Alaska Workforce Investment Board

Member Handbook

May 19, 2008

Alaska Strategic Two-Year State Plan for Title 1 of the Workforce Investment Act of 1998 and the Wagner-Peyser Act (July 1, 2007 – June 30, 2009)

Overview of Key AWIB Areas

State Governance Structures

- **How agencies interrelate** – AWIB is responsible for the development, implementation, oversight and evaluation of an efficient, effective and integrated workforce development system. AWIB provides oversight and guidance to the One-Stop Operator and articulates the coordination among state agencies. A memorandum of understanding is in effect between the board and One-Stop partner agencies.
- **Achieving vision** – The constituencies represented on the board are all stakeholders in the governor's vision for the Alaska workforce development system. The structure enables the board's private sector leadership to work hand-in-hand with government decision makers.
- **Functions**– AWIB has the responsibility to recommend policy to implement the WIA. In carrying out its duties, the board adheres to the principles of local flexibility and of maximum stakeholder and of maximum stakeholder participation. AWIB role includes moving the Governor's vision forward as well as the responsibilities under WIA.
- **Access to information**– All meetings open to public, all stakeholders as well as the general public will be notified of significant matters. Public is invited to comment, AWIB is conscious of accessibility issues with respect to the disabled community and selects its venues accordingly.
- **Conflict of interest**– Alaska conflict of interest law applies to all members of state appointed boards and commissions. In the even a board member is involved in a matter that may result in a conflict of interest or violation of the Ethics Act, AS 39.52.220 will provide direction for declaration of the potential violation and remedy by the board.
- **Resources to function** – AWIB budget is funded from programs for which the board is the lead state oversight entity for planning, evaluation, and coordinating under state statue.

Structure/Process to Collaborate and Communicate

- **On July 1, 2004 Alaska consolidates its two previous local workforce areas into a single planning area** in accordance with a waiver granted by the USDOL/ETA

to restructure and streamline delivery of services. Now perform the roles and functions of local workforce investment boards in addition to its role as the state workforce investment board. **Focus is improvement of partner collaboration and public accessibility.**

- **Effective sharing of information –** State agencies and departments attend and provide information at AWIB committee meetings. AWIB staff serves as a liaison between board members and the state agencies responsible for delivery of AWIB programs funded under the public workforce development system.
- **Integrated vision for youth –** The Youth Council is and advisory and policy committee that works on youth workforce issues on behalf of AWIB. The Youth Council serves as a regional policy council and is responsible for developing strategy recommendations and oversight for youth workforce systems while addressing the needs and interests of the state.

Workforce Development Issues

- AWIB will require a workforce development system that is responsive to the needs of both Alaska's employers and workers. **Challenges** include; **aging workforce, aging population that will require the provision of additional services, a skills gap and a highly competitive marked for skilled workers**.
- **Critical workforce development issues– Narrowing the skills gap**, the gap between the skills needed by employers and those possessed by Alaska's workforce, is most critical to Alaska's economic health and growth…..**strategies include; identifying the gap, providing relevant training, promoting basic skill attainment, aligning education with labor market needs, promoting career development and awareness through the use of career clusters and the dissemination of career information**.
- **Strategies for target industries** - AWIB identifies priority industries for which it recommends investments of public training funds. The industries are; **health care, construction, information technology, education, natural resource development, transportation, hospitality and tourism; and seafood harvesting and processing.** Expect to create as many as 48,000 new jobs over the next decade; many will be legacy jobs that will promote economic vitality by growing the population base.

Waivers and Workflex

- **Alaska intends to continue operating with the five waivers approved previously**. The waivers provide the state the ability to train youth through individual training accounts, improve employment retention in communities

with a seasonal industry, allow greater flexibility to move funds between funding streams, and allow the governor and the workforce development system in the state to provide better support and services through a single regional planning area. **The state does not intend to introduce new waivers.**

- **Use of resources –** AWIB initiatives and resolutions strengthen and support elimination of duplication and reinforce the need for efficient and effective use of resources at all levels of the system.
- **Universal access–** AWIB resolutions and initiatives, and the administration's strategic workforce goals form the basis of the Alaska Job Center service delivery methodology and practices.

Demand Driven Approach

- In concert with the governors' office, the AWIB has set forth in regulations and policy statements **the priority industries** with defined goals related to the number of participants trained in the occupations related to the following industries; **health care, construction, information technology, transportation, education, natural resource development, hospitality and tourism, seafood harvesting and processing.**

Integration of One-Stop Delivery Service

- Alaska has improved and will continue to improve the quality and integration of service delivery. The AWIB will reaffirm these principles.
- **Maximum integration–** The AWIB certification process in one tool the state uses to review and assess the integration of services in the One-Stops.

Administration and Oversight

- AWIB is assigned oversight and local workforce investment board responsibilities.
- **Capacity building –** The AWIB uses board members, who are leaders in their respective areas, to ensure high performance. The board uses data collected from the workforce investment system to evaluate the effectiveness and make recommendations to the governor if changes in the system are necessary.
- **Local planning process –** AWIB engages in bi-annual strategic planning. Recent planning efforts have focused on creating more opportunity for youth and developing a career path to meet the workforce needs of the Alaska gas line.
- **Regional planning –** Performance is aligned with Alaska's negotiated performance measures and tracked accordingly. In an effort to include local

participation and points of view, other local elected officials from Alaska's borough and cities are consulted in planning efforts and invited to participate in the Regional Advisory Councils.

- **Improvement and technical assistance** - The board conducts evaluations of the workforce system and the service providers, and makes recommendations.

Workforce Information

- **Integrate information into planning –** The Alaska Workforce Investment Board consistently uses Alaska workforce information provided by the DLWD R&A to provide guidance to partners of the workforce investment system.
- **Accessibility to workforce information –** The primary vehicle for disseminating workforce information to internal and external customers is the internet.
- **Intensive services –** AWIB has adopted policies to ensure WIA adult and dislocated worker program participants have access to intensive services at local One-Stops.

Alaska Workforce Investment Board
Strategic Intent

Mission Statement:
"To provide leadership, recommend policy, direction and accountability standards to get Alaskans into jobs."

Alaska's workforce development system has made great progress since transitioning from JTPA to WIA but still needs improvement. Innovation and continuous improvement is essential to the success of any enterprise, including Alaska's workforce development enterprise. As fiscal constraints continue and the cost of preparing and improving our workforce increases the Alaska Workforce Investment Board should set the pace in creating a meaningful and innovative workforce development plan that will fulfill the economic and labor requirements of the future. The plan must serve as the translation of research findings into practical but innovative strategies to deliver a prepared workforce to Alaska's employers.

Fully realizing the intent of the *Jobs are Alaska's Future* initiative requires a workforce development system that is responsive to the needs of business, industry and workers. Alaska faces several challenges in addressing these needs, including:

- An aging workforce that will result in the need to replace significant numbers of skilled workers in all occupations and industries.
- An aging population that will require the provision of additional services.
- A gap, both basic and occupation-specific, between the skills business and industry need and those possessed by the labor force.
- A highly competitive market for skilled workers.
- Additional jobs being created by a promising economy and comparatively few qualified Alaskans to fill them.
- Increasing access to jobs by targeting employment training to fit development.

The AWIB's role is very broad; it spans the responsibilities under the federal Workforce Investment Act and those authorized under state law. These responsibilities include:

- Serving as an ambassador for the workforce investment system to the public.
- Providing outreach to business and industry for their participation in the system.
- Acting as a catalyst for continued improvement of the workforce investment system.
- Continuously seeking development of a more efficient and cost-effective employment and training system for Alaska employers and job seekers.
- Serving as the lead planning and coordinating entity for the development of a collaborative, statewide system of activities and services that includes mandatory and optional partners of the One-Stop delivery system.

Critical success factors which lie within a strategic framework are based upon two priorities: 1) workforce preparation and employment, and 2) collaboration**.**

1. Workforce Preparation and Employment
Alaska is experiencing a skills gap, evidenced by the combination of labor surpluses and employers' inability to fill many high-skill jobs with qualified Alaskans.

The economy is dependent on an available and well-qualified labor force with skills relevant to the needs of Alaska's employers. Identifying these skills is the first step in closing any possible skills gap and ensuring that Alaskans are well positioned to benefit from the *Jobs are Alaska's Future* initiative. The top skill needs identified in all categories are similar. Good jobs, regardless of industry sector, require a strong foundation of basic skills. In order to perform their job tasks workers must possess strong reading, listening, communication, critical thinking and social skills.

The AWIB recognizes the importance of realigning secondary education in a way that is meaningful to students and integrated with the good paying jobs of Alaska's promising job market. Career clusters are groups of sixteen broad industries and occupations that provide a versatile organizational tool for schools. Career clusters will link academic basics with specific skills needed to ensure success in the workplace. The goal is that students will graduate prepared to make career adjustments called for by an evolving economy. Vocational and technical education must increasingly focus on professional certifications and established entry-level guidelines for apprenticeships. We must seek to ensure that graduates are placed in jobs for which they are trained.

The AWIB advocates for a seamless continuum of educational and career development opportunities and incentives that will assist Alaska's youth in selecting, pursuing and obtaining good jobs that result in careers and a stable, self-sufficient future.

Strategies:

- Define priority industries and occupations.
- Identify skills gaps and work toward narrowing them by providing relevant training, promoting basic skill attainment, and promoting career awareness.
- Promote industry skill standards.
- Promote youth employability standards.
- Ensure statewide access to effective employment education, training and employment services, particularly to rural areas and for the economically disadvantaged (including a commitment to strengthening families and communities and addressing barriers to employment).
- Evaluate programs of the workforce investment system maximizing workforce investments that produce a high return.
- Increase the participation and ability of the education system to develop the workforce.

- Develop succession strategies that will ensure a seamless transition as the state faces a labor shortage due to an aging workforce, with particular emphases on the construction and healthcare industries.
- Establish industry-based skills standards in high growth industries that can easily be adopted by all training providers.

Measures:

- Increase the percentage of people who enter employment in a field related to their training by at least one percent annually.
- Increase the percentage of workforce investment participants who enter employment by at least two percent annually.
- Decrease the ratio of non-residents to residents working in Alaska by at least two percent per year.
- Prioritize job training grant awards of at least 60 percent annually for priority and targeted industry training.

2. Collaboration

In order to prepare Alaskan workers with skills needed to be successful in the labor market there must be strong collaboration between government agencies and the private sector, including agency-to-agency, agency-to-business, and business-to-business relations.

AWIB initiatives and resolutions strengthen and support elimination of duplication and reinforce the need for efficient and effective use of resources at all levels of the system. The Operators' MOU complements AWIB commitments and implements the respective controls and oversight of administrative resources at the local level.

Partnership in the workforce system occurs at several levels. The needs of business and industry drive the design of workforce solutions. At the statewide level government needs to continue to work with business and industry to deliver appropriate training of new workers in high growth demand industries. With apprenticeships the state is able to leverage union and non-union training with a real job at the end of training. At the community level Job Center partners conduct joint planning and case management to maximize resources to provide individuals with the most comprehensive services.

Alaska's One-Stop Operator, the Employment Security Division, in partnership with other agencies, has been systematically redesigning the Alaska Job Center Network to improve coordination of services. The focus of this effort is the improvement of partner collocation, accessibility, and the development of a common intake process.

The workforce investment system works closely with the education system to expand the flow of skilled workers into Alaska's high growth industries. The state supports the use of work-based learning and applied learning to cultivate student awareness and interest in high demand industries. The state will also reinforce education efforts in school-to-work and industry led school-to-work business partnerships.

Alaska has improved and will continue to improve the quality and integration of service delivery. The *Statewide Unified Plan*, the current One-Stop Operator MOU, and the agreed upon Cost Allocation Methodology, guide the service delivery and administration of the Alaska Job Center Network. Integrated services are also provided with the intent and in the spirit of the state's *One-Stop Operating Principles*. These principles include streamlining services through integration, promoting universal access, empowering individuals, promoting state and local flexibility, engaging the private sector, and improving youth programs.

The current, integrated partnership includes the agencies responsible for the following programs under WIA: Adult, Dislocated Worker, Rapid Response, and Youth Programs; Wagner-Peyser; TAA/NAFTA; Worker Opportunity Tax Credit; ABE/GED; Veterans Employment and Training Services; Vocational Rehabilitation; Senior Community Services Employment Program; Employment and Training Programs under the Food Stamp Act, Tribal and Native Employment and Training Programs; and the Alaska Job Corps. Additional partners include the State Training and Employment Program; Temporary Assistance for Needy Families (TANF); and a wide variety of community and private, non-profit service and training providers. The partnership continues to make improvements in providing superior customer service and making services accessible to consumers.

Strategies:

- Market penetration with employers.
- Embed Job Center principles of integration, customer service, and universal access.
- Rural and Alaska Native connections.
- Connect with economic development.
- Business and industry outreach.
- Linkages with Regional Advisory Councils.
- Increase industry and private sector investments in workforce development.
- Cultivate and leverage partnerships between business, industry, education, organized labor, Native organizations, and economic and workforce development entities to foster cooperation, communication, and coordination with all stakeholders.
- Leverage all sources of funding for employment training (WIA, STEP, TVEP, HGJTI, DTF, TANF, etc.) at every possible opportunity by aligning investments with priority industries and occupations, seeking matching funds from partners, local partnering at the One-Stop Operator level, securing new investments from high growth industries, and seeking legislative support through increased general fund allocations to promote Alaska Hire and high-growth job training.
- Develop meaningful, innovative uses for WIA statewide activities funds.

Measures:

- Increase market share among employer customers by at least 2% per year.

ALASKA DEPARTMENT OF LABOR
& WORKFORCE DEVELOPMENT

Alaska Workforce Investment Board
Chronology of Board Decisions

February 2008
Adopted resolution 07-10 supporting STEP Program, making this training program a long term and integral part of the Alaska workforce investment system.

Adopted resolution 07-11 supporting DMV Services in Rural Communities.

Adopted resolution 07-12 supporting the job training programs for Alaskan's developed by the Commissioner of Labor and Workforce Development as specified in section 43.90.470 of the Alaska Gasline Inducement Act (AGIA).

October 2007
Adopted resolution 07-07 supporting Work Ready/College Ready Transitional Skills

Adopted resolution 07-05 supporting Registered Apprenticeships.

Fully approved and endorsed all of the Regional Advisory Councils.

Adopted resolution 07-08 supporting the concept of the Northwest Arctic Regional Statewide Magnet School.

Adopted resolution 07-06 supporting the Pipeline Construction Strategic Plan.

Nine Star Enterprises Inc. was presented with a gold pan award for Exemplary Performance.

Re- elected Andy Baker for Chair, David Stone, Vice – Chair.

May 2007
Doug Ward was appointed by Chair Baker to solicit nominations for Chair and Vice-Chair to be brought back to the board in August.

Voted to support the Work Keys program.

Voted to approve changes in the WIA plan for a two year renewal and move the plan forward for public comment.

Voted to develop a Vocational Technical Training Instructor of the Year Award from the AWIB.

Formed a subcommittee to write a white paper for the gas pipeline.

August 2006
Supported the Alaska Department of Labor & Workforce Development Workforce Information Core Products Grant Application and encourage the current and future administrations to increase funding for Research & Analysis.

Approved moving the Transportation Plan forward to committees for the purposes of discussion and to amend the "Priority Ranked Occupational Listings".

Approved to move AKCIS resolution (07-01) forward for purpose of discussion.

Approved amended Bylaws.

Approved developing a generic letter of support for grant applications.

February 2006
Approved the Construction Summit Report as amended.

Approved the 2004 Training Program Performance Report.

Board supported Tom Nelson's budget request to the legislature.

January 2006
Executive Committee passed *ex officio* policy revision.

August 2005
Andy Baker and David Stone were reelected to the positions of Chair and Vice Chair respectively.

Passed bylaw amendment establishing the Legislative Committee and Youth Council as standing committees of the AWIB and including their chairs in the membership of the Executive Committee.

Approved R&A's annual plan submitted to USDOLETA.

Approved a draft of the MOU with WIA Section 166 Alaska Native Grantees.

Approved the Construction Summit report with the inclusion of Chair Baker's comments regarding rural training.

Passed Resolution 06-02, Skills Standards, and associated recommendations.

Voted to request that the Alaska Department of Labor and Workforce Development seek funding for Regional Advisory Council capacity building and for board members to travel periodically to rural communities in order to build connections.

February 2005
Passed bylaw amendment: Article 10 - Committees, Section 6 - Employment & Placement Committee, changed "moving welfare recipients into the workforce." to "moving low-income adults and youth, veterans, and disabled populations into the workforce as a priority of service."

Voted to support continuation of programs initiated under the federal Youth Opportunity Grant and request the Governor and Legislator to seek new funding to sustain them.

November 2004
Adopted 8AAC84 and 8AAC 86 as revised by the Alaska Department of Labor and Workforce Development.

Passed Resolution 05-03, Certification of One-Stops and 05-04, honoring Katherine Farnham.

August 2004
Passed Resolution 05-01, Re-certification of One-Stops and Resolution 05-02, Eligible Training Provider List Policy.

June 2004
Resolution number 04-09 Resolution regarding Workforce Development month

Resolution 4-10 regarding Interior Alaska Regional Council Endorsement

April 2004
The board elected new AWIB officers: Andy Baker for Chair and David Stone for Vice Chair.

The new chair, Andy Baker, thanked Alice Galvin for her years of public service, read a letter from several of her admirers, and presented her with a plaque and several gifts from board members and staff.

The board adopted regulatory changes to 8 AAC 84, 8 AAC 86, and 8 AAC 87.

The board voted to refer discussions and endorsements of the regional advisory councils to the Executive Committee and encourage them to continue the dialogue with the Denali Commission.

The board voted to make three modifications to the memorandum of understanding with AJCN, reflecting new responsibilities to the original unified plan, including the senior program, adult education and voc rehab.

The board adopted Resolution 04-08 concerning a Memorandum of Agreement between

the AWIB and Native organizations.

The Vocational Technical Education Providers group (VTEP) asked the board for endorsement of their work on outcomes for development of skills standards. They also asked the board for a letter of endorsement for their federal funding request. The board voted to request the Commissioner, on behalf of the Department, to begin to work with VTEP to resource their proposal

December 2003
The board held an ad hoc meeting, by teleconference, to design a start-up plan for regional councils and develop an ongoing way of working with regions to significantly enhance the workforce investment system as a whole. The board agreed to send out letters and guidelines to former members of local advisory councils, local workforce investment boards, and other interested parties to solicit proposals.

October 2003
Board produced a new draft vision, mission and strategic plan. Committees will carry forward the work.

Board agreed to postpone the election of officers until all board member seats are filled.

Board reviewed progress on several projects, including the Workforce Clearinghouse, a board ethics policy, regional councils, the state youth council, and a statewide awards program.

July 2003
Board passed Resolution 04-01, approving WIA Unified Plan Modification Plan #1.

Board passed a motion to establish the Vocational Technical Education Providers group as an ad hoc subcommittee to the Workforce Readiness Committee.

Board passed motion to allow draft regulations, option A, to go forward to Dept. of Law.
Board agreed to table a motion to endorse AVTEC's proposal to form a nonprofit corporation. It will go to the Executive Committee for more study and eventual action.
Board passed a motion to approve the draft State Unified Plan Modification #2.

The board should begin strategic planning (led by Policy & Planning Committee).

The board should create quality time for vision, consensus building and ownership at community level. They identified three steps to achieve this: plan for meeting, identify key stakeholders, and decide on immediate next steps.

February 2003
The board unanimously approved Resolution 03-02, allowing the annual performance

of programs report to be forwarded to the legislature

Resolutions 03-03 and 03-04, changing to the Bylaws to remedy a problem caused by erratic member participation and to clear up confusing language concerning elections of officers, attendance and travel were approved.

New and revised STEP performance measures, Resolution 03-05, were accepted by unanimous consent.

Resolutions 03-06, Identifying Workforce Priorities, 03-07, Career Clusters, and 03-08, concerning joining a Northwest Association, were tabled.

Resolution 03-09, approving a waiver request to the U.S. DOL regarding transfer of funds between the Dislocated Worker fund and Adult fund, passed unanimously.

September 2002
Nominations for Chair and Vice-Chair were presented. The nominations were accepted and Dr. Alice Galvin and Ms. Linda Hulbert were re-elected chair and Vice-Chair.

Draft Resolution 02-15 regarding skills standards and certification. The draft resolution was moved and seconded. Chair Galvin suggested that the resolution set the broad policy direction of where the board wants to go, and a committee could help flesh out the specifics. Ms. Wendy Redman asked that the language "university degree" be changed to post-secondary degree. Ms. Ann Sponholtz spoke on behalf of APICC in favor of national skills standards. The resolution was passed as amended without dissent.

February 2002
The council unanimously approved 5 resolutions: acceptance of a plan to amend the state's WIA 5-Year Unified Plan; endorsed the proposed STEP/AHRIC legislation; agreed to allow the Local WIB chairs to sit as non-voting members of the AHRIC; adopted the priority list required for the vocational and technical education program, and adopted regulations 8 AAC 84.100 – 8 AAC 84.900, and 8 AAC 86.100 – 8 AAC.900. The council heard reports from our workforce development partners and a special presentation on Youth Opportunity Grants by MJ Longley of Cook Inlet Tribal Council and Eddie Brakes, director of a YOG-funded program in Angoon.

October 2001
Two new AHRIC members were announced: Click Bishop, the Joint Apprenticeship & Training Coordinator for the Operating Engineers Local 302; and Sharon Olsen, the Employment & Training Manager for Central Council Tlingit & Haida Indian Tribes of Alaska. The council unanimously approved 4 resolutions: the adoption of two training provider eligibility performance levels; the development of a clearinghouse for Alaska's workforce investment system; revisions to the council's strategic plan, and a

memorandum of agreement between the Alaska Commission on Postsecondary Education and the AHRIC.

September 2001
The council considered the proposed amendments to 8 AAC 87. Linda Hulbert moved to adopt the changes. Tim Sunday seconded the motion. After a discussion, the council voted unanimously to accept the regulations.

July 2001
Board member Tim Sunday moved and member Fred Esposito seconded the following motion:
"I move to adopt 8 AAC 84 and 8 AAC 86 as written in the July 18, 2001 draft regulations."
The motion carried unanimously.

March 2001
The council elected Alice Galvin and Linda Hulbert as Chair and Vice Chair, respectively. The council adopted a resolution agreeing to a Memorandum of Agreement between the Department of Education & Early Development to transfer responsibility of post-secondary Perkins programs to the council. The council also adopted a resolution regarding solicitation proposals for regional training centers.

December 2000
The council passed 10 resolutions. It adopted regulatory amendments to 8 AAC 87 and 8 AAC 89; adopted program performance standards; adopted the annual program evaluation report, adopted the *Alaska's Future Workforce Strategic Policies and Investment Blueprint* and accompanying recommendations; adopted recommendations on the restructuring of the council; adopted a resolution supporting the National Association of Partners in Education; and resolutions honoring retiring members Donna Scott, Willie Lewis and Kitty Farnham.

August 2000
The council met in Bethel and its focus was to listen and learn about rural Alaska. There were presentations from the Denali Commission, the Learning Center of theYukon Kuskokwim Health Corporation, the Coastal Villages Regional Fund, and an economic overview of Southwest Alaska by the Dept. of Labor's Research & Analysis Section.

March 2000
The council went on record to support the Governor's Children's Budget. The council voted to certify seven full-service Job Centers, three satellite Job Centers, and designate 10 affiliate sites. Alice Galvin and Kitty Farnham were nominated and reelected as AHRIC Chair and Vice-Chair, respectively. The council voted to approve and accept

the Carl Perkins Vocational and Technical Education Plan (2001-2004). The council approved and accepted the Anchorage/Mat Su and Balance of State Workforce Investment plans, and the State Unified Workforce Investment Plan.

November 5, 1999
The council voted to extend the deadline for Job Center certification to December 31, 1999. The council voted to certify the Fairbanks Job Center contingent on meeting stipulated requirements. The council voted to adopt the Youth Transition Plan, solicit public comments, and submit to USDOL. The council voted to adopt the "hold harmless" policy and allocations of 5% administration, 10% statewide, 85% distributed to Service Delivery Areas. The council voted to endorse the six career pathways presented by the Department of Education & Early Development's School to Work program for implementation as they fit Alaska's communities. The council voted to delete the AHRIC Bylaw language in Article VI, Section 2 and replace it with "The Chair and Vice-Chair will be elected annually."

May 1999
The AHRIC elected Alice Galvin to serve as Chair and Kitty Farnham as Vice Chair of the council.

The council made the following Bylaws changes:
Article VI: Section 1. Delete: <u>The council shall elect a chair from among the members who are from the private sector. They may also elect a vice chair</u>. Add: *The council shall elect a chair and vice chair from among the members who are designated representatives of business and industry, as appointed under AS 44.19.620*.

Article VII: Section 1. Delete: <u>the council shall have no fewer than two face-to-face meetings in one year</u>. Add: *The council shall hold no more than three meetings annually.*

Article VIII: Delete: <u>Excused absences will be allowed</u>.

Article IX: Delete: Entire section. Add: *All council members may select a designee to represent them and vote for them at council meetings. The name of the designee must be submitted by the council member to the chair for referral to the Office of the Governor Boards & Commissions office, and no designee will be seated until approved by the Governor.*

The AHRIC approved the following State Training and Employment Program (STEP) Plan Action Steps:
1. Market STEP to Employers;
2. Support Job Center Employment Assistance Activities;
3. Create a Governor's Discretionary Fund for Statewide Activities (15% of total);
4. Reduce administrative reporting by eliminating certain unnecessary reports;
5. Develop a uniform STEP grant and grant process;
6. Develop a full STEP plan for inclusion in the WIA Unified Plan.

Chair Galvin created an ad hoc ANCET committee & appointed Donna Scott chair.

Council members made the following language changes to standards for job centers: Section 1.3, changed language to read "not less than 5 members, with a minimum of 3 employers," rather than saying "5 to eleven members." Section 1.3, Sentence 2: "Membership shall include one cross-member of PIC and a significant representation of employers." In the same section, concerning the role of Advisory Committee the Council decided to change "Assure the satisfaction of employers and jobseekers with Job Center programs and operations" to "Assure satisfaction of employers and jobseekers with job center services."

January 1999
The AHRIC accepted a WIA implementation plan with 5 recommendations

- the AHRIC is the state WIB
- WIA implementation on July 1, 2000
- accepts WIB taskforce recommendation for 2 Workforce Investment Areas
- implement the WIA through a unified plan
- supports a WIA conference in spring 1999

The AHRIC voted to write a STEP plan to go into effect on July 1, 1999.

The AHRIC voted to accept Department of Labor, Research & Analysis Section, report "Employment and Earnings of Participants in Selected Alaska Training Programs – FY 1997" report.

Sept 1998
AHRIC voted unanimously to help sponsor a meeting to bring together employers and partners to increase training in health-related occupations in Alaska.

May 1998
Alice Galvin and Sarah Scanlan were nominated for AHRIC Chair and Vice-chair, respectively. Agreed to redesignate the WDB subcommittee as an ad hoc committee to review the established information and establish criteria and standards for a model WDB. Accepted proposed changes to the Bylaws. Ms. Galvin was elected chair, and Ms. Scanlan elected vice-chair. Agreed to write a letter to the president of the University stating the need for vocational education, the expectations, what we can do to support this, and request capital appropriations. Dates were selected for the next three meetings: September 17-18 in Seward, January 28-29 in Juneau, and May 20-21 in Anchorage.

January 1998
The council agreed to amend the bylaws to say the term of chair be one year, with a maximum of two consecutive terms. Agreed to form a committee, chaired by Mr. Reynolds, to define "private sector." Endorsed the Governor's revised Quality School

bill, stating that employability is a part of this bill. Council agreed to urge Board of Regents not to cut vocational education and workforce development training. Endorsed the AK DOL's efforts to make STEP a permanent program.

November 1997
The council agreed not to hold an election of officers during this meeting. The council decided that a council meeting will be held in January, and at that meeting the issue of the election and other bylaws issues will be discussed and sent to the Bylaws Committee to be resolved. Agreed that the Executive Director will initiate the direct planing initiative. Endorsed the notion of the Best Practices approach. Agreed to have a short business meeting and retreat in Juneau in January. Supported Workforce Readiness Committee's recommendation that state agencies and vocational education providers develop a list of activities that support the recommendations from the Status Report on Vocational Education in Alaska. Adopted all of the recommendations of the Workforce Readiness Committee. Agreed to move forward on Community Forums. Supported the focus group proposal that is tied to the incumbent worker grant.

May 1997
Approved final consolidation report. Endorsed Title III 8% coordination funds' use as outlined by DCRA. Approved the changes in the Wagner-Peyser Plan. Approved a motion to direct Workforce Readiness Committee to review Oregon's adult literacy test and consider what it would cost Alaska to do the same thing. Agreed to form a WIB design committee. Agreed to put together a legislative agenda. Voted on the AHRIC logo. Endorsed the idea of a three-year school to apprenticeship demonstration or pilot project.

February 1997
Endorsed the Alaska Job Corps Center's pre-proposal to establish three satellite centers in Seward, Kotzebue and Galena. Accepted the recommendations of the PICs proposal to establish Workforce Development Boards. Established a Workforce Development Board ad hoc committee. Accepted the AHRIC Bylaws and Strategic Plan. Accepted the draft *Consolidation of Alaska s Human Resource Programs* Directed the staff to write a report on the Alaska Native grantee programs. Directed the staff to create a quarterly newsletter for broad distribution. Accepted the Department of Health & Social Services recommendation to reinvest $6.6 million in support services, and initiated a plan for members to contact legislators with their concerns. Established a JTPA waiver proposal ad hoc committee.

October 1996
Approval of the report process for the *Consolidation of Alaska's Human Resource Programs*. Endorsed the goals and action steps of the Knowles/Ulmer Administration's Alaska Plan. Authored a resolution to encourage the State Board of Education to consider vocational education within their foundation formula funding.

June 1996
Identified the council's vision, guiding principles, and values. Approved the mission statement, created a motto (Building Connections That Put Alaskans To Work) and designed a conceptual logo. Began work on an overall statewide strategic plan for human resource investment. Assigned goals to the standing committees to develop action steps and strategies. Elected officers for the Council: JoAnn Henderson, Chair; Sarah Scanlan, Vice Chair; David Rees, Past President. Approved creation of the Executive Committee, consisting of the Lt. Governor, council officers and standing committee chairpersons. Approved financial support for a grant to the US Department of Commerce through the National Institute of Science & Technology for an Alaska Manufacturers Extension Partnership (MEP) with Industry Network Corporation (INC). The application was successful. This is a three-year initiative, funded at $3 million ($3 million additional from the state). Project begins January, 1997. Approved initial reports to the *Governor on The Future of Alaska's Private Industry Councils*, and *The Future of Alaska's Human Resource Investment Programs* - and requested final draft of both reports for September, 1996

August 1996
Approved support for a grant application to the US DOL for Alaska One-Stop Career Centers. This application was successful. This is a three-year initiative, funded at $7.2 million. Approved two final reports to the Governor - *The Future of Alaska's Private Industry Councils* and *The Future of Alaska s Human Resource Investment Programs* Approved the goals of the Governor's Alaska Plan.

April 1996
Approved three Program Year 1997-98 Plans: The Governor's Coordinated Special Services Plan (GCSSP), the Wagner-Peyser (Employment Services) Plan and the JTPA Title III (Dislocated Worker) Plan. Approved the Job Training Partnership Act Alaska Service Delivery Plans for the three Alaska Private Industry Councils. Approved creation of four standing committees to the AHRIC: Policy & Planning, Assessment & Evaluation, Workforce Readiness, and Employment & Placement.

January 1996
First meeting of the Council, January 25-26, Anchorage. Created four temporary committees to begin organizing the work of the AHRIC.

Alaska Workforce Investment Board
Member Job Description

In order to accomplish the overall mission of the Alaska Workforce Investment Board, and to achieve its specific objectives, each member of the Board is expected to fulfill several individual responsibilities. Members should:

1. Prepare for board meetings or committee teleconferences, through careful study of the agenda and its supporting materials.
2. Read and become familiar with Robert's Rules of Order Newly Revised (provided to all board members to date).
3. Attend the board and committee meetings by arranging work and travel schedules in advance to allow full participation.
4. Evaluate and follow-up on the actions taken at Board meetings by keeping track of how actions of the board are being implemented in the short and long run, and expressing comments or concerns with the Chair or Executive Director, as appropriate.
5. Establish two-way communication links with AWIB partners to explain and discuss the actions taken by the board.
6. Fulfill responsibilities of any collateral assignment as an AWIB committee member or appointed representative to other agency committees or task forces in accordance with the purpose of the committee or the nature of the representation on behalf of the AWIB, and consistent with the precepts of preparation, attendance, participation and evaluation set forth above.
7. Participate actively in the legislative activities of the AWIB, in the most effective manner, to be jointly decided by the Chair, the Executive Committee, and the Executive Director.
8. Accept occasional public speaking assignments such as chairing meetings and introducing speakers, as well as giving reports as appropriate before the board.
9. Acknowledge and abide by the AWIB Board Member Job Description and Code of Conduct.

10. Serve as ambassador of the Board and the Administration. As such, each member of the board functions as a representative of the AWIB to the Legislature, the other boards, partner agencies, and the general public. Each Board Member must assume responsibility for explaining Board decisions, AWIB's vision for the future, and AWIB's missions and goals, together with the action plans approved by the Board to realize that vision and attain the goals.

11. Be aware of the time commitment. The amount of time that can be expected of each board member depends on the number of committees each board member serves on. It is not recommended that board members serve on more than one committee, unless they can commit an adequate amount of time to be an active participant. Committee meetings are normally held every other month per the 2008 Calendar (attached) and usually last approximately one hour. Board members who serve as committee Chairs can expect to spend a little more time than other board members.

12. Be aware that AWIB members are required to complete an Alaska Public Offices Financial Disclosure Statement by March 15th of each year at www.state.ak.us/local/akpages/ADMIN/apoc/pofd.shtml.

Alaska Workforce Investment Board
Code of Conduct

As a member of the Alaska Workforce Investment Board **I will**:

- Attend all regularly scheduled board meetings and committee meetings and become informed concerning issues considered at those meetings;
- Understand the responsibility inherent in serving on a policy setting public body as that of providing broad guidance and direction to the Administration that is responsible for the interpretation and implementation of those policies;
- Recognize that I should endeavor to make policy decisions only after full discussion at a committee meeting, committee teleconference, or meeting of the full AWIB;
- Render all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups;
- Encourage the free expression of opinion by all Board Members, and seek systematic communication between Board Members and partner agencies;
- Recognize the responsibility of management of the AWIB is that of the Executive Director and, in turn, the professional staff members assigned to assist the Executive Director in carrying out the policies established by the Board;
- Inform myself about current workforce development issues by individual study and through participation in programs providing needed information, such as those sponsored by partner agencies, state agencies, or national organizations;
- Avoid being placed in a position of conflict of interest, and avoid using my board position for the advancement of my personal interest and/or personal gain.

Article 04. ALASKA WORKFORCE INVESTMENT BOARD

Sec. 23.15.550. Alaska Workforce Investment Board.

(a) The Alaska Workforce Investment Board is established in the department. The board consists of the following voting members, not to exceed 26:

(1) the lieutenant governor or the lieutenant governor's designee;

(2) the commissioners of commerce, community, and economic development, education and early development, health and social services, and labor and workforce development, or each respective commissioner's designee;

(3) one representative from the University of Alaska;

(4) four additional representatives of education, with 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 whom the governor shall appoint from lists of nominees submitted by recognized state labor organizations; the governor may reject a list submitted under this paragraph and request that another list be submitted;

(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; and

(10) at least one and up to five additional members of the private sector to ensure a private sector majority and regional and local representation on the board.

(b) Additional nonvoting members may be appointed to the board from government or nongovernment entities.

(c) A member of the board under (a) of this section may appoint a designee to serve in place of the member. The member shall appoint the designee in writing.

Sec. 23.15.555. Appointment and term of members.

(a) Members of the Alaska Workforce Investment Board other than those listed in AS 23.15.550 (a)(1) and (2) are appointed by the governor and serve at the pleasure of the governor. The governor may appoint one person to fill two or more of the places listed in AS 23.15.550 (a) if the person is qualified in all of the areas the person represents. A member appointed to fill more than one place under this subsection is entitled to only one vote and may appoint only one designee to replace the member in the event the member is unable to attend a meeting.

(b) The voting members of the board other than those listed in AS 23.15.550(a)(1) and (2) 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.

(c) The governor shall ensure that individuals appointed to the board have sufficient expertise to effectively carry out the duties of the board. Expertise of the board includes, where appropriate, knowledge of the long-term needs of individuals preparing to enter the work force; the needs of local, state, and regional labor markets; and the methods for evaluating the effectiveness of vocational training programs in serving varying populations.

Sec. 23.15.560. Compensation.

Members of the Alaska Workforce Investment Board listed in or appointed under AS 23.15.550 (a), including a designee of a member attending in place of the member, serve without compensation but are entitled to per diem and travel expenses authorized by law for boards and commissions under AS 39.20.180 . Nonvoting members of the board appointed under AS 23.15.550(b) serve without compensation and are not entitled to per diem and travel expenses. A commissioner appointed under AS 23.15.550(a)(2) or the commissioner's designee is entitled to per diem and travel expenses as a state employee.

Sec. 23.15.565. Officers.

The Alaska Workforce Investment Board shall elect a chair and a vice-chair from among the members listed in or appointed under AS 23.15.550(a)(5). The chair and vice-chair serve in their positions at the pleasure of the board.

Sec. 23.15.570. Meetings, quorum, and committees.

(a) The Alaska Workforce Investment Board shall meet not more than three times in a calendar year at the call of the chair to conduct its

business. A majority of the members listed in or appointed to the board under AS 23.15.550 (a) constitutes a quorum.

(b) The board shall establish an executive committee and four permanent standing committees as described in (c) - (g) of this section. The chair of a permanent standing committee must be from the private sector. The board may establish additional standing committees and special committees or subcommittees, not necessarily consisting of board members, to advise and assist the board in carrying out its functions assigned by federal or state statute. The permanent standing committees are

(1) the assessment and evaluation committee;

(2) the policy and planning committee;

(3) the employment and placement committee; and

(4) the workforce readiness committee.

(c) The executive committee consists of the chair and vice-chair of the board, the immediate past chair of the board, and the chairs of the four standing committees described in (d) - (g) of this section. The executive committee has the duties and may exercise the powers of the council between meetings of the board. The executive committee shall

(1) report to the board in a timely fashion on actions taken on behalf of the board; and

(2) supervise the affairs of the board between regular meetings of the board.

(d) The assessment and evaluation committee shall

(1) assess and evaluate programs, initiatives, and the delivery of services to help to ensure equitable distribution of quality education, training, and employment services statewide, especially to rural areas and to programs serving economically disadvantaged citizens;

(2) call for and monitor the workforce development system for increased accountability in performance and continuous quality improvement along the goals and strategies of the board's overall statewide strategic plan for workforce development;

(3) use evaluation and performance measures to gauge customer satisfaction within the workforce development system; and

(4) perform other duties assigned by the board.

(e) The policy and planning committee shall

(1) build policies regarding day-to-day operations and long-term responsibilities of the board;

(2) work to increase awareness of the board and its mission throughout the state;

(3) work with all other committees on a statewide strategic plan for workforce development; and

(4) perform other duties assigned by the board.

(f) The employment and placement committee shall

(1) ensure the statewide strategic plan for workforce development addresses

(A) customer needs at the local level;

(B) moving welfare recipients into the workforce;

(C) promoting the hiring of state residents in jobs that have traditionally been filled by out-of-state workers;

(D) tailoring employment and training programs to suit state business, industry, and economic development needs;

(2) monitor the coordination of service delivery to promote efficiency and to prevent overlap of services among programs; and

(3) perform other duties assigned by the board.

(g) The workforce readiness committee shall

(1) provide oversight for training, education, and employment programs to ensure the programs are delivering education and training that is relevant to local market needs and the career goals of state residents;

(2) build partnerships between employers and quality workforce training programs;

(3) work to connect the state public and private education systems with business, government, and labor to ensure that state residents are receiving workforce readiness skills throughout the education process; and

(4) perform other duties assigned by the board.

Sec. 23.15.575. Board as state planning entity.

The Alaska Workforce Investment Board shall act as the lead state planning and coordinating entity for state human resource programs administered under

(1) 29 U.S.C. 2801 - 2945 (Workforce Investment Act of 1998);

(2) 20 U.S.C. 2301 - 2471 (Carl D. Perkins Vocational and Applied Technology Education Act);

(3) 29 U.S.C. 49 - 49 *l* -1 (Wagner - Peyser Act);

(4) federal law for work programs for needy families with children under the Social Security Act;

(5) the employment program established under 7 U.S.C. 2015(d)(4) (Food Stamp Act of 1977);

(6) all federal programs designated as successors to the programs listed in (1) - (5) of this section; and

(7) all state laws involving employment training, vocational education, and workforce development.

Sec. 23.15.580. Functions of the board.

(a) As the lead state planning and coordinating entity, the Alaska Workforce Investment Board has responsibility, to the extent authorized by federal and state law, for planning and coordinating federal, state, and local efforts in human resource programs in this state related to employment training, including the work activities of the Alaska temporary assistance program under AS 47.27.

(b) The board shall

(1) facilitate the development of statewide policy for a coordinated and effective employment training and education system in this state;

(2) identify the human resource investment needs in the state and develop a plan to meet those needs;

(3) review the provision of services and the use of money and resources by the human resource programs listed in AS 23.15.575 ;

(4) assume the duties and functions of the state boards described under the laws relating to the federal human resource programs listed in AS 23.15.575 ;

(5) advise the governor, state and local agencies, the University of Alaska, and other training entities on the development of state and local standards and measures relating to applicable human resource programs;

(6) submit, to the governor and the legislature, a biennial strategic plan to accomplish the goals developed to meet human resource investment needs;

(7) monitor for the implementation and evaluate the effectiveness of the strategic plan developed by the board;

(8) adopt regulations that set standards for the percentage of program expenses that may be used for administrative costs; the regulations must clearly identify and distinguish between program expenses that may be included in administrative costs and those that may not be included in administrative costs; the percentage allowed for administrative costs may not exceed the lesser of 20 percent of program expenses in the prior fiscal year or the amount permitted under the requirements of a federal program, if applicable;

(9) report annually to the legislature, by the 30th day of the regular legislative session, on the performance and evaluation of training programs in the state subject to review under (f) of this section;

(10) identify ways for agencies operating programs subject to oversight by the board to share resources, instructors, and curricula through collaboration with other public and private entities to increase training opportunities and reduce costs; and

(11) adopt regulations under AS 44.62 (Administrative Procedure Act) to carry out the purposes of AS 23.15.550 - 23.15.585.

(c) The board may receive money designated for human resource programs and may disburse money, including grants, to human resource projects in accordance with AS 37.07 (Executive Budget Act). The board may enter into partnership agreements through appropriate administrative agencies with private industry training entities within the state in order to facilitate the coordination of training opportunities.

(d) The board shall provide oversight for the planning and coordination of employment-related education training programs operated by the state or operated under contract with the state that are described in (f) of this section. The board shall require a training program listed in (f) of this section to meet the requirements of this subsection. The board shall, by regulation, establish appropriate penalties for programs that fail to meet the requirements of this subsection. The board may recommend to the legislature changes to enhance the effectiveness

of the training programs it oversees under this section. A training program described in (f) of this section funded with money appropriated by the legislature must

(1) meet the standards adopted by the board concerning the percentage of a grant that may be spent on administrative costs;

(2) be operated by an institution that holds a valid authorization to operate issued under AS 14.48 by the Alaska Commission on Postsecondary Education if the program is a postsecondary educational program operated by a postsecondary educational institution subject to regulation under AS 14.48;

(3) provide to the Department of Labor and Workforce Development the information required by the department for the preparation of the statistical information necessary for the board to evaluate programs by the standards set out in (e) of this section.

(e) The board shall develop standards that encourage agencies to contract for training programs that meet local demands and maximize the use of resources. The board shall adopt standards for the evaluation of training programs listed in (f) of this section with regard to the following:

(1) the percentage of former participants who have a job one year after leaving the training program;

(2) the median wage of former participants seven to 12 months after leaving the program;

(3) the percentage of former participants who were employed after leaving the training program who received training under the program that was related to their jobs or somewhat related to their jobs seven to 12 months after leaving the training program;

(4) the percentage of former participants of a training program who indicate that they were satisfied with or somewhat satisfied with the overall quality of the training program;

(5) the percentage of employers who indicate that they were satisfied with the services received through the workforce development system.

(f) The following training programs are subject to the provisions of (d) and (e) of this section:

(1) in the Department of Labor and Workforce Development or operated by the department:

(A) programs under 29 U.S.C. 2801 - 2945 (Workforce Investment Act of 1998), assisting communities in moving toward a self-sustainable economy and providing training;

(B) state training and employment program (AS 23.15.620), providing training and employment services for people who are unemployed or likely to become unemployed, fostering new jobs, and increasing training opportunities for workers severely affected by fluctuations in the state economy or adversely affected by technology advances in the workplace;

(C) employment-related adult basic education;

(D) employment training services operated as part of the Alaska temporary assistance program (ATAP);

(E) unemployment insurance grants provided under the federal training relocation assistance program;

(F) Alaska works programs, assisting with the welfare-to-work program;

(G) Kotzebue Technical Center;

(H) Alaska Vocational Technical Center;

(2) in the Department of Education and Early Development or operated by the department, the non-public-school portions of the

(A) vocational education and technical preparation program; and

(B) Alaska Career Information System.

(g) The board shall assess the programs listed in this subsection and make recommendations to the legislature in its report required under (b)(9) of this section about whether to include one or more of these programs under the requirements of (f) of this section:

(1) in the Department of Commerce, Community, and Economic Development or operated by the department:

(A) local government assistance training and development, including the rural utility business advisory program;

(B) energy operations, providing training in management and administration of electric utilities and bulk fuel storage systems;

(2) in the Department of Corrections:

(A) Correctional Academy, training individuals applying for a correctional officer position;

(B) inmate programs, providing vocational technical training and education courses for inmates preparing to be released from a correctional facility;

(C) correctional industries program, providing inmates with jobs while they are incarcerated;

(3) in the Department of Environmental Conservation:

(A) remote maintenance worker program, providing training and technical assistance to communities to keep drinking water and sewage disposal systems running, and providing on-the-job training to local operators;

(B) water and wastewater operator training and assistance;

(C) federal drinking water operator training and certification;

(4) in the Department of Military and Veterans' Affairs: educational benefits for members of the Alaska National Guard and the Alaska Naval Militia;

(5) in the Department of Public Safety:

(A) fire service training to maintain emergency training skills for existing fire fighter staff and volunteers and individuals interested in becoming fire fighters;

(B) Public Safety Training Academy, training trooper recruits;

(6) in the Department of Transportation and Public Facilities:

(A) engineer-in-training program, providing on-the-job training for apprentice engineers to enable them to gain the experience necessary to be certified;

(B) statewide transportation improvement program, offered by the United States National Highway Institute;

(C) local technical assistance program, transferring technical expertise to local governments;

(D) Native technical assistance program, transferring technical expertise to Native governments;

(E) border technology exchange program, to coordinate highway issues with the Yukon Territory;

(7) in the Department of Labor and Workforce Development: vocational rehabilitation client services and special work projects, employment services, including job development, assisting individuals in finding employment, and assisting employed individuals in finding other employment.

(h) The University of Alaska shall evaluate the performance of its training programs using the standards set out in (e) of this section and shall provide a report on the results to the board for inclusion in the board's annual report to the legislature.

(i) The board shall review each program listed in (f) of this section to determine whether it is in compliance with the standards set out in (d) and (e) of this section. If the board finds that a program has failed to comply with the standards set out in (d) and (e) of this section, it shall notify the program director of the failure. If the program director fails to improve the performance of the program within a reasonable time, the board shall notify the governor and the Legislative Budget and Audit Committee that the program is out of compliance. A contract entered into by a state agency relating to a training program set out in (f) of this section must contain terms consistent with this section.

(j) A department that operates or contracts for a training program listed in (f) of this section shall pay to the board a management assessment fee not to exceed .75 percent of the program's annual operating budget. The total amount received as management assessment fees may not exceed the board's authorized budget for the fiscal year. The board shall, by regulation, establish a method to determine annually the amount of the management assessment fee. If the amount the board expects to collect under this subsection exceeds the authorized budget of the board, the board shall reduce the percentages set out in this subsection so that the total amount of the fees collected approximately equals the authorized budget of the board for the fiscal year. The board shall adopt regulations under AS 44.62 (Administrative Procedure Act) necessary to administer this subsection.

(k) Upon the enactment of a new federal or state program relating to work force development, the board shall

(1) advise the governor and the legislature on whether the board should provide oversight for the new program under this section; and

(2) make recommendations necessary to streamline and coordinate state efforts to meet the guidelines of the new program.

(l) For purposes of this section, "program"

(1) does not refer to the overall activities of an individual institution or individual fields of study or courses that are not associated with programs for which the board has oversight responsibility;

(2) may include a certificate or associate degree course or a course that is not for credit, whether it is offered by a public or private institute or contracted for by the private sector, so long as it is related to employment.

Sec. 23.15.585. Administration.

(a) The governor shall appoint the executive director for the Alaska Workforce Investment Board. The department shall provide professional, technical, and administrative staff for the Alaska Workforce Investment Board.

(b) Subject to legislative appropriations, and in accordance with AS 37.07 (Executive Budget Act), the board's budget is funded from programs for which the board is the lead state planning and coordinating entity under AS 23.15.575 .

Article 05. MANPOWER DEVELOPMENT AND TRAINING

Sec. 23.15.610. Participation in Manpower Development and Training Act. [Repealed, Sec. 1 ch 103 SLA 1968].

Repealed or Renumbered

Sec. 23.15.611. Department participation in manpower training programs. [Repealed, Sec. 84 ch 58 SLA 1999].

Repealed or Renumbered

Sec. 23.15.614. Manpower training division. [Repealed, Sec. 84 ch 58 SLA 1999].

Repealed or Renumbered

Sec. 23.15.617. Manpower Training Advisory Council. [Repealed, Sec. 2 ch 174 SLA 1975].

Repealed or Renumbered

Article 06. STATE TRAINING AND EMPLOYMENT PROGRAM

Sec. 23.15.620. State training and employment program.

There is created in the department a program to finance and award grants to employment assistance and training entities. Employment assistance and training entities shall give appropriate state agencies full

access to accounting records concerning grants received to assure compliance with program standards.

Sec. 23.15.625. Employment assistance and training program account.

The employment assistance and training program account is established in the general fund. The commissioner of administration shall separately account for money collected under AS 23.15.630 that the department deposits in the general fund. The annual estimated balance in the account may be appropriated by the legislature to the department to implement AS 23.15.620 - 23.15.660. The legislature may appropriate the lapsing balance of the account to the unemployment compensation fund established in AS 23.20.130 .

Sec. 23.15.630. Special employee unemployment credit and contributions for program.

(a) In the manner provided in AS 23.20, the department shall collect from each employee an amount equal to one-tenth of one percent of the wages, as set out in AS 23.20.175 , on which the employee is required to make contributions under AS 23.20.290 (d). The department shall remit to the Department of Revenue, in accordance with AS 37.10.050 , money collected under this subsection.

(b) Notwithstanding AS 23.20.290 (d), the department shall credit each employee with an amount equal to the amount collected from the employee under (a) of this section against unemployment contributions owed by the employee under AS 23.20.

(c) The department shall assess and collect, under AS 23.20.185 - 23.20.275, interest and penalties for delinquent reports and payments due under this section. Interest and penalties collected shall be handled in accordance with AS 23.20.130 (d).

Sec. 23.15.635. People to be served.

Within the limits of its grant, an employment assistance and training entity receiving a grant under AS 23.15.651 shall provide services set out in AS 23.15.640 (a) to state residents who, immediately before beginning training or receiving benefits under a grant financed by this program,

(1) are unemployed and

(A) are receiving unemployment insurance benefits; or

(B) have exhausted the right to unemployment insurance benefits within the past three years;

(2) are employed, but liable to be displaced within the next six months because of

(A) reductions in overall employment within a business;

(B) elimination of the worker's current job; or

(C) a change in conditions of employment requiring that, to remain employed, the employee must learn substantially different skills that the employee does not now possess; or

(3) have worked in a position covered by AS 23.20 at any time during the last three years, and are not currently eligible for unemployment insurance benefits because

(A) their employment has been seasonal, temporary, part-time, or marginal;

(B) their qualifying wages are insufficient because of limited job opportunity; or

(C) they are employed but, because they are underemployed, they are in need of employment assistance and training to obtain full employment.

Sec. 23.15.640. Services for eligible people; repayment.

(a) Subject to the limits of its grant, an entity receiving a grant under AS 23.15.651 shall provide one or more program elements. The program elements include

(1) industry-specific training;

(2) on-the-job training;

(3) institutional or classroom job-linked training;

(4) support services, including allowances;

(5) relocation assistance; or

(6) provisions of necessary tools, work-related clothing, safety gear, or other necessities to obtain or retain employment.

(b) A granting entity may award a grant that includes a program element listed in (a)(4), (a)(5), or (a)(6) of this section only if all funds from other assistance or aid programs or grants for that purpose are either not available to the granting entity or have been exhausted.

(c) The department shall require an individual who participated in a program that was funded at least in part by a grant under AS 23.15.651 and that included as a program element the provision of necessary tools, work-related clothing, safety gear, or other necessities to obtain or retain employment under (a)(6) of this section to reimburse the department for the portion of the grant that was spent on an element listed in (a)(6) of this section. Repayment shall begin no later than six months after the individual completes or leaves the state training and employment program and may not be less than $25 each calendar month. The department shall separately account for receipts under this subsection. The annual estimated receipts may be used by the legislature to make appropriations to the department to the employment assistance and training program account (AS 23.15.625) for grants under AS 23.15.651 . The department shall institute collection procedures on outstanding promissory notes for amounts due under this subsection. Collection procedures must include obtaining a judgment for default on a promissory note. The department shall seek satisfaction of the judgment from an individual's permanent fund dividend to the extent possible under AS 43.23.065 until the judgment has been satisfied. The department shall implement this subsection by regulation.

(d) In this section, a support service under (a)(4) of this section means a service provided to an individual participating in a training program described in (a)(1) - (3) of this section to enable the individual to participate in the training.

Sec. 23.15.645. Duties and powers of the department.

(a) The department shall award a grant to the board to

(1) administer a state training and employment program; and

(2) award grants to qualified entities.

(b) When a grant is awarded to the board, the department shall annually provide to the board a priority list of targeted projects or services, based on unemployment statistics, unemployment insurance claims, occupational and industrial projections, availability of other training and employment programs, and other relevant data. The department shall also provide annually to the board a priority list of criteria for eligibility to maximize services to those people most in need of training under AS 23.15.620 - 23.15.660. In developing the priority list for targeted projects and services, the department shall solicit comments from the Department of Education and Early Development, the Department of Commerce, Community, and Economic Development, the University of Alaska, organized labor, and the board. The department shall give preference to projects and services that train individuals in

industries identified in the resident hire report required under AS 36.10.130 as employing a disproportionate percentage of nonresident individuals.

(c) The department may adopt regulations necessary to implement this chapter.

(d) The board, by regulation, shall establish grant administration requirements, including accounting procedures, that apply to qualified entities and their grantees.

(e) In making a grant under this section, the board shall require that the qualified entity and grantees of the qualified entity limit the amount of the grant proceeds spent on administration so that the total spent on administration from the proceeds of the employment assistance and training program account, including amounts spent by the board itself, does not exceed 20 percent of program expenses in the prior fiscal year.

Sec. 23.15.650. Work Incentive Program for Welfare Recipients. [Repealed, Sec. 7 ch 128 SLA 1990].

Repealed or Renumbered

Sec. 23.15.651. Duties of Alaska Workforce Investment Board; grants; eligible entities.

(a) In implementing this program under a grant received under AS 23.15.645, and subject to the limit of its grant, the board shall award grants, in accordance with the priority list established by the department under AS 23.15.645 (b), to employment assistance and training entities. A training entity is eligible for a grant under this section if the entity meets program requirements and can demonstrate that

(1) its accounting systems include controls adequate to check the accuracy and reliability of accounting data, promote operating efficiency, and assure compliance with program requirements and generally accepted accounting principles; and

(2) its activities do not replace or compete in any way with a federally approved apprenticeship program or any other existing training programs.

(b) The board may not award a grant if the grant would displace money available through existing public or private training programs.

(c) *[Repealed, Sec. 6 ch 49 SLA 2003].*

(d) The board shall annually provide the department with financial and performance reporting on the activities of the program and recommendations concerning continuation of funding.

Sec. 23.15.660. Definitions.

In AS 23.15.620 - 23.15.660,

(1) "board" means the Alaska Workforce Investment Board established in AS 23.15.550 ;

(2) *[Repealed, Sec. 6 ch 49 SLA 2003].*

(3) "program" means the state training and employment program established in AS 23.15.620 - 23.15.660.

(4) *[Repealed, Sec. 46 ch 86 SLA 2002].*

Article 07. BUSINESS INCENTIVE TRAINING PROGRAM

Sec. 23.15.700. - 23.15.810 Business incentive training program. [Repealed, Sec. 6 ch 49 SLA 2003].

Repealed or Renumbered

Article 08. ALASKA TECHNICAL AND VOCATIONAL EDUCATION

Sec. 23.15.820. Powers and duties of the Alaska Workforce Investment Board.

(a) The Alaska Workforce Investment Board shall

(1) administer the Alaska technical and vocational education program established in AS 23.15.820 - 23.15.850;

(2) facilitate the development of a statewide policy for a coordinated and effective technical and vocational education training system in this state and, to the extent authorized by federal and state law, plan and coordinate federal, state, and local efforts in technical and vocational education programs;

(3) adopt regulations under AS 44.62 (Administrative Procedure Act) to carry out the purposes of AS 23.15.820 - 23.15.850, including regulations that set standards for the percentage of a grant that may be used for administrative costs; the regulations must clearly identify and distinguish between expenses that may be included in administrative costs and those that may not be included in administrative costs; the percentage allowed for administrative costs may not exceed the lesser of five percent or the amount permitted under the requirements of a federal program, if applicable;

(4) administer the grant program under AS 23.15.840 and establish grant administration requirements including accounting procedures that apply to qualified entities and their grantees.

(b) The board may

(1) receive money designated for technical and vocational education programs and may disburse money, including grants, to technical and vocational education projects in accordance with AS 37.07 (Executive Budget Act);

(2) enter into partnership agreements through appropriate administrative agencies with private industry training entities within the state in order to facilitate the coordination of training opportunities; and

(3) recommend to the legislature changes to enhance the effectiveness of the training programs it oversees under this section.

Sec. 23.15.830. Alaska technical and vocational education program account.

The Alaska technical and vocational education program account is established in the general fund. The commissioner of administration shall separately account for money collected under AS 23.15.835 that the department deposits in the general fund. The legislature may appropriate the annual estimated balance in the account to the board to implement AS 23.15.820 - 23.15.850. The legislature may appropriate the lapsing balance of the account to the unemployment compensation fund established in AS 23.20.130 .

Sec. 23.15.835. Special employee unemployment contributions for program.

(a) In the manner provided in AS 23.20, the department shall collect from each employee an amount equal to one-tenth of one percent of the wages, as set out in AS 23.20.175 , on which the employee is required to make contributions under AS 23.20.290 (d). The department shall remit to the Department of Revenue, in accordance with AS 37.10.050 , money collected under this subsection.

(b) Notwithstanding AS 23.20.290 (d), the department shall credit each employee with an amount equal to the amount collected from the employee under (a) of this section against unemployment contributions owed by the employee under AS 23.20.

(c) The Department of Labor and Workforce Development shall assess and collect, under AS 23.20.185 - 23.20.275, interest and penalties for

delinquent reports and payments due under this section. Interest and penalties collected shall be handled in accordance with AS 23.20.130(d).

Sec. 23.15.840. Grants for technical and vocational education.

(a) The board shall award grants, in accordance with the priority list adopted under (f) of this section, to technical and vocational education entities. A technical and vocational education entity is eligible for a grant under this section if the entity meets program requirements, the grant program is physically located in Alaska, and the entity can demonstrate that

(1) the entity's accounting systems include controls adequate to check the accuracy and reliability of accounting data, promote operating efficiency, and assure compliance with program requirements and generally accepted accounting principles;

(2) the entity's activities do not replace or compete in any way with a federally approved apprenticeship program or any other existing training programs; and

(3) the entity has secured matching funds for the program for which the grant is requested.

(b) The board may not award a grant if the grant would displace money available through existing public or private technical and vocational education programs.

(c) Subject to the limits of its grant, an entity receiving a grant under this section shall provide one or more program elements. The program elements include

(1) industry-specific training;

(2) on-the-job training; and

(3) institutional or classroom job-linked training.

(d) A technical or vocational educational institution that receives a grant from the board shall give appropriate state agencies full access to accounting records concerning the grant to assure compliance with program standards.

(e) In making a grant under this section, the board shall require that the qualified entity and grantees of the qualified entity limit the amount of the grant proceeds spent on administration so that the total spent on administration from the proceeds of the technical and vocational education program account, including amounts spent by the board itself,

does not exceed five percent. A training program funded by the board must

(1) meet the standards adopted by the board concerning the percentage of a grant that may be spent on administrative costs;

(2) be operated by an institution that holds a valid authorization to operate issued under AS 14.48 if the program is a postsecondary educational program operated by a postsecondary educational institution subject to regulation under AS 14.48.

(f) To the extent that funding is available, grants shall be awarded to entities that apply for funding by the deadline established by the board by regulation. The board shall give priority to grant applications from qualified entities whose purpose is listed first on the list of priorities adopted under this subsection. If money remains after grants for the first priority have been awarded, the board may make grants to entities whose purpose is listed next on the list of priorities. The board shall proceed in this fashion until it has exhausted the money available for granting for the year. The board shall adopt a priority list each year based on economic, employment, and other relevant data in order to maximize employment opportunities for participants.

Sec. 23.15.850. Definitions.

In AS 23.15.820 - 23.15.850,

(1) "board" means the Alaska Workforce Investment Board;

(2) "program" means the Alaska technical and vocational education program established in AS 23.15.820 - 23.15.850.

THE ALASKA WORKFORCE INVESTMENT BOARD

BYLAWS

Pursuant to Alaska Statute Section 23.15.550 and USC 2801 –2945 (Workforce Investment Act of 1998), a state human resource 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 & Workforce Development
1016 West 6th Avenue, Suite 105
Anchorage, AK 99501

ARTICLE II
PURPOSE AND MISSION

The Alaska Workforce Investment Board's purpose is to develop and implement an efficient, effective and integrated state human resource 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 human 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 strategic plan for the coordination, delivery, monitoring and evaluation of all human resource programs under Board oversight. Such plan will be submitted to the Governor biannually. 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 local Workforce Investment Boards (LWIBs) under the Act;

(b) recommend local Workforce Investment Areas to the Governor;
(c) provide policy guidance, review and recommend improvements for the effectiveness of programs administered by the LWIBs;
(d) plan resource allocations not subject to federal or state formula;
(e) advise the Governor on LWIB job training plans and certify the consistency of such plans with criteria established under state workforce investment plan and the biennial AWIB Strategic Plan;
(f) review and comment on all state plans related to employment, employment education, training, and related services with comments provided to the Governor, relevant state and/or federal agencies, and upon request by the Legislature and the public;
(g) make an annual report to the Governor as well as other reports and studies recommended by the Board;
(h) in coordination with the appropriate state agencies, identify the employment and training and vocational education needs throughout the state and assess the extent to which employment and training, vocational 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;
(i) execute those duties required by the Workforce Investment Act of 1998;
(j) 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 human resource programs including but not limited to:
(1) 29 U.S.C. 2801-2945 (Workforce Investment Act of 1998);

(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, vocational 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 (Sec. 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, with at least one representative from the private industry councils appointed under 29 U.S.C. 1512 and subject to reconstitution under 29 U.S.C. 1515;
(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 and up to four additional members of the private sector to ensure a private sector majority and regional and local representation on the Board.
(11) 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.

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 vocational training 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, 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 Chair shall annually, prior to December 31st of each year, select a Nominating Committee of members who do not intend to run for elected office. The Nominating Committee shall 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 elections will be held. The election of officers will be held at the subsequent meeting of the Board, under New Business.

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.

ARTICLE VIII
ATTENDANCE

Section 1. A Board member who misses two consecutive face-to-face or teleconference board 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 meetings will have their attendance reviewed by the Executive Committee for removal from the Board.

Section 2. These attendance rules do not apply to meetings of committees. However, Board members are expected to participate to the best of their abilities on committees and at the meetings of committees.

ARTICLE IX
DELEGATES/DESIGNEES:

All Board members may select a designee to represent them and vote for them at Board meetings. The name of the designee must be submitted by the Board member to the chair for referral to the Office of the Governor Boards & Commissions office, and no designee will be seated until approved by the Governor.

ARTICLE X
COMMITTEES

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

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

Section 3. The Executive Committee is made up of the Board chair, vice-chair, past chair and the six 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. Assessment and evaluation of programs, initiatives and delivery of services by this committee will help ensure equitable distribution of quality education, training and employment services statewide, especially to rural areas and areas serving economically disadvantaged citizens. This committee will call for and monitor the workforce development system for increased accountability in performance and continuous quality improvement along the goals and strategies of the Board's overall statewide human resource investment strategic plan. The Assessment and Evaluation Committee will also use evaluation and performance measures to gauge customer satisfaction within the workforce system.

Section 5. The Policy and Planning Committee will build policies regarding day-to-day operations and long-term responsibilities of the Board and work to increase awareness of AWIB and its mission throughout the state. This committee will work with all committees on the statewide strategy for workforce investment.

Section 6. The Employment and Placement Committee. This committee will ensure the statewide strategic plan for workforce development addresses customer needs at the local level; moving low-income adults and youth, veterans, and disabled populations into the workforce as a priority of service; promoting hire of Alaskans in jobs that have traditionally been filled with out-of-state workers; tailoring employment and training programs to suit Alaskan business, industry and economic development needs. It will monitor the coordination of service delivery to promote efficiency and prevent overlap of services among programs.

Section 7. The Workforce Readiness Committee will provide oversight for training, education and employment programs to ensure programs are delivering education and training that is relevant to local market needs and the future career goals of Alaskans. It will help coordinate the delivery of programs in a manner that eliminates needless duplication. The committee will build partnerships between employers and quality workforce training programs. It will work to connect the Alaska public and private education system with business, government and labor to ensure Alaskans are receiving workforce readiness skills throughout their education process.

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. A Youth Council Committee will be appointed by the Chair of the Board to bring issues of concern to the Board. The Youth Council will develop, recommend and oversee youth employment and training policy in Alaska to ensure that programs deliver a workforce ready to meet the demands of future jobs. It will establish connections between organizations, service providers, educational organizations and Alaska's youth. The Youth Council will broaden the vocational youth employment and training focus in the community and practice by increasing the awareness that Alaska's

youth must participate in creating their own road to the future. It will develop an inventory of available youth workforce and training programs, which will improve the policy and public funding process relating to youth workforce programs. The Youth Council will assist youth in developing natural leadership skills and keys to success, and develop a system to facilitate the youth to motivate themselves.

Section 10. Ad Hoc committees may be appointed by the chair to work on issues of a temporary nature as needed.

Section 11. 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.

State Training and Education Program (STEP)

The State Training and Employment Program (STEP) was established in 1989. It is administered by the Alaska Department of Labor and Workforce Development and funded by a small set-aside of Unemployment Insurance (UI) Trust Fund contributions. The primary purpose of the program is to reduce current and future claims against UI benefits through an investment in job training. STEP funds can only be used to provide services for state residents who intend to stay in Alaska and who are not appropriate for federal programs that provide like services; and, who meet at least one of the following criteria:

- Unemployed and receiving Unemployment Insurance (U. I.) benefits.
- Unemployed not collecting UI, but have worked in a job covered by U. I. benefits within the last 3 years.
- Employed but likely to lose his/her job due to a reduction in the overall number of employees within the business. Employer must provide verification.
- Employed but likely to lose his/her job due to the elimination of the current job. Employer must provide verification.
- Employed but likely to lose his/her job because of a change in current job requirements will require skills substantially different skills to remain employed. Employer must provide verification.
- Underemployed and need job training to gain skills that lead to full-time employment and/or self-sufficiency.

AS.23.15.580 (8) allows only 20% of the allocated STEP funds to be used for costs associated with the administration of the program. Examples of the support activities that may be charged to STEP Grants:

- Staff time to provide skills and aptitude assessment, vocational counseling, and individual case management as needed.
- Payments directly related to training such as tuition, books, fees, materials and supplies.
- Moving the participant to another community for training, living allowances, childcare, and transportation.

Allowable Services

Industry specific training: This is training for jobs in industries with a high demand for workers. Trainees earn industry-recognized skills, competencies and/or certifications upon completion. A firm job commitment is <u>not</u> required prior to this type of training; however, trainees should have a reasonable expectation of employment upon completion.

On-the-job training (OJT): OJT is training provided by the employer to a paid employee, at the work-site. The employer's cost is offset with STEP funds. Employees are taught the skills essential to do a specific job. Employers must make a firm job commitment to the trainee in order to qualify for OJT funds. A one-year commitment to employ the trainee is typical and these are usually a one-to-one situation.

Customized job-linked training: This is training based on the needs of a specific employer rather than those of an industry as a whole. Training is provided by someone other than the employer and is provided to ensure trainees acquire the skills necessary to keep or improve their employability with that particular employer. The employer must make a firm job commitment to people who successfully complete the training. Primarily manufacturers and public service sectors have used these types of grants.

The STEP program has been extended until 2010.

Technical and Vocational Education Program (TVEP)

The Technical and Vocational Education Program (TVEP) was established in 2000. The purpose of this program is to provide grants to technical and vocational education entities to provide industry specific training, on-the-job training and classroom job linked training. The authority for this program is Alaska Statute 23.15.840, grants for technical and vocational education.

Funds for the program are appropriated from amounts the state collects in unemployment insurance contributions, and are provided to the Alaska Workforce Investment Board. The board establishes a list of priorities for training under this program. To the extent that funding is available, grants are awarded to entities that apply for funding by the deadline established by the board. The board gives priority to applications from qualified entitles whose purpose is listed first on the list of priorities. If money remains after grants for the first priority have been awarded, the board may then make grants to those entities whose purpose is listed next on the priority list.

Note: In recent years, the Alaska State Legislature has appropriated money from the program for specific grants to designated recipients for capital improvement projects. In appropriating the funds, the Legislature has not specified any additional requirements on the use of those funds.

AS.23.15.835 (a) the department shall collect from each employee an amount equal to one-tenth of one percent of the wages, as set out in AS.23.20.175, on which the employee is required to make contribution under AS.23.20.290 (d). The department shall remit to the Department of Revenue, in accordance with AS.37.10.050, money collected under this subsection.

Note: According to House Bill No. 2 (HB 2) the amount to be collected went from one-tenth of one percent to .15 percent effective July 1, 2008.

Types of Services Allowed and Un-allowed

Subject to the limits of its grant, an entity receiving a grant under this program shall provide one or more of the following program elements (AS 23.15.840 (c)):

- industry specific training
- on-the-job training
- Institutional or classroom job-linked training

The entity's activities do not replace or compete in any way with a federally approved apprenticeship program or any other existing training programs (AS 23.15.840 (a)(2)). Grants may not be awarded if the grant would displace money available through existing private technical and vocational education programs (AS 23.15.840 (b)).

Carl D. Perkins Career and Technical Education Improvement Act

The Carl D. Perkins Vocational and Technical Education Act (Perkins) was originally authorized by the federal government in 1984, and reauthorized in 1998. Named for Carl D. Perkins, the act aims to increase the quality of technical education within the United States in order the help the economy.

On August, 12, 2006 President Bush signed into law the reauthorization of the Act of 1998. The new law, the **Carl D. Perkins Career and Technical Education Improvement Act of 2006**, was passed almost unanimously by Congress in late July, 2006.

The new law included three major areas of revision:

1) Using the term 'career and technical education' instead of 'vocational education'
2) Maintaining the Tech Prep program as a separate federal funding stream within the legislation
3) Maintaining state administrative funding at 5 percent of a state's allocation

The new law also included new requirements for 'programs of study' that link academic and technical content across secondary and postsecondary education, and strengthened local accountability provisions that will ensure continuous program improvement.

Career and technical education is about helping students, workers and lifelong learners of all ages fulfill their working potential. First and foremost it's about high school and college education that provides students with:

- Academic subject matter taught with relevance to the real world, often called contextual learning.
- Employability skills, from job-related skills to workplace ethics.
- Education pathways that help students explore interests and careers in the process of progressing through school.

But career and technical education is also about:

- Second-chance education and training for the unemployed and those seeking to upgrade their employability skills.
- Education to earn additional degrees, especially when related to career advancement.
- Corporate training, continuing education, skills upgrades and refresher courses for those already in the workplace.

The Perkins Act provides almost $1.3 billion in federal support for career and technical education programs in all 50 States. The law will extend through 2012.

ALASKA WORKFORCE INVESTMENT BOARD
Comparative Table of Responsibilities
Alaska Statue 23.15.550-23.15.850 and Workforce Investment Act

Alaska Statute 23.15.550-23.15.850	Responsible	Workforce Investment Act
SB 142: Original Legislation	AWIB	Develop and continuously improve a WIA service delivery and One-Stop system
Act as lead state planning and coordinating entity for all federal, state and local efforts in human resource programs related to employment and training	AWIB Human resource programs listed under WIA, Perkins, Wagner-Peyser, and state programs including STEP and TVEP.	Develop and improve linkages to assure coordination and non-duplication of services
Facilitate coordinated statewide policy for employment training and education system	AWIB	Review and approve local plans
Identify human resource needs in state and develop a plan to meet those needs	AWIB – Collaboration with DOEED and DOLWD Divisions	Coordinate the measures taken pursuant to the Carl Perkins Act
Review provisions of services and use of money and resources by human resource programs	Policy and Planning/Assessment and Evaluation Committee Regional Advisory Councils	Designate local areas
Submit to the governor and the legislature a biennial strategic plan	Collaborative effort between DOLWD Divisions and AWIB	Develop and continuously improve levels of performance for the WIA performance measures
Assess & evaluate programs to ensure equitable distribution of services to help ensure equitable distribution of quality education, training, and	DOLWD Division of Business Partnerships Employment Security Division	Develop an application for an incentive grant as required in Section 503 of the WIA

ALASKA WORKFORCE INVESTMENT BOARD
Comparative Table of Responsibilities
Alaska Statue 23.15.550-23.15.850 and Workforce Investment Act

Alaska Statute 23.15.550-23.15.850	Responsible	Workforce Investment Act
employment services statewide, especially to rural areas and to programs serving economically disadvantaged citizens		
Call for and monitor workforce development system for accountability in performance and continuous quality improvement along the goals and strategies of the council's overall statewide strategic plan for workforce development	Collaborative effort with DOLWD Divisions and the AWIB Currently identified in State 2 year Plan	Deliver the five-year unified state plan with quantifiable measures to the Alaska Legislature
Use evaluation and performance measures to gauge customer satisfaction within the workforce development system	ESD One Stop Centers AWIB Overview Employment Security Division	Include quantifiable goals that will empower Alaskans to gain independence from public assistance and move up the socioeconomic ladder
Build policies for day-to-day & long-term responsibilities of the AWIB	AWIB Executive Committee	Develop Alaska's workforce investment system; ensure timely consultation and collaboration with chief elected officials, LWIBs, and other workforce stakeholders
Work to increase awareness of the AWIB & its mission throughout the state	Collaborative effort with DOLWD AWIB members Regional Advisory Councils	Designate the duties and responsibilities of state agencies to implement the Federal Act, and to capitalize on experience developed by workforce partners

ALASKA WORKFORCE INVESTMENT BOARD
Comparative Table of Responsibilities
Alaska Statue 23.15.550-23.15.850 and Workforce Investment Act

Alaska Statute 23.15.550-23.15.850	Responsible	Workforce Investment Act
Develop statewide strategic plan for workforce development	Collaborative effort DOLWD Divisions Policy Planning/Assessment & Evaluation Committee Workforce Readiness/Assessment and Evaluation Committee Youth Council Executive Committee AWIB	Participate in the development of a coordinated statewide system of activities and services that includes both mandatory and optional partners of the One-Stop delivery system
Ensure the statewide strategic plan addresses customer needs at local level; moving welfare recipients into workforce; promotes local hire; tailors employment and training programs to suit business, industry and economic development needs; monitor coordination of services to promote efficiency and to prevent overlap of services among programs	Collaborative effort with DOLWD Divisions and the AWIB. Executive Committee Policy Planning/Assessment and Evaluation Committee	Provide for the development, accountability and continuous improvement of comprehensive workforce performance measures to assess the effectiveness of the workforce investment activities in the state
Build partnerships between employers and quality workforce training programs	DOLWD Divisions AWIB Regional Advisory Councils	

ALASKA WORKFORCE INVESTMENT BOARD
Comparative Table of Responsibilities
Alaska Statue 23.15.550-23.15.850 and Workforce Investment Act

Alaska Statute 23.15.550-23.15.850	Responsible	Workforce Investment Act
Work to connect state public and private education systems with business, government and labor to ensure residents are receiving workforce readiness skills through the education process	DOLWD AWIB Workforce Readiness/Employment Placement Committee Youth Council	
Report annually to the legislature, by the 30th day of the regular legislative session, on the performance and evaluation training programs in the state	AWIB Executive Committee Staff Policy Planning/Assessment and Evaluation Committee DOLWD Research and Analysis	
SB 289 provisions in statute:		
Administer the Alaska technical and vocational education program established in AS 23.15.820 - 23.15.850	TVEP Currently being determined by the legislature, directly distributed to recipients through budget allocation. The Division of Business Partnerships currently provides grant oversight	

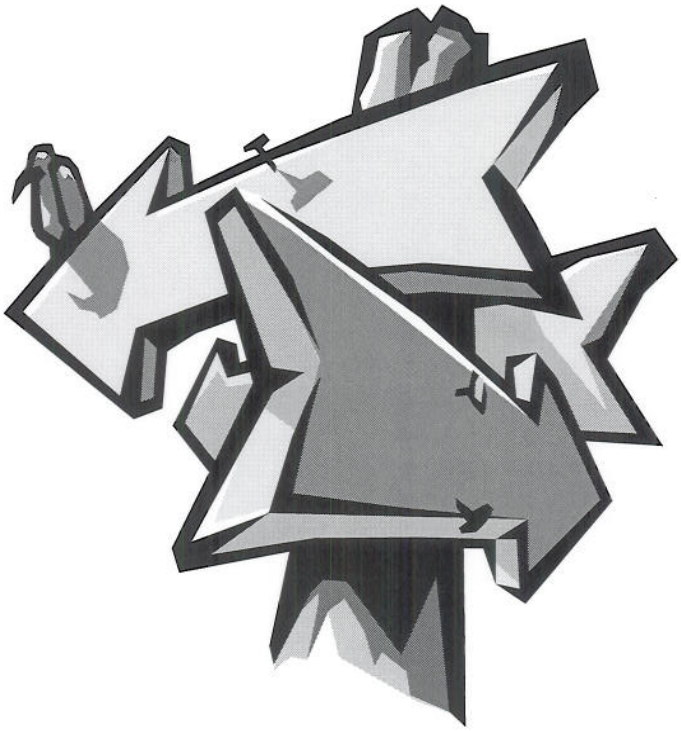
ALASKA WORKFORCE INVESTMENT BOARD
Comparative Table of Responsibilities
Alaska Statue 23.15.550-23.15.850 and Workforce Investment Act

Alaska Statute 23.15.550-23.15.850	Responsible	Workforce Investment Act
Adopt regulations to carry out the purposes of AS 23.15.820 - 23.15.850, including regulations that set standards for the percentage of a grant that may be used for administrative costs; the regulations must clearly identify and distinguish between expenses that maybe included in administrative costs and those that may not be.	TVEP Currently being determined by the legislature, directly distributed to recipients through budget allocation. The Division of Business Partnerships currently provides grant oversight	
AS Sec. 23.15.645 The department shall award a grant to the board to administer a state training and employment program; and award grants to qualified entities.	The STEP grants are currently administered and monitored by the Division of Business Partnerships.	
Establish appropriate penalties for programs that fail to meet requirements.	Grant monies currently go through Division of Business Partnerships	

ALASKA WORKFORCE INVESTMENT BOARD
Comparative Table of Responsibilities
Alaska Statue 23.15.550-23.15.850 and Workforce Investment Act

Alaska Statute 23.15.550-23.15.850	Responsible	Workforce Investment Act
Develop standards that encourage agencies to contract for training programs that maximize class size		
Adopt standards for training programs listed in (AS 23.15.575(f) with regard to several different measurements		
	List of Eligible Training Providers Division of Business Partnerships	

ALASKA'S EXECUTIVE BRANCH ETHICS ACT



TRAINING MANUAL
OCTOBER 2007

ALASKA WORKFORCE INVESTMENT BOARD

RESOURCES

EXECUTIVE BRANCH ETHICS ACT

RESOURCES

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· Department of Law Ethics Webpage
http://www.law.state.ak.us/doclibrary/ethics.html
Links to guidance, statute, regulations and forms

· Published Attorney General Opinions
on Westlaw, the State Public Notice website,
and the Attorney General's Website

2007 ETHICS LEGISLATION

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As you may know, the 2007 Alaska Legislature recently passed legislation to improve Alaska's ethics and disclosure laws. The changes to the Alaska Executive Branch Ethics Act and some of the changes to the disclosure laws will take effect immediately upon Governor Palin's signing the bill into law. **These changes may apply to YOU**, so you need to know what they are.

The changes to the Executive Branch Ethics Act concern:

- When your interest in a business is insignificant under the Ethics Act;
- Gifts to you and your family members from lobbyists;
- Your employment after leaving state service;
- Working in the same unit as your family members;
- When your activities constitute "official action";
- Using state aircraft for political purposes;
- Lobbying after leaving state service; and
- Serving on boards after leaving state service.

The changes to the disclosure laws — which apply to certain high-level positions in the executive branch and to many boards and commissions — concern:

- Electronic filing of financial disclosures;
- Including more details in financial disclosures;
- Disclosures upon leaving state service; and
- Disclosures from additional boards and commissions.

In addition, a change to the criminal laws requires public servants to report promptly to law enforcement agents when they know or reasonably should know of bribery of a public servant.

A summary of these changes is attached. To see a copy of the legislation, go to http://www.legis.state.ak.us/PDF/25/Bills/HB0109G.PDF.

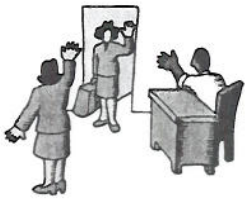
What's New for the Executive Branch in the 2007 Ethics Bill?

1. **Interests in Businesses**: If you own stock or have some other ownership interest in a business, and your stock or ownership interest is worth at least $5,000, you will generally be prohibited from taking action in your state position that would significantly affect that business. Under the Executive Branch Ethics Act, a public officer's stock or other ownership interest in a business is now presumed to be insignificant if the value of the interest is less than $5,000. The same presumption applies to options to buy stock or other ownership interests. "Public officers" include all executive branch officials and employees, as well as members of executive branch boards and commissions.

The effect of this presumption is that a public officer will generally be forbidden from taking official action that will significantly affect any matter in which the officer holds an interest worth $5,000 or more. On the other hand, a public officer will generally be permitted to take official action affecting a matter in which the officer has an interest worth less than $5,000. However, an officer would not be permitted to take official action on a matter in which the officer has an interest worth less than $5,000 if, for example, the officer's action would significantly increase the value of the interest. The presumption also applies when determining whether an officer has a significant interest in a state contract, grant, lease, or loan. If you have questions about how the presumption may affect your circumstances, consult your designated ethics supervisor.

2. **Gifts from Lobbyists**: You and your family members should not accept gifts from lobbyists unless your designated ethics supervisor approves the gifts. Lobbyists' gifts to public officers and officers' immediate family members are now presumed to be improper unless the lobbyists are immediate family members of the persons receiving the gifts. A person's "immediate family members" include (1) the person's spouse; (2) someone who shares the person's home in a marriage-like relationship; (3) the person's children, stepchildren, adoptive children, parents, siblings, grandparents, aunts, and uncles; and (4) the person's spouse's parents and siblings.

Because the new law establishes only a presumption, public officers may request approval from their designated ethics supervisors to accept gifts from lobbyists when it would be unreasonable to infer that the gifts were intended to influence the public officers' performance of official duties. For example, a designated ethics supervisor might approve a gift to an executive branch employee who is a long-time neighbor of a lobbyist if the lobbyist offers the gift because the employee is getting married and the employee has no authority over any matters within the scope of the lobbyist's lobbying activities.



3. **Employment after Leaving Executive Branch Service**: The new ethics bill expands the restrictions that apply to public officers for two years after they leave service in the executive branch. Former executive branch officers were already barred for two years from working for compensation on matters in which they personally and substantially participated during their state service, but the law included an exception for work on legislation and regulations. The new ethics bill eliminates that exception.

The exception is still available for those who left the executive branch before the new ethics bill took effect, but is unavailable to those who leave after the bill's effective date. The two-year restrictions do not apply to former officers' contracts with the state. Furthermore, an agency may waive the two-year restrictions in some circumstances, if the attorney general approves the waiver. If you have questions about how the restrictions on post-state employment may apply to you, contact your designated ethics supervisor.

4. **Working with Family Members**: The new ethics bill clarifies that the Executive Branch Ethics Act does not bar immediate family members from working together in the same agency or administrative unit so long as one does not have authority to take or withhold official action affecting the terms of conditions of the other's employment in a way that violates any other provision of the Ethics Act or any other state law.

5. **Definition of "Official Action"**: The new ethics bill clarifies the definition of "official action" in the Executive Branch Ethics Act to include advice, participation, and assistance in a matter.

6. **Use of State Aircraft**: Public officers may not use state aircraft for partisan political purposes except when the partisan political use is incidental to official duties. An officer's partisan political use of state aircraft may not exceed 10 percent of the total use on a particular trip, and the officer must reimburse the state for the actual cost of the political use. Those who authorize or use state aircraft for partisan political purposes must disclose it to their designated ethics supervisors and the attorney general.

7. **Lobbying after Leaving Executive Branch Service**: The new ethics bill expands the number of public officers that may not lobby for pay for one year after leaving executive branch service. The one-year lobbying ban already applied to the governor, lieutenant governor, and department heads. Under the new ethics bill, the one-year lobbying ban also applies to (1) deputy heads of departments; (2) division directors; (3) departmental legislative liaisons; (4) legislative liaisons, administrative assistants, and other employees in policy-making positions in the Office of the Governor and Office of the Lieutenant Governor; (5) members of boards and commissions that have regulation-adoption authority, other than those covered by the centralized licensing

provisions of AS 08.01; and (6) members of the governing boards of state public corporations and their executive officers. The expanded lobbying restrictions apply only to those who leave any of the newly covered positions after the ethics bill takes effect.

8. **Service on Boards after Leaving Certain Positions**: A new restriction applies to former heads of departments and former employees who held policy-making positions in the Office of the Governor. For one year after leaving service as a department head, the former head of a department may not serve on the board of an organization that the department regulated or with which the former department head worked as part of official duties. Similarly, for one year after leaving service in a policy-making position in the Governor's Office, a former employee may not serve on the board of an organization with which the former employee worked as part of official duties. Governor's Office employees in "policy-making positions" are those whose positions require that they file annual financial disclosure statements with the Alaska Public Offices Commission.

9. **Electronic Filing of Financial Disclosures**: Certain high-level members of the executive branch were already required to file financial disclosures annually with the Alaska Public Offices Commission. Now, for any financial disclosures due after July 1, 2007, those officials must file their disclosures electronically. The APOC may grant exceptions where the circumstances warrant them.

10. **More Details in Financial Disclosures**: More details will be required when high-level officials file their next financial disclosures with the Alaska Public Offices Commission. For example, the bill reduces the threshold for reportable income from $5,000 to $1,000.

11. **Disclosures from Former Officials**: Those who leave high-level positions that required them to file financial disclosures with the Alaska Public Offices Commission now must file final financial disclosures covering their last periods of service. They must file those disclosures within 90 days of leaving service in those positions. The bill's requirement does not apply to those who left before the bill's effective date.

12. **Disclosures from Members of More Boards**: The bill adds five boards to the list of boards whose members must file annual financial disclosures with the Alaska Public Offices Commission: the Alaska Industrial Development and Export Authority, the board of directors of the Knik Arm Bridge and Toll Authority, the Alaska Labor Relations Agency, the board of trustees of the Alaska Mental Health Trust Authority, and the board of directors of the Alaska Railroad Corporation.

13. **Reporting Bribery**: The bill requires public servants to report to law enforcement agents whenever the public servants know or reasonably should know of bribery involving a public servant.

INFORMATION FOR BOARDS

State of Alaska
ETHICS INFORMATION FOR MEMBERS OF BOARDS AND COMMISSIONS (AS 39.52)

INTRODUCTION

This is an introduction to AS 39.52, the *Alaska Executive Branch Ethics Act*. This guide is not a substitute for reading the law and its regulations. State board and commission members who have further questions should contact their board chair or staff.

The Ethics Act applies to all current and former executive branch public employees and *members of statutorily created boards and commissions.*

SCOPE OF ETHICS ACT (AS 39.52.110)

Service on a state board or commission is a public trust. The Ethics Act prohibits substantial and material conflicts of interest. Further, board or commission members cannot improperly benefit financially or personally from their actions as board or commission members. The Act does not, however, discourage independent pursuits, and it recognizes that minor and inconsequential conflicts of interest are unavoidable.

MISUSE OF OFFICIAL POSITION (AS 39.52.120)

Members of boards or commissions may not use their positions for personal gain or to give an unwarranted benefit or treatment to any person. For example, board members may not:

- use their official positions to secure employment or contracts;
- accept compensation from anyone other than the State for performing official duties;
- use State time, equipment, property or facilities for their own personal or financial benefit or for partisan political purposes;
- take or withhold official action on a matter in which they have a personal or financial interest; or
- coerce subordinates for his/her personal or financial benefit.
- attempt to influence outcome of an administrative hearing by privately contacting the hearing officer.

Terry knew that a proposal that was before the board would harm Terry's business competitor. Instead of publicly disclosing the matter and requesting recusal, Terry voted on the proposal.

Board member Mick has board staff employee Bob type an article for him that Mick hopes to sell to an Alaskan magazine. Bob types the article on State time.

IMPROPER GIFTS (AS 39.52.130)

A board member may not solicit or accept gifts if it could reasonably be inferred that the gift is intended to influence the board member's action or judgment. "Gifts" include money, items of value, services, loans, travel, entertainment, hospitality, and employment. All gifts from lobbyists are presumed to be improper, unless the giver is an immediate family member of the person receiving the gift.

A gift worth more than $150 to a board member or the board member's family must be reported within 30 days if:

- the board member can take official action that can affect the giver, or
- the gift is given to the board member because he or she is on a state board.

The receipt of a gift worth less than $150 may be prohibited if it could reasonably be inferred that the gift is intended to influence the board member's action or judgment. Receipt of such a gift should be disclosed.

Any gift received from another government, regardless of value, must be reported; the board member will be advised as to the disposition of this gift.

A form for reporting gifts is available at www.law.state.ak.u/sdoclibrary/ethics or from the board or commission staff.

This restriction on gifts does not apply to lawful campaign contributions.

The commission is reviewing Roy's proposal for an expansion of his business. Roy invites all the board members out to dinner at an expensive restaurant. He says it will be okay, since he isn't excluding any of the members.

Sam buys a holiday gift every year for Jody. Jody was recently appointed to a board, but Sam has no business that is up before the board.

IMPROPER USE OR DISCLOSURE OF INFORMATION (AS 39.52.140)

No former or current member of a board may use or disclose any information acquired through the board if that use or disclosure could result in a financial or personal benefit to the board member (or a family member), unless that information has already been disseminated to the public.

Sheila has been on the board for several years. She feels she has learned a great deal of general information about how to have a successful business venture. So she sets up her own business and does well.

Delores has always advised and assisted the other doctors in her clinic on their continuing education requirements. After Delores is appointed to the medical board, she discloses this role to the board and continues to advise the doctors in her clinic.

IMPROPER INFLUENCE IN STATE GRANTS, CONTRACTS, LEASES OR LOANS (AS 39.52.150)

A board member who can affect the award or administration of a State grant, contract, lease, or loan may not apply for, or have an interest in that State grant, contract, lease, or loan. This prohibition also applies to the board member's immediate family.

A board member (or a family member) may apply for or be a party to a *competitively solicited* State grant, contract or lease, if the board member does not serve in the same administrative unit awarding or administering the grant, contract, or lease *and* so long as the board member is not in a position to take official action in the award or administration of the grant, contract, or lease.

A board member (or a family member) may apply for and receive a State loan that is generally available to the public and has fixed eligibility standards, so long as the board member does not take (or withhold) official action affecting the award or administration of the loan.

Board members must report to the board chair any personal or financial interest (or that of a family member) in a State grant, contract, lease or loan that is awarded or administered by the agency the board member serves. *A form for this purpose is available at www.law.state.ak.us/doclibrary/ethics or from the board or commission staff.*

John sits on a board that awards state grants. John hasn't seen his daughter for nearly ten years so he figures that it doesn't matter when her grant application comes up before the board.

The board wants to contract out for an analysis of the board's decisions over the last ten years. Kim would like the contract since she has been on the board for ten years and feels she could do a good job.

IMPROPER REPRESENTATION (AS 39.52.160)
A nonsalaried board or commission member may represent, advise, or assist in matters in which the member has an interest that is regulated by the member's own board or commission, if the member acts in accordance with AS 39.52.220 and discloses the involvement in writing and on the public record, and refrains from all participation and voting on the matter. This section does not allow a board member to engage in any conduct that would violate a different section of the Ethics Act.

RESTRICTION ON EMPLOYMENT AFTER LEAVING STATE SERVICE (AS 39.52.180)
For two years after leaving a board, a former board member may not work on any matter on which the former member had personally and substantially participated while on the board. This prohibition applies to cases, proceedings, applications, and contracts.

Former members of the governing boards of public corporations and former members of boards and commissions that have regulation-adoption authority, except those covered by the centralized licensing provisions of AS 08.01, may not lobby for pay for one year.

This section does not prohibit a State agency from contracting directly with a former board member.

With the approval of the Attorney General, the board chair may waive this prohibition if a determination is made that the public interest is not jeopardized.

The board has arranged for an extensive study of the effects of the Department's programs. Andy, a board member, did most of the liaison work with the contractor selected by the board, including some negotiations about the scope of the study. Andy quits the board and goes to work for the contractor, working on the study of the effects of the Department's programs.

Andy takes the job, but specifies that he will have to work on another project.

AIDING A VIOLATION PROHIBITED (AS 39.52.190)
Aiding another public officer to violate this chapter is prohibited.

AGENCY POLICIES (AS 39.52.920)
Subject to the Attorney General's review, a board may adopt additional written policies further limiting personal or financial interests of board members.

DISCLOSURE PROCEDURES

DECLARATION OF POTENTIAL VIOLATIONS BY MEMBERS OF BOARDS OR COMMISSIONS (AS 39.52.220)
A board member whose interests or activities could result in a violation of the Ethics Act must disclose the matter on the public record and in writing to the board chair who determines whether a violation exists. *A form for this purpose is available at www.law.state.ak.us/doclibrary/ethics or from the board or commission staff.* If a board member objects to the chair's ruling or if the chair discloses a potential conflict, the board members at the meeting (excluding the involved member) must vote on the matter. If

the board chair or the board determines a violation would exist, the member must refrain from deliberating, voting, or participating in the matter. For more information, see *Ethics Act Procedures for Boards and Commissions* available at the above noted web site.

When determining whether a board member is involved in a matter that may result in a violation of the Ethics Act, either the board chair or the board or commission itself may request guidance from the Attorney General.

ATTORNEY GENERAL'S ADVICE (AS 39.52.240-250)
Board chairs or the board itself may request a written advisory opinion from the Attorney General. These opinions are confidential. Versions without identifying information are available to the public.

A former board member may request a written opinion from the Attorney General interpreting the Ethics Act.

REPORTS BY THIRD PARTIES (AS 39.52.230)
A third party may report a suspected violation of the Ethics Act by a board member in writing and under oath to the chair of a board or commission. The chair will give a copy to the board member and to the Attorney General and review the report to determine whether a violation may or does exist. If the chair determines a violation exists, the board member will be asked to refrain from deliberating, voting, or participating in the matter.

COMPLAINTS, HEARINGS, AND ENFORCEMENT

COMPLAINTS (AS 39.52.310-330)
Any person may file a complaint with the Attorney General about the conduct of a current or former board member. Complaints must be written and signed under oath. The Attorney General may also initiate complaints from information provided by a board. A copy of the complaint will be sent to the board member who is the subject of the complaint and to the Personnel Board.

All complaints are reviewed by the Attorney General. If the Attorney General determines that the complaint does not warrant investigation, the complainant and the board member will be notified of the dismissal.

The Attorney General may refer a complaint to the board member's chair for resolution.

After investigation, the Attorney General may dismiss a complaint for lack of probable cause to believe a violation occurred. The complainant and board member will be promptly notified of this decision.

The Attorney General may file an accusation alleging a violation of the Ethics Act.

CONFIDENTIALITY (AS 39.52.340)
Complaints and investigations prior to formal proceedings are confidential. If the Attorney General finds evidence of probable criminal activity, the appropriate law enforcement agency shall be notified.

HEARINGS (AS 39.52.350-360)

An accusation by the Attorney General of an alleged violation may result in a hearing. An administrative law judge from the state's Office of Administrative Hearings serves as hearing officer and determines the time, place and other matters. The parties to the hearing are the Attorney General, acting as prosecutor, and the accused public officer, who may be represented by an attorney. Within 30 days of the conclusion of the hearing, the hearing officer files a report with the Personnel Board and provides a copy to the parties.

PERSONNEL BOARD ACTION (AS 39.52.370)

The hearing officer's report will be reviewed by the Personnel Board. The Personnel Board is responsible for determining whether a violation occurred and for imposing penalties. An appeal may be filed by the board member in the Superior Court.

PENALTIES (AS 39.52.410-460)

When the Personnel Board determines a board member has violated the Ethics Act, the member must refrain from voting, deliberating, or participating in the matter. The Personnel Board may order restitution and may recommend that the board member be removed from the board or commission. If a recommendation of removal is made, the appointing authority will immediately remove the member. If the Personnel Board finds that a former board member violated the Ethics Act, the Personnel Board will issue a public statement about the case and will ask the Attorney General to pursue appropriate additional legal remedies.

State grants, contracts, and leases awarded in violation of the Ethics Act are voidable.

Loans given in violation of the Ethics Act may be made immediately payable.

Fees, gifts, or compensation received in violation of the Ethics Act may be recovered by the Attorney General.

The Personnel Board may impose a fine of up to $5,000 for each violation of the Ethics Act. In addition, a board member may be required to pay up to twice the financial benefit received in violation of the Ethics Act.

Criminal penalties are in addition to the civil penalties listed above.

DEFINITIONS (AS 39.52.960)

Please keep the following definitions in mind:

Benefit - anything that is to a person's advantage regardless financial interest or from which a person hopes to gain in any way.

Board or Commission - a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch, including the Alaska Railroad Corporation.

Designated Ethics Supervisor - the chair or acting chair of the board or commission for all board or commission members and for executive directors; for staff members, the executive director is the designated ethics supervisor.

Financial Interest - any property, ownership, management, professional, or private interest from which a board or commission member or the board or commission member's immediate family receives or expects to receive a financial benefit.

Immediate Family - spouse; another person cohabiting with the person in a conjugal relationship that is not a legal marriage; a child, including a stepchild and an adoptive child; a parent, sibling, grandparent, aunt, or uncle of the person; and a parent or sibling of the person's spouse.

Personal Interest - the interest or involvement of a board or commission member (or a family member) in any organization or political party from which a person or organization receives a benefit.

Official Action - advice, participation, or assistance, including, for example, a recommendation, decision, approval, disapproval, vote, or other similar action, including inaction, by a public officer.

For further information and disclosure forms, visit our web site at http://www.law.state.ak.us (Executive Branch Ethics) or please contact:

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PROCEDURES FOR BOARDS

ETHICS ACT PROCEDURES for BOARDS and COMMISSIONS

All board and commission members and staff should be familiar with the Executive Branch Ethics Act procedures outlined below.

Who Is My Designated Ethics Supervisor (DES)?

Every board or commission subject to the Ethics Act[1] has several ethics supervisors designated by statute.

- The chair serves as DES for board or commission members.
- The chair serves as DES for the executive director.
- The executive director serves as DES for the staff.
- The governor is the DES for a chair.[2]

What Do I Have To Disclose?

The Ethics Act requires members of boards and commissions to disclose:

- Any matter that is a potential conflict of interest with actions that the member may take when serving on the board or commission.
- Any circumstance that may result in a violation of the Ethics Act.
- Any personal or financial interest (or that of an immediate family member) in a state grant, contract, lease or loan that is awarded or administered by the member's board or commission.
- The receipt of certain gifts.

The executive director of the board or commission and its staff, as state employees, must also disclose:

- Compensated outside employment or services.
- Volunteer service, if any compensation, including travel and meals, is paid or there is a potential conflict with state duties.

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[1] The Act covers a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch of state government.

[2] The governor has delegated the DES responsibility to Linda Perez, Administrative Director of the Office of the Governor.

For more information regarding the types of matters that may result in violations of the Ethics Act, board or commission members should refer to the guide, *"Ethics Information for Members of Boards and Commissions."* The executive director and staff should refer to the guide, *Ethics Information for Public Employees."* Both guides and disclosure forms may be found on the Department of Law's ethics website: http://www.law.state.ak.us/doclibrary/ethics.html.

How Do I Avoid Violations of the Ethics Act?

- Make timely disclosures!
- Follow required procedures!
- Provide all information necessary to a correct evaluation of the matter![3]
- When in doubt, disclose and seek advice!
- Follow the advice of your DES!

What Are The Disclosure Procedures for Board and Commission Members?

The procedural requirements for disclosures by members are set out in AS 39.52.220 and 9 AAC 52.120. One goal of these provisions is to help members avoid violations of the Ethics Act. The procedures provide the opportunity for members to seek review of matters in advance of taking action to ensure that actions taken will be consistent with the Act.

Procedure for declaring actual or potential conflicts.

Members must declare potential conflicts and other matters that may violate the Ethics Act on the public record and in writing to the chair.

Disclosure on the public record. Members must identify actual and potential conflicts orally at the board or commission's public meeting in advance of participating in deliberations or taking any official action on the matter.

- A member must always declare a conflict and may choose to refrain from voting, deliberations or other participation regarding a matter.[4]

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[3] You may supplement the disclosure form with other written explanation as necessary. Your signature on a disclosure certifies that, to the best of your knowledge, the statements made are true, correct and complete. False statements are punishable.

[4] In most, but not all, situations, refraining from participation ensures that a violation of the Ethics Act does not occur. Abstention does not cure a conflict with

♦ If a member is uncertain whether participation would result in a violation of the Act, the member should disclose the circumstances and seek a determination from the chair.

Disclosure in writing at a public meeting. In addition to an oral disclosure at a board or commission meeting, members' disclosures must be made in writing.

♦ If the meeting is recorded, a tape or transcript of the meeting is preserved and there is a method for identifying the declaration in the record, an oral disclosure may serve as the written disclosure.
♦ Alternatively, the member must note the disclosure on the Notice of Potential Violation disclosure form and the chair must record the determination.

Confidential disclosure in advance of public meeting. Potential conflicts may be partially addressed in advance of a board or commission's public meeting based on the published meeting agenda or other board or commission activity.

♦ A member identifying a conflict or potential conflict submits a Notice of Potential Violation or Request for Ethics Determination to the chair, as DES, in advance of the public meeting.
♦ This written disclosure is considered confidential.
♦ The chair may seek advice from the Attorney General.
♦ The chair makes a written determination, also confidential, whether the disclosed matter represents a conflict that will result in a violation of the Ethics Act if the member participates in official action addressing the matter. [5]
♦ If so, the chair directs the member to refrain from participating in the matter that is the subject of the disclosure.
♦ An oral report of the notice of potential violation and the determination that the member must refrain from participating is put on the record at a public meeting.[6]

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respect to a significant direct personal or financial interest in a state grant, contract, lease or loan because the Ethics Act prohibition applies whether or not the public officer actually takes official action.

[5] The chair must give a copy of the written determination to the disclosing member. There is a determination form available on the Department of Law's ethics web page. The ethics supervisor may also write a separate memorandum.

[6] In this manner, a member's detailed personal and financial information may be protected from public disclosure.

Determinations at the public meeting. When a potential conflict is declared by a member for the public record, the following procedure must be followed:

- The chair states his or her determination regarding whether the member may participate.
- Any member may then object to the chair's determination.
- If an objection is made, the members present, excluding the member who made the disclosure, vote on the matter.
- Exception: A chair's determination that is made consistent with advice provided by the Attorney General may not be overruled.
- If the chair, or the members by majority vote, determines that a violation will exist if the disclosing member continues to participate, the member must refrain from voting, deliberating or participating in the matter.[7]

If the chair identifies a potential conflict, the same procedures are followed. If possible, the chair should forward a confidential written notice of potential violation to the Office of the Governor for a determination in advance of the board or commission meeting. If the declaration is first made at the public meeting during which the matter will be addressed, the members present, except for the chair, vote on the matter. If a majority determines that a violation of the Ethics Act will occur if the chair continues to participate, the chair shall refrain from voting, deliberating or participating in the matter. A written disclosure or copy of the public record regarding the oral disclosure should be forwarded to the Office of the Governor for review by the chair's DES.

Procedures for Other Member Disclosures

A member's interest in a state grant, contract, lease or loan and receipt of gifts are disclosed by filling out the appropriate disclosure form and submitting the form to the chair for approval. The disclosure forms are found on the Department of Law's ethics website: http://www.law.state.ak.us/doclibrary/ethics.html.

What Are The Disclosure Procedures for Executive Directors and Staff?

Ethics disclosures of the executive director or staff are made in writing to the appropriate DES (chair for the executive director and the executive director for staff).

- Disclosure forms are found on the ethics website, noted above.

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[7] When a matter of particular sensitivity is raised and the ramifications of continuing without an advisory opinion from the Attorney General may affect the validity of the board or commission's action, the members should consider tabling the matter so that an opinion may be obtained.

Notices of Potential Violations. Following receipt of a written notice of potential violation, the DES investigates, if necessary, and makes a written determination whether a violation of the Ethics Act could exist or will occur. A DES may seek advice from the Attorney General. If feasible, the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

- These disclosures are not required to be made part of the public record.
- A copy of a determination is provided to the employee.
- Both the notice and determination are confidential.

Other Disclosures. The DES also reviews other ethics disclosures and either approves them or determines what action must be taken to avoid a violation of the Act. In addition to the disclosures of certain gifts and interests in the listed state matters, state employees must disclose all outside employment or services for compensation.

- The DES must provide a copy of an approved disclosure or other determination the employee.

How Are Third Party Reports of Potential Violations or Complaints Handled?

Any person may report a potential violation of the Ethics Act by a board or commission member or its staff to the appropriate DES or file a complaint alleging actual violations with the Attorney General.

- Notices of potential violations and complaints must be submitted in writing and under oath.
- Notices of potential violations are investigated by the appropriate DES who makes a written determination whether a violation may exist.[8]
- Complaints are addressed by the Attorney General under separate procedures outlined in the Ethics Act.
- These matters are confidential, unless the subject waives confidentiality or the matter results in a public accusation.

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[8] The DES provides a copy of the notice to the employee who is the subject of the notice and may seek input from the employee, his or her supervisor and others. The DES may seek advice from the Attorney General. A copy of the DES' written determination is provided to the subject employee and the complaining party. The DES submits a copy of both the notice and the determination to the Attorney General for review as part of the DES' quarterly report. If feasible, the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

What Are The Procedures for Quarterly Reports?

Designated ethics supervisors must submit copies of all notices of potential violations and requests for ethics determination they receive and the corresponding determinations to the Attorney General for review by the state ethics attorney as part of the quarterly report required by the Ethics Act.

- ♦ Reports are due in April, July, October and January for the preceding quarter.
- ♦ A sample report is available on the Department of Law's ethics website.
- ♦ An executive director may file a quarterly report on behalf of the chair and combine it with his or her own report.
- ♦ If a board or commission does not meet during a quarter and there is no other reportable activity, the DES advises the ethics attorney by e-mail and no other report is required .
- ♦ Reports are sent to Department of Law legal assistant Kamie Willis via mail or to Kamie_Willis@law.state.ak.us.

If the state ethics attorney disagrees with a reported determination, the attorney will advise the DES of that finding. If the ethics attorney finds that there was a violation, the member who committed the violation is not liable if he or she fully disclosed all relevant facts reasonably necessary to the ethics supervisor's or commission's determination and acted consistent with the determination.

How Does A DES or Board or Commission Get Ethics Advice?

A DES or board or commission may make a written request to the Attorney General for an opinion regarding the application of the Ethics Act. In practice, the Attorney General, through the state ethics attorney, also provides advice by phone or e-mail to designated ethics supervisors, especially when time constraints prevent the preparation of timely written opinions.

- ♦A request for advice and the advisory opinion are confidential.
- ♦The ethics attorney endeavors to provide prompt assistance, although that may not always be possible.
- ♦The DES must make his or her determination addressing the potential violation based on the opinion provided.

* * * * * * * *

It is the obligation of each board or commission member, as well as the staff, to ensure that the public's business is conducted in a manner that is consistent with the standards set out in the Ethics Act. We hope this summary assists you in ensuring that your obligations are met.

FORMS

Ethics Disclosure Form

CONFIDENTIAL
REQUEST FOR ETHICS DETERMINATION

TO: _____, Designated Ethics Supervisor

_____
(My Department, Agency, Board, Commission)

I request advice regarding the application of the Executive Branch Ethics Act (AS 39.52.010 – .960) to my situation. The situation involves the following:

_____

_____

I have provided additional information in the attached document(s).

I believe the following provisions of the Ethics Act may apply to my situation:

_____ AS 39.52.120, Misuse of Official Position

_____ AS 39.52.130, Improper Gifts

_____ AS 39.52.140, Improper Use or Disclosure of Information

_____ AS 39.52.150, Improper Influence in State Grants, Contracts, Leases or Loans

_____ AS 39.52.160, Improper Representation

_____ AS 39.52.170, Outside Employment Restricted

_____ AS 39.52.180, Restrictions on Employment after Leaving State Service

_____ AS 39.52.190, Aiding a Violation Prohibited

I understand that I should refrain from taking any official action relating to this matter until I receive your advice. If the circumstances I described above may result in a violation of AS 39.52.110 - .190, I intend that this request serve as my disclosure of the matter in accordance with AS 39.52.210 or AS 39.52.220.

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

_____ (Signature)

_____ (Date)

_____ (Printed Name)

_____ (Position Title)

_____ (Location)

_____ (Division/Agency/Board/Commission)

ETHICS DISCLOSURE FORM

CONFIDENTIAL
Notification of Potential Violation
Board or Commission Member

TO: _____, Designated Ethics Supervisor
(Board or Commission)

In accordance with AS 39.52.220(a), I am notifying you of a situation which may result in a violation of the Code of Ethics. I am requesting your determination regarding a possible violation of:

_____ AS 39.52.120, Misuse of Official Position

_____ AS 39.52.130, Improper Gifts

_____ AS 39.52.140, Improper Use or Disclosure of Information

_____ AS 39.52.150, Improper Influence in State Grants, Contracts, Leases or Loans

_____ AS 39.52.160, Improper Representation

_____ AS 39.52.180, Restrictions on Employment after Leaving State Service

_____ AS 39.52.190, Aiding a Violation Prohibited

The situation is as follows (please use a separate sheet for additional space):_____

_____

_____

_____

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

_____ (Member Signature)

_____ (Date)

_____ (Printed Name)

Note: Under AS 39.52.220, if the designated ethics supervisor or a majority of the board or commission, not including the disclosing member, determines that a violation of AS 39.52.110 – 39.52.190 will exist if the member continues to participate, the member shall refrain from voting, deliberating, or participating in the matter. A member will not be held liable under the Ethics Act for actions in accordance with such a determination so long as the member has fully disclosed all facts reasonably necessary to the determination and the attorney general has not advised the member, chair, or board or commission that the action is a violation. Disclosures and determinations must be forwarded to the State Ethics Attorney, Office of the Attorney General, Department of Law, 1031 West 4th Avenue, Suite 200, Anchorage, Alaska 99501-1994.

(6/06)

ETHICS DISCLOSURE FORM

Notification of Receipt of Gift

To:_____, Designated Ethics Supervisor

In accordance with AS 39.52.130(b), I am providing notice of my receipt of a gift given to me or a member of my family with a value in excess of $150.00.

1. Was the gift given to you because you are a state employee or a member of a state board or commission? ☐ Yes ☐ No
2. Can you take official action that may affect the person who gave you the gift? ☐ Yes ☐ No

If the answer to both of these questions is no, you do not need to report this gift. If the answer to either question is yes, or if you are not sure, you must complete this form and provide it to your designated ethics supervisor.

The gift is _____

_____

My estimate of its value is $ _____

I received it from _____

The date of receipt was _____

The gift was received by a member of my family ☐ Yes ☐ No

If you checked "Yes" to question 2 above, explain the official action you may take that affects the giver (attach additional page, if necessary): _____

_____

_____

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

_____ _____
(Signature) (Date)

_____
(Printed Name)

_____ _____
(Position Title) (Location)

_____
(Division/Agency/Corporation/Board/Commission)

_____
(Designated Ethics Supervisor) Approved: _____ (initials) _____
(Date)

If action is necessary under AS 39.52.210 or AS 39.52.220 please attach explanation.

(7 07)

ETHICS DISCLOSURE FORM

Notification of Receipt of Gift
from Another Government

To: Director of Administrative Services, Office of the Governor

In accordance with AS 39.52.130(e), I am providing notice of my receipt of a gift accepted on behalf of the state given to me or a member of my family from another government.

The gift is _____

_____

My estimate of its value is $ _____

I received it from _____

The date of receipt was _____

I received this gift under the following circumstances:

_____

I can take or withhold the following official action that affects the giver:

_____

_____

The gift was received by a member of my family ☐ Yes ☐ No

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

_____ _____
(Signature) (Date)

_____
(Printed Name)

_____ _____
(Position Title) (Location)

_____
(Division/Agency/Corporation/Board/Commission)

Designated Ethics Supervisor: Reviewed:_____(Initials) _____(Date)

_____ _____
(Director of Administrative Services, Office of the Governor) (Date)

Determination of appropriate disposition: _____

_____

A copy of this disclosure showing disposition should be returned to the designated ethics supervisor for forwarding to the gift recipient.

(7 07)

ETHICS DISCLOSURE FORM

Grants/Contracts/Leases/Loans Notification

To: _____, Designated Ethics Supervisor

In accordance with AS 39.52.150(d), I am reporting a personal or financial interest in a state grant, contract, lease, or loan (circle one) held by me or a family member and awarded, executed, or administered by the agency that I serve.

The grant, contract, lease, loan was awarded by:

_____

on _____ (date).

Description of the state grant, contract, lease, or loan:

_____

_____

Recipient(s) of the state grant, contract, lease, or loan:

_____

_____

My financial or personal interest in the state grant, contract, lease, or loan:

_____

_____

Official action I can take regarding the state grant, contract, lease or loan:

_____

_____

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

_____ (Signature) _____ (Date)

_____ (Printed Name)

_____ (Position Title) _____ (Location)

_____ (Division/Agency/Corporation/Board/Commission)

_____ (Work Supervisor's Signature) _____ (Date)

_____ (Designated Ethics Supervisor's Signature) Approved: _____ (initials) _____ (Date)

If action is necessary under AS 39.52.210 or AS 39.52.220 please attach explanation.

(12/98)

Alaska Department of Administration
Public Offices Commission
Public Official Financial Disclosure

Who Must File:

- judicial officers
- the governor or the lieutenant governor
- A person hired or appointed in a department in the executive branch as
- the head or deputy head of a department the director or deputy director of a division
- a special assistant to the head of the department
- a person serving as the legislative liaison for the department
- an assistant to the governor or the lieutenant governor
- the chair or a member of a state commission or board subject to AS 39.50 **(AWIB Members)**
- state investment officers and the state comptroller in the Department of Revenue
- the executive director of the Alaska Tourism Marketing Council
- the chief procurement officer appointed under AS 36.50.010
- the executive director of the Alaska Human Resource Investment Council **(now AWIB)**
- each appointed or elected municipal officer
- non-incumbent state candidates
- municipal candidates subject to AS 39.50

Frequently asked questions about the Public Official Financial Disclosure Law AS 39.50.

1. What is a Public Official Financial Disclosure Statement?

Public Official Financial Disclosure Statements contain information about income sources, business interests, real property interests, beneficial trust interests, loans and loan guarantees, and contracts or leases with the State of Alaska or an instrumentality of the State.

2. Why File?
The people of the State of Alaska have declared that a public office is a public trust which should be free from the danger of conflict of interest and that the public has a

right to know of the financial and business interests of persons who seek or hold public office. The purpose of the Law, by requiring financial disclosure, is:

- to discourage public officials from acting upon a private or business interest in the performance of a public duty;
- to assure that public officials in their official acts are free of the influence of undisclosed private or business interests;
- to develop public confidence in persons seeking or holding public office; and
- to develop accountability in government by permitting public access to information necessary to judge the credentials and performance of those who seek and hold public office.

3. Who Files?

Executive Branch

- the governor or the lieutenant governor
- a person hired or appointed in a department in the executive branch as
- the head or deputy head of a department the director or deputy director of a division
- a special assistant to the head of the department
- a person serving as the legislative liaison for the department
- an assistant to the governor or the lieutenant governor
- the chair or a member of a state commission or board subject to AS 39.50
- state investment officers and the state comptroller in the Department of Revenue
- the executive director of the Alaska Tourism Marketing Council
- the chief procurement officer appointed under AS 36.50.010
- the executive director of the Alaska Human Resource Investment Council

Judicial Officers

- Justice to the supreme court
- Judges to the court of appeals, superior court, district court, or magistrate court.

Other

- non-incumbent state candidates
- municipal candidates subject to AS 39.50

Municipal Officials

appointed or elected municipal officer listed below:

- mayor
- assembly or city council members
- elected school board members
- planning & zoning Commissioners
- elected utility board members
- city manager

4. Where are Public Official Financial Disclosure Statements Filed?

Executive branch public officials and judicial officers file their Statement with the Alaska Public Offices Commission.

Municipal Officials and municipal candidates file their Statements with their local clerks.

Non-incumbent state candidates file with the Division of Elections unless they already have a current Public Official Financial Disclosure Statement on file with the Alaska Public Offices Commission. (Call 907/276-4176 before filing for office to verify if you have a current and complete Statement already on file with the Alaska Public Offices Commission.)

5. When do you file?

Candidates for state and municipal office file at the time they file for candidacy with the Division of Elections or the Municipal Clerk. If elected, they file annually on March 15 thereafter.

Executive branch public officials, judicial and municipal officers file within 30 days after taking their position as a public official and annually on March 15 thereafter.

6. What if you are required to file more than one Public Official Financial Disclosure Statement.

Some examples of having to file more than one Statement:

- municipal officer filing for state candidacy
- legislator filing for municipal office
- municipal officer serving on a state board
- serving on a state board and running for municipal office

Those who already have a current financial disclosure Statement on file with the Alaska Public Offices Commission or local municipal clerk and have to file elsewhere may photocopy the original Statement and submit it to the place designated with an original signature.

7. Are Public Official Financial Disclosure Statements Public Records?

All information reported in Public Official Financial Disclosure Statements are public information and copies are provided to the general public upon request.

Members of the public check the reports for potential conflicts of interest a public official may have in relation to his/her state or municipal position.

The public may review the statements at the Alaska Public Offices Commission in Anchorage or at the municipal clerk's office. A reasonable copying fee may be charged if you request copies.

8. What happens if a Statement is Filed Late?

A Public Official Financial Disclosure Statement filed after the due date is subject to a civil penalty that accrues daily until the Statement is filed.

9. What happens if an Incomplete Statement is Filed?

If staff of the Commission discover an obvious deficiency on the face of a Statement, the filer is notified and is given 15 days to correct the deficiency without penalty.

If staff finds significant information missing from a Statement, the maximum civil penalty of $10 per day applies, from the time the information was due until it is received.

A person required to file who refuses or knowingly fails to disclose required information within the time required, or who provides false or misleading information, knowing it to be false or misleading, may be subject to penalties of up to $10 per day and may be guilty of a misdemeanor. AS 39.50.060.

10. About Civil Penalties

If a filer receives a penalty for filing a statement or amendment late and disputes the amount of a civil penalty assessed, the filer may submit an affidavit to the Commission stating facts in mitigation within 30 days of the date of the notice.

At its next meeting after the filer submits the affidavit, the commission will consider the affidavit and other evidence relevant to the amount of the civil penalty. The commission will permit the filer to speak at the meeting. After considering the affidavit and other evidence, the commission will

(1) affirm the civil penalty if the commission determines that the statement or amendment was late without good cause; or

(2) reduce or waive the civil penalty if the commission determines that the statement or amendment was late for good cause.

After the Commission meeting, the staff shall send a written notice of the decision by the commission to the filer.

If the commission decides to impose some or all of a civil penalty assessed, the filer shall pay the penalty no later than 30 days after the date of the notice or file a notice of appeal. With the superior court.

Sec. 39.50.200. Definitions. (a) In this chapter

(1) "assistant to the governor or the lieutenant governor" includes any executive, legislative, special, administrative, or press assistant to the governor or lieutenant governor, and any person similarly employed in a policy-making position;

(2) "child" includes a biological child, an adoptive child, and a stepchild;

(3) "commission" means the Alaska Public Offices Commission created under AS 15.13.020 (a);

(4) "domestic partner" means a person who is cohabiting with another person in a relationship that is like a marriage but that is not a legal marriage;

(5) "instrumentality of the state" means a state department or agency, whether in the legislative, judicial, or executive branch, including the University of Alaska;

(6) "judicial officer" means a person appointed as a justice to the supreme court or as a judge to the court of appeals, superior court, district court, or magistrate court;

(7) "mother or father" includes a biological parent, an adoptive parent, and a step-parent;

(8) "municipal officer" includes a borough or city mayor, borough assemblyman, city councilman, school board member, elected utility board member, city or borough manager, members of a city or borough planning or zoning commission within a home rule or general law city or borough, or a unified municipality;

(9) "public official" means

(A) a judicial officer;
(B) the governor or the lieutenant governor;
(C) a person hired or appointed in a department in the executive branch as

(i) the head or deputy head of the department;
(ii) the director or deputy director of a division;
(iii) a special assistant to the head of the department;
(iv) a person serving as the legislative liaison for the department;
(D) an assistant to the governor or the lieutenant governor;
(E) the chair or a member of a state commission or board;
(F) state investment officers and the state comptroller in the Department of Revenue;
(G) the chief procurement officer appointed under AS 36.30.010 ;
(H) the executive director of the Alaska Workforce Investment Board;
(I) each appointed or elected municipal officer; and
(J) the members of the board of trustees, the executive director, and the investment officers of the Alaska Permanent Fund Corporation;

(10) "source of income" means the entity for which service is performed or that is otherwise the origin of payment; if the person whose income is being reported is employed by another, the employer is the source of income; but if the person is self-employed by means of a sole proprietorship, partnership, limited liability company, professional corporation, or a corporation in which the person, the person's spouse or domestic partner, or the person's dependent children, or a combination of them, hold a controlling interest, the "source" is the client or customer of the proprietorship, partnership, limited liability company, or corporation, but, if the entity that is the origin of payment is not the same as the client or customer for whom the service is performed, both are considered the source.

(b) In this chapter "state commission or board" means the

(1) [Repealed, Sec. 30 ch 81 SLA 2000].
(2) Alaska State Council on the Arts (AS 44.27.040);
(3) Alcoholic Beverage Control Board (AS 04.06.010);
(4) State Assessment Review Board (AS 43.56.040);
(5) [Repealed, Sec. 1 ch 54 SLA 1981].
(6) Board of Education and Early Development (AS 14.07.075);
(7) Alaska Public Broadcasting Commission (AS 44.21.256);
(8) Alaska Public Offices Commission (AS 15.13.020);
(9) [Repealed, Sec. 16 ch 61 SLA 1995].
(10) Alaska Commercial Fisheries Entry Commission (AS 16.43.020);
(11) Fishermen's Fund Advisory and Appeals Council (AS 23.35.010);
(12) [Repealed, Sec. 140 ch 4 FSSLA 1992].
(13) State Commission for Human Rights (AS 18.80.010);
(14) [Repealed, Sec. 86 ch 59 SLA 1982].
(15) Alaska Judicial Council (art. IV, Sec. 8, Alaska Constitution);
(16) Commission on Judicial Conduct (art. IV, Sec. 10, Alaska Constitution);
(17) [Repealed, Sec. 24 ch 22 SLA 2001].

(18) Local Boundary Commission (AS 44.33.810);
(19) Occupational Safety and Health Review Board (AS 18.60.057);
(20) Board of Parole (AS 33.16.020);
(21) State Personnel Board (AS 39.25.060);
(22) [Repealed, Sec. 20 ch 110 SLA 1981].
(23) [Repealed, Sec. 132 ch 9 FSSLA 2005].
(24) Regulatory Commission of Alaska (AS 42.04.010);
(25) University of Alaska Board of Regents (AS 14.40.120);
(26) Alaska Royalty Oil and Gas Development Advisory Board (AS 38.06.020);
(27), (28) [Repealed, Sec. 86 ch 59 SLA 1982].
(29) [Repealed, Sec. 132 ch 9 FSSLA 2005].
(30) [Repealed, 1983 Initiative Proposal No. 2, Sec. 6].
(31) Workers' Compensation Board (AS 23.30.005) and Workers' Compensation Appeals Commission (AS 23.30.007);
(32) Alaska Commission on Postsecondary Education (AS 14.42.015);
(33) Alaska Municipal Bond Bank Authority (AS 44.85.020);
(34) [Repealed, Sec. 1 ch 54 SLA 1981].
(35) Alaska Medical Facility Authority (AS 18.26);
(36) Alaska Oil and Gas Conservation Commission (AS 31.05);
(37) Alaska Housing Finance Corporation (AS 18.56.010 - 18.56.900);
(38) [Repealed, Sec. 44 ch 24 SLA 2003].
(39) [Repealed, Sec. 4 ch 75 SLA 1979].
(40) Board of Fisheries (AS 16.05.221 (a));
(41) Board of Game (AS 16.05.221 (b));
(42) Alaska Permanent Fund Corporation (AS 37.13.040);
(43) [Repealed, Sec. 69 ch 14 SLA 1987].
(44) Alaska Seafood Marketing Institute (AS 16.51.010);
(45) Council on Domestic Violence and Sexual Assault (AS 18.66.010);
(46) [Repealed, Sec. 27 ch 18 SLA 1993].
(47) [Repealed, Sec. 38 ch 168 SLA 1990].
(48) [Repealed, Sec. 16 ch 33 SLA 1996].
(49) [Repealed, Sec. 10 ch 29 SLA 1999].
(50) [Repealed, Sec. 9 E.O. No. 84 (1993)].
(51) [Repealed, Sec. 102 ch 21 SLA 2000].
(52) [Repealed, Sec. 10 ch 58 SLA 2006].
(53) the board of directors and the executive director of the Alaska Aerospace Development Corporation (AS 14.40.821);
(54) Alaska Retirement Management Board (AS 37.10.210);
(55) Alaska Workforce Investment Board (AS 23.15.550);
(56) Board of Agriculture and Conservation (AS 03.09.010);
(57) the board of directors and chief executive officer of the Alaska Natural Gas Development Authority (AS 41.41.020);

Role of AWIB Staff

The role of the AWIB staff from the Department of Labor and Workforce Development is to staff the full board and its six permanent committees. This includes ad hoc committees set up for specific purposes such as AGIA, the Training Plan Template, and Board Retreat.

The Executive Director is responsible for providing adequate staff for full board and committee work with a staff of two Project Coordinators and an Administrative Manager. Greg Cashen, Executive Director, is lead staff for the Executive Committee and determines staff for Ad Hoc committees as needed. Barbara Duval, Project Coordinator, is lead staff for the Workforce Readiness/Employment & Placement Committee and Youth Council. Louise Dean, Project Coordinator, is lead staff for the Policy & Planning/Assessment and Evaluation and Legislative Committees. Bejean Page, Administrative Manager, sets up teleconferences, face to face meetings for full board and committee meetings, and handles all administrative duties related to the AWIB.

Lead staff members for committees are responsible for scheduling meetings and working with the Chair on compiling and distributing the agenda, compiling meeting minutes, tracking the progress of action items, and posting this information on the AWIB website. Lead staff members are also responsible for any work assigned by the Chair which may include conducting research, providing documents or information requested by the Chair, setting up ad hoc, nominating, and steering committees, and distributing information to all committee members in a timely manner.

The Executive Director also coordinates staff for full board meetings and prepares the agenda in consultation with the Executive Committee. This includes ensuring all travel arrangements, meeting arrangements, catering, transportation, board binder preparation, and presentations to the full board are made timely.

The Executive Director also provides other Department of Labor staff as needed for special projects or for information requests from the board including Research and Analysis questions, questions from the Employment Security Division, Division of Business Partnerships, Vocational Rehabilitation, Division of Public Assistance, and Administrative Services Division for questions regarding the AWIB budget.

Alaska Workforce Investment Board Committees

Executive Committee – The Executive Committee has the authority to take action on behalf of the board and supervises its affairs between regular business meetings.

Legislative – The Legislative committee coordinates with the Alaska Department of Labor and Workforce Development to bring forth issues about the board to the legislature.

Policy & Planning and Assessment & Evaluation – The Policy & Planning Committee crafts policies regarding day-to-day operations of the workforce system and long-term responsibilities of the board and works to increase awareness of the AWIB throughout the state.

Assessment & Evaluation Committee – The Assessment & Evaluation Committee gauges customer satisfaction and monitors the workforce development system to increase accountability in performance and continuous quality improvement in accordance with the board's strategic plan.

Workforce Readiness and Employment & Placement – The Workforce Readiness Committee provides oversight for training, education and employment programs. This committee builds partnerships between private industry, government, labor, and education.

Employment & Placement Committee – The Employment & Placement Committee monitors the coordination of service delivery to promote efficiency and prevent overlap of services among programs. Specifically, it addresses customer needs at the local level, welfare to work initiatives, Alaska hire and tailors employment and training programs to suit Alaska's workforce, and economic development needs.

Youth Council – The Youth Council develops and recommends employment and training policy and broadens the employment and training focus in the community and practice for young people; establishes linkages with other organizations serving young people; and addresses issues that can have an impact on the success of young people in the labor market.

Ad Hoc Committee – The Ad Hoc Committee is a temporary committee formed to work on a specific short term project.

Introduction to Robert's Rules of Order

What Is Parliamentary Procedure?

> It is a set of rules for conduct at meetings, which allows everyone to be heard and to make decisions without confusion.

Why is Parliamentary Procedure Important?

> Because it's a time tested method of conducting business at meetings and public gatherings. It can be adapted to fit the needs of any organization. Today, Robert's Rules of Order newly revised is the basic handbook of operation for most clubs, organizations and other groups. So it's important that everyone know these basic rules!

Organizations using parliamentary procedure usually follow a fixed order of business. Below is a typical example:

1. Call to order.
2. Roll call of members present.
3. Reading of minutes of last meeting.
4. Officer's reports.
5. Committee reports.
6. Special orders --- Important business previously designated for consideration at this meeting.
7. Unfinished business.
8. New business.
9. Announcements.
10. Adjournment.

The method used by members to express themselves is in the form of moving motions. A motion is a proposal that the entire membership take action or a stand on an issue. Individual members can:

1. Call to order.
2. Second motions.
3. Debate motions.
4. Vote on motions.

There are four Basic Types of Motions:

1. Main Motions: The purpose of a main motion is to introduce items to the membership for their consideration. They cannot be made when any other motion is on the floor, and yield to privileged, subsidiary, and incidental motions.
2. Subsidiary Motions: Their purpose is to change or affect how a main motion is handled, and is voted on before a main motion.
3. Privileged Motions: Their purpose is to bring up items that are urgent about special or important matters unrelated to pending business.
4. Incidental Motions: Their purpose is to provide a means of questioning procedure concerning other motions and must be considered before the other motion.

How are Motions Presented?

1. Obtaining the floor
    a. Wait until the last speaker has finished.
    b. Rise and address the Chairman by saying, "Mr. Chairman, or Mr. President."
    c. Wait until the Chairman recognizes you.
2. Make Your Motion
    a. Speak in a clear and concise manner.
    b. Always state a motion affirmatively. Say, "I move that we ..." rather than, "I move that we do not ...".
    c. Avoid personalities and stay on your subject.
3. Wait for Someone to Second Your Motion
4. Another member will second your motion or the Chairman will call for a second.
5. If there is no second to your motion it is lost.
6. The Chairman States Your Motion
    a. The Chairman will say, "it has been moved and seconded that we ..." Thus placing your motion before the membership for consideration and action.
    b. The membership then either debates your motion, or may move directly to a vote.
    c. Once your motion is presented to the membership by the chairman it becomes "assembly property", and cannot be changed by you without the consent of the members.
7. Expanding on Your Motion
    a. The time for you to speak in favor of your motion is at this point in time, rather than at the time you present it.
    b. The mover is always allowed to speak first.
    c. All comments and debate must be directed to the chairman.
    d. Keep to the time limit for speaking that has been established.
    e. The mover may speak again only after other speakers are finished, unless called upon by the Chairman.

8. Putting the Question to the Membership
    a. The Chairman asks, "Are you ready to vote on the question?"
    b. If there is no more discussion, a vote is taken.
    c. On a motion to move the previous question may be adapted.

Voting on a Motion:

The method of vote on any motion depends on the situation and the by-laws of policy of your organization. There are five methods used to vote by most organizations, they are:

1. By Voice -- The Chairman asks those in favor to say, "aye", those opposed to say "no". Any member may move for a exact count.
2. By Roll Call -- Each member answers "yes" or "no" as his name is called. This method is used when a record of each person's vote is required.
3. By General Consent -- When a motion is not likely to be opposed, the Chairman says, "if there is no objection ..." The membership shows agreement by their silence, however if one member says, "I object," the item must be put to a vote.
4. By Division -- This is a slight verification of a voice vote. It does not require a count unless the chairman so desires. Members raise their hands or stand.
5. By Ballot -- Members write their vote on a slip of paper, this method is used when secrecy is desired.

There are two other motions that are commonly used that relate to voting.

1. Motion to Table -- This motion is often used in the attempt to "kill" a motion. The option is always present, however, to "take from the table", for reconsideration by the membership.
2. Motion to Postpone Indefinitely -- This is often used as a means of parliamentary strategy and allows opponents of motion to test their strength without an actual vote being taken. Also, debate is once again open on the main motion.

Parliamentary Procedure is the best way to get things done at your meetings. But, it will only work if you use it properly. Most importantly, *BE COURTEOUS*.

1. Allow motions that are in order.
2. Have members obtain the floor properly.
3. Speak clearly and concisely.
4. Obey the rules of debate.

Robert's Rules of Order Motions Chart

Based on *Robert's Rules of Order Newly Revised (10th Edition)*

Part 1, Main Motions. These motions are listed in order of precedence. A motion can be introduced if it is higher on the chart than the pending motion. **§** indicates the section from Robert's Rules.

§	PURPOSE:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?
§21	Close meeting	I move to adjourn	No	Yes	No	No	Majority
§20	Take break	I move to recess for ...	No	Yes	No	Yes	Majority
§19	Register complaint	I rise to a question of privilege	Yes	No	No	No	None
§18	Make follow agenda	I call for the orders of the day	Yes	No	No	No	None
§17	Lay aside temporarily	I move to lay the question on the table	No	Yes	No	No	Majority
§16	Close debate	I move the previous question	No	Yes	No	No	2/3
§15	Limit or extend debate	I move that debate be limited to ...	No	Yes	No	Yes	2/3
§14	Postpone to a certain time	I move to postpone the motion to ...	No	Yes	Yes	Yes	Majority
§13	Refer to committee	I move to refer the motion to ...	No	Yes	Yes	Yes	Majority
§12	Modify wording of motion	I move to amend the motion by ...	No	Yes	Yes	Yes	Majority
§11	Kill main motion	I move that the motion be postponed indefinitely	No	Yes	Yes	No	Majority
§10	Bring business before assembly (a main motion)	I move that [or "to"] ...	No	Yes	Yes	Yes	Majority

Part 2, Incidental Motions. No order of precedence. These motions arise incidentally and are decided immediately.

§	PURPOSE:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?
§23	Enforce rules	Point of Order	Yes	No	No	No	None
§24	Submit matter to assembly	I appeal from the decision of the chair	Yes	Yes	Varies	No	Majority
§25	Suspend rules	I move to suspend the rules	No	Yes	No	No	2/3
§26	Avoid main motion altogether	I object to the consideration of the question	Yes	No	No	No	2/3
§27	Divide motion	I move to divide the question	No	Yes	No	Yes	Majority
§29	Demand a rising vote	I move for a rising vote	Yes	No	No	No	None
§33	Parliamentary law question	Parliamentary inquiry	Yes	No	No	No	None
§33	Request for information	Point of information	Yes	No	No	No	None

Part 3, Motions That Bring a Question Again Before the Assembly.
No order of precedence. Introduce only when nothing else is pending.

§	PURPOSE:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?
§34	Take matter from table	I move to take from the table ...	No	Yes	No	No	Majority
§35	Cancel previous action	I move to rescind ...	No	Yes	Yes	Yes	2/3 or Majority with notice
§37	Reconsider motion	I move to reconsider ...	No	Yes	Varies	No	Majority

ALASKA DEPARTMENT OF LABOR
& WORKFORCE DEVELOPMENT

Administrative Procedures Act
Article 6. Open Meetings of Governmental Bodies
Executive Session Information for Boards and Commissions

Sec. 44.62.310. Government meetings public

A decision by a governing body to conduct any step in the deliberation process outside of the public forum must weigh the public interest in the right to know against any potential harm that could result from open deliberation. The state's Open Meetings Act (AS 44.62.310) and The State's Policy Regarding Meetings (AS 44.62.312) both favor limiting meetings that may be conducted away from public view as well as limiting the subject matter that may be discussed in closed meetings. Executive session is not a secret meeting - it is a part of the public meeting from which the public may be excluded. The governing body may, at its discretion, invite others into the executive session.

The Open Meetings Act lists the subjects that may be discussed in closed-door meetings (executive session) and spells out the process that must be followed to legally hold an executive session. Only certain topics can be considered in executive session and state policy found in AS 44.62.312 backs up the provision that the Open Meetings Act is to be narrowly interpreted to avoid unnecessary executive sessions.

What is an executive session?
An executive session is a portion of a public meeting that is conducted in private with only members of the governing body and any person(s) invited in by the governing body present. The Open Meetings Act AS 44.62.310(b) authorizes a public body to meet in executive session to discuss only those items that fall into one of the categories listed in the law. This is not an exception to the Open Meetings Act, but rather an authorization to conduct a step in the decision making process in a certain way.

What subjects may be addressed in executive session?
An executive session may only be called if the subject under consideration falls into one of the categories listed in state law, (AS 44.62.310(c)). The allowable subjects are:

> (1) Matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;

(2) subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;
(3) matters which by law, municipal charter, or ordinance are required to be confidential;
(4) matters involving consideration of government records that by law are not subject to public disclosure.

There must be a real and legitimate need for the executive session and the reason must be spelled out in the motion to go into executive session. The motion must state specifically what will be discussed and must be approved by a majority vote. The motion must contain enough detail that the public (and if necessary a court) will be informed of exactly why the executive session is appropriate, without defeating the purpose of going into executive session. Only the item(s) identified in the motion may be discussed in the executive session.

Following is a brief list of a few examples of situations that would be appropriate to discuss in executive session:

- Contract negotiations,
- Legal strategy for a pending lawsuit,
- Discussion of a matter that could affect an individual's reputation,
- Matters involving a juvenile,
- Certain crime victim information,
- Issues involving violation of a reasonable expectation of privacy.

What is the process for conducting business in executive session?
All executive sessions must first be convened as a legal public meeting and a motion must pass that clearly describes the subject to be discussed before the governing body may go into executive session. No action may be taken in the meeting, except the action authorized in the Open Meetings Act (give direction to an attorney or labor negotiator). Any member may make a motion to meet in executive session. The motion must be seconded and must pass by a majority vote. Once the motion has passed, the governing body may move the meeting to another location away from the public or may ask members of the public to leave the area until the executive session ends.

If the executive session is being called to discuss a matter that may prejudice the reputation and character of a person, the individual that is the subject of the discussion must be provided notice of the meeting and provided the opportunity to request that the discussion take place during the public meeting, rather than in executive session. After the executive session ends, the public meeting is reconvened. No action may be taken in executive session, except to give direction to an attorney on a specific legal matter or a labor negotiator on a pending labor negotiation. Action on matters

discussed in executive session can be presented and acted on once the public meeting has reconvened.

What action may be taken in executive session?
Only the items identified in the motion calling for the executive session may be discussed. The motion should contain enough detail that any interested party knows the details and justification for the session, without defeating the purpose for going into executive session. The motion and items that are auxiliary to the motion may be discussed. No action may be taken in the meeting, except the actions authorized in the Open Meetings Act. These are to give direction to an attorney or labor negotiator regarding the handling of a specific legal matter or pending litigation or labor negotiation. Any other action by the governing body must be taken after the public meeting is reconvened. (AS 44.62.310(b)).

All of the legal requirements for conducting a public meeting must occur before, during, and after the executive session. There must be proper notice, there must be a public record of that part of the meeting that is open to the public (some organizations create a record of the executive session also), and there must be reasonable opportunity for the public to be heard.

Who enforces the Open Meetings Act?
It is the responsibility of the administration and governing body to assure that the provisions of the Open Meetings Act are enforced. Any individual may contest an action that they think was done in violation of the Open Meetings Act administratively through local channels and ultimately may, within 180 days, file a court action if the issue isn't remedied locally AS 44.62.310(f).

There are several court cases that have ruled in favor of the Open Meetings Act. When deciding these cases, the court doesn't just consider whether a violation has occurred, but also considers whether the action has interfered with the public process that the act was intended to protect.

Can a governing body enter into executive session to discuss potential problem issues or receive general legal advice from their attorney?
No. Executive session procedures require that the reason for calling the executive session be **clearly stated** - it is not enough to state "personnel issues" or "legal advice" as the reason for going into executive session. The decision to go into executive session must also weigh the potential harm of open discussion against the public interest and benefit of open public discussion and the public's right to know. Decisions based on generalities do not identify the harm that could result.

Attorney-client privilege in general cannot be used as a reason for calling an executive session. Attorney-client privilege is limited to matters where public interest may be injured. This would include how to avoid legal liability, litigation strategies and candid discussion of facts, settlement conference, and a conference on a decision to appeal.

What is the cure for conducting an executive session that violates the Open Meetings Act?

The governing body can attempt an informal cure by holding another meeting in compliance with the Open Meetings Act. This meeting must have substantial and public reconsideration of the matter. If a lawsuit is filed, the court may void any action taken by the governing body.

The intent of public meetings is to hear all opinions on all the issues and ensure public control over the government that the public created. Public meetings are the means by which a person or group can be informed, express opinions, exercise choice, and affect outcomes. In order for this to occur, the governing body must provide reasonable notice of its meetings, the governing body must hold the meetings as provided in the notice, and the public must be given an opportunity to provide input.

ALASKA DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
ALASKA WORKFORCE INVESTMENT BOARD
YOUTH COUNCIL BYLAWS

Pursuant to the Workforce Investment Act of 1998, a special committee has been established to advise and assist the Alaska Workforce Investment Board (AWIB) in carrying out its functions assigned by federal or state statute, hereby known as the Youth Council.

ARTICLE I
NAME AND ADMINISTRATIVE SUPPORT

Section 1. The name of this organization is the Youth Council.

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

Alaska Workforce Investment Board
Department of Labor & Workforce Development
1016 West 6th Avenue, Suite 105
Anchorage, AK 99501

ARTICLE II
PURPOSE AND MISSION

Section 1. The Youth Council is an advisory and policy committee that works on youth workforce issues on behalf of the Alaska Workforce Investment Board (AWIB). The purpose of the Youth Council is to serve as a statewide policy council and is responsible for developing strategy recommendations and oversight for youth workforce systems while addressing the needs and interests of the state.

Section 2. In addition, the purpose of this Council will be to forge partnerships and encourage coordination among partners with the goal of developing and structuring a youth service system that is responsive to the needs of youth as well as the economic development of the region and overall health of the community. This system will provide a variety of proactive options to improve educational achievement, impact the dropout rate and prepare youth for successful careers in Alaska. The Youth Council functions as a committee of the Alaskan Workforce Investment Board and is subject to periodic oversight by and is accountable to the AWIB.

ARTICLE III
POWERS, FUNCTIONS AND OVERSIGHT RESPONSIBILITIES

Section 1. The Youth Council is a subgroup of the AWIB and acts in an advisory capacity to the AWIB. The Youth Council develops the portions of the AWIB's plan relating to youth as required by the Workforce Investment Act.

Section 2. The Youth Council, subject to the approval of AWIB and consistent with Section 123 of the Workforce Investment Act, shall:

a. Recommend eligible providers of youth activities to be considered for grants or contracts on a competitive basis; and
b. Conduct oversight with respect to the eligible providers of youth activities.

Section 3. The Youth Council, consistent with Section 129 of the Workforce Investment Act, shall:

a. Coordinate youth activities that are authorized, including:
    1. provide to eligible youth seeking assistance in achieving academic and employment success, effective and comprehensive activities, which shall include a variety of options for improving educational and skill competencies and provide effective connections to employers
    2. ensure on-going mentoring opportunities for eligible youth with adults committed to providing such opportunities;
    3. provide opportunities for training to eligible youth;
    4. provide continued supportive services for eligible youth;
    5. provide incentives for recognition and achievement to eligible youth; and
    6. provide opportunities for eligible youth in activities related to leadership, development, decision-making, citizenship, and community service.
b. Perform other duties determined appropriate by the AWIB chair.

Section 4. The Youth Council shall advise the AWIB in its role as the lead state planning and coordinating entity for state human resource programs relating to youth including but not limited to:

a. 29 U.S.C. 2801 - 2945 (Workforce Investment Act of 1998);
b. 20 U.S.C. 2301 - 2471 (Carl D. Perkins Vocational and Applied Technology Education Act);
c. 20 U.S.C. 1201 – 1213d Adult Education Act:
d. 29 U.S.C. 49 - 49 l -1 (Wagner - Peyser Act);
e. federal law for work programs for needy families with children under the Social Security Act;
f. the employment program established under 7 U.S.C. 2015(d)(4) (Food Stamp Act of 1977);
g. all federal programs designated as successors to the programs listed in (a) - (f) of this section; and

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

ARTICLE IV
MEMBERSHIP

Section 1. The Youth Council shall have membership that meets the requirement of the Workforce Investment Act (WIA) legislation as well as the necessary membership as determined by the Youth Council Chair and/or AWIB Chair. The AWIB chair shall have final approval of all Youth Council membership.

Section 2. The Youth Council as a whole will reasonably reflect the geographic and demographic composition of the State of Alaska and will include members representing key stakeholders who are active participants in the youth workforce development system.

Section 3. At least two (2) members of the Youth Council shall also be members of the AWIB.

Section 4. The membership shall include, but is not limited to:

a. private sector representatives;
b. representatives of organized labor
c. local educational agencies, schools or local school boards, and post secondary educational institutions, vocational education, alternative high schools and community-based learning;
d. representatives from Chambers of Commerce and/or local economic development agencies
e. youth service providers, including such organizations as Child and Family Services, Junior Achievement, Boys and Girls Clubs and organizations focused on pregnancy prevention and/or serving pregnant teens;
f. regional and community based organizations, including those serving minority and Alaskan populations;
g. youth, including in-school and out-of-school youth and high school dropouts, as well as youth with disabilities;
h. law Enforcement organizations, including juvenile justice
i. representatives of local public housing authorities
j. other organizations and representatives deemed appropriate by the Youth Council
k. representatives of youth service agencies, including juvenile justice and law enforcement agencies
l. representatives of local public housing authorities

m. parents of eligible youth seeking assistance under this subtitle
n. representatives of the Job Corps, as appropriate, and
o. may include such other individuals as the chair, in cooperation with the chief elected official determines to be appropriate

Section 5. A Youth Council member may be removed for just cause upon the vote of two thirds of the Executive Committee of the Youth Council. A member subject to such sanction shall have five days written notice of the proposed action and have the opportunity to be heard and to present evidence on their own behalf before the Executive Committee.

Just cause for removal shall include but not be limited to the following:

a. two unexcused absences from regular Youth Council meetings within a 12-month period. It is expected that members will contact the Chair of the Youth Council prior to the scheduled meeting to inform of an anticipated absence;
b. ineligibility based upon these by-laws;
c. any other reasons that would interfere with or reflect badly upon the Youth Council, such as but not limited to, malfeasance, conviction for criminal activity, or other inappropriate behavior as determined by the Executive Committee.

ARTICLE V
APPOINTMENTS & TERMS

Members shall be appointed for two (2) year terms (24 months), with the option of renewal for an additional term. The only exception will be for initial appointments that shall be for staggered two and three year terms determined by the chair and/or natural attrition

In the event of a resignation or removal or cessation of a leadership or decision making position within the sector represented by said member, a new member shall be nominated and appointed in accordance with the nomination procedures set forth. The person so appointed shall serve until the term in which he or she was appointed expires. After the term expires, members will be replaced or may continue based upon re-nomination and re-appointment, in the same manner as original appointments. In an effort to promote continuity and minimize transitional problems, it is expected that members whose term expires and who do not wish to remain on the Youth Council will continue to serve until a replacement is appointed.

ARTICLE VI
OFFICERS

Section 1. The Youth Council officers shall be a Chair and Vice Chair.

Section 2. The AWIB chair appoints the chair of the Youth Council. The Youth Council Chair appoints the Vice Chair with recommendations from the AWIB Chair.

Section 3. The Youth Council Chair can also appoint Committee chairs and members subject to Council approval, as well as assign issues to various committees. The Youth Council Chair will also ensure compliance with the conflict of interest policy and perform other duties as designated by the AWIB.

ARTICLE VII
MEETINGS & QUORUM

Section 1. The Youth Council shall hold regular meetings at a time and place determined by the Council. The membership shall meet at least four times a year, at least one time each quarter, and two of these meetings shall be face to face. The members shall establish a meeting schedule for the full year at the annual meeting. The meeting calendar shall be published in advance to all Youth Council members.

Section 2. The Youth Council shall meet at the call of the Chair to conduct its business. A majority of the appointed members constitutes a quorum.

ARTICLE VIII
ATTENDANCE

Section 1. A Youth Council member who has two unexcused absences shall receive communication from the Chair to determine continued participation.

Section 2. Youth Council members are expected to actively serve on a standing committee and to participate in the standing committee when committees are called.

ARTICLE IX
DELEGATES/DESIGNEES:

Members may select a designee to represent them and vote for them at Youth Council meetings. The name of the designee must be submitted to the Youth Council Chair for approval from the AWIB Chair. No designee will be seated until approved by the AWIB Chair

ARTICLE X
COMMITTEES

Section 1. Standing Committees**.** The Executive Committee shall meet on call of the Youth Council Chair or two-thirds of the members of the Executive Committee, to discuss and administer the business of the Youth Council.

a. Ad-hoc Committee and/or Task Forces - As required temporary committees/task forces may be created and appointed by the Chair. The

duration and scope of such committees/task forces are established to facilitate the accomplishment of the Youth Council's objectives and to provide opportunities for individual Youth Council members to pursue their interests with the support of the Youth Council

b. Planning/Marketing Committee - shall be responsible to oversee and coordinate the development of an annual plan for the Youth Council.

c. Operations Committee - shall periodically review the organizational structures of the youth councils and make recommendations to the Youth Council regarding organizational roles and responsibilities and staffing requirements; and shall identify resources that could benefit the Youth Council.

ARTICLE XI
TRAVEL POLICY

Section 1 The AWIB supports the professional development of its members, in alignment with Youth Council 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.

Section 2. Youth Council members shall serve without compensation but may be reimbursed for actual expenses incurred on behalf of the Council in accordance with the state of Alaska reimbursement policies

ARTICLE XII
AMENDMENTS TO THE BYLAWS

By laws may be amended or repealed by an affirmative vote of a majority of members where a quorum is present, subject to the approval by the AWIB. Notice summarizing the changes to be proposed will be distributed 10-days prior to the meeting to which the amendment or repeal is acted upon.

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 Youth Council and any standing or ad hoc committees thereof.

ARTICLE XIV
INDEMNIFICATION

The Youth Council and all committees thereof, shall operate within the applicable state and federal laws. The State of Alaska shall indemnify every member of the Youth Council 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 Youth Council, 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 Youth Council 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

Section 1. Youth Council 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. Youth Council members shall scrupulously avoid undisclosed conflicts of interest between the interests of the State of Alaska and the Youth Council, and personal, professional, and business interests. This includes avoiding potential and actual conflicts of interest, as well as perceptions of conflicts of interest.

In the course of meetings or activities, a Youth Council 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 the Youth Council to external agencies on this issue or vote on the question.

Each Youth Council 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.

Alaska Workforce Investment Board
Commonly Used Acronyms

Acronym	Defined	Entity Described
AATCA	Alaska Apprenticeship and Training Coordinators Association	Industry association
ABC	Associated Builders and Contractors	Industry association
ABE	Adult Basic Education	Federal/state education program in DLWD
AFN	Alaska Federation of Natives	Alaska Native organization
AGC	Association of General Contractors	Industry association
AGIA	Alaska Gasline Inducement Act	State of Alaska, Gasline initiative
AHTBC	Alaska High-Tech Business Council	Industry/education partnership
AJB	Alaska's Job Bank	Online job listings and job seeker services
AJCN	Alaska Job Center Network	State of Alaska employment offices
AKCIS	Alaska Career Information System	Career information service
AKDOL	Alaska Department of Labor	State of Alaska department, now officially DLWD
ALEXsys	Alaska Labor Exchange System	Online job matching service administered by ESD
ANCET	Alaska Native Coalition on Employment & Training	Alaska Native corporation/education/industry agency
APIA	Aleutian/Pribilof Islands Association	Regional Alaska Native organization; ANCET member
APICC	Alaska Process Industry Careers Consortium	Industry partnership with education group
ASD	Anchorage School District	School district
ASET	Alaska Special Education & Training	
ASNA	Arctic Slope Native Association	Regional Alaska Native organization; ANCET member
ATAP	Alaska Temporary Assistance Program	DPA program
ATC	Alaska Technical Center	Adult vocational training facility located in Kotzebue
AVCP	Association of Village Council Presidents	Regional Alaska Native organization; ANCET member
AVTEC	Alaska Vocational Technical Education Center	DLWD educational institute located in Seward
AWIB	Alaska Workforce Investment Board	State and Local Workforce Investment Act Board in Alaska
AWIO	Alaska Workforce Investment Office	DLWD office for administration of workforce investment funding (defunct)
AWP	Alaska Works Partnership	Industry group specializing in registered apprenticeships for construction trades
BBNA	Bristol Bay Native Association	Regional Alaska Native organization; ANCET member
BEC	Business Education Compact	Business/non-profit youth group
BIA	Bureau of Indian Affairs	Federal agency located in the US Department of the Interior
BOSWIB	Balance of State Workforce Investment Board	One of two LWIBs in Alaska (defunct)
CARS	Centralized Applicant Referral System	State system
CBJ	City & Borough of Juneau	Municipality
CBO	Community Based Organization	Private non-profit organization in workforce development
CCTHTA	Central Council Tlingit Haida Tribal Association	Regional Alaska Native organization; ANCET member
CDBG	Community Development Block Grants	Training activities funded by the federal Department of Commerce
CDF	Career Development Facilitator	Career counselor
CDS	Community Development Specialist	Job training field staff
CEG	Customized Employment Grant	USDOL/ETA grant for training individuals with disabilities
CIRI	Cook Inlet Region, Inc.	Alaska Native corporation
CITC	Cook Inlet Tribal Council	Regional Alaska Native organization; ANCET member
CRA	College of Rural Alaska	Division of UAF
CRC	Career Readiness Certificate	Alaska Workready Certification

Alaska Workforce Investment Board
Commonly Used Acronyms

Acronym	Defined	Entity Described
CRNA	Copper River Native Association	Regional Alaska Native organization; ANCET member
CSED	Child Support Enforcement Division	Located in the Alaska Department of Revenue
CTE	Career and Technical Education	Education
CWDP	Construction Workforce Developmetn Plan	Coast Group
CWN	Commonwealth North	Alaska public policy group
DBP	Division of Business Partnerships	Located in Alaska Department of Labor and Workforce Development
DCCED	Alaska Department of Commerce, Community & Economic	State of Alaska department
DEED	Department of Education and Early Development	State of Alaska department
DFYS	Division of Family & Youth Services	Located in Alaska Department of Health and Social Services
DLWD	Department of Labor and Workforce Development	State of Alaska department
DOL	Department of Labor	Federal government department
DPA	Division of Public Assistance	Located in Alaska Department of Health and Social Services
DTF	Denali Training Fund	Federally funded employment training program for rural Alaskans
DVOP	Disabled Veterans' Outreach Program	Federal employment/training program for veterans
DVR	Division of Vocational Rehabilitation	Located in Alaska Department of Labor and Workforce Development
DWU	Dislocated Worker Unit	DBP staff responsible for administering dislocated workers training grants
EDA	Economic Development Administration	Federal Department of Commerce agency
ESD	Employment Security Division	Located in Alaska Department of Labor and Workforce Development
ESL	English as a Second Language	English language program for non-native speakers
ESS	Employment Security Specialist	State employment security staff
ETA	Employment and Training Administration	Federal Department of Labor agency
ETP	Eligible Training Provider	An approved training entity on the state WIA vendor list
FBO	Faith Based Organization	Non-profit religious organization
FBP	Federal Bonding Program	Federal bonding administered by DLWD
FCJL	Federal Contractor Job Listing	List of federally contracted jobs, Title 38 USC
FCS	Family Centered Services	DPA program based on the Customized Employment Grant model
FLC	Foreign Labor Certification	Federal program administered by DLWD
FNSB	Fairbanks Northstar Borough	State borough
FSET	Food Stamp Employment & Training Program	Federal food and nutrition public assistance program
HGJTI	High Growth Job Training Initiative	Federal grant for workforce development in high growth industries
IAMCAREA	International Association of Machinists	Labor union
IDP	Individual Development Plan	Tool used by ESD case workers
IEP	Individual Employment Plan	Tool used by ESD case workers
ISC	Industry Skills Coalition	Skills-based training for industry
ITA	Individual Training Account	Employment training grant for individuals
KANA	Kodiak Area Native Association	Regional Alaska Native organization; ANCET member
KCC	King Career Center	Vocational training institute for high school students in ASD

Alaska Workforce Investment Board
Commonly Used Acronyms

Acronym	Defined	Entity Described
KPC	Kenai Peninsula Campus	UAA satellite campus
LMI	Labor Market Information	Labor and workforce statistics
LVER	Local Veteran's Employment Representative	Employment/training vocational counselor for veterans
LWIB	Local Workforce Investment Board	Regional employer/agency/government board
MASST	Mature Alaskans Seeking Skills Training	State-run federal program for mature workers
MATSU	Matanuska-Susitna Region	Southcentral region of the State of Alaska
MGYC	McLaughlin Youth Center	Private youth correctional center
MOA	Municipality of Anchorage	Municipality
MOA	Memorandum of Agreement	Document
MOU	Memorandum of Understanding	Document
NAA	National Apprenticeship Act	Federal Registration of Apprenticeship Programs
NEG	National Emergency Grant	Federal funding for dislocated worker projects
NS	Nine Star Education Center	Private education and training entity
NVTI	National Veteran's Training Institute	Federal training institute
OA	Office of Apprenticeship	State Apprenticeship office located in DOLWD/DBP
OFCCP	Office of Federal Contract Compliance Program	Federal Department of Labor program
OJT	On the Job Training	Type of employment training
ONC	Orutsararmuit Native Council	Regional Alaska Native organization; ANCET member
PIC	Private Industry Council	Federal WIA
PICC	Private Industry Career Consortium	Local consortium
RA	Registered Apprentice	Industry Standard for Apprenticeship participant
RAC	Regional Advisory Council	Regional representation to AWIB
RFA	Request for Applications	Announcement
RFP	Request for Proposals	Announcement
SBDC	Small Business Development Center	Federal program to encourage small business success
SCSEP	Senior Community Service Employment Program	Federal employment program now called MASST
SIU	Seafarers International Union	Labor union
SOA	State of Alaska	State government
STEP	State Employment & Training Program	Employment training program funded from employee UI contributions; administered by
STO	State Travel Office	Office travel arrangements are made through
TA	Travel Authorization	Document required for all travel
TAA	Trade Adjustment Act	Federal legislation
TANF	Temporary Assistance for Needy Families	DPA program
TAP	Transition Assistance program	Federal program

Alaska Workforce Investment Board
Commonly Used Acronyms

Acronym	Defined	Entity Described
TCC	Tanana Chiefs Conference	Regional Alaska Native organization; ANCET member
TEGL	Training and Employment Guidance Letter	USDOL
TRA	Trade Readjustment Allowances	Federal program
TVC	Tanana Valley Campus	College of Rural Alaska (UAF) campus
TVEP	Training and Vocational Education Program	Vocational education program funded from employee UI contributions
UA	University of Alaska	University of Alaska Statewide Administration
UAA	University of Alaska Anchorage	University of Alaska campus
UAF	University of Alaska Fairbanks	University of Alaska campus
UAS	University of Alaska Southeast	University of Alaska campus
UI	Unemployment Insurance	Located in Alaska Department of Labor and Workforce Development
USDOL	United States Department of Labor	Federal
VA	Veterans Administration	Federal agency
VARO	Veterans Administration Regional Office	Federal VA office in region
VEOA	Veteran Employment Opportunity Act	Federal legislation
VET	Veteran	Person who served in the US military
VR&E	Vocational Rehabilitation and Employment Program	Federal Veteran's Administration program
WIA	Workforce Investment Act	Federal legislation
WIB	Workforce Investment Board	Workforce Investment Board
WIN	Worldwide Interactive Network	Work Keys
WIO	Workforce Investment Office	See AWIO
WPRS	Worker Profiling and Re-employment Services	Federal program for UI claimants
WTW	Welfare-to-Work	DPA program for moving public assistance recipients to employment (defunct)

ALASKA DEPARTMENT OF LABOR
& WORKFORCE DEVELOPMENT

History of AHRIC to AWIB

Introduction

In 1992, the federal government began to encourage states to establish Human Resource Investment Councils for planning, monitoring, and evaluating employment education and training programs under the Job Training Partnership Act (JTPA). In anticipation of major restructuring of these federal programs, the Alaska State Legislature passed legislation in 1995 that formed the Alaska Human Resource Investment Council (AHRIC). AHRIC opened its doors January 1, 1996. In 1998, Congress consolidated 60 programs under the Workforce Investment Act (WIA) which took effect on July 1, 2000. Today, Alaska operates about 20 federal employment and job training programs through four state departments: Labor & Workforce Development, Community & Economic Development, Health & Social Services and Education & Early Development. In 2002 the legislature, through SB 252, renamed the AHRIC and it's now known as the Alaska Workforce Investment Board or AWIB.

The board represents:

- **Consolidation:** Replaced the Alaska Job Training Council, the Governor's Council on Vocational and Career Education and the Employment Security Advisory Council.
- **Public/Private Partnerships:** Members include representatives of business and industry, the private sector, government, education, organized labor, Native organizations, and community-based organizations.
- **Employment Training & Education Programs:** AWIB oversees the planning, monitoring and evaluation process of all state or federally funded employment training and education programs.
- **Workforce Development:** AWIB promotes an integrated system of employment training and education programs, and services so that Alaskans have greater opportunities to acquire the necessary skills, knowledge and education for good jobs.

The board recommends policy to the Legislature and the Governor on preparing Alaska's workforce for emerging jobs, technologies and industries. AWIB's strategic plan for workforce development includes:

- **Goals and Benchmarks:** A strategic plan for job creation and job placement or work activity participation.

- **Program Evaluation:** Evaluate and direct resources into effective and cost efficient programs that prepare people for work.
- **Welfare to Work:** AWIB plays a central role in efforts to move Alaskans from welfare to work.
- **Career Exploration:** AWIB participates with employers, education, labor, and community-based organizations to integrate academic and occupational learning leading to jobs and careers for Alaska's students.
- **Alaska Hire Initiatives:** Strategies to move Alaskans into jobs held by non-residents.
- **Economic Development:** Open dialogue between business, government and labor to promote economic development and jobs for Alaskans.

1996 and 1997 - The First Two Years

The Governor appointed 26 members to the AHRIC in October 1995. The council's first meeting was in Anchorage in January 1996. After an initial period of organization, which included writing council bylaws, setting up a committee structure, electing officers, and deciding on the council's vision, mission and goals, the AHRIC got down to business.

The council quickly recognized that the investigation of all Alaska's human resource development programs was a task that demanded research, meeting with and helping the agencies in their efforts to better coordinate the delivery of human resource development services in Alaska. At the council's direction, the staff prepared Report to the Governor on the Future of Alaska's Human Resource Programs, completed on September 1, 1996. The report included preliminary observations on overseeing the implementation of a coordinated human resource investment system. It also made preliminary observations on consolidation, including the need for private sector involvement, coordination of resources and efforts by both public and private entities in Alaska, and the need for streamlining services.

Other 1996-1997 accomplishments:

- Reviewed and approved The Governor's Coordinated Special Services Plan (GCSSP), The Wagner-Peyser Plan (Employment Services) and the JTPA Title III Plan (Dislocated Workers) and approved the three plans for the Alaska Private Industry Councils (PIC).
- One-Stop Career Centers – The state received a $7.2 million U.S. Department of Labor grant in 1996 to implement a system of one-stop career centers across the state, called the **Alaska Job Center Network**.
- Welfare Reform – The AHRIC was involved in the state's transition into a reformed "work first" welfare system. The council helped implement a pilot program to hire welfare recipients into entry-level state employment.

- School-to-Work Initiative – The AHRIC helped implement a $7.8 million grant for a statewide School-to-Work system.
- Workforce Development Boards – Anticipating WIA, the AHRIC initiated the process to convert Alaska's Private Industry Councils to Workforce Investment Boards.
- Alaska Industry Network Corporation Manufacturing Extension Partnership – the AHRIC worked with the Alaska Science and Technology Foundation and the Alaska Small Business Development Center to secure a $3 million U.S. Department of Commerce grant to provide technical assistance to Alaska manufacturers of value added products.
- WorkStar – what started as an initiative to involve businesses in moving Alaskans from welfare to work became a private sector employer task force to provide ongoing assistance and advice to the state on welfare-to-work initiatives.
- Rural Partnership Conference – AHRIC sponsored a 1997 conference to examine welfare reform and economic development opportunities in rural Alaska, and how businesses, Native organizations, economic development organizations and local government could combine their efforts to create jobs for rural Alaskans.
- Business Education Compacts (BEC) – The BEC was created, following a national trend to involve business in School-to-Work and provide work-based learning opportunities for students.
- Employer Needs Assessment – in cooperation with the University of Alaska, the AHRIC embarked on assessing employers' training needs in key Alaska industries.
- Business Learning Consortiums (BLC) – a seafood processing business learning consortium was formed, bringing together seafood processing businesses to exchange ideas and resources for workforce development training. It served as a model for future BLCs.
- Consolidation of Alaska's Human Resource Programs May 1997 – As part of AHRIC's legislative mandate, this report details funding and administrative functions of state workforce development programs, discusses national trends and makes recommendations for improvements.
- Future of Private Industry Councils, September 1996 – another report required in AHRIC's enabling legislation, this document examines the existing PIC structure, based on information gathered from interviews with Alaska's three Service Delivery Area directors, and surveys of PIC members. The report makes recommendations on how best to utilize the existing PIC/SDA structure.
- 1997 STEP Report – in response to legislative requests for additional performance information on the State Training and Employment Program (STEP), the AHRIC met with program directors to reshape reporting requirements and improve accountability.

- Report on the Status of Vocational Education, April 1997 – the Alaska Department of Education teamed with the AHRIC to produce a long overdue assessment of Alaska's vocational education system.

The AHRIC also consulted with business and industry to assess the system and explore options for change which would best serve business and improve Alaska's economy. These activities included participating in a task force to improve the oil industry's local hire record, and holding community forums, in conjunction with local Chambers of Commerce, across Alaska to determine business training needs.

1998 Highlights & Accomplishments

- Refined the AHRIC mission and state workforce development goals, establishing the framework for a long-term strategic plan for all programs.
- Facilitated a Workforce Development Conference attended by over 150 people, involving employers in developing policy for system improvements.
- Provided guidance to the Governor and Legislature on new AHRIC legislation increasing program accountability and performance, and to align the state with impending federal reforms.
- Connected the University of Alaska Statewide Vocational/Technical Education Advisory Council, health care industry representatives, and the Council for a workforce demand & job training capacity meeting that resulted in a commitment to develop an alliance focused on health care jobs.
- Provided guidance for the ongoing implementation of one-stop career centers through the Alaska Job Center Network.
- Produced the new biannual Governor's Coordination and Special Services Plan (GCSSP) and Dislocated Worker Plan for the operation of Job Training Partnership Act Programs and coordination with all human resource investment programs.

1999 Highlights & Accomplishments

- Worked with the Alaska Department of Labor Research & Analysis Section to produce and deliver to the Governor and Legislature the **first annual program evaluation report of workforce development programs.**
- Assisted the Alaska State Legislature in **consolidating most workforce programs into one state department.**
- Initiated Workforce Investment Act implementation, with the help of 100 citizen "policy work group" volunteers.
- Designed two pilot programs for entry-level and incumbent worker training, using STEP Governor's discretionary funds.
- Adopted Job Center Certification Standards, and began certification process for all co-located Job Centers.

- Designated the Alaska Native Coalition on Employment and Training (ANCET) as an ad-hoc committee for developing one-stop partner agreements, and to improve access to services in rural Alaska.
- Assisted with regional workforce development planning in Western Alaska, which has been severely impacted by poor fishing seasons.
- Assisted the new Denali Commission, a federal-state partnership established by Congress, in coordinating infrastructure and economic support throughout rural Alaska.
- Continued to assist in the state's efforts to move needy Alaskans from welfare to work.
- Continued to hold **"Industry Needs Assessment"** forums, most recently with the Transportation Industry, to learn from transportation employers about their workforce needs, and to identify training gaps.
- Worked with the **Health Care Business Learning Consortium** to increase education and training programs to meet the demand for health care workers.
- Helped to establish a plan for workforce renewal and a new **Alaska Process Industry Careers Consortium (APICC)**, which includes the oil, gas, mining, and power generation industries.
- Assisted the Alaska Department of Education and Early Development in starting a **Career Pathways** Initiative to strengthen the connection between educators, students and employers in key industries with high worker demand.
- Utilized a USDOL planning grant to formulate **an incumbent worker training plan** within WIA planning process.
- Worked with the Alaska Science and Technology Foundation to develop two Technology Worker Initiatives. These initiatives will provide resources to build connections between employers and schools to attract K-12 students into the technology industry, and to improve training for technology workers.
- Hosted a joint meeting between the National Workforce Board Chairs, the National Governors Association Center for Best Practices, and the National Workforce Board's executive committee.
- Adopted the **Baldrige Principles for Continuous Improvement** in the new WIA strategic plan for workforce investment.
- Created an annual operational plan for the AHRIC to measure success and map future progress.

2000 Highlights & Accomplishments

- Workforce Investment Act Implementation. The AHRIC convened over 100 volunteer stakeholders and dozens of state agency representatives to complete its 5-year implementation plan for the Workforce Investment Act of 1998, which was required by the US Dept. of Labor by July 1, 2000. The 352-

page ***Alaska Unified Plan*** is posted on the AHRIC web site, and replaces the previously required *Governor's Consolidated Special Services Plan* (GCSSP) for training programs under the old JTPA system. The Unified Plan was a huge undertaking. It was completed in a timely manner, it passed federal muster, and it represents consolidation of services and cooperation among agencies for a more streamlined delivery system. The Plan will be annually evaluated and updated as appropriate by the AHRIC.

- **Evaluation Report**. The AHRIC Evaluation & Assessment Committee and the Department of Labor and Workforce Development worked to improve this annual evaluation report and meet the requirements for program reporting established by the legislature. The law requires state and federally funded training programs to create performance measures and report on program outcomes. AHRIC and DOL-R&A have produced three evaluation reports on *Employment and Earnings of Participants in Selected Alaska Training Programs*, the first for program year 1997, the second for program year 1998 with a comparison to performance in 1997, and the third for program year 1999 with comparisons to 1997 and 1998. All reports are available through the AHRIC and DOL offices.
- **One Stop Career Centers**. Alaska's one-stop career center system is successfully providing services at the local level across the state at nine full service job centers and thirteen satellite centers. The federal grant for implementing one-stop career centers ended June 30, 2000, and administration of the system has been transferred to the DOL Division of
- Employment Security and the two Local Workforce Investment Boards. The AHRIC has remained involved to continuously improve program outcomes and customer service for employers and job seekers through the one-stop system.
- Denali Commission. The Denali Commission, a federal/state commission whose mission is to improve infrastructure, education, training and employment in rural Alaska, has been a helpful partner to AHRIC in improving statewide services. The Department of Labor received a $2 million Denali Commission grant, which has helped provide training opportunities for rural Alaska residents on infrastructure projects in their region.
- **Skill Standards**. AHRIC's Employment and Placement Committee and the Workforce Readiness Committee have identified common areas in their committee goals, and have met jointly for some time to work toward common goals. The committees have spent a considerable amount of time working toward implementation of nationally recognized, industry based skill standards and occupational certifications.
- **Business Learning Consortia**. The AHRIC Workforce Readiness Committee provides oversight for training, education, and employment programs to

ensure the programs are delivering education and training that is relevant to local market needs and the career goals of state residents. The committee has worked to build partnerships between employers and quality workforce training programs, and connect state public and private education systems with business, government and labor to ensure that state residents are learning skills pertinent to employer needs. The six Business Learning Consortia in Alaska provide the best example of the AHRIC's efforts to create partnerships between employers and training programs. The AHRIC has helped to convene industry workforce development groups in the health industry, an industry group composed of oil, gas, mining and utility processing, the Transportation industry, Information Technology, Construction and Hospitality. The six industry groups have worked successfully with the University of Alaska and other training providers to customize training for their particular industry.

- **Blueprint for Vocational and Technical Education**. The Workforce Readiness Committee has joined with an ad hoc AHRIC committee on Education and a group of stakeholders in Vocational Education to draft a statewide plan for vocational and technical education. The plan, *Alaska's Future Workforce Strategic Policies and Investment Blueprint,* is required by SB
- 289 (Chapter 132 SLA 00). The law states that the AHRIC must "facilitate the development of a statewide policy for a coordinated and effective technical
- And vocational education training system in this state and, to the extend authorized by state and federal law, plan and coordinate federal, state, and local efforts in technical and vocational education programs." The Blueprint was forwarded to the 22nd Legislature in January 2001.
- **AHRIC Regulations**. AHRIC's Policy & Planning Committee worked with the Alaska Workforce Investment Office in DOL and an assistant attorney general to draft regulations for the state's training and employment programs, as required by SB 334 (Chapter 85 SLA 98) and SB 289 (Chapter 132 SLA 00). The draft regulations clarify legislation affecting the State Training and Employment Program, elucidate the technical and vocational education grants program in AHRIC, and define the program's administrative costs, application deadline and priorities for grant awards. The regulations also describe the responsibilities of the AHRIC's four standing committees and detail the administrative, program, performance and reporting responsibilities of the state's workforce investment system. A public hearing to elicit comments was held on December 4, 2000. The 30-day public comment period ended on December 11, 2000. The committee forwarded the regulations to the Council at their December 12 business meeting.
- **STEP Plan**. The Policy & Planning Committee also adopted a 5-year plan for the State Training and Employment Program (STEP), which outlines administrative and programmatic improvements to assist in meeting STEP goals. Among other improvements, the plan requires DOL to distribute funds

to the Local Workforce Investment Area administrators (sub-grantees) in a more efficient and timely manner, improved services to individuals through grants that place participants in training for high-demand occupations, and requires local administrators to improve data collection and information distribution.

- **Report on Council Reorganization**. In accordance with the legislative intent of SB 289 (Chapter 132 SLA 00), the Policy and Planning Committee has worked with Michael Brustein, a noted expert on the Workforce Investment Act and the Carl Perkins Act, to make a recommendation on reorganization of the AHRIC. Several considerations must be made for the Council to remain in compliance with these federal Acts. A report with recommendations was forwarded to the 22nd Legislature in January of 2001.
- **Career Pathways**. A state plan for Alaska's Career Pathway system was developed in February, 1999. The Alaska Human Resource Investment Council (AHRIC) Employment Training/Workplace Readiness Committee reviewed and endorsed the plan. The Career Pathways plan called for 1) establishing a framework of career pathways in Alaska, 2) ensuring students meet high academic standards, engage in career development and develop employability skills, 3) implementing pilot career pathways that demonstrate how career pathways can help sustain School-to-Work principles by connecting students with high skill, high wage careers. Career pathways provide a roadmap for academic learning and career preparation. A career

- Pathways framework begins with career awareness in the earliest grades, and develops to include career-based learning in the later grades. Participation in a career pathway prepares the learner to transition into post-secondary education as well as to achieve employability, academic and technical (industry) skill standards.

2001 Highlights & Accomplishments

- **Carl Perkins**. The council adopted a resolution agreeing to a Memorandum of Agreement between the Department of Education & Early Development to transfer responsibility of post-secondary Perkins programs to the council. The council also adopted a resolution regarding solicitation proposals for regional training centers.
- **Eligible Training Provider List (ETPL)**. In order for post-secondary schools to receive WIA training grants, they must apply for and be authorized or exempted as an "eligible provider." Board members approved performance measures these schools must meet to continue their eligibility.
- **Alaska Commission on Postsecondary Education (ACPE**). The board signed a Memorandum of Understanding with the ACPE, to share responsibilities for authorizing post-secondary training schools, and a position was created in

the AWIB office. The project assistant not only monitors and ensures the post-secondary vocational training schools meet eligibility requirements, but she also serves as liaison to the schools and an information source to the board.

- **Clearinghouse**. The board decided to focus their efforts on creating an informational clearinghouse, a comprehensive, integrated database of funding sources and training providers, as well as a portal to workforce-related issues, organizations and resources.
- ***Alaska's Skilled Worker Shortage: Crisis or Opportunity?*** White paper. The AWIB had become increasingly concerned about the lack of a skilled workforce in Alaska. Members of the AWIB believed the state was on the verge of a workforce crisis, describing the situation as "urgent," "serious," and "critical." But members of the AWIB also believed the labor shortage presented tremendous opportunities for Alaskans whom are unemployed or who lack education and training. Planning efforts today will have a direct impact on Alaska's ability to attract new businesses tomorrow, and to maintain an educated workforce, and build and sustain projects such as the much-desired natural gas pipeline. As the "…private/public leadership board that sets the policy framework for developing Alaska's workforce," Members of the AWIB called attention to Alaska's workforce issues through the white paper.
- The AWIB co-sponsored an Employer/One Stop Forum –a full exploration of the services the One Stops have to offer local employers. Participating agencies presented their programs in conjunction with presentations from businesses familiar with these services.
- The AWIB co-sponsored "the Alaskan Workforce rEvolution" Conference. It was an overwhelming success, with over 600 participants from around the State and the West Coast.
- The AWIB reviewed solicitations for regional training centers and forwarded the recommendations to Senator Stevens' office.
- The first **WIA Annual Report** was submitted to US DOL in December 2001. Alaska's report was deemed one of the best in the nation.

2002 Highlights & Accomplishments

- The board began a serious inquiry into the development of a workforce development information accumulation and sharing system (clearinghouse), to plan and detail the desired elements, to identify costs, and to negotiate agreements and understandings among the parties of interest to initiate the desired system.

- The board voted to adopt and enforce a **nationally recognized skill standard and industry certification program** within the following three-year time line:
  - Current levels of service and gaps will be identified in the first year, while capacity among training providers is built and benchmark criteria are set.
  - In the second year, the training providers must show their progress towards alignment to the skill standards and show improvement on benchmark data along with continued capacity building.
  - In the third year, training providers must show progress towards alignment to skill standards and improvement in benchmark data and accountability measures.
  - At the beginning of the fourth year, training providers must be aligned with individual skill standards and competencies and be at the acceptable benchmarking level in all accountability measures.
- The board adopted regulatory amendments to 8 AAC 84 and 8 AAC 86, to make specific AS 23.15.550, AS 23.15.580, AS 23.15.820 and AS 23.15.840.
- The board co-sponsored the second annual WIA conference. Again, it was an overwhelming success, with over 700 participants from around the State and the nation.
- The second WIA Annual Report was submitted to US DOL in December 2002.

2003 Highlights & Accomplishments

- **STEP Report –** in response to Senate Bill 252, which directed the Department of Labor & Workforce Development to submit a report on five elements of the
- State Training and Employment Program, the Board wrote *Report to the Legislature ~ The State Training and Employment Program.*
- The Board determined the **annual priority list for high-wage, high-demand occupations;**
- The board is modifying the State's Workforce Investment Act Unified Plan, which is up for reauthorization;
- The board continues its work on **Regional Training Centers**, and has identified specific recommendations to define and shape the envisioned centers;
- The board is working towards a solid alignment of economic development and workforce development;
- **Workforce Investment System** restructuring: the Governor signed Administrative Order #210, making Alaska a single workforce investment area with one board. The Legislature passed companion legislation, and on July 1, 2003 the AWIB became both the state and the local Workforce Investment Board, assuming the responsibilities of the Anchorage/Mat-Su Local Workforce Investment Board and the Balance of State Local Workforce Investment Board.

- **Regional Councils.** The board began work on setting up regional councils throughout the state, to ensure the "local" voice was not lost. Regional councils will assist the AWIB in determining workforce and economic development needs in their areas, and will make recommendations to the board on investment decisions.