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BY-LAWS OF THE  
SOUTHEASTERN WISCONSIN WIOA CONSORTIUM/SE WI WORKFORCE DEVELOPMENT BOARD  
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 WIOA Consortium; and

WHEREAS, the Consortium has been duly authorized by the Charter of the Southeastern Wisconsin WIOA 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 will elect the Chief Local Elected Official (CLEO) who will serve as the Chairperson of the Consortium. The other Commissioners will serve as Vice-Chairpersons.
2. The CLEO will designate the Administrative and Fiscal agent for the Tri-County Consortium for the receipt of all funds provided pursuant to the Act. The CLEO and the Administrative and Fiscal Agent will enact a signed agreement delineating the responsibilities and reporting requirements of the Administrative and 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 shall disburse program funds to vendors in each county per executed contracts based on the agreed upon formula. The Administrative and Fiscal Agent will operate with the administrative funds budget approved by the Consortium/Southeastern Wisconsin Workforce Development Board.
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 as authorized in WIOA Sec 107 (c)(1)(B)(i). The Chairperson 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 Administrative 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 with the Southeastern Wisconsin Workforce Development Board (hereinafter, SE WI WDB) as are needed to effectively administer the provisions of 29 USC.
- ~~2.~~ All committees authorized hereunder shall report to the SE WI WDB.

#### 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. Appointment of the SE WI WDB under 29 USC 32.3122 of the Act, and any applicable agreements and 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. The Commissioners and the SE WI WDB will name One-Stop Operators through an RFP process and terminate for cause, if necessary, of said operators under Section 121 (d)(2)(A).
4. Approval of the Local Plan, jointly with the SE WI WDB, under Section 107 (d) of the Act.
5. Jointly with the SE WI WDB, approval of the distribution of funds awarded to the SE WI WDB to the counties per the formula in the CEO Consortium Agreement's Attachment A.
6. 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.
  - 2) A majority of the current membership, or approved alternates per section III (E.)(5.)(f) in this document, of the SE WI WDB is required to be in attendance for the purpose of conducting business.
- 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 majority vote of the Commissioners present at a meeting of the Consortium prior to execution by the Chairperson.
- D. MEETINGS: Regular meetings shall 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:
1. All regular appointments to SE WI WDB positions shall be made by the Consortium's CLEO in accord with 29 USC and WIOA Sec. 107(b) and State Policy 1.4. Terms will be for three years and may be renewable.

2. Notification of a board vacancy is made to the WDB Administrator via mail or email. Contact will be made to Chambers and Business Organizations for nominations. After vetting, the nominations will be forwarded to the Chief Local Elected Official for appointment. All appointments to fill vacancies on the SE WI WDB shall be made by the Consortium for the balance of the unexpired term.
3. All Consortium appointments shall require the approval by the recorded vote of a majority of the Consortium members present based on the rules and procedures set forth herein.
4. SE WI WDB meetings shall allow attendance through technology, phone or Web-based, for voting purposes. SE WI WDB meetings shall be convened whenever possible for the time, location and convenience of the board members. Agenda input shall be regularly solicited to ensure members' engagement and active participation.
5. The following rules shall apply to the appointment of the members of the Southeastern Wisconsin Workforce Development Board:
  - a) Employer membership shall mirror the labor market of the Tri-County Area;
  - b) The LEO's shall appoint employer members as nominated by local business organizations and business trade associations;
  - c) Employers must comprise at least 51% membership of the SE WI WDB;
  - d) SE WI WDB shall elect an employer member as a chair to serve a three year term to preside over the SE WI WDB.
  - e) SE WI WDB shall elect a Vice Chair to serve a three year term to preside in the capacity of the chair when the chair is not present.
  - f) In the course of the SE WI WDB operation, a single alternate member may be appointed at the direction of the Consortium to represent the official appointee to the WDB. Such requests for alternate representation must be submitted in writing or electronic communication to the Consortium Chair and the SE WI WDB Administrator prior to the start of an official meeting of the SE WI WDB and acted upon by the Consortium CLEO at a properly convened meeting. Such appointed alternates may attend meetings, be counted toward quorum and may vote in place of the appointed member.
  - g) The Southeastern Wisconsin Workforce Development Board membership shall include not less than 20% of representatives from Labor Organizations, Community Based Organizations and Youth Serving Organizations. The remaining board members shall be from Education and Training entities, Economic Development Organizations, required Government representatives and other local entities.

#### F. COMMITTEES:

- a. The Executive Committee of the Southeastern Wisconsin Workforce Development Board shall consist of the three Commissioners (CEO's) and the Chair of the SE WI WDB who is an ex officio member. The Executive Committee of the SE WI WDB will have authority to act on behalf of the board, if necessary, due to time constraints.

- b. Subcommittees may be established to address specific workforce or legislative issues. Any committee established will have a chair appointed by the Chair of the SE WI WDB and will report to the full board.
- G. RECORDS: All records of the Consortium shall be kept at the office of the Administrative Agent. The Administrative Agent shall use their organization’s guidelines for public record accessibility and the rates to be charged for duplication.
- H. 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.
  - 2) Workforce Development Board:
    - a. All Workforce Development Board members shall vote on all questions unless excused by the Chairperson for a conflict of interest. The member shall obtain Chairperson 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 Workforce Development Board member upon any question before the Workforce Development Board.

ARTICLE IV  
AMENDMENTS TO BYLAWS

- A. Consortium:
- 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.
- B. Workforce Development Board:
- 1) Amendments to Bylaws pertaining to the SE WI WDB may be proposed to the Bylaws in writing by any Workforce Board member. Adoption shall require approval by the Consortium Executive Committee and by the recorded 75% vote of members present at a meeting of the SE WI WDB.
  - 2) Copies of all proposed amendments shall be furnished to each member at least ten (10) days prior to consideration.

ARTICLE V  
RATIFICATION

- A. Consortium:

- 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.
- B. Workforce Development Board
- 1) These Bylaws shall be effective upon adoption by recorded vote of a majority of those present at a meeting of the SE WI WDB called for such purpose.