

BY-LAWS OF
THE ALABAMA WORKFORCE INVESTMENT BOARD

ARTICLE I

Authority

The Alabama Workforce Investment Board (AWIB) is established by the Governor of the State of Alabama as provided for in Section 111 of the Workforce Investment Act of 1998 (P.L. 105-220), hereinafter referred to as the "Act".

ARTICLE II

Purpose and Scope

The purpose of the Alabama Workforce Investment Board is to assist the Governor in the development and continuous improvement of a statewide system of activities as provided for in the Act in order to ensure a statewide workforce investment system including the development of linkages among workforce development programs.

ARTICLE III

Staffing and Funding

The Governor shall provide appropriate funding and staffing for the Alabama Workforce Investment Board as provided for under Section 128(a)(1), and Section 665.110 of the Regulations (20CFR Part 652, et al).

ARTICLE IV

Board Composition and Tenure

All members of the Alabama Workforce Investment Board serve at the pleasure of the Governor of the State of Alabama except for the representatives appointed by the presiding officer of each chamber of the State Legislature.

Voting membership shall be of such a mix and composition as provided in Section 111 of the Act. Appointments to the AWIB shall be made by the Governor. Nominations may be provided by State agencies, business

associations and organizations, entities of local government, local education agencies, other interested organizations, and the general population as provided in the Act.

Appointments to the Board remain in effect during the tenure of the Governor until the member resigns or the Governor withdraws the appointment or requests a resignation.

The Chairperson may declare a vacancy where any member misses three (3) consecutive Board meetings without good cause. Members who provide notification verbally or in writing shall be deemed to have good cause. The Chairperson shall consult with the Chief of the Workforce Development Division of ADECA and make a recommendation to the Governor before declaring a vacancy for non-attendance.

Alternates may be designated by a Board member to attend the meeting on his/her behalf. Alternates must be designated prior to the meeting. Alternates should be individuals who represent the same category as the appointed member and have policy making authority. Alternates may be designated on an annual basis or on a per meeting basis. The designation, in order to be effective, shall be submitted to the AWIB's Executive Secretary prior to a meeting.

As the need arises, the Governor or the Chairperson may appoint an ad hoc member who is needed for a special purpose and who shall be a non-voting member. Ad hoc members shall serve at the pleasure of the Governor or the Chairperson.

ARTICLE V

Quorum and Voting

Thirty percent (30%) of the membership shall constitute a quorum at Board or committee meetings. Board or committee action shall require a simple majority of those members present during a meeting at which a quorum is present. The Chairperson may determine the method of voting, except that any member may request individual polling. Secret balloting shall not be allowed.

All members appointed by the Governor under the provisions of the Act are entitled to one vote each. The Chairperson of the Alabama Workforce Investment Board shall refrain from voting except that, in case of a tie vote, the Chairperson shall cast the deciding ballot.

An AWIB member shall not cast a vote on any matters pertaining to the provision of services by any organization represented by that member or in any other circumstances that would result in financial benefit to that member. In such cases during a call for vote, it shall be the individual member's responsibility to ensure that an abstention is recorded in his/her name as part of the minutes. Each Board member will be asked to sign a Conflict of Interest Policy Statement stating his/her understanding that this policy is meant to supplement good judgment, and the Board member will respect its spirit as well as its wording.

The AWIB's Executive Secretary shall not have a vote.

ARTICLE VI

Board Officers

The Chairperson of the Alabama Workforce Investment Board shall be designated by the Governor and shall be a business member of the AWIB.

The Vice-Chairperson shall be appointed by the Chair and shall be a business member of the AWIB.

The Executive Secretary shall be the Division Chief of the Workforce Development Division of the Alabama Department of Economic and Community Affairs or his/her designee.

ARTICLE VII

Committees

The Chairperson, as deemed appropriate and/or as directed by the Governor, may appoint such standing and/or ad hoc committees as considered necessary to focus appropriate emphasis on the responsibilities of the Alabama Workforce Investment Board's areas of functional interest. At a minimum, there shall be an Executive Committee.

In addition to the regular AWIB members appointed, there shall also be appointed an AWIB staff member or Workforce Development Division staff member to facilitate carrying out committee assignments.

Any areas of interest outside the purview of standing committees, which need to be addressed by the AWIB, shall be assigned to an ad hoc committee appointed by the AWIB's Chairperson with the approval of the Executive Committee.

The Executive Committee membership shall be composed of the Board Chair, Board Vice-Chair, the Executive Secretary, two business members appointed by the Chair, and such other AWIB members deemed necessary by the Chair. Executive sessions shall be chaired by the Board's Chairperson or, in his/her absence, the Vice-Chairperson. Committees shall meet at the call of the respective committee Chairperson. Committee Chairpersons shall provide the AWIB's Chairperson with a brief, concise report of any and all committee meeting proceedings.

ARTICLE VIII

Alabama Workforce Investment Board Meetings

Alabama Workforce Investment Board meetings shall be at the call of the Governor, his designee or Chairperson. Announcements, including the date, time, and place of proposed meetings shall be made public seven (7) days prior to such meetings. Recording the proceedings of all AWIB meetings shall be the responsibility of the AWIB's Executive Secretary. Meetings of the AWIB shall be held at a minimum of two (2) times a year, except that an Executive Committee meeting may substitute for a full AWIB meeting if necessary.

All meetings of the Alabama Workforce Investment Board are subject to the Alabama Open Meetings Act (Act No. 2005-40) and are open to the public at all times.

ARTICLE IX

Executive Sessions

The Alabama Workforce Investment Board's Chairperson, as deemed necessary, shall call the Executive Committee into session. Such executive sessions may be held for the purpose of expediency in conducting AWIB business and shall carry the authority of the AWIB in lieu of the full AWIB. A review of the business conducted shall be presented at the next Board meeting.

ARTICLE X

Special Sessions

The Alabama Workforce Investment Board Chairperson shall be obliged to call special sessions at the request of a majority of AWIB members.

ARTICLE XI

Board Authority

The Alabama Workforce Investment Board shall act in accordance with Section 111 of the Workforce Investment Act of 1998, and no official business shall be conducted by the AWIB except that a quorum is present. A quorum shall be thirty percent (30%) of the AWIB's membership.

ARTICLE XII

Presiding Officer

The Alabama Workforce Investment Board's Chairperson shall preside over meetings of the AWIB and the Executive Committee. In case of the Chairperson's absence, the Vice-Chair shall conduct the business. If neither the Chair nor Vice-Chair can preside at the meeting, an alternate may be designated in writing prior to the meeting.

ARTICLE XIII

Records and Proceedings

It shall be the responsibility of the Alabama Workforce Investment Board's Executive Secretary to see that all AWIB proceedings are recorded and maintained in a permanent file. Minutes of the most recent calendar year proceedings shall be readily available at all AWIB meetings. Committee reports shall be made a matter of permanent record and submitted by the Chairperson to the Executive Secretary accordingly.

ARTICLE XIV

Agenda

It shall be the responsibility of the Alabama Workforce Investment Board's Executive Secretary, or his/her designee, to develop and distribute to members a meeting agenda in advance of any meetings. It shall be the responsibility of the individual members and/or committee Chairpersons, as appropriate; to submit agenda items to the Executive Secretary reasonably in advance of scheduled meetings. All agenda shall provide for the category of "other business."

ARTICLE XV

Board Member Expenses

Allowable expenses (directly associated with duties as Alabama Workforce Investment Board members) shall be reimbursed in the amount and in such procedural manner as fixed by State Law and procedures based on the State of Alabama's travel policy.

ARTICLE XVI

Amendments to Board Bylaws

These Bylaws may be amended in the course of regular or special meetings of the Alabama Workforce Investment Board provided that the proposed amendment or amendments shall have been distributed in writing to the AWIB members by the Executive Secretary at least seven (7) days prior to such meetings.

ARTICLE XVII

Board Protocol

The form and manner in which all Alabama Workforce Investment Board business is conducted shall be in accordance with recognized rules of procedure where not otherwise specified in these Bylaws. The Chairperson shall determine the degree of formality that will be exercised in Board meetings.

ARTICLE XVIII

Conflict of Authority

Nothing in these Bylaws shall be construed to be in conflict nor shall any action be taken under these Bylaws that may be considered in conflict with federal and state laws, their implementing regulations, directives, or subsequent amendments thereto.

The above-listed Bylaws of the Alabama Workforce Investment Board are hereby adopted by the AWIB in accordance with the provisions of the Workforce Investment Act of 1998 and submitted to the Governor of the State of Alabama for approval.

Jim Alford / 6/13/12
Chairperson Date

Steve Walkley / 6/13/12
Executive Secretary Date

The Articles comprising these Bylaws are hereby duly adopted on this the 13th day of June, 2012.

Robert Bentley
GOVERNOR
STATE OF ALABAMA