



# THE ALASKA SAFETY ADVISORY COUNCIL BYLAWS – September 8 2017

Pursuant to Alaska Statute Section AS 18.60.830-60.840 - there is established in the Department of Labor and Workforce Development - the Alaska Safety Advisory Council.

The Alaska Safety Advisory Council was created by the Alaska Legislature to reduce accidents and health hazards to the citizens of Alaska.

## **Article I** **Name and Administrative Support**

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**Section 1:** This Council is to be known as the Alaska Safety Advisory Council. For the purposes of these bylaws, the ASAC shall be referred to as the Council.

**Section 2:** The Department of Labor & Workforce Development shall provide administrative support and a designee shall serve as the executive secretary of the Council. All correspondence for the Council may be addressed in care of:

**Alaska Safety Advisory Council**  
Department of Labor & Workforce Development  
PO Box 111149  
Juneau, AK 99811  
Phone: (907) 465-4855  
Email: [dol.asac@alaska.gov](mailto:dol.asac@alaska.gov)

## **Article II:** **Purpose and Mission**

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**Section 1:** The purpose of the Council is to work in cooperation with official and unofficial organizations and instrumentalities in the state that are interested in promotion of safety so that any appropriate possible resources can be marshalled and used to reduce the menace of accidental death and injury.

**Section 2:** As defined in Alaska statute, the Council shall coordinate with and make recommendations to:

- a) The Department of Labor and Workforce Development;
- b) The Department of Transportation and Public Facilities;
- c) The Department of Public Safety;
- d) The Department of Education and Early Development;
- e) The Department of Natural Resources;
- f) The Department of Health and Social Services; and
- g) The heads or representatives of federal departments and agencies operating in the state that are particularly concerned with safety programs and accident prevention;

**Section 3:** Make recommendations to the governor and the legislature on the achievement of a coordinated state policy and program for the safety and health of residents of the state;

**Section 4:** Organize and hold an annual governor's safety conference to bring together citizens interested in safety and health matters.

**Section 5:** Values. Decisions made and efforts forward will be made based upon alignment of the ASAC's Values

### **Article III**

#### **Powers, Functions and Oversight Responsibilities**

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**Section 1:** The Council acts in an advisory capacity to the Governor of the State of Alaska and to the programs and departments administering programs under the Council's oversight.

**Section 2:** Annual Report. The Council, before January 15 of each year, shall make an annual report to the Governor and the legislature on the activities of the Council.

The report will include:

- a) Plans of ASAC for any new services and/or programs, and associated concerns of the Council
- b) Updates on current services / programs the Council is involved
- c) Recommendations for any legislation necessary to carry out the mission and mandates of the Council

### **Article IV**

#### **Membership**

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The Council consists of the following voting members not to exceed (13) members appointed by the Governor, with the assistance of Boards and Commissions, as follows:

- a) five (5) members representing industry selected on the basis of geographic representation and population distribution;
- b) four members representing labor selected on the basis of geographic representation and population distribution;
- c) one member representing the federal government;
- d) one member representing the state government;
- e) one member representing local government within the State of Alaska;
- f) one member of the public; and
- g) One designee, assigned by the Commissioner from the Department of Labor and Workforce Development, as a non-voting member.

### **Article V**

#### **Appointments & Terms of ASAC Members**

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**Section 1:** Terms. Members of the Council are appointed by the Governor and serve at the pleasure of the Governor. A member of the council serves for a term of two years and may serve until a successor is qualified and appointed.

**Section 2: Vacancy.** 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 3: Reappointment.** A person may be reappointed by the governor for additional terms.

**Section 4: Qualifications.** The Governor shall ensure that individuals appointed to the Council have sufficient enterprise to effectively carry out the duties of the Council. This expertise includes:

- a) knowledge of occupational safety and health;
- b) actively involved in promoting safety & health within Alaska;
- c) be respected as a true professional amongst their peers and organization, a professional in good standing; and
- d) be committed to make a positive difference in safety and health in the State of Alaska by contributing to the efforts of this Council.

## **Article VI**

### **Officers & Election of Officers**

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**Section 1: Officers.** The Council shall elect a chairperson and a vice chair from among the Members. Both the chair and vice-chair serve at the pleasure of the Council.

**Section 2: Elections.**

- a) The election of Chair and Vice Chair will be held at the meeting taking place near on during the annual GSHC, under New Business.
- b) The election of the Vice Chair / Chair shall be held biannually, for one of the positions, alternating the year each is to be held so both positions do not come open at the same time.
- c) The new Chair / Vice Chair will take office after that years Annual Governor's Safety & Health Conference.

**Section 3: Term of Office.** The Chair and Vice-Chair will be elected bi-annually.

**Section 4: Resignation.** A Council Member may resign at anytime by giving written notice to the remainder of the Council along with the Boards and Commissions.

**Section 5: Removal.** A council member may be removed from the Council by a majority vote of the Council. Or by determination of the Boards and Commission.

## **Article VII**

### **Meetings & Quorum:**

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**Section 1: Annual Meeting Requirements.** The Council shall hold a minimum of 3 meetings annually. The Council shall meet at the call of the chair or a quorum of its members to conduct its business.

**Section 2: Quorum.** A majority of the appointed members on the Council at the time of the vote, constitutes a quorum.

**Section 3: Meeting Notice.** At least thirty (30) days public notice must be given for regular meetings.

**Section 4: Agenda.** The Chair shall establish the meeting agenda. An item may be placed on the agenda or removed by a majority vote of the Council at that meeting. Requests to place an item on the agenda may be made by individual Council members, the Department of Labor, the Governor's Office, or Safety entity by contacting the Chair.

## **Article VIII**

### **Participation**

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A Council member who misses two consecutive face-to-face or teleconference Council or committee meetings shall receive a verbal warning and / or a letter of counseling from the Chair encouraging more consistent participation. A Council member who misses three consecutive face-to-face or teleconference Council or committee meetings will have their participation reviewed by the Council for recommendation of action from the Council to the Boards and Commission. The Governor holds the power to appoint and remove Council members.

## **Article IX**

### **Duties of the Chair:**

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**Section 1: Meetings.** The Chair shall preside at all meetings of the ASAC, call special meetings, prepare agendas, and perform other duties necessary or incidental to the office.

**Section 2: Spokesperson.** The Chair or Chair's designee may serve as spokesperson on matters that have been duly addressed by the ASAC.

**Section 3: Absence of Chair.** In the absence of the Chair, or in the event of the Chair's inability to act, the Vice Chair shall perform the Chair's duties. In the event of the absence or inability to act of both the Chair and the Vice Chair, the Chair shall appoint a temporary Chair for that meeting.

**Section 4: New Members.** The Chair, Vice Chair, or designee shall:

- a) Conduct orientation of new Council and Committee members;
- b) Assist with educating Commission, Committee on procedures and responsibilities;
- c) Act as liaisons between the ASAC and all Committees

## **Article X**

### **COMMITTEES:**

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**Section 1: Creation of Committees.** The Council may authorize the creation, prescribe the term, and define the powers and duties of additional committees as may be necessary or useful to the conduct of Council business.

**Section 2: Limitations of Committees.** As committees, they may not officially represent the Council unless specifically authorized by the Council to do so. The Council may also convene committees and task forces whose memberships include individuals who are not Council members for the purpose of advising the Council.

**Section 3: Committee Chairs.** The Council chair will appoint the chairs of the standing committees.

**Section 4: Committees of the Alaska Safety Advisory Council:**

**Section 4.1 Alaska Governor's Safety & Health Conference (AKGSHC).** The Alaska Governor's Safety & Health Conference (AK GSHC) Committee is made up of Council members and additional volunteers and holds a multitude of sub-committees in management of this state-wide event.

- a) Each appointed member of the ASAC will hold a responsibility within the organization, planning and offering of this event.
- b) This event focuses on the front line occupational needs of the State of Alaska Industries in regards to safety and health.
- c) The Conference operates under its own Committee guidelines, approved by the Council.
- d) Youth Outreach – efforts of the AKGSHC incorporates components of the Council's outreach to the Youth. (Educational and programs)

**Section 4.2 Legislative Committee.** This committee is challenged to keep abreast on current legislative matters affecting the state and safety and health of the citizens of Alaska.

- a) Drafts letters on behalf of the ASAC on matters coming before the Legislation,
- b) Drafts letters regarding matters of importance to the safety and health of Alaskans.
- c) Deliberates and develops information in response to legislative outreach and /or concerns on matters.

(Final stances and letters move forward from this committee, only upon majority vote of the Council.)

## **Article XI**

### **Travel & Financial Policies.**

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**Section 1: Expenses.** A member of the Council serves without compensation but is entitled to approved travel and per diem expenses as provided in [AS 39.20.180](#).

**Section 2: Considerations for Travel Expense Coverage.** The value the travel will add to the ASAC, costs involved, departmental approval and the status of the ASAC's budget shall be considered as part of final approval process.

**Section 3: Financial.** The ASAC operates on money from a fund specifically set aside for its purposes.

**Section 4: Budget.** The Council has money set aside in a designated fund for operation of the ASAC. Annual allowed expenses must be under the amount allotted within the budget approved by the legislature regardless of the amount within the fund. Budgetary increase requests must be submitted in writing to the Boards and Commissions.

## **Article XII**

## Amendments to the Bylaws

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These bylaws may be approved, amended, or repealed through adoption of Council action by a quorum vote of the members at any regular meeting providing the proposed changes do not conflict with existing federal or state laws, regulations or guidelines.

### Article XIII Parliamentary, Voting, & Delegation Procedure.

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**Section 1:** Roberts Rules of Order. Only parliamentary procedures as laid out in Roberts Rules of Order, Newly Revised, shall prevail in all regularly scheduled and special meetings of the Council and any standing or ad hoc committees thereof.

**Section 2:** Voting All members of the Council, including the Chair and Vice Chair are entitled to vote on all issues.

**Section 3:** Voting by Electronic Means. A vote provided by an appointed Council member that is in electronic form or by mail will be allowed according to AS 44.62 of Administrative Procedures Act.

**Section 4:** Appealing a Decision. As stated in the Council regulations, 13 AAC 95.350 APPEALS PROCEDURES, an applicant may appeal certain Council decisions to the Chair who will advise the appellant of the acceptance or rejection of the appeal. The Chair shall request a Council member who represents the minority to review the request for an appeal and make a recommendation to the Chair.

*Following a majority vote and final decision on an issue, all members must move toward the success of the Council in all endeavors approved.*

**Section 5:** Explanation of Vote. Members may at any time explain their votes, or file in writing explanations of such votes after the result of the voting has been announced and recorded.

**Section 6:** Guest Speakers. To accomplish the mission of the Council, the Council may ask specific group representatives, citizens, or staff to participate with the Council in the evaluation, discussion, and recommendations of specific issues or policies.

### Article XIV Indemnification:

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

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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. Council members shall scrupulously avoid undisclosed conflicts of interest between the interests of the State of Alaska and the Council, 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 Council 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 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 ASAC to external agencies on this issue or vote on the question.

Each 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.