pathways Development - SCC WDB 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 SCC WDB shall lead efforts to-identify and promote proven and promising strategies and initiatives for meeting the needs of employers and jobseekers Identify and disseminate information on proven and promising practices...
7. Technology; Program Oversight - The SCC WDB shall develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce system for employers, workers and job seekers...

8. Program Oversight - The SCC WDB 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...ensure appropriate management of the funds provided...
9. Negotiations of Local Performance Accountability Measures - The SCC WDB, chief elected official, and the Governor shall negotiate and reach agreement on local performance and accountability measures...
10. Selection of Operators and Providers - The SCC WDB, with agreement of the chief elected official shall designate or certify one-stop operators... Youth 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 SCC WDB shall coordinate activities with education and training providers...
12. Budget and Administration - The SCC WDB shall develop a budget for activities of the SCC WDB, consistent with the local plan and the duties of the SCC WDB subject to the approval of the chief elected official (WIOA Sect 107). and
13. Accessibility for Individuals with Disabilities - The SCC WDB shall annually assess the physical and programmatic accessibility of all one stop centers in the local area.

ARTICLE V - MEMBERSHIP

A. Representation Criteria

The SCC WDB shall be comprised of 51% of private business members and 49% public sector members, who shall be appointed by the Santa Cruz County Board of Supervisors.

WIOA Section 107 (b)(l) states that 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 (50% plus 1). WIOA Sec. 107 (b) (2) (A), business must be majority of WDB, (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.

Santa Cruz County recognizes that in some companies the Human Resources Department makes the hiring offer. In such cases, if the WDB interviews and makes the final selection is recognized as the hiring authority.

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.

B. Duties/Expectations

Each member of the SCC WDB is expected to attend at least four SCC WDB meetings per year and may be requested by the SCC WDB Chairperson to serve on a standing committee of the SCC WDB.

Members will complete tasks assigned by the SCC WDB 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 SCC WDB, including policy guidelines. Members are expected to assist each other in orientation and education related to SCC WDB responsibilities.

C. Appointment

Potential SCC WDB Members are nominated by local business organizations, business trade associations and the SCC WDB composed of a business majority.

It is anticipated that the appointment by the Board of Supervisors shall take place within sixty days of the recommendation of appointment local business organizations, business trade associations and the SCC WDB composed of a business majority

Labor representatives must be nominated by labor federations.

D. Term of Office

The terms of the SCC WDB members shall be for three years, staggered terms with one third which may be reappointed or replaced annually. Since some of the SCC WDB Members were previously appointed under the WIA, the SCC Board of Supervisors may retain those members with their initial terms of office. Future appointments may be made to fill vacancies and/or to comply with WIOA and WIOA Rules.

E. Vacancies

When a vacancy is created due to resignation or removal the SCC Board of Supervisors shall be notified within 30 days.

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.

F. Attendance

All SCC WDB members are expected to attend regularly scheduled meetings. A member's absence is 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 would then present a recommendation to the SCC WDB with regard to removing the member. The SCC WDB, by a majority vote, may remove a member from the SCC WDB.

Four excused absences during a twelve month period shall also result in an Executive Committee review. The Executive Committee would then present a recommendation to the SCC WDB with regard to removing the member.

All SCC WDB 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.

G. Termination

Resignation by members shall be submitted in writing to the SCC WDB Chairman. An agenda item will be placed on the next SCC WDB meeting for the SCC WDB to "acknowledge" that member's resignation.

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

Ten days written notice must be provided to the member being considered for removal from the SCC WDB before a recommendation for removal is placed on a SCC WDB meeting agenda,

Notification will be given to the Board of Supervisors of any actions taken to remove a member from the SCC WDB, and when any member submits a resignation.

ARTICLE VI - OFFICERS

Chairperson

The Chairperson shall be elected by a majority vote of the SCC WDB.

The Chairperson shall be a representative of the business community on the SCC WDB.

The Chairperson shall be the Chief Officer of the SCC WDB and shall preside at all meetings of the SCC WDB. The Chairperson of the SCC WDB shall appoint the Chairperson of standing committees and ad hoc committees, subject to ratification by vote of the SCC WDB.

The SCC WDB Chairperson shall be responsible for carrying out the policies of the SCC WDB. He/she is the attester to all documents containing necessary concurrences required by the Governor and/or

the SCC WDB recommendations deemed necessary to the Boards 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 SCC WDB.

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 SCC WDB.

Vice-Chairperson

The Vice-Chairperson shall be representative of the business community on the SCC WDB. The Vice Chairperson shall be nominated and elected by a majority vote of the SCC WDB. 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.

Secretary

The Secretary shall be nominated and elected by a majority vote of the SCC WDB. He/she shall be responsible for verifying and signing all SCC WDB Documents, Meeting Minutes and other actions of the SCC WDB, as necessary.

Election of Officers

Election of officers shall be held bi-annually, every two years, at the regularly scheduled monthly meeting of the SCC WDB 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

WIOA Section 107 (b) (4) recommends some committees. The SCC WDB has determined the following Committees to be essential in carrying out its responsibilities

Executive Committee

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

The Executive Committee shall meet as necessary between scheduled meetings of the entire SCC WDB membership and shall be responsible for interpreting and putting into effect the decisions, policies and programs of the SCC WDB. If a SCC WDB meeting has been cancelled or is not scheduled to take immediate action requested by the DOL or Arizona and action items are needed to continue the programs, the Executive Committee shall put into effect and vote on the action items. All actions are subject to ratification by vote of the SCC WDB at its next regularly scheduled meeting.

Standing Committees

The SCC WDB has authority to establish standing committees in order to address specific issues. All standing committee recommendations are presented to the SCC WDB for official action.

All standing committees must operate according to 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).

If the SCC WDB 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 are established by the SCC WDB:

Workforce Development Committee

The Workforce Development Committee duties shall be to:

1. 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.

2. Review and discuss program and strategic planning issues and make recommendations to the SCC WDB. The Committee is responsible for the process to select and train service providers.
3. Be responsible for evaluating the effectiveness of all WIOA programs and will report its findings and/or recommendations to the SCC WDB.
4. Be responsible for the development and implementation of marketing tools and strategies to promote the WIOA within Santa Cruz County.
5. Be responsible for the recruitment of individuals to apply for membership on the SCC WDB. Committee members will orientate, educate, and train new SCC WDB members.

Youth Committee

The Youth Committee will review and recommend providers of youth services to the SCC WDB. The committee will coordinate local youth programs and initiatives.

Ad Hoc Committee

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

Standing Committee and Ad Hoc Committee Officers

The SCC WDB Chairperson appoints the Chairperson of the standing committees and Ad Hoc committees subject to ratification by a vote of the SCC WDB.

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

ARTICLE VIII - MEETINGS

The SCC WDB shall hold at least four meetings per year on the date, time and place as may be designated by the Chairperson of the SCC WDB.

The Chairperson of the SCC WDB may call, as needed Special meetings of the SCC WDB, Executive Committee, its standing committees and/or ad hoc committees

The SCC WDB meeting may conduct business only when a Quorum exists. A Quorum is defined as the simple majority of the appointed WDB members or in Committees, when a simple majority of the appointed Committee members are present.

If any member are unable to be present in person, member may participate by telephone or video conference, if available. The agenda should state that one or more members will participate by telephonic conference. The meeting agenda will state "Members of the Santa Cruz Workforce Development Board will attend either in person or by telephone conference call." Members participating in a telephone conference shall be clearly identified in the minutes.

All meetings of the SCC WDB and 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).

All regular and special meeting announcements will be posted in hard copy at the SCC One Stop Office and County Administration building. Electronic postings will be available on the SCC One Stop Web Site and the Arizona@Work Web Site. In addition to notifications to SCC WDB members and partners, meeting notices will be emailed to interested parties

SCC WDB members may be compensated for any travel expenses, per county policies. No members shall receive a salary or other benefits reserved for SCC employees.

ARTICLE IX - VOTING

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

Only duly appointed SCC WDB members are eligible to vote. A member may not delegated his/her authority or right to vote. No members may appoint an alternate.

SCC WDB may hold its meetings with members physically in attendance or via electronic means, such as Skype or Face Time, or telephone.

ARTICLE X - CONFLICT OF INTEREST, LIABILITY COVERAGE

The SCC WDB shall follow Arizona Conflict of Interest Law as set forth in Arizona Revised Statutes, Section 38-501, following and Section 38-447 and all State of Arizona Conflict of Interest Policies, SCC Conflict of Interest Policies and all State of Arizona Conflict of Interest Policies.

SCC WDB members shall avoid both conflict of interest and the appearance of conflict of interest in the conduct of the SCC WDB business. A potential conflict of interest exists if a SCC WDB 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 WDB member, service provider, program partner, or consortia partner serving on the SCC WDB must sign a Conflict of Interest Statement upon appointment to the SCC WDB. (See Attachment A). Signed Conflict of Interest Statements shall be retained by the SCC WIOA One-Stop Operator.

If a potential conflict of interest arises, the affected SCC WDB 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 SCC WDB member must refrain from discussing and/or voting on that issue.

Any SCC WDB member may acknowledge a conflict of interest. In order to avoid a potential conflict of interest the SCC WDB will ensure that the SCC workforce service providers for WIOA Title 1B adult, dislocated worker, and youth programs are not employed or otherwise compensated as current or former WDB member or WDB employee who was employed or compensated by the WDB or its administrative entity, fiscal agent, or grant recipient anytime during the previous 12 months.

The SCC WDB will ensure that its members, or its administrative staff do not directly control the daily activities of its workforce service providers, workforce system partners or contractors.

The SCC WDB members or their organizations may receive services as a customer of a local workforce service provider or workforce system partner.

ARTICLE XI - QUORUM

A majority of the current membership of the SCC WDB must be present at any meeting of the SCC WDB to constitute a quorum for the transaction of any business to come before the SCC WDB. A quorum, once attained, is still attained even if a member leaves early or abstains from voting.

ARTICLE XII - AMENDMENTS

Amendments to these Bylaws may be necessary from time to time. Any SCC WDB member may propose changes to the Bylaws. The Bylaws may be reviewed by the Executive Committee if the Amendment is requested by the State of Arizona and a General Session Meeting is not practical. However, any amendment must be presented to the members of the SCC WDB at a general meeting and approved by a vote of the SCC WDB.

The amended Bylaws are then presented to the Board of Supervisors for final approval. Each time the Bylaws are amended, a copy of the updated Bylaws will be distributed to all SCC WDB members, and Santa Cruz County Boards of Supervisors.

Bylaws will also be posted in the SCC One Stop Web Site and the Arizona@Work Website.

ARTICLE XIII — Parliamentary Authority

The Rule for Parliamentary Practice in Robert's Rules of Order newly revised shall govern all processing of the SCC-WIB and Committees. In the case of conflict between Robert's Rules and these Bylaws, or between Robert's Rules and a special rule adopted by the SCC-WIB, the Bylaws or special rule shall prevail.

ARTICLE XIV — Compliance with the Law

SCC WDB will comply with the federal and state laws and regulations, as well as, policies and directives from the state administrative entity and approved State Workforce Policies.

ARTICLE XV — Conflict Resolution

At any time a job seeker, applicant, participant, business customer, contractor, or service provider, may file a protest for denial of eligibility or denial of continued services due to non-compliance, award of a contract, the process used in awarding the contract or other actions by the Santa Cruz County Workforce Development Board and/or One Stop Center Operator. All protests must be filed in writing.

All Santa Cruz County One Stop Center customers may file a complaint if they feel that they are not being treated professionally or not receiving any of the Santa Cruz County One Stop Center services that they think they are entitled to receive.

Any complaint related to procurement of goods and/or services shall follow the Santa Cruz County Procurement Policies and Grievances as

described in the Request for Proposals issued by the Santa Cruz County.

First Level is with staff providing the services. The staff works with the customer explaining the Programs, eligibility, availability of funds and training providers. If the customer is satisfied, the complaint is considered closed. Every effort will be made to have a written response within 30 days and filed in the customer's file.

Second Level is when the customer is not satisfied with the response, services or information provided. The customer may file a complaint with the Supervisor or Case Manager. If the customer is satisfied the complaint is considered closed. Every effort will be made to have a written response within 30 days and filed in the customer's file.

Third Level is when the customer is not satisfied with the response, services or information provided. The customer may file a complaint with the Santa Cruz County One Stop Center Director. If the customer is satisfied, the complaint is considered closed. Every effort will be made to have a written response within 30 days and filed in the customer's file.

The decision by the WIOA Director is final.

End

Bylaws Amended by the SCC-WDB on **November** 2019.

SCC WDB Chair,

Santa Cruz County Workforce Development Board

Conflict of Interest Policy

Santa Cruz County Workforce Development Board (SCC WDB) recognizes that all members of this body have been appointed by the Santa Cruz County Board of Supervisors as authorized in the Workforce Innovation and Opportunity Act (WIOA) Section 107. Each member has been appointed because of his/her recognized expertise, talent, knowledge, experience, professional involvement and personal associations relating to Santa Cruz County's business community and population at large.

The WIOA recognizes the inherent potential for a Conflict of Interest and to ensure that members of the SCC WDB avoid any potential, appearance and/or actual conflict of interest this Policy has been adopted by the SCC WDB.

The SCC WDB shall follow Arizona Conflict of Interest Law as set forth in Arizona Revised Statutes, Section 38-501 following, and Section 38-447 and all applicable State of Arizona Conflict of Interest Policies.

SCC WDB members shall avoid both conflict of interest and the appearance of conflict of interest in the conduct of the SCC WDB business. A potential conflict of interest exists if a SCC WDB 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 SCC WDB must sign a Conflict of Interest Form upon appointment to the SCC WDB. (See Attachment A). Signed Conflict of Interest Form shall be retained by the SCC WIOA One-Stop Operator.

If a potential conflict of interest arises, the affected SCC WDB 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 SCC WDB member must refrain from discussing and/or voting on that issue.

END

Attachment A

**Santa Cruz County
Workforce Development Board**

Conflict of Interest Signature Form

_____ I, have been appointed to the Santa Cruz County Workforce Development Board (SCC WDB) have received, read and understand the Santa Cruz County Workforce Development Board Conflict of Interest Policy.

I certify that I am not involved nor will be involved, in any discussion, participation of vote that would influence the decision regarding the provision of any services or goods that may be provided by the SCC WDB.

I understand that any false statement on this Form or any violation of the SCC WDB Conflict of Interest Policy may be grounds for disciplinary action which may result in sanctions, removal from the SCC WDB.

In addition, I am aware that the State of Arizona Statutes may apply.

If a potential or actual Conflict of Interest is declared before or during a SCC WDB meeting, please fill this section and abstain from discussions and vote of matter in which the potential of actual conflict of interest exists.

Date: _____

Members Name: _____

Member Signature: _____