



## **Governor’s Council for Workforce and Economic Development**

### **BYLAWS**

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## ARTICLE I ORGANIZATION

Section 1.01 Name – The name of the organization shall be the Governor’s Council for Workforce and Economic Development hereafter known as the Governor’s Council. Under the Workforce Innovation and Opportunity Act (WIOA), the Governor’s Council is also known as the State Workforce Development Board.

Section 1.02 Mission – The mission of the Governor’s Council shall be to assist the Governor in the development, recommendation, implementation, and impact assessment of wealth-generating policies and programs within the workforce system and consistent with the WIOA State Plan and the functions of the State Workforce Development Board as required by WIOA.

Section 1.03 Area Served – The Governor’s Council shall serve the State of Oklahoma and the Local Workforce Development Areas and Regional Labor Markets therein.

Section 1.04 Legal Authority for Governor’s Council – Senate Bill 612 passed by Oklahoma’s 55th legislature, in accordance with the Workforce Innovation and Opportunity Act (“WIOA”) establishes the Governor’s Council as an advisory body to the Governor. The Governor’s Council shall also assist the Governor in ensuring the implementation of the WIOA State Plan.

## ARTICLE II PURPOSE

Section 2.01 Responsibilities of the Governor’s Council – The Governor’s Council shall operate in accordance with the functions contained in WIOA to oversee Oklahoma’s Workforce Development System. The purpose of the Governor’s Council shall be to:

1. Guide the development of a comprehensive and coordinated workforce development system for the state and monitor its operation; and
2. Review and make recommendations that will align the workforce system, including education, with the economic development goals of the state for the purpose of creating workforce and economic development systems that are integrated and shall provide Oklahoma a competitive advantage in a global economy.

## ARTICLE III MEMBERSHIP

Section 3.01 Membership – Members of the Governor’s Council representing organizations, agencies, or other entities shall be individuals with optimum policymaking authority within their organizations, agencies or entities. In order to provide the Governor with wide-range perspective on workforce policy issues, the members of the Governor’s Council shall represent diverse regions of Oklahoma, including urban, rural, and suburban areas from both the public and private sectors. Private sector members of the Council must be nominated to the Governor by a State business organization. Labor organization members must be nominated to the Governor by State labor federations.

- A. The Governor’s Council shall be comprised of:
1. The Governor;
  2. Two members of the Senate, appointed by the President Pro Tempore;
  3. Two members of the House of Representatives, appointed by the Speaker;
  4. The Executive Director or Secretary of the Oklahoma Department of Commerce;
  5. The Executive Director of the Oklahoma Employment Security Commission;
  6. Chief elected officials representing both cities and counties.
  7. Such other representatives and State agency officials as the Governor may designate, provided:
    - a. A majority of the members of the Governor’s Council shall come from private sector employers including:
      1. Owners of businesses, chief executives or operating officers of businesses or other business executives or employees with optimum policymaking or hiring authority (such individuals may also be members of the board of a local workforce development area);
      2. Individuals who represent businesses, including small businesses, that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors, critical occupations, and ecosystems

in this state, and who have been nominated by State business organizations and business trade associations; and

- b. Not less than 20 percent of the members of the Governor's Council shall be representatives of the workforce within the State, including:
  - 1. Representatives of labor organizations who have been nominated by State labor federations; and
  - 2. At least one representative who is a member of a labor organization or a training director from a joint labor-management apprenticeship program or, if no such joint program exists in the State, a representative of an apprenticeship program in the State.
  - 3. At the discretion of the Governor, individuals in the following categories may also serve as members of the Governor's Council and be counted toward satisfaction of the 20 percent membership requirement referenced in this subsection:
    - a. Representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive, integrated employment for individuals with disabilities; and
    - b. Representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of school youth.

Section 3.02 Term Structure - The Governor may establish terms of appointment or other conditions governing appointment or membership on the Governor's Council. Private sector members shall be appointed by and serve at the pleasure of the Governor for two-year terms on a staggered basis and may be reappointed. Should a vacancy occur during a term of office, reappointments by the Governor will be made for the duration of that term. Members shall continue to serve until a replacement is appointed by the Governor. All initial terms of office shall start on November 1 after receiving notification by letter from the Office of the Governor specifying an explanation of the term structure.

## ARTICLE IV STRUCTURE

Section 4.01 Governor's Council Chair – The Governor shall designate the Chair from the business representatives of the Governor's Council. The Chair shall serve at the discretion of the Governor. In the event that the Chair does not serve an entire term, the Governor shall appoint a new Chair.

Section 4.02 Vice-Chair – The Chair shall designate a Vice-Chair from the business representatives of the Governor's Council.

Section 4.03 Committees – There shall be three standing committees: the Executive Committee, the Workforce System Oversight Committee, and the Healthcare Workforce Committee. The Governor's Council Chair shall appoint committee chairs/co-chairs.

Committee membership is reviewed periodically and member recommendations are made.

- A. Executive Committee – The Executive Committee is comprised of business members of the Council, including at minimum: the Chair, Vice-Chair, and the Co-Chair (private sector representative) from each of the Council's committees, excluding those who are non-members of the Council. The Executive Committee shall act in place of the Governor's Council only when necessary and with subsequent full board review, action, and ratification. It shall convey to the Governor recommendations posed by the Council, approve the direction of the Strategic Plan, develop the areas for tasks required for committees as warranted, make recommendations for the creation of ad hoc committees as needed, appoint committee composition (Council members and at-large community members) and co-chairs, respond to the needs of the Council and its members, conduct an annual review of the Executive Director, and make staff capacity recommendations.
- B. Workforce System Oversight Committee – The Workforce System Oversight Committee shall be co-chaired by a Council member from the private sector and a Council member from other membership categories such as the public sector, labor, non-profits and community-based organizations who are appointed by the Council Chair. The remaining members will be from the general membership and will be comprised of 51% private sector members of the Council. The Oversight Committee shall include State agency officials with primary responsibility for the core programs, but will have non-voting

rights. The Oversight Committee makes decisions on program and system governance, policy and capacity building for the State-level WIOA Partners and Local Workforce Development Boards and partnerships. This committee will observe and critique the Governor's Council's operations and ensure compliance with these bylaws and WIOA.

- C. Healthcare Workforce Committee – The Healthcare Workforce Committee shall be co-chaired by representatives from the healthcare community. One must be a member of the Council, and both are appointed by the Council Chair on an annual basis. The Healthcare Workforce Committee will inform, coordinate, and facilitate statewide efforts to ensure that a well-trained, adequately distributed, and flexible healthcare workforce is available to meet the needs of an efficient and effective healthcare system in Oklahoma. Membership of the Committee may include Council members as well as at-large members of the community who serve two-year terms, and at the pleasure of the Council Chair and in consultation with the Committee Co-Chairs.

Section 4.03 Ad Hoc Committees – Preliminary work in the preparation of matters for Governor's Council action may be performed by ad hoc committees. Ad hoc committees are appointed by the Governor's Council Chair, Executive Committee or the Oversight Committee for a special purpose and will exist until their task is deemed completed by the Chair of the Governor's Council. In general, ad hoc committees are formed to carry out the mission and vision, and to meet the goals as outlined in the Governor's Council Strategic Plan and WIOA State Plan.

All Governor's Council members are expected to take an active role in at least one Governor's Council standing committee or ad hoc committee to ensure active participation in convening the workforce development system's stakeholders, brokering relationships with a diverse range of employers, and leveraging support for workforce development activities.

The Governor's Council Chair shall appoint ad hoc committee chairs from the general membership of the Council based on subject matter expertise. Priority will be given to leadership from the private sector when possible.

## ARTICLE V PROCEDURES

Section 5.01 Meetings – The Governor's Council shall ratify all business it conducts and recommendations it makes through votes at Governor's Council meetings.

- A. The purpose of Governor's Council meetings is strategic discussion and decision-making. Information exchange is to be handled through committee/ad hoc committee meetings and pre-meeting materials. No materials are to be distributed during a Governor's Council meeting for action at a Governor's Council meeting.
- B. The Governor's Council shall schedule meetings at least quarterly. Meetings may be cancelled for lack of business action items or for lack of a quorum.
- C. A quorum exists when 51 percent (majority) of the total membership is in attendance at any duly called meeting.
- D. It is expected that Governor's Council members shall attend and participate in every Governor's Council meeting.
- E. The Governor's Council meetings will be the model structure that local boards can emulate which will include spending meeting time on discussion of substantive issues and not individual programs.
- F. No vacancy or absence shall impair the right of the Governor's Council to conduct business.

Section 5.02 Member Attendance/Replacement/Removal Policy – If a member, who is statutorily or not statutorily required, is absent from two Council meetings and/or two Committee meetings in a twelve (12) month period, the Governor's Council Executive Committee may recommend that a request be made to that individual's Appointing Authority for an official designee to the Governor's Council for Workforce and Economic Development. If a third consecutive absence occurs, the Governor's Council Chair may recommend to the Office of the Governor to replace this individual.

A Council member may be removed for the following:

- Failure of the member to continue to hold the qualifications that were the basis for initial appointment.
- Failure to represent the Council in a manner deemed appropriate by the Council, failure to maintain a positive image of Oklahoma, not supporting initiatives approved by the Council and its committees at meetings or events, negatively portraying the talent development network, Oklahoma Works, or any system partner and the efforts of the Council, etc.
- Failure to comply with state and federal laws, policies, ethics rules, or conflicts of interest policies.

Section 5.03 Member Resignation – If a member resigns from the Governor's Council, the individual must notify the Chair of the Council by written communication. The Office of the Governor will be notified within 30 days after receipt of resignation.

Should a resignation occur during a term of office, the Governor's Office may appoint a new member for the duration of that term. Council members shall continue to serve until a replacement is appointed by the Governor.

Section 5.04 Voting Rights – Each member of the Governor's Council shall be entitled to one vote. Any act of a majority of the members present at a Governor's Council meeting when a quorum is established shall constitute an official act of the Governor's Council. Proxy voting is permitted.

Section 5.05 Official Designees – An official designee may be designated to represent a Council member. To establish a designee, Council members must provide written authorization to the Chair, which includes the name and title and contact information for that individual. The individual chosen must have demonstrated experience and expertise and optimum policy-making authority, and be approved by the Council Chair. Designees may vote on behalf of the Council member they are representing.

Section 5.06 Public Nature of Meetings – All meetings of the Governor's Council, the Executive Committee, the Workforce System Oversight Committee, and the Healthcare Workforce Committee shall be in compliance with the Oklahoma Open Meetings Act, which also guides the use of videoconferences and other technologies.

Section 5.07 Conduct – The rules contained in Robert's Rules of Order, latest edition, shall govern the proceedings of the Governor's Council and its committees in all cases in which they are applicable and in which they are not inconsistent with the bylaws of the Governor's Council.

## ARTICLE VI COMMUNICATIONS

Section 6.01 Minutes of the Meeting – A record shall be made of all meetings of the Governor's Council, the Executive Committee the Workforce System Oversight Committee, and the Healthcare Workforce Committee. Committee minutes shall be posted to the website [www.oklahomaworks.gov](http://www.oklahomaworks.gov). Staff will submit draft minutes of the Governor's Council meeting to the Governor's Council Chair for recommendation for approval within thirty days. Minutes of the Governor's Council meeting are then presented at the next Governor's Council meeting for full Governor's Council approval and posted to the website [www.oklahomaworks.gov](http://www.oklahomaworks.gov).

Section 6.02 Routine Communication – Communication with Governor's Council Members shall be primarily by electronic mail.



Section 6.03 Meeting Packets – Packets consisting of a tentative agenda and information that should be reviewed prior to a Governor’s Council meeting will be distributed seven (7) calendar days prior to the date of the Governor’s Council meeting. Distribution will be by electronic mail unless the size of the e-mail is prohibitive.

Section 6.04 Notice of Meetings – Notice of Governor’s Council and/or Governor’s Council committee meetings will be posted to the website [www.oklahomaworks.gov](http://www.oklahomaworks.gov) and communicated to the Governor’s Council via electronic mail.

6.05 Committee Reports – Committee Chairs will submit written information to be included in the packets to staff (Oklahoma Office of Workforce Development) at least ten (10) calendar days prior to the regularly scheduled Executive Committee Meeting and/or the Governor’s Council meeting.

Section 6.06 Media Communications – Any information to be disseminated in the name of the Governor’s Council must be approved by the Chair of the Governor’s Council through the Oklahoma Office of Workforce Development.

## ARTICLE VII CONFLICT OF INTEREST

Section 7.01 Conflict of Interest – Governor’s Council members may not:

- A. Vote on a matter under consideration by the Governor’s Council regarding the provision of services by such member (or by an entity that such member represents); or
- B. Vote on a matter under consideration by the Governor’s Council that would provide direct financial benefit to such member or the immediate family of such member; or
- C. Engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the State strategic workforce development plan.

For the purpose of Article VII, “immediate family members” include the spouse, son, son-in-law, daughter, daughter-in-law, mother, mother-in-law, father, father-in-law, brother, brother-in-law, sister, sister-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, grandparent, and grandchild.

ARTICLE VIII  
AMENDMENT OF BYLAWS

Section 8.01 Procedure – The Governor’s Council for Workforce and Economic Development bylaws may be amended at a Governor’s Council meeting by the affirmative vote of the majority of the Governor’s Council members present or by the Executive Committee.

Section 8.02 Effective Date – Amendments shall be effective immediately upon adoption unless specified otherwise by Governor’s Council vote.

*End of Governor’s Council for Workforce and Economic Development Bylaws.*