

# **Kansas Workforce Investment Board Bylaws**

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

### Section 1. Name of the Board

The name of the organization shall be the **KANSASWORKS** State Board, formerly known as the Workforce Network of Kansas Board (WNK Board).

### Section 2. Legal Authority for Board

The **KANSASWORKS** State Board is organized in accordance with the Workforce Investment Act (WIA) of 1998 and by Governor's Executive Order No. 01-06.

### 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 Investment 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 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 from the Governor's Office and the Kansas Board of Regents and other staff from agencies represented on the Governor's Cabinet.

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 will be limited to two, one-year terms. After expiration of terms the Officer must serve a one-year waiting period before reappointment.

Section 3. Appointment of Officers

The Governor shall appoint the Chair in accordance with the federal WIA regulations and Kansas State Law. The Governor shall appoint the Vice Chair. The Chair and Vice Chair shall represent the private-sector business community.

**Article 3. Membership of Board**

Section 1. Terms of Membership

Members serve at the pleasure of the Governor. Members will be appointed by the Governor to three-year terms. Each member may serve a maximum of two terms. After expiration of terms the member must serve a one-year waiting period before reappointment.

The Governor's appointment to terms of service will be staggered. To accomplish this, the Governor will appoint no more than one-third of the members per year to new terms.

**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 telephone conference call 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 forfeit appointment 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.

- A. In accordance with the Kansas Open Meetings Act notice shall be mailed, e-mailed, faxed or delivered personally to each member of the **KANSASWORKS** State Board.

Section 2. Voting Rights

Members may cast one vote on any question. Proxy votes will be allowed for Board or committee meetings. Proxy representation for agency directors who are unable to be present is expected. Proxy votes must be carried by a member of the same classification and may be granted by fax or e-mail. Proxy votes will be limited to two votes per year.

Section 3. Conflict of Interest

- A. A member of the **KANSASWORKS** State Board shall:
  - (1) when met with a potential conflict of interest, announce publicly the nature of the potential conflict prior to taking any action thereon; and
  - (2) refrain from participating in any discussion or debate on the issue out of which the actual conflict arises; and
  - (3) refrain from voting on the matter under any circumstances.

- B. 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 IV. Quorum

- A. To transact business at a **KANSASWORKS** State Board meeting, a quorum of members must participate. A quorum requires the participation of at least 40 percent of the business representatives in person or by proxy and the participation of at least a majority of all the **KANSASWORKS** State Board members including the business representatives.
- B. Participation may be those members present or those participating by electronic means and a vote of majority of the members present, including at least 40 percent of the business representatives present or voting by proxy, shall be sufficient to pass a motion providing the members in attendance constitute a quorum.

### **Article 5. General Provisions**

#### Section 1. Board Operations

The **KANSASWORKS** State Board shall operate within applicable state and federal laws.

#### Section 2. Participation in Meetings

Participation in meetings shall be limited to **KANSASWORKS** State Board members and staff working with the **KANSASWORKS** State Board and also:

- A. Non-members presenting regularly scheduled agenda items that call for reports or participation by non-members.
- B. At the discretion of the Chair, comment or other participation by non-members which is relevant to material to the matter under consideration 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 persons designated by the board. 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) and every other month when the **KANSASWORKS** State Board is not scheduled, if there is significant demand. The Executive Committee will preferably meet by conference call and consideration will be given to avoid overburdening members with too many meetings. 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 carrying out its duties or current work, by appointing **KANSASWORKS** State Board member(s) as chair (or co-chair) of the committee. The Committee and **KANSASWORKS** State Board chair (or co-chair) is responsible for appointing the members of the committee including **KANSASWORKS** State Board members and 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.