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SOUTHEASTERN WISCONSIN WORKFORCE DEVELOPMENT AREA

BY-LAWS OF THE SOUTHEASTERN WISCONSIN
TRI-COUNTY CEO CONSORTIUM UNDER THE WORKFORCE INNOVATION AND
OPPORTUNITY ACT
The successor to the
WORKFORCE INVESTMENT ACT

Preamble

WHEREAS, the Counties of Kenosha, Walworth and Racine, have duly constituted themselves to be the Southeastern Wisconsin Tri-County CEO Consortium (hereinafter referred to as the "Consortium"); and

WHEREAS, the Consortium has been duly authorized by the Charter of the Southeastern Wisconsin Tri-County CEO Consortium to adopt bylaws for said consortium;

NOW, THEREFORE, the Consortium does hereby adopt the following bylaws:

ARTICLE I
CONSORTIUM ESTABLISHED

The counties aforementioned, under Section 66.30, Wisconsin Statutes do hereby constitute themselves to be a consortium for the purpose of Sec 107 (c) of the Workforce Innovation and Opportunity Act the successor to Section 117(c)(1)(B) of Public Law 105-220, the Workforce Investment Act.

ARTICLE II
GOVERNANCE

A. CONSORTIUM

The Consortium shall be governed by three members (hereinafter, the "Commissioners"), which shall consist of the Chief Local Elected Official of each member county or the designee thereof, as provided hereinafter.

1. The County Executive shall be the Local Elected Official (LEO) of any county having a County Executive. In all other counties, the County Board Chairperson shall be the LEO.
2. The appointment of any Commissioner designated by the county executive or the chairperson of the county board of any member county shall be subject to confirmation by the county board of said county. Notice of confirmed appointments shall be filed in writing with the other Commissioners.

The designee must be an elected official or staff of that Chief Local Elected Official.

3. The appointed Commissioner shall be an elected or appointed official of the county represented, and shall serve a term concurrent with the term of the LEO making the appointment. Should the appointee vacate his or her county office, his or her seat on the Consortium shall be deemed vacant until the LEO assumes the position or a new appointment is made.
4. No alternates, other than the Commissioner designated hereunder, shall be permitted as a Commissioner.

B. OFFICERS

1. The Consortium shall elect the Chief Local Elected Official (hereafter, CLEO) who will serve as the Chairperson of the Consortium. The other Commissioners will serve as Vice-Chairpersons.
2. The CLEO shall designate the Fiscal Agent for the Southeastern Wisconsin Tri-County CEO Consortium for the receipt of all funds provided pursuant to the Act. The CLEO and the Fiscal Agent shall enact a signed agreement delineating the responsibilities and reporting requirements of the Fiscal Agent. The COUNTIES shall be liable for any misuse of the grant funds allocated to their local area under 29 USC 32.3163 and 29 USC 32.3173. The Fiscal Agent will operate with the administrative funds in the WIOA budget approved by the Consortium and Southeastern Wisconsin Workforce Development Board. The Fiscal Agent shall disburse funds to providers through approved executed contracts based on the WIOA approved budget.
3. The Chairperson shall preside over meetings of the Consortium, appoint all committees created by the consortium, be responsible for the management of the affairs of the Consortium, and serve as the Consortium Chief Elected Official (CLEO) as authorized in WIOA Sec 107 (c)(1)(B)(i). The Chairperson (CLEO) shall sign all documents and contracts that require the CLEO signature.
4. One of the Vice-Chairpersons shall perform the duties of the Chairperson in his/her absence or disability.
5. The designated Fiscal Agent is responsible for keeping the records of the Consortium. Thereby responsible for the taking, recording, duplicating, distribution and filing of all minutes of the Consortium and for keeping on file all official public records, including fiscal records, and correspondence of the Consortium or its members, upon request thereof.

C. COMMITTEES:

1. The Consortium may create such committees as are needed to effectively administer the provisions of 29 USC.
2. All committees authorized hereunder shall report to the Consortium.

D. POWER OF THE CONSORTIUM:

The powers granted to the LEO's in a consortium of local units of government under 29-USC, include:

1. Establishment of the initial Southeastern Wisconsin Workforce Development Board (hereafter, SE WI WDB) under 29 USC 32.3122 of the Act, and any applicable agreements pursuant to Article III E of these bylaws.
2. Entering into planning and operations procedural agreements with the SE WI WDB for local board functions under 29 USC 32.3122 of the Act and as detailed in WIOA Section 107 9(d) 1-13.
3. Approval of the Local Plan, jointly with the SE WI WDB, under Section 107 (d) of the Act.
4. Jointly with the SE WI WDB, approval of the distribution of awarded funds to the providers awarded contracts by the Fiscal Agent through the RFP process.
5. Exercise such other powers and establish such policies under the Act as may be necessary and proper in order to carry out the foregoing powers.

ARTICLE III PROCEDURAL RULES

- A. RULES OF ORDER: Robert Rules of Order, Newly Revised, shall govern the proceedings of the Consortium insofar as they do not conflict with applicable law, administrative rules or these Bylaws.
- B. QUORUM:
 - 1) A quorum shall consist of a majority of the Commissioners duly representing member Counties.
- C. AGREEMENTS, PLANS AND BUDGETS: All agreements, local plans, and budgets for the administration of programs under 29 USC requiring Consortium approval, and any amendments thereto, shall be approved by CLEO and he reserves the right to call a meeting of the consortium for the purpose of voting on any approval. If a meeting is called, the majority vote of the Commissioners present at a meeting of the Consortium shall be required prior to execution by the Chairperson.
- D. MEETINGS: Regular meetings may be established by the Commissioners or may be called by the Chairperson when deemed necessary. Attendance through technology, phone or Web-based, may be used for voting purposes. The Chairperson may cancel any meeting so called if he/she deems that the business is not sufficient to warrant it, with the consent of a majority of the Commissioners.
- E. SE WI WDB APPOINTMENTS and MEMBERSHIPS:

The members of the SE WI WDB shall be appointed by the Chief Local Elected Official (herein after, the CLEO) of the Southeastern Wisconsin Tri-County CEO Consortium (herein after, the Consortium), comprised of the local elected officials (LEOs) of the Southeastern Wisconsin Workforce Development Area. Membership of the SE WI WDB shall be selected in accordance with criteria established under the Workforce Innovation and Opportunity Act, Sections 107(a) and 107(b).

Board Composition: The SE WI WDB is composed to comply with WIOA and Wisconsin Department of Workforce Development (DWD) requirements. Alternate members shall not be appointed or designated. SE WI WDB members may be appointed as a representative of more than one entity if the individual meets all the criteria for representation for each entity represented.

1. Workforce Board Nomination / Appointment Process

- a. The CLEO of the Consortium shall make all appointments to the SE WI WDB based on nominations received in accordance with the Act.
- b. All appointments to the SE WI WDB shall be for three (3) years or when filling a vacancy, for the remaining time of the unexpired term. Board terms shall be staggered to ensure that no more than 1/3 of the membership expire in a given year.
- c. As allowed under the Act, additional members may be appointed to the SE WI WDB as the CLEO and the Consortium deem appropriate.
- d. The Board Administrator shall notify the CLEO of a board vacancy and its intent to recruit nominations from the appropriate entity(s) as required in the Act.
- e. The nomination process will be managed by the SE WI WDB Administrator.
- f. Application packets of vetted candidates will be given to the CLEO for nomination.
- g. Business Majority:

A majority of the members, at least fifty-one (51%), must be representatives of businesses in the local area, who:

- 1) Are business owners, chief executive officers, chief operating officers, or other individuals with optimum policymaking or hiring authority;
- 2) Represent businesses, including small business, or organizations representing businesses that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in demand industry sectors or occupations in the local area; and
- 3) Are appointed from among individuals nominated by local business organizations and business trade organizations.

h. Workforce:

Not less than twenty (20%) percent of the members of the local board shall be representatives of the workforce (Labor, Community Based Organization and Youth Serving Organizations) within the local area;

- 1) Shall include representatives of labor organizations (for a local area in which employees are represented by labor organizations), who have been nominated by local labor federations, or (for a local area in which

no employees are represented by such organizations) other representatives of employees;

- 2) Shall include a representative, who shall be a member of a labor organization or a training director, from a joint labor-management apprenticeship program, or if no such joint program exists in the area, such a representative of an apprenticeship program in the area, if such a program exists;
- 3) May include representatives of community based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that serve veterans or that provide support competitive integrated employment for individuals with disabilities; and
- 4) May include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.

i. Education & Training:

The board shall include representatives of entities administering education and training activities in the local area:

- 1) Shall include a representative of eligible providers administering adult education and literacy activities under Title II;
- 2) Shall include a representative of institutions of higher education providing workforce investment activities (including community colleges); and
- 3) May include representatives of local educational agencies, and of community based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment.

j. Government & Economic Development:

- 1) A representative of economic and community development entities serving the local area.
- 2) An appropriate representative from the State employment service office under the Wagner-Peyser Act (WIOA Title III) serving the local area.
- 3) An appropriate representative of Vocational Rehabilitation (WIOA Title IV) serving the local area.
- 4) An appropriate representative of Unemployment Insurance.
- 5) (OPTIONAL) There may be government and economic development representatives from agencies or entities administering programs serving the local area relating to transportation, housing, and public assistance, and/or a representative of philanthropic organizations serving the local area.

k. Other Members:

- 1) Other members may be appointed as appropriate.

F. RECORDS: All records of the Consortium shall be kept at the office of the Fiscal Agent. The Fiscal Agent shall use their organization's guidelines for public record accessibility and the rates to be charged for duplication.

G. VOTING:

1) Consortium:

- a. All Commissioners shall vote on all questions unless excused by the Consortium for a conflict of interest. The member shall obtain Consortium consent prior to any recorded vote in order to abstain.
- b. A recorded vote shall be taken by roll call at the request of any Commissioner upon any question before the Consortium.

ARTICLE IV
AMENDMENTS TO BYLAWS

A. AMENDMENTS:

- 1) Amendments may be proposed to the Bylaws in writing by any Commissioner. Adoption shall require approval by the recorded unanimous vote of those present at a meeting of the Consortium.
- 2) Copies of all proposed amendments shall be furnished to each member at least ten (10) days prior to consideration.

ARTICLE V
RATIFICATION

A. RATIFICATION:

- 1) These Bylaws shall be effective upon adoption by recorded vote of 2/3 of those present at a meeting of the Consortium called for such purpose.