

BY-LAWS OF THE COUNCIL ON MIGRANT LABOR

ARTICLE I

DUTIES OF THE COUNCIL

The council on migrant labor shall:

- (1) Advise the department and other state officials on any matter affecting migrant workers.
- (2) Ascertain the conditions under which migrant workers are recruited, employed, housed and protected.
- (3) Review in July of every odd-numbered year the minimum hours guaranteed under s. 103.915 (4) (b) and recommend to the legislature any changes the Council finds necessary.
- (4) Study the coordination of federal and state statutes and rules designed to assist, serve or protect migrant workers and recommend to the Department of Workforce Development ("the Department"), legislature and other appropriate state agencies any changes in statutes or rules necessary to achieve uniformity insofar as possible between such state and federal statutes and rules
- (5) View rules submitted by the department under Wis. Stats. § 103.968. Wis. Stats § 103.968 provides, "The department shall submit every rule which it proposes to promulgate under ss. 103.90 to 103.97 to the council on migrant labor at the same time that the department files notice of its intent to promulgate the rule with the presiding officer of each house of the legislature under s. 227.19 (2). If the council disapproves the rule within 45 days after the rule is submitted, the department may not promulgate the rule, and, if promulgated, the rule is void."
- (6) Confirm committee appointments made by the chairperson.

ARTICLE II

MEMBERSHIP

Section 1. Number and Term of Service

The Council shall consist of sixteen members. Non-legislative members shall be appointed by the Governor, to serve for staggered three-year terms and shall include six representatives of employers of migrant workers and six representatives of migrant workers and their organizations.

Two members of the senate and two members of the assembly shall be appointed to act as representatives of the public. Legislative members shall be appointed as are members of standing committees and shall be equally divided between the two major political parties.

Section 2. Voting Powers

Only Council members appointed by the Governor shall have a vote on matters before the council.

Section 3. Vacancies

The Council shall keep the Governor informed of all vacancies to ensure prompt action on replacements.

Section 4. Committees

The Council may designate ad hoc committees, whose members shall be appointed by the Council Chairperson, with the approval and confirmation of the Council. The Council Chairperson shall designate one of the committee members as chairperson thereof. Committees shall make recommendations to the Council on specific tasks assigned to them.

Section 5. Executive Committee

The Executive Committee, composed of the elected officers, shall:
Approve the call of special meetings by the Chairperson.
Approve meeting agendas proposed by the Chairperson.
Approve appointment of committees by the Chairperson.

Section 6. Reimbursement for Expenses

Members of a Council shall not be compensated for their services but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

ARTICLE III

MEETINGS

Section 1. Regular Meetings

Regular meetings of the Council shall be held quarterly at such place as the Council may designate, or in the absence of designation by the Council, as the Chairperson shall designate. An annual meeting of the Council shall be held at the first meeting of each year for the purpose of electing officers. Special meetings of the Council may be called, upon notice, by the Council, the Executive Committee, or the Chairperson.

Section 2. Notice of Meetings

Notice of all meetings of the Council shall be given to each member at least seven (7) days before the time set for such meeting. When possible, materials for Council member consideration shall be provided (7) days before such meeting.

Section 3. Quorum and Action

A majority of the membership of the Council constitutes a quorum to do business, and a majority of a quorum may act in any matter within the jurisdiction of the Council.

ARTICLE IV

OFFICERS

Section 1. Officers

The Council shall elect a chairperson, vice chairperson and secretary from among its members. Any officer may be reelected for successive terms.

Section 2. Election

At its first meeting in each year every Council shall elect a chairperson, vice chairperson and secretary from its members as officers. Each officer shall hold office until his/her successor shall have been duly elected.

Section 3. Vacancies

A vacancy of an officer described under Section 1 shall be filled by the Council for the unexpired portion of the term at a special meeting called for that purpose, or at a regular meeting.

Section 4. Duties of Officers

The duties of the officers of the Council shall be as follows:

- a. **Chairperson:** The chairperson shall preside at meetings of the Council and of the Executive Committee, call meetings with the approval of the Executive Committee, prepare meeting agenda with the approval of the Executive Committee, appoint committee members with the approval of the Executive Committee and the confirmation of the Council, and be an ex-officio member of all committees. The Chairperson shall have the right to speak and to vote on all questions.
- b. **Vice-Chairperson:** In the absence of the Chairperson or in the event of his/her inability or refusal to act, the Vice-Chairperson shall perform the duties of the Chairperson, and when so acting shall have all the powers of and be subject to all restriction upon the Chairperson. The Vice-Chairperson shall perform all such duties as from time to time may be assigned to him/her by the Council.
- c. **Secretary:** The Secretary shall with the assistance of the Department of Workforce Development.
 - i. Keep the minutes of the Council's meeting
 - ii. See that all notices are duly given in accordance with the provisions of these By-laws
 - iii. Be custodian of the Council records
 - iv. Keep a register of the post office address of each member which shall be furnished to the Secretary by such member and
 - v. In general, perform all duties incident to the office of the Secretary and such other duties as from time to time may be assigned to him/her by the Council.

ARTICLE V

ADMINISTRATION ASSISTANCE BY THE DEPARTMENT

The Department of Workforce Development shall provide a liaison or liaisons from the Department to assist the Council in performing the following administrative duties:

- 1. To keep minutes of Council meetings;
- 2. To send meeting notices which should include the agenda and the minutes of the preceding meeting;
- 3. To act as a clearinghouse and contact for the Council with the Department in order to ensure appropriate Department staff are available to respond to Council questions or concerns;
- 4. The Department shall provide the Council with advance copies of its rules or proposed rules relating to Migrant Labor; and
- 5. To provide other administrative duties, with the approval of the Department, to carry out the duties of the Council.

ARTICLE VI ANNUAL REPORT

The Council shall, in August of each year, submit to the Department of Workforce Development a report on its operation during the fiscal year concluding the preceding June 30. Pursuant to Wis. Stat. § 15.09(7), the report will be on the operations of the Council.

Furthermore, this report will include any recommendations of the Council regarding issues related to migrant workers and their employers that the Council has taken notice of during the year. The Department liaison described in Article 5 shall prepare a preliminary draft report for review by the Council.

Furthermore, the report may include data and information provided by the Department to the Council under Wis. Stat. § 103.905(3). As required by Wis. Stat. § 15.09(7), the content of any final report submitted will be approved by the Council.

ARTICLE VII RULES OF ORDER

The Council shall use Roberts Rules of Order, as amended, in the conduct of its meeting.

These By-Laws may be amended or repealed, and new By-Laws may be adopted by the Council at any regular or special meeting of the Council by a majority vote of the members present and voting. Due notice shall be given to Council members along with the meeting notice.

These By-Laws were adopted by vote of the Council on January 19, 2022.