

# **KANSASWORKS State Board Bylaws**

## **Article 1. Name, Service Area**

### Section 1. Name of the Board

The name of the organization shall be the **KANSASWORKS** State Board (KWSB).

### Section 2. Legal Authority for Board

The **KANSASWORKS** State Board is organized in accordance with the Workforce Innovation and Opportunity Act (WIOA) and by Governor's Executive Order No. 15-06.

### Section 3. Duties of the Board

The **KANSASWORKS** State Board was created by the Governor to assist in establishing and coordinating workforce programs in the State of Kansas including, but not limited to, the implementation of the Workforce Innovation and Opportunity Act.

### Section 4. Area Served

The area to be served by the **KANSASWORKS** State Board shall be the state of Kansas and the labor markets and economic regions contained therein.

### Section 5. Staff/Board Address

The Kansas Department of Commerce, Workforce Services Division shall be responsible for providing staff to the **KANSASWORKS** State Board along with assistance as needed from other state agencies and boards.

The official office location and mailing address shall be: **KANSASWORKS** State Board, Kansas Department of Commerce, 1000 S.W. Jackson St., Suite 100, Topeka, KS, 66612-1354.

## **Article 2. Officers, Terms of Office, and Appointments**

### Section 1. Officers

The Officers of the **KANSASWORKS** State Board shall be the Chair and Vice Chair.

### Section 2. Terms of Office

The Chair and Vice Chair serve at the pleasure of the governor.

### Section 3. Appointment of Officers

The Governor shall appoint the Chair in accordance with the federal WIOA regulations and Kansas State Law. The Governor shall appoint the Vice Chair. The Chair and Vice Chair shall represent the private-sector business community and serve at the pleasure of the Governor.

## **Article 3. Membership of Board**

### Section 1. Nomination Process

Nominations to the KWSB may be submitted to: **KANSASWORKS** State Board, Kansas Department of Commerce, 1000 S.W. Jackson St., Suite 100, Topeka, KS, 66612-1354.

WIOA specifies the entities that may nominate potential members for certain representative categories; e.g., business and labor.

### Section 2. Terms of Membership

Members serve at the pleasure of the Governor.

### Section 3. Vacancies

As vacancies occur, KWSB staff will solicit nominations from the applicable nominating entities to forward to the Governor.

## **Article 4. Meeting Procedures, Voting Rights and Quorum**

### Section 1. Meeting Procedures

Regular attendance is expected of each board member. If a member is unable to attend, he/she shall notify the Chair or board staff at least twenty-four hours in advance of a meeting. In an emergency, the member shall contact the Chair or staff as soon as reasonably possible. Failure to notify shall be recorded as an unexcused absence. Participation by teleconference or other available technology is allowed at the discretion of the Chair or board staff by making prior arrangements. Failure to attend two consecutive meetings, whether a regular or special meeting, shall result in notification to the Governor unless the member is prevented from attending by business necessity, or by serious illness of the member or the family of the member, or for any cause that in the judgment of the Governor constitutes a valid reason for failing to attend.

Notice shall be mailed, e-mailed, faxed or delivered personally to each member of the **KANSASWORKS** State Board.

### Section 2. Proxy and alternative designee

**KANSASWORKS** State Board does not recognize proxy or alternative designees in representation, discussion or voting.

### Section 3. Voting Rights

Voting rights are reserved for duly appointed members of the **KANSASWORKS** State Board, only. Members may cast one vote on any question.

### Section 4. Conflict of Interest

- A. All board members, committee members and staff member must avoid both the occurrence and appearance of a conflict of interest in any matter of business or discussion before the KWSB.
- B. An individual has an ‘interest’ if that person or member of their family has through employment, business, investment affiliation or association; an opportunity to benefit either directly or indirectly from any action of the KWSB.

A member or staff of the **KANSASWORKS** State Board or its committees shall:

- (1) when met with an actual or potential conflict of interest, announce publicly the nature of the potential conflict prior to taking any action thereon; and
- (2) abstain from participating in any discussion or debate on the issue out of which the conflict arises; and
- (3) abstain from voting on the matter under any circumstances.

A member of the **KANSASWORKS** State Board shall not engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the State Plan.

### Section 5. Quorum

To transact business at a **KANSASWORKS** State Board meeting, a majority of the board members must be present, either physically or by electronic means.

## **Article 5. General Provisions**

### Section 1. Board Operations

The **KANSASWORKS** State Board shall operate within applicable state and federal laws including, but not limited to Executive Order #15-06 Designation of the **KANSASWORKS** State Board as the State Workforce Development Board and Kansas Open Meetings Act (KOMA).

### Section 2. Participation in Meetings

**KANSASWORKS** State Board meetings are conducted in public; however, participation in meetings shall be limited to **KANSASWORKS** State Board members and staff working with the **KANSASWORKS** State Board. The Chair may allow:

- A. Non-members to present regularly scheduled agenda items that call for reports or participation by non-members; or
- B. Allow comment or other participation by non-members which is deemed relevant to any matter before the **KANSASWORKS** State Board.

### Section 3. Action Items

The **KANSASWORKS** State Board needs to take action each meeting to make timely recommendations to the Governor on critical workforce matters. Because such action may affect multiple partners and parts of the workforce system, the **KANSASWORKS** State Board shall assure, to the extent possible, that actions before the board have been discussed fully and openly prior to taking action. The **KANSASWORKS** State Board may postpone any action on any particular item until the next regular meeting or refer the item to the Executive Committee for final action.

### Section 4. Staff Role in Implementing Governor Approved Policies

The **KANSASWORKS** State Board staff will work on implementation of the policies, goals and activities recommended by the **KANSASWORKS** State Board and approved by the Governor. The staff shall make regular reports to the **KANSASWORKS** State Board on implementation. **KANSASWORKS** State Board staff shall be responsible for preparing and distributing an agenda in keeping with these bylaws.

### Section 5. Executive Committee

- A. The Executive Committee shall be a seven-member committee consisting of the Chair and Vice-Chair of the **KANSASWORKS** State Board and five board members designated by the Chair. The majority of members of the Executive Committee shall come from the private sector.
- B. The Executive Committee shall be empowered to take action on behalf of the **KANSASWORKS** State Board when emergency concerns necessitate such action (e.g. taking action when time pressures do not allow the issues to be addressed at a regularly scheduled **KANSASWORKS** State Board meeting). The Executive Committee will meet by conference call and a majority vote of the Executive Committee is required for all such actions. All actions of the Executive Committee shall be reviewed by the full **KANSASWORKS** State Board at the next regularly scheduled meeting.

### Section 6. Other Committees

The **KANSASWORKS** State Board Chair may from time to time establish other standing or ad hoc committees to assist the **KANSASWORKS** State Board in convening the workforce system's stakeholders, brokering relationships with a diverse range of employers, and leveraging support for workforce development activities. Such other committees shall be chaired (or co-chaired) by KWSB board members and shall include other interested stakeholders as appropriate.

### Section 7. Bylaw Changes

These bylaws may be amended, repealed or new bylaws enacted by an affirmative vote of two thirds (2/3) of the **KANSASWORKS** State Board.