



THE ALASKA WORKFORCE INVESTMENT BOARD BYLAWS

Amended February 2023

Pursuant to Alaska Statute Section 23.15.550 and USC 3101-3361 (Workforce Innovation and Opportunities Act of 2014), a state workforce investment board has been established, hereby known as the Alaska Workforce Investment Board.

ARTICLE I NAME AND ADMINISTRATIVE SUPPORT

Section 1. The name of this organization is the Alaska Workforce Investment Board (AWIB). For purposes of these bylaws, the AWIB shall be referred to as the Board.

Section 2. The Department of Labor & Workforce Development shall provide administrative support to the Board. All correspondence for the Board may be addressed in care of:

Alaska Workforce Investment Board
Department of Labor and Workforce Development
3301 Eagle Street, Suite 305
Anchorage, AK 99503

ARTICLE II PURPOSE AND MISSION

The Alaska Workforce Investment Board's purpose is to develop and implement an efficient, effective and integrated state workforce investment system. The comprehensive system will provide employment education and training programs, and services to insure that all Alaskans have the skills and opportunities necessary to earn a living wage. A skilled workforce will be critical in meeting future business needs of the state, and will encourage growth of business and industry. The Board advises the Governor of workforce investment needs and recommends ways to meet those needs, while maximizing federal funds and avoiding duplication of effort.

ARTICLE III POWERS, FUNCTIONS AND OVERSIGHT RESPONSIBILITIES

Section 1. The Board acts in an advisory capacity to the Governor of the State of Alaska and to the programs and departments administering programs under the Board's oversight. Oversight is defined within the scope of activities and programs, included in Sections 2 and 3 below.

Section 2. The Board shall:

- (a) Create a statewide plan for the coordination, delivery, monitoring and evaluation of all workforce investment programs under Board oversight. Such plan will be submitted to the United States Department of Labor and Workforce Development Employment Training Administration and the Governor. The plan shall include:
 - (1) the Board's goals, objectives, and performance measures;
 - (2) coordination criteria for linkages among employment, training and education agencies;
 - (3) performance standards and determination of variations of standards for the State Workforce Investment Board under the Act;
- (b) plan resource allocations not subject to federal or state formula;
- (c) in coordination with the appropriate state agencies, identify the employment and training and career and technical education needs throughout the state and assess the extent to which employment and training, career and technical education, rehabilitation services, public assistance, economic development and other federal, state and local programs and services represent a consistent, integrated and coordinated approach to meeting these needs;
- (d) execute those duties required by the Workforce Innovation and Opportunities Act of 2014;
- (e) apply for, receive, and distribute grants to further the mission, goals, strategies and objectives of the Board.

Section 3. The Board shall act as the lead state planning and coordinating entity for state workforce investment programs including but not limited to:

- (1) 29 U.S.C. 3101-3361 (Workforce Innovation and Opportunities Act of 2014);
- (2) 29 U.S.C. 2301 - 2471, Carl D. Perkins Vocational and Applied Technology Education Act;
- (3) 20 U.S.C. 1201 - 1213d Adult Education Act;
- (4) 29 U.S.C. 49 - 491-1 Wagner Peyser Act;
- (5) federal law for work programs for needy families with children under the social security act;
- (6) the employment program established under 7 U.S.C. 2015(d)(4) (7), Food Stamp Act of 1977
- (7) all federal programs designated as successors to the programs listed in (1) - (6) of this section; and

(8) all state laws involving employment training, career and technical education, workforce development, and (Sec. 5 ch 61 SLA 1995), which include the State Training and Employment Program.

ARTICLE IV MEMBERSHIP

The Board consists of the following voting members not to exceed 26 as mandated in the legislation, which established the Board (AS 44.19.620):

- (1) the lieutenant governor, or designee;
- (2) the commissioners of Community & Economic Development, Education & Early Development, Health & Social Services, and Labor & Workforce Development, or a designee for each commissioner;
- (3) one representative from the University of Alaska;
- (4) four additional representatives of education - one from local public education, one from secondary vocational education, one from a postsecondary vocational education institution, and one from adult basic education;
- (5) four representatives of business and industry;
- (6) four representatives of organized labor that the Governor shall appoint from lists of nominees submitted by recognized state labor organizations:
- (7) at least one representative from an organization representing employment and training needs of Alaska Natives;
- (8) at least one representative of a community-based service organization;
- (9) at least one representative who has personal or professional experience with developmental disabilities;
- (10) at least one veteran
- (11) at least one and up to four additional members of the private sector to ensure a private sector majority and regional and local representation on the Board.
- (12) Additional non-voting members may be appointed to the Board from government or non-government entities.

ARTICLE V APPOINTMENTS & TERMS

Section 1. Members of the Board other than the lieutenant governor and commissioners or their designees are appointed by the Governor and serve at the pleasure of the Governor. The voting members of the Board other than the lieutenant governor and commissioners/designees serve for staggered four-year terms and may serve until a successor is appointed. An appointment to fill a vacancy shall be made in the same manner as the original appointment and for the balance of the unexpired term.

In the event of a seat vacancy, the Executive Director will notify Alaska Boards and Commissions in writing as soon as the upcoming vacancy is known.

Interested board appointees may complete an application via online, mail or fax. A cover letter and resume may also be mailed to Alaska Boards and Commissions staff.

Alaska Boards and Commissions staff will work with the Governor to identify appropriate nominees for the vacant seat; Final nominations and appointments are at the discretion of the Governor.

Other conditions governing appointment of membership on the Board as deemed appropriate by the governor will be made on a case-by-case basis.

Section 2. The Governor shall ensure that individuals appointed to the Board have sufficient expertise to effectively carry out the duties of the Board. This expertise includes: knowledge of the long-term needs of individuals preparing to enter the workforce; the needs of local, state, and regional labor markets; and the methods for evaluating the effectiveness of career and technical education programs in serving varying populations.

ARTICLE VI OFFICERS & ELECTION OF OFFICERS

Section 1. The Board shall elect a chair and vice chair from among the members who are designated representatives of business and industry and private sector as appointed under AS 23.15.550. Both the chair and the vice-chair serve at the pleasure of the Board. The chair, vice-chair and immediate past chair shall serve as members of the Executive Committee.

The Board Executive Director shall annually, prior to December 31st of each year, contact board members to solicit eligible candidates for the two elected offices, Chair and Vice-Chair. A notice of election and list of eligible nominated candidates will be sent to Board members no less than thirty days before the meeting when candidates may address the board. The election of officers will take place via electronic survey, or email, or mailed ballots after the board meeting.

Section 2. Term of Office. The Chair and Vice-Chair will be elected annually.

ARTICLE VII MEETINGS & QUORUM

The Board shall hold no more than three meetings annually. The Board shall meet at the call of the chair to conduct its business. A majority of the appointed members constitutes a quorum.

Board meetings may be held via face to face, teleconference, and videoconference.

To ensure members actively participate in the convening of the workforce development system:

- Members shall report out at each meeting activities including, but not limited to, best practices, outreach to stakeholders and industry partners, and engagement in board activities.
- All members will be assigned a seat on a committee; All attempts will be made to assign seats based on preference and industry knowledge as it relates to specific committee duties.

ARTICLE VIII ATTENDANCE

Section 1. A Board member who misses two consecutive face-to-face or teleconference board or committee meetings shall receive a letter from the Chair encouraging more consistent attendance. A Board member who misses three consecutive face-to-face or teleconference board or committee meetings will have their attendance reviewed by the Executive Committee for removal from the Board.

ARTICLE IX DELEGATES/DESIGNEES:

A member of the board appointed by the governor under (a) AS 23.15.550 may appoint a voting designee qualified to serve in their designation place of the member for one board meeting in a 12 month period. The member shall appoint the designee for that meeting in writing.

- If the alternative designee is a business representative, he or she must have optimum policymaking hiring authority.
- Other alternative designees must have demonstrated experience and expertise and optimum policymaking authority.

Section 3.

ARTICLE X COMMITTEES

Section 1. The Board has established an Executive Committee and five standing committees to conduct its business.

Section 2. The Board chair will appoint the chairs of the five standing committees.

Section 3. The Executive Committee is made up of the Board chair, vice-chair, past chair and the four chairs of the standing committees. All board members may attend any Executive Committee meeting.

The Executive Committee shall:

- (1) have duties and powers assigned by the Board
- (2) have the authority to take action on behalf of the Board (when lacking necessary quorum; in case of an emergency, etc.)
- (3) report to the Board, in a timely fashion, on actions taken on behalf of the Board
- (4) supervise the affairs of the Board between regular meetings.

Section 4. The Assessment and Evaluation Committee is responsible for understanding and making decisions on WIOA rules and regulations; administering the state's One-Stop Certification process; and coordinating and implementing the state plan. The Assessment and Evaluation Committee is also responsible for understanding and monitor performance for state funded training programs.

Section 5. The Policy and Planning Committee will draft policies as needed for alignment with WIOA. The committee will also draft policies for the administration and oversight of programs funded by the board. This committee will work with all committees.

Section 6.

The Workforce Readiness Employment Placement Committee will provide oversight for training and employment programs are delivering education and training that is relevant to local employer needs. The committee will make recommendations about how to grow the Board's apprenticeship programs as a way to lead to economic recovery across the state.

Section 8. A Legislative Work Committee will be appointed by the Chair of the Board to bring issues of concern to the Legislature on behalf of the Board.

Section 9. Ad Hoc committees may be appointed by the chair to work on issues of a temporary nature as needed.

Section 10. The administrative staff of the Board in the Alaska Department of Labor and Workforce Development shall provide support and administrative services as needed for the committees.

ARTICLE XI TRAVEL POLICY

The AWIB supports the professional development of its members, in alignment with board goals. Professional development may occur in a variety of ways. If a member wants to travel to or simply attend a conference/meeting/workshop, the member must gain approval. The value of the professional development, the costs involved, departmental approval and the status of AWIB's budget shall be considered as part of final approval process

ARTICLE XII AMENDMENTS TO THE BYLAWS

These bylaws may be approved, amended, or repealed through adoption of Board action by a 2/3 vote of the members present at any regular meeting providing the proposed changes do not conflict with existing federal or state laws, regulations or guidelines.

ARTICLE XIII PARLIAMENTARY PROCEDURE

Only parliamentary procedures as laid out in *Roberts Rules of Order, Newly Revised*, shall prevail in all regularly scheduled and special meetings of the Board and any standing or ad hoc committees thereof.

ARTICLE XIV INDEMNIFICATION

The Board and all committees thereof shall operate within the applicable state and federal laws. The State of Alaska shall indemnify every member of the Board and his/her executors and administrators against all expenses reasonably incurred by or imposed on him/her in connection with any actions, suit or proceeding at which he/she may be made part by reason of being or having been a member or officer of the Board, except in relation to matters as to which he/she shall be finally adjudged in such conduct, suit, or proceeding to be liable for negligence or misconduct, and in the absence of such final adjudication, indemnification shall be provided only in connection with such matters as to which the Board members are advised by legal counsel that the person to be indemnified committed no such breach of duty. The foregoing right of indemnification shall not be exclusive of any other rights to which such person may be entitled.

ARTICLE XV CONFLICT OF INTEREST

Board members shall disclose any potential or real conflict at the earliest possible time and remove themselves from any key decisions or debates where the outcome may or will have an impact on related activities. Board members shall scrupulously avoid undisclosed conflicts of interest between the interests of the State of Alaska and the Board, and personal, professional, and business interests. This includes avoiding potential and actual conflicts of interest, as well as perceptions of conflicts of interest. Upon or before appointment, each Board member will make a full, written disclosure of interests, relationships, and holdings that could potentially result in a conflict of interest. This written disclosure will be kept on file and updated as appropriate.

In the course of meetings or activities, a board member shall disclose any interests in a transaction or decision where he/she or his/her family and/or significant other, employer, close associates, including business or other nonprofit affiliations, will receive a benefit or gain. After disclosure, he/she may be asked to leave the room for the discussion and will not be permitted to represent AWIB to external agencies on this issue or vote on the question.

Each board member will be asked to sign a conflict-of-interest policy document stating his/her understanding that this policy is meant to supplement good judgment, and he/she will respect its spirit as well as its wording.