



## Legislation Text

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**File #:** 170197, **Version:** 1

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### 170197 SUBSTITUTE 1

#### ALD. ZIELINSKI

Substitute resolution expressing the City of Milwaukee's support for the continuation of the Milwaukee Workforce Development Area.

This resolution expresses the City of Milwaukee's support for the continuation of Workforce Development Area 2, established under the Wisconsin Innovation and Opportunity Act, comprising the City of Milwaukee and all of Milwaukee County. Governor Scott Walker is urged to reject Milwaukee County Executive Chris Abele's request to "return the designation of Milwaukee County as a local workforce investment area and the County Executive as the Chief Elected Official" as contrary to the requirements set forth in the Workforce Innovation and Opportunity Act governing the administration of workforce development areas. The City of Milwaukee further supports the efforts of Milwaukee's local Chief Elected Officials to negotiate an agreement to jointly govern the local board.

Whereas, In 2007, the City of Milwaukee invoked s. 116(a)(2)(A) of the Workforce Investment Act (WIA), which allows local governments with a population of 500,000 or more to automatically be designated by their state governor as workforce development areas; and

Whereas, That workforce development area became known as Workforce Development Area 2 (WDA 2), and incorporated the whole of Milwaukee County, under the leadership of Mayor Tom Barrett as the Chief Elected Official of the City of Milwaukee; and

Whereas, At the time of WDA 2's establishment in 2007, no other Chief Elected Official, including the Milwaukee County Executive, expressed an interest in participating in the duties of the Chief Elected Official of WDA 2 alongside Mayor Barrett; and

Whereas, In 2015, the federal Workforce Innovation and Opportunity Act of 2014 (WIOA) went into effect, superseding the WIA; and

Whereas, Pursuant to agreements between the Mayor and the Milwaukee Area Workforce Investment Board (MAWIB), MAWIB has served as the local grant subrecipient and administrative entity under the terms of WIA and WIOA to implement job training and employment programs within WDA 2; and

Whereas, The MAWIB is now known as Employ Milwaukee, Inc.; and

Whereas, Employ Milwaukee has unique expertise in the areas of job training and workforce development; and

Whereas, On February 7, 2017, Mayor Barrett sent a letter to Governor Scott Walker summarizing

Employ Milwaukee's successes in the areas of job training and development; and

Whereas, On April 28, 2017, Milwaukee County Executive Chris Abele sent Governor Walker a letter requesting that the Governor "return the designation of Milwaukee County as a local workforce investment area and the County Executive as the Chief Elected Official"; and

Whereas, WIOA requires that subsequent designations of workforce investment areas be granted if the local area performed successfully, sustained fiscal integrity and, if it is in a planning region, met certain additional requirements; and

Whereas, The Wisconsin Department of Workforce Development has issued guidance in its Division of Employment and Training Administrators Memo Series 15-04, dated June 30, 2015, affirming this understanding, stating "local areas that are able to demonstrate successful performance and fiscal integrity must be permitted to continue to operate and may not be re-designated without the consent of the Local Board and CEO in the local area"; and

Whereas, The National Governor's Association has also issued similar guidance in its "Workforce Innovation and Opportunity Act (WIOA) Governor/State Shall and May Provisions" publication, dated September 4, 2014; and

Whereas, Mayor Barrett on July 14, 2015, requested initial designation of WDA 2 in response to DWD Memo Series 15-04 and WIOA, 29 U.S.C. §3121(b)(2); and

Whereas, That initial designation was unanimously supported by the Governor's Council on Workforce Investment on May 2, 2016 and included in the State's submitted workforce plan in October, 2016; and

Whereas, WIOA therefore prohibits removing the designation of the current WDA 2 and re-designating the local area under the Milwaukee County name under these circumstances; and

Whereas, Chief Elected Officials are not designated by the state; but rather, are defined by the WIOA; and

Whereas, At 29 U.S.C. §3102(9), WIOA defines the term "chief elected official" as "the chief elected executive officer of a unit of general local government in a local area," and at §3102(62), defines a "unit of general local government" as "any general purpose political subdivision of a State that has the power to levy taxes and spend funds, as well as general corporate and police powers"; and

Whereas, When there is more than one Chief Elected Official in a WDA, the WIOA directs the Chief Elected Officials to specify their respective duties in an agreement, and only if the Chief Elected Officials attempt to reach an agreement and fail to do so after a reasonable effort, does the responsibility for choosing board members fall to the Governor; and

Whereas, The Mayor and the Milwaukee County Executive have not failed to reach an agreement regarding the distribution of chief elected official duties for the administration of WDA 2; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City of Milwaukee supports the continuation of WDA 2, established under the Wisconsin Innovation and Opportunity Act, comprising the City of Milwaukee and all of Milwaukee County;  
and, be it

Further Resolved, That Governor Scott Walker is urged to reject Milwaukee County Executive Chris Abele's request to "return the designation of Milwaukee County as a local workforce investment area and the County Executive as the Chief Elected Official" as contrary to the requirements set forth in the WIOA governing the administration of workforce development areas; and, be it

Further Resolved, That the City of Milwaukee supports the efforts of Milwaukee's local Chief Elected Officials to negotiate an agreement as outlined in WIOA to jointly govern the local board; and, be it

Further Resolved, That a certified copy of this resolution be sent to the office of Governor Scott Walker.

LRB168388-2  
AJF/djz  
May 18, 2017