**By Laws of the Maine**

**Commission on Disability and Employment**

**Article I**

**Name and Mission**

**Section 1. Name** The name of the organization is the “Maine Commission on Disability and Employment” (hereafter the “Commission”).

**Section 2. Goals**  The goals of the Commission are to:

(1) Advise, consult and assist the executive and legislative branches of State Government on activities of State Government that affect the employment of individuals with disabilities, and

(2) Serve as an advocate on behalf of citizens with disabilities promoting and assisting activities designed to further equal opportunity for people with disabilities. (Title 26 M.S.R.S. Section 2006 sub-sect. 5-B).

**Section 3. Mission** The Commission achieves its goals by:

1. Advising the executive and legislative branches of government regarding state and federal plans and proposed budgetary, legislative or policy actions affecting individuals with disabilities and employment;
2. Conducting educational programs considered necessary to promote public understanding of the employment-related needs and abilities of individuals with disabilities who are residents of this State;
3. Providing information, training and technical assistance to promote greater employer acceptance of workers with disabilities;
4. Advising and assisting employers and other organizations interested in developing employment opportunities for individuals with disabilities; and
5. Working with state and local government officials, organizations representing persons with disabilities, and the business community to inform the public of the benefits of making facilities and services accessible to and usable by individuals with disabilities.

**Section 4. Authorization** The Commission is authorized under Maine Law (Title 26 M.S.R.S. Section 2006 sub-section 5-B) as a Standing Committee of the State Workforce Board.

**Section 5. Annual report** The Commission shall submit an annual report directly to the Governor and the Legislature no later than January 1st of each year concerning its work, recommendations and interest of the previous fiscal year and future plans. The standing committee shall make any interim reports it considers advisable.

**Section 6. Relationship to the State Workforce Board** The Commission is established in law as a component within the State Workforce Board, which is established to ensure that the State’s workforce development system helps Maine people and businesses compete successfully in the global economy. The Commission shall work in close collaboration with the Policy Committee of the State Workforce Board.

**Article II**

**Purpose and Duties**

The purpose and duties of the Commission include:

1. Performing all of the duties and responsibilities of the Standing Committee on Employment of People with Disabilities as defined in Title 26 M.S.R.S. § 2006 subsection. 5-B.
2. Advising, consulting and assisting the State Workforce Board, the Governor and the Legislature on the full range of issues that affect the employment of persons with disabilities.
3. Serving as an advocate on behalf of persons with disabilities promoting and assisting activities designed to further equal career opportunities for people with disabilities.
4. Conducting educational programs considered necessary to promote public understanding of the employment-related needs and abilities of persons with disabilities in the State.
5. Providing information, training and technical assistance to promote greater employer acceptance of workers with disabilities.
6. Advising and assisting employers and other organizations interested in developing employment opportunities for persons with disabilities.
7. Working with state and local government officials, organizations representing persons with disabilities and the business community to inform the public of the benefits of making facilities and services accessible to and usable by individuals with disabilities.
8. Employing the staff necessary to carry out its objectives, and employing consultants and contracting for projects it determines necessary.
9. Making necessary rules for promoting its purposes.
10. Accepting and receiving, from any appropriate source, any funds appropriated for expenditure by the standing committee or any grants or gifts that may become available, and
11. Administering any funds, grants, or gifts received in accordance with current fiscal and accounting regulations of the State, in accordance with the philosophy, objectives and authority of the Commission.

**Article III  
Members of the Commission**

**Section 1. Appointment** The Chair of the State Workforce Board shall appoint all members of the Commission, taking into consideration the recommendations of the Commission for potential new members.

**Section 2. Terms** Terms shall be for a period of three years, and established on a staggered basis to provide continuity. In the event that a new member is appointed to fill a position vacated by another member before his/her term expired, the new member will be appointed for the time period remaining in that term, and then may be reappointed for a full three-year term.

Members may be reappointed to as many consecutive terms as the Chair desires.

**Section 3. Representation** The Commission is committed to having as many members as possible be persons with disabilities. For purposes of these By Laws, a "person with a disability" means an individual who has a disability or condition that, regardless of its physical or mental origin, imposes a significant functional limitation Members shall be appointed to include the perspectives of:

* People with disabilities who represent the diversity of experience and views of the state’s disability community.
* Business owners, managers, and representatives of business organizations, which employ individuals with disabilities as integrated members of their workforce.
* Representatives with experience with youth with disabilities.
* Educators and other representatives engaged with postsecondary and adult education programs, and knowledgeable about needs and opportunities related to life-long learning for people with disabilities.
* Representatives of nonprofit organizations that provide services and/or advocate on behalf of individuals with disabilities.

**Section 4. Ex-officio members of the Commission** The Commissioner of Labor or a designee, the Commissioner of Health and Human Services or a designee, the Commissioner of Education or a designee, the Commissioner of Transportation or a designee, the Commissioner of Corrections or a designee, and the Commissioner of Economic and Community Development or a designee are nonvoting ex-officio members of the Commission.

**Section 5. Member responsibilities** Members are responsible for attending Commission meetings, reading materials and staying informed, and promoting disability-related and other workforce goals in other settings. Members may advocate for policies that have been rejected or not adopted by the Commission, the State Workforce Board or its Policy Committee, but must make it clear in such cases that they are not speaking as members of the Commission or the State Workforce Board.

**Section 6. Removal** If a Commission member fails to attend any three consecutive unexcused meetings or otherwise contribute to the work of the Commission or State Workforce Board over a 12-month period, the Commission may request that the Chair of the State Workforce Board remove the member from the Commission. After two consecutive unexcused absences, the Chair of the Commission will notify the member that a third unexcused absence will result in a request of the State Workforce Board Chair to remove the member from the Commission.

Commission members who knowingly violate the Commission’s conflict of interest standard of conduct will be removed from Commission membership (Article IV Section 9 of these By Laws).

**Section 7.** **Replacement** If a Commission member resigns or must be otherwise be replaced, the new appointment shall follow the same procedure as that described in Section 1 above. The newly appointed member shall fill out the remainder of the departing member’s term.

**Article IV**

**Meetings of the Commission**

**Section 1. Annual meeting** There shall be an annual meeting, at which time the Commission shall receive an update on progress that has been made in the past year on disability-related workforce issues, the Commission shall take any official actions that are needed with regard to any state and federal programs, and workshops and educational programs will be held.

**Section 2. Regular meetings** The Commission shall meet at least quarterly, and more frequently as necessary, at a time and a place to be decided.

**Section 3. Special meetings** Other special meetings may be called from time to time by the Chair, as necessary

**Section 4. Announcements** Meeting notices for the Commission and all of its task groups shall be posted on the State Workforce Board website (<http://www.maine.gov/swb>) at least two weeks prior to the meeting. In addition, electronic mail to members, interested parties, and press will be sent out at least one week before any meeting of the Commission.

Members of the public who are not Commission members may be added to this mailing list upon request.

**Section 5. Quorum** A quorum for taking action shall be the lesser of 5 members or 50% of the membership.

**Section 6. Decisions** Decisions shall be made by a vote of the majority present, when there is a quorum. In the event of a tie, the Chair will be the tie breaker.

**Section 7. Procedural rules** Decision-making votes shall be conducted according to Robert’s Rules of Order. Educational and informational portions of meetings shall be conducted according to the preference of the Chair.

**Section 8. Participation of non-members** All Commission meetings, and meetings of ad hoc task groups, are open to the public. The Chair shall provide opportunities for non-Commission members to speak on issues of concern at each meeting, either at the beginning of the meeting or as each issue is discussed, according to the Chair’s discretion.

**Section 9. Conflict of interest** Aconflict of interest arises when a Commission member, any member of that individual's (or partner’s) immediate family, or an organization which employs (or is about to employ) any of the above, has a financial or other interest in the firm or organization selected for an award, grant, or contract by the Commission or the State Workforce Board. Members will refrain from voting on matters where a conflict of interest exists. Members who knowingly violate this standard of conduct will be removed from the Commission.

**Section 10. Minutes** Minutes for each meeting shall be recorded by staff to the Commission, including a listing of people in attendance. After approval at the next public meeting, finalized minutes will be posted electronically on the Commission’s website.

**Article V**

**Officers of the Commission**

**Section 1. Principal Officers**  The principal officers shall be a Chair, a Vice-chair, and if needed, a Treasurer.

**Section 2. Eligibility** Any member of the Commission may serve as Chair, though the Commission and the State Workforce Board will make additional efforts to recruit individuals to serve as Chair who have a disability, and who are either a Maine business owner or manager, or represent a Maine business organization.

**Section 3. Election** All officers shall be elected by the Commission at its annual meeting. Names of elected officers shall be then forwarded to the Chair of the State Workforce Board.

**Section 4. Term** The term of office for all officers shall be three years. Officers may be elected consecutive terms.

**Section 5. Duties** The Chair shall call meetings of the full Commission, set agendas for those meetings, and preside at such meetings. The Vice-chair shall perform the duties of the Chair in the event that the Chair is absent, resigns, or is unable to perform his or her duties. The Staff person shall oversee minutes, formal correspondence, and all other documents and records of the Commission. If a Treasurer is needed, they will be responsible for oversight, care and custody of all monies belonging to the organization and shall be responsible for such monies or securities of the organization.

**Section 6. Resignations and vacancies** If the Commission Chair wishes to resign, he/she will notify the Chair of State Workforce Board. Any other officer of the Commission may resign his or her position by notifying the Commission Chair. Unless otherwise specified in the notice, the resignation shall take effect upon receipt thereof by the Chair of the State Workforce Board. Any vacancy in any office may be filled by an election held at the next meeting of the Commission.

**Article VI**

**Relationship to the State Workforce Board**

**Section 1. Relationship** The Commission is established in Maine statute as a standing committee of the State Workforce Board.

**Section 2. Staff** The Maine Department of Labor shall provide staff support to both the Commission and the State Workforce Board.

**Section 3.** The Commission will communicate with the full Board by;

* The Commission Chair attending the State Workforce Board meetings and participating in the State Workforce Board Committee Chairs meetings with the Board Chair and
* The Commission Chair providing updates to the State Workforce Board as requested by the Board Chair.

**Article VII**

**Executive Committee**

**Section 1. Purpose** The purpose of the Executive Committee is to set priorities and guide the work of the Commission, ensuring that the duties specified in the State of Maine statute are achieved.  **Section 2. Membership** The Executive Committee shall be comprised of the principal officers of the Commission, namely the Chair, Vice-Chair, and Treasurer if needed. **Section 3. Authority**  The Executive Committee has the authority to act on behalf of the Commission in urgent matters that cannot wait for full Commission action. The Executive Committee determines the agenda for Commission meetings, frames issues for Commission discussion, develops annual work plans, and guides and monitors the work of ad hoc work groups.

**Section 4. Decisions** Decisions shall be made by consensus of the Committee; in any case where a consensus cannot be reached, a decision shall be made according to the Chair’s discretion.

**Article VIII**

**Ad hoc Committees**

**Section 1. Defined** Ad hoc committees are those subgroups of the Commission that are not required by law. These may include, but are not limited to, a Research Committee, a Public Events Planning Committee, a Policy and Legislation Committee, and a Membership Recruitment and Public Relations Committee.

**Section 2. Established** Ad hoc committees shall be established by a vote of the Commission at its Annual Meeting, or as needed during the course of the year by majority vote at any regular Commission meeting.

**Section 3. Temporary Committees** From time to time, the Chair of the Commission may set up a time-limited subcommittee to work on a particular task. Such subcommittees may have any structure, but shall serve strictly in an advisory capacity to the Commission.

**Article IX**

**Approval and Amendments**

**Section 1. Adoption and Amendment** These by-laws shall be adopted, and may be amended at any time, by the Commission. Amendments must be approved by the full Commission in accordance with procedures for major vote requirements (Article IV of these By-Laws).

**Section 2. State Workforce Board review** Copies of approved amendments to these By-Laws will be provided to the Policy Committee of the State Workforce Board. In the event that the Board finds that the By-Laws or any amendment to the By-Laws conflict with statutory requirements related to the relationship between the Board and the Commission, the Board may direct the Commission to modify the amended By-Laws to remedy this conflict.