



Governor's Council on Workforce Investment

BY-LAWS

ARTICLE I. Name

The name of the organization shall be the Governor's Council on Workforce Investment.

ARTICLE II. Authority

By authority of 29 U.S.C. §3111, these by-laws are issued by the Governor. In accordance with the Workforce Innovation and Opportunity Act (WIOA), 29 U.S.C. §3111 and Wisconsin Executive Order #152, the Governor's Council on Workforce Investment shall serve as the duly-designated state workforce board for the State of Wisconsin.

ARTICLE III. Organization

3.1 Membership

Pursuant to Executive Order #152 and 29 U.S.C. §3111 of the Workforce Innovation and Opportunity Act (WIOA) and other relevant federal regulations, the Council shall be comprised of:

- (1) The Governor or his/her designee;
- (2) Representatives of businesses or organizations that represent businesses in the state;
- (3) Representatives of employees, including representatives of labor organizations;
- (4) Representatives of government, including state officials responsible for the WIOA's core programs and chief elected officials;
- (5) A member from each party of each chamber of the state legislature, appointed by the presiding officer from their respective chamber; and
- (6) Any other members as the Governor may appoint.

3.2 Appointment

(1) Council Members

- (a) The members of the Council are appointed by the Governor, except legislative representatives who are appointed by the presiding officer of their respective chamber. Any vacancy will be filled in accordance with 29 U.S.C. §3111.
- (b) The Department of Workforce Development shall solicit candidates for any open positions on the Council from trade associations and chambers of commerce for business representatives,

and shall work with the Governor's Office to identify potential candidates for other open positions in line with 29 U.S.C. §3111.

- (c) All candidates shall be nominated and appointed according to the appointment process prescribed by the Governor's Office for gubernatorial appointees.

(2) Designees

- (a) The Governor may be represented by a designee at any meeting of the Governor's Council on Workforce Investment and that designee's attendance shall constitute attendance by the Governor for quorum purposes. A person attending a board meeting as a designee of the Governor is authorized to vote on behalf of the Governor.
- (b) Council members may select an official designee to attend Council meetings they are unable to attend. All designees must be otherwise eligible to serve as Council members under 29 U.S.C. §3111 and 20 C.F.R. 679.110 (d)(4) and must abide by all conflict of interest provisions required of Council members as a condition of their designee status. Any member who wishes to identify a designee must convey the name and any other requested information in writing in advance of any Council meeting to the Council Executive Director and Council Chair for approval. Only an approved designee may participate fully, count towards a member's attendance and CWI quorum, and vote at Council meetings.

(3) Terms

- (a) Each business representative shall be appointed for a term of six (6) years. Of the business representatives initially appointed upon the reconstitution of the Council on July 1, 2015, the Chair, in consultation with the Governor, shall identify one-third to serve a term of two years, one-third to serve a term of four years, and one-third to serve a term of six years.
- (b) The Governor may choose to reappoint any Council member upon the expiration of their term on the Council.
- (c) Legislative members shall serve a term ending upon the commencement of the next legislative session following their appointment.
- (d) Members who are not business representatives and serve by virtue of their position shall serve on the Council for the duration of their time in that position.

(4) Termination and Resignation

- (a) The Governor may terminate the appointment of any member, other than those who are legislative appointments or are state or university officials who serve by virtue of their position, who has had two (2) unexcused absences in one year.
- (b) Any member may resign from the Council by submitting a letter of resignation to the Governor and Council Executive Director. The resignation shall become effective on the date specified in the resignation letter.
- (c) Council members, who due to job change or other reasons no longer represent the sector from which they were appointed, may continue to serve until their replacement is appointed

unless continued membership is determined by the Council Executive Director to violate 29 U.S.C. §3111 or any relevant federal regulations.

- (d) Elected officials shall immediately forfeit their appointment if they are no longer serving in the elected office they were appointed to represent.
- (e) Members who are not business representatives and serve by virtue of their position shall immediately forfeit their appointment if they are no longer serving in the position through which they have served on the Council.

3.3 Voting

Only Council members appointed under Section 3.2(1) of these by-laws, or individuals designated under Section 3.2(2) of these by-laws, are voting members of the Council. Each member of the Council shall have one vote.

3.4 Conflict of Interest

- (1) Council members are state public officials as defined by ss. 19.42, Wis. Stats., and are subject to ss. 19.46, Wis. Stats., concerning conflict of interest prohibitions, including a prohibition on:
 - (a) Taking any official action substantially affecting a matter in which the official, a member of his or her immediate family, or an organization with which the official is associated has a substantial financial interest; and
 - (b) Using his or her office or position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the official, one or more members of the official's immediate family either separately or together, or an organization with which the official is associated.
- (2) 29 U.S.C. §3111 further requires that a member of the Council may not vote on a matter under consideration regarding the provision of services by the member or by an entity that the member represents or that would provide direct financial benefit to the member of the immediate family of the member. In addition, members may not engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the State plan.

3.5 Staffing of the State Council

The Wisconsin Department of Workforce Development (DWD) shall provide staff and administrative support for the Council.

ARTICLE IV. Officers and Executive Director

4.1 Council Chair

The Chair of the Council shall be appointed by the Governor, from among those members who are business representatives, to serve at his/her pleasure in accordance with 29 U.S.C. §3111(c).

4.2 Vice Chair

The Vice Chair of the Council shall be appointed by the Governor, from among those members who are business representatives, to serve at his/her pleasure in accordance with 29 U.S.C. §3111(c). The Vice Chair shall, in the absence of the Chair, have all the authority and responsibilities of the Chair.

4.3 Council Executive Director

The Secretary of the Department of Workforce Development shall serve as the Council's Executive Director.

ARTICLE V. Meetings and Annual Meeting

5.1 Frequency

The Council shall meet at least four times a year. Meetings shall be scheduled at the call of the Chair. One meeting per year shall be designated as the Council's "Annual Meeting," at which interested workforce system stakeholders shall be invited to hear reports on the Council's previous year activities and the Council's plans for the upcoming year, and to offer advice to the council on current workforce-related topics.

5.2 Notice

- (1) Notice of meetings of the Council, along with an agenda of items for consideration at such meeting, shall be provided to all members at least seven days prior to the date of the meeting. Mailing by e-mail or postal mail to the member's registered address shall be deemed adequate notice.
- (2) Public notice as required under Subchapter V of Chapter 19 of the Wisconsin Statutes (also known as the Wisconsin Open Meetings Law) and 29 U.S.C. §3111(g) shall be given prior to each meeting.

5.3 Presiding Officer

The Chair shall preside at all meetings of the Council. If the Chair is absent, the Vice Chair shall preside over the meeting. If both the Chair and the Vice Chair are absent, the Council Executive Director shall preside over the meeting. The Chair shall be responsible for the management of the business of the Governor's Council on Workforce Investment.

5.4 Agenda

The Chair, in consultation with the Council Executive Director, shall determine the agenda for each Council meeting.

5.5 Quorum

A majority of Council members, or their official designees, shall constitute a quorum for the purpose of conducting official business of the Council.

5.6 Technology

A conference line shall be provided at all Council meetings and may be provided at committee meetings at the discretion of the committee chairs. Web-based meetings may also be used as deemed appropriate by the Chair.

ARTICLE VI. Committees

6.1 Executive Committee

(1) Membership

The Executive Committee shall be comprised of the Chair, Vice Chair, Executive Director, and Chairs of the standing committees. The Chair may designate additional Council members to serve on the committee at his/her pleasure.

(2) Purpose

The Executive Committee shall provide overall direction to Council activities. The Executive Committee shall also take action on matters when time does not allow issues to be addressed at a regularly scheduled Council meeting. A majority vote of the Executive Committee is required for all such actions. All actions of the Executive Committee shall be reviewed by the full Board at the next regularly scheduled meeting.

6.2 Standing Committees

(1) Purpose

The Council shall have four standing committees to formalize a structure for council members and stakeholders in Wisconsin's workforce and talent development system to actively participate in the maintenance, support and refinement of the system's activities. The committees shall consist of council members and a diverse range of stakeholders, including employers. The committees shall report to the Council and submit recommendations for approval during formal committee reports at Council meetings except when the standing committee acts on behalf of the Council based on prior authority granted by the Council for a specific purpose. The chairs of the committee shall establish appropriate rules for management of the committee's business.

(2) Committee Membership and Meetings

- (a) The Council Chair, in consultation with the Executive Committee, shall appoint the standing committee chairs and members. Committees shall consist of a majority of council members and other non-council members, as determined by the chair, one of who shall be appointed committee chair.
- (b) The committee chairs shall convene committee meetings at least 4 times per year in advance of Council meetings and as needed upon the call of the committee co-chairs.
- (c) All committee members may participate fully and vote on any matters before standing Council committees. Members of a standing committee who are not Council members shall be subject to the conflict of interest provisions of Section 3.4 of these by-laws as a condition of their membership on the committee.

(3) Workforce Innovation and Opportunity Act (WIOA) Committee

The purpose of the WIOA Committee shall be to assist the Governor in carrying out his or her statutory requirements in compliance with Federal WIOA guidelines, as listed in 20 CFR § 679.130. At least four members of the WIOA Committee shall be state officials responsible for the WIOA core programs.

(4) Partnership Development Committee

The purpose of the Partnership Development Committee shall be to assist in driving initiatives that ensures the building of workforce development system that meet the needs of both job seekers of any age and ability and employers throughout Wisconsin.

(5) Resource Alignment Committee

The purpose of the Resource Alignment Committee shall be to promote an alignment of resources to create innovative workforce and educational partnerships to effectuate game-changing reforms for the skills required in high demand fields.

(6) Strategic Initiatives Committee

The purpose of the Strategic Initiatives Committee shall be to provide oversight and management expertise on the Council's strategic plan, develop and expand strategies for partnerships in in-demand sectors and occupations, and to suggest and review strategies to enhance Wisconsin's various workforce systems.

6.3 Ad hoc and Special Committees

- (1) The Council Chair, in consultation with the Executive Committee, may establish *ad hoc* or special committees, workgroups, or task forces to assist the Council in carrying out its responsibilities. The scope, duration, and membership of the committee shall be determined by the Council Chair at the time of the appointment. At least one member of an ad hoc or special committee, workgroup, or task force must be a Council member.
- (2) All members of an ad hoc committee established under these by-laws may participate fully and may vote on any matters before the committee. Members of an ad hoc committee who are not Council members shall still be subject to the conflict of interest provisions of Section 3.4 as a condition of their membership on the committee.

6.4 Quorum

A majority of committee members shall constitute a quorum for the purpose of conducting official committee business.

6.5 Notice

- (1) Notice of meetings of the Council, standing committees, and ad hoc committees shall be provided to all members at least seven days prior to the date of the meeting, along with an agenda of items for consideration at such meeting. Mailing by e-mail or postal mail to the member's registered address shall be deemed adequate notice.
- (2) Public notice as required under Subchapter V of Chapter 19 of the Wisconsin Statutes (also known as the Wisconsin Open Meetings Law) and 29 U.S.C. §3111(g) shall be given prior to each meeting.

ARTICLE VII. Reimbursement of Expenses

Travel expenses reported by Council members, other than state, technical college, and University employees, to attend meetings of the Council or its committees or other meetings approved by the Council shall be reimbursed in accordance with the State travel reimbursement policy.

ARTICLE VIII. Amendment of By-laws

The Council, by majority vote, may recommend to the Governor changes to these by-laws.

ARTICLE IX. External Inquiries

Members of the Council shall refer all legal, legislative, and media inquiries and contacts to the Department of Workforce Development.