

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Commerce and Economic Development to which was  
3 referred House Bill No. 707 entitled “An act relating to revising the delivery  
4 and governance of the Vermont workforce system” respectfully reports that it  
5 has considered the same and recommends that the bill be amended by striking  
6 out all after the enacting clause and inserting in lieu thereof the following:

7 Sec. 1. 10 V.S.A. chapter 22A is amended to read:

8 CHAPTER 22A. WORKFORCE EDUCATION AND TRAINING

9 \* \* \*

10 § 541. OFFICE OF WORKFORCE EXPANSION AND DEVELOPMENT

11 (a) There is created within the Executive Branch the Office of the  
12 Workforce Expansion and Development.

13 (b) The Office of Workforce Expansion and Development shall have the  
14 administrative, legal, and technical support of the Department of Labor.

15 (c) There shall be at least two full-time staff to accomplish the duties of the  
16 Office. One of these staff positions shall be the Executive Director of  
17 Workforce Expansion and Development, who shall be an exempt employee  
18 and who shall report to and be under the general supervision of the Governor.  
19 Another position shall be a staff member, who shall be a classified employee,  
20 who shall support the work of the Executive Director, and who shall report to  
21 and be under the general supervision of the Executive Director.

1        (d) The Executive Director of Workforce Expansion and Development

2        shall:

3            (1) coordinate the efforts of workforce development in the State;

4            (2) oversee the affairs of the State Workforce Development Board;

5            (3) work with agencies and partners to:

6                (A) develop strategies for comprehensive and integrated workforce  
7        education and training;

8                (B) manage the collection of outcome information; and

9                (C) align workforce efforts with other State strategies; and

10            (4) perform other workforce and development duties as directed by the  
11        Governor.

12        (e) The Executive Committee of the State Workforce Development Board  
13        shall, in consultation with the Department of Human Resources, suggest a set  
14        of recommended qualifications to the Governor for consideration for the  
15        position of Executive Director of Workforce Expansion and Development.

16        (f) The Governor shall appoint the Executive Director with the advice and  
17        consent of the Senate, and the Executive Committee of the State Workforce  
18        Development Board may provide a list to the Governor of recommended  
19        candidates for Executive Director.

1 § 541a. STATE WORKFORCE DEVELOPMENT BOARD; EXECUTIVE  
2 COMMITTEE

3 (a) Board established; duties. Pursuant to the requirements of 29 U.S.C. §  
4 3111, the Governor shall establish the State Workforce Development Board to  
5 assist the Governor in the execution of his or her duties under the Workforce  
6 Innovation and Opportunity Act of 2014 and to assist the Commissioner of  
7 Labor as specified in section 540 of this title.

8 \* \* \*

9 (c) Membership. The Board shall consist of the Governor and the  
10 following members who are appointed by the Governor and serve at the  
11 Governor's pleasure unless otherwise indicated, in conformance with the  
12 federal Workforce Innovation and Opportunity Act ~~and who serve at his or her~~  
13 ~~pleasure, unless otherwise indicated~~ (WIOA), and who shall be selected from  
14 diverse backgrounds to represent the interests of ethnic and diverse  
15 communities and represent diverse regions of the State, including urban, rural,  
16 and suburban areas:

17 (1) ~~the Commissioner of Labor;~~

18 ~~(2) two members~~ one member of the Vermont House of Representatives,  
19 appointed by the Speaker of the House;

20 ~~(3)(2) two members~~ one member of the Vermont Senate, appointed by  
21 the Senate Committee on Committees;

- 1           ~~(4) the President of the University of Vermont;~~
- 2           ~~(5) the Chancellor of the Vermont State Colleges;~~
- 3           ~~(6) the President of the Vermont Student Assistance Corporation;~~
- 4           ~~(7) a representative of an independent Vermont college or university;~~
- 5           ~~(8) a director of a regional technical center;~~
- 6           ~~(9) a principal of a Vermont high school;~~
- 7           ~~(10) two representatives of labor organizations who have been~~
- 8 ~~nominated by a State labor federation;~~

9           ~~(11)~~(3) two four members who are core program representatives of  
10 ~~individuals and organizations who have experience with respect to youth~~  
11 ~~activities, as defined in 29 U.S.C. § 3102(71), as follows:~~

12           (A) the Commissioner of Labor, or designee, for the Adult,  
13 Dislocated Worker, and Youth program and Wagner-Peyser;

14           (B) the Secretary of Education, or designee, for the Adult Education  
15 and Family Literacy Act program;

16           (C) the Secretary of Human Services, or designee, for the Vocational  
17 Rehabilitation program; and

18           (D) the Secretary of Commerce and Community Development or  
19 designee;

1           ~~(12)~~(4) ~~two~~ six workforce representatives of individuals and  
2 organizations who have experience in the delivery of workforce investment  
3 activities, as defined in 29 U.S.C. § 3102(68), as follows:

4           (A) two representatives from labor organizations operating in this  
5 State who are nominated by a State labor federation;

6           (B) one representative from a State-registered apprenticeship  
7 program; and

8           (C) three representatives of organizations that have demonstrated  
9 experience and expertise in addressing the employment, training, or education  
10 needs of individuals with barriers to employment, which may include:

11           (i) organizations that serve veterans;

12           (ii) organizations that provide or support competitive, integrated  
13 employment for individuals with disabilities;

14           (iii) organizations that support the training or education needs of  
15 eligible youth as described in 20 CFR § 681.200, including representatives of  
16 organizations that serve out-of-school youth as described in 20 CFR § 681.210;  
17 and

18           (iv) organizations that connect volunteers in national or State  
19 service programs to the workforce;

20           ~~(13)~~ the lead State agency officials with responsibility for the programs  
21 and activities carried out by one-stop partners, as described in 29 U.S.C. §

1 ~~3151(b), or if no official has that responsibility, representatives in the State~~  
2 ~~with responsibility relating to these programs and activities;~~

3 ~~(14) the Commissioner of Economic Development;~~

4 ~~(15) the Secretary of Commerce and Community Development;~~

5 ~~(16) the Secretary of Human Services;~~

6 ~~(17) the Secretary of Education;~~

7 ~~(18) two individuals who have experience in, and can speak for, the~~  
8 ~~training needs of underemployed and unemployed Vermonters; and~~

9 ~~(5) two elected local government officials who represent a city or town~~  
10 ~~within different regions of the State; and~~

11 ~~(19)(6) a number of appointees sufficient to constitute a majority of the~~  
12 ~~Board 13 business representatives who:~~

13 (A) are owners, chief executives, or operating officers of businesses,  
14 ~~and including nonprofits, or other business executives or employers with~~  
15 ~~optimum policymaking or hiring authority, with at least one member~~  
16 ~~representing a small business as defined by the U.S. Small Business~~  
17 ~~Administration;~~

18 (B) represent businesses with employment opportunities that reflect  
19 in-demand sectors and employment opportunities in the State; and

20 (C) are appointed from among individuals nominated by State  
21 business organizations and business trade associations.

1 (d) Operation of Board.

2 (1) Executive Committee.

3 (A) Creation. There is created an Executive Committee that shall  
4 manage the affairs of the Board.

5 (B) Members. The members of the Executive Committee shall  
6 comprise the following:

7 (i) the Chair of the Board;

8 (ii) the Commissioner of Labor or designee;

9 (iii) the Secretary of Education or designee;

10 (iv) the Secretary of Human Services or designee;

11 (v) the Secretary Commerce and Community Development or  
12 designee;

13 (vi) two business representatives, appointed by the Chair of the  
14 Board, who serve on the Board; and

15 (vii) two workforce representatives, appointed by the Chair of the  
16 Board, who serve on the Board.

17 (C) Meetings. The Chair of the Board shall chair the Executive  
18 Committee. The Executive Committee shall meet at least once monthly and  
19 shall hold additional meetings upon call of the Chair.

20 (D) Duties. The Executive Committee shall have the following  
21 duties and responsibilities:

1                    (i) recommend to the Board changes to the Board’s rules or  
2 bylaws;

3                    (ii) establish one or more subcommittees as it determines  
4 necessary and appropriate to perform its work; and

5                    (iii) other duties as provided in the Board’s bylaws.

6                    (2) Member representation and vacancies.

7                    (A) A member of the State Board may send a designee ~~that~~ who  
8 meets the requirements of subdivision (B) of this subdivision ~~(1)~~(2) to any  
9 State Board meeting, who shall count toward a quorum, and who shall be  
10 allowed to vote on behalf of the Board member for whom ~~he or she~~ the  
11 individual serves as a designee.

12                    (B) Members of the State Board or their designees who represent  
13 organizations, agencies, or other entities shall be individuals with optimum  
14 policymaking authority or relevant subject matter expertise within the  
15 organizations, agencies, or entities.

16                    ~~(C) The members of the Board shall represent diverse regions of the~~  
17 ~~State, including urban, rural, and suburban areas~~ The Chair of the Board shall  
18 provide notice within 30 days of a vacancy on the Board to the relevant  
19 appointing authority, which shall appoint a replacement within 90 days of  
20 receiving notice.





1 Workforce Expansion and Development are able to fully perform their duties  
2 under this chapter, each agency and department within State government, and  
3 each person who receives funding from the State, shall comply within a  
4 reasonable period of time with a request for data and information made by the  
5 Board, ~~or~~ the Commissioner, or the Executive Director in furtherance of their  
6 duties under this chapter.

7 (b) The Agency of Commerce and Community Development shall  
8 coordinate its work in adopting a statewide economic development plan with  
9 the activities of the Board, ~~and~~ the Commissioner of Labor, and the Executive  
10 Director.

11 Sec. 2. 2022 Acts and Resolves No. 183, Sec. 5a is amended to read:

12 Sec. 5a. REGIONAL WORKFORCE EXPANSION SYSTEM

13 \* \* \*

14 (c) System infrastructure. The Department shall make investments that  
15 improve and expand regional capacity to strengthen networks who assist  
16 jobseekers, workers, and employers in connecting.

17 (1) The Department is authorized to create up to four classified, ~~two-~~  
18 ~~year~~ limited-service positions, with funding allocated to perform the work  
19 described in this section, who shall report to the Workforce Development  
20 Division and of whom:

21 \* \* \*

1 (e) Interim report. On or before ~~January 15, 2023~~ July 15, 2025, the  
2 Department shall provide a narrative update on the progress made in hiring  
3 staff, establishing interagency agreements, developing regional information  
4 exchange systems, and supporting State-level work to expand the labor force to  
5 the House and Senate committees of jurisdiction.

6 (f) Implementation. The Department of Labor shall begin implementing  
7 the Regional Workforce Expansion System on or before ~~July 1, 2022~~  
8 September 1, 2024.

9 Sec. 3. TASK FORCE TO STUDY DATA MANAGEMENT MODELS

10 On or before December 15, 2025, the Executive Director of Workforce  
11 Development, in consultation with the Executive Committee of the State  
12 Workforce Development Board and the Agency of Digital Services, shall issue  
13 a written report to the House Committee on Commerce and Economic  
14 Development and the Senate Committee on Economic Development, Housing  
15 and General Affairs regarding the development of a data trust as outlined in  
16 model three of the final report of the State Oversight Committee on Workforce  
17 Expansion and Development pursuant to 2022 Acts and Resolves No. 183,

18 Sec. 5. The report shall include:

19 (1) a recommendation on audience, partners, use cases, outcomes, and  
20 data required for future workforce, education, and training programs;

1           (2) a detailed review of the current availability of public and private  
2           workforce development and training data, education data, and demographic  
3           data, including the integration of data between the State’s workforce  
4           development and training programs and private programs funded through State  
5           funding dollars;

6           (3) a summary of the progress made in the development of data-sharing  
7           relationships with the stewards of identified data sets;

8           (4) draft legislative language for the creation of a data tool;

9           (5) the amount of funding necessary to establish and maintain the use of  
10          a data tool; and

11          (6) a summary of other efforts across State government and through the  
12          Agency of Digital Services regarding the development of data trusts, along  
13          with best practices identified through those efforts.

14          Sec. 4. WORKFORCE EDUCATION AND TRAINING LEADERSHIP  
15                  WORKING GROUP

16          (a) Creation. There is created a working group to review and propose  
17          changes to the leadership and duties set forth in 10 V.S.A. § 540.

18          (b) Membership. The working group shall be composed of the following:

19                  (1) the Executive Committee of the State Workforce Board; and

20                  (2) the Executive Director of Workforce Expansion and Development.

21          (c) Meetings.

1           (1) Chair. The Chair of the State Workforce Board shall initially chair  
2           the working group and shall call the first meeting of the working group to  
3           occur on or before October 1, 2024. The Executive Director of Workforce  
4           Expansion and Development shall, upon hire, solely chair the working group.

5           (2) A majority of the membership shall constitute a quorum.

6           (3) The working group shall meet not more than eight times.

7           (d) Powers and duties. The working group shall review 10 V.S.A. § 540  
8           and engage with workforce development stakeholders to:

9           (1) evaluate the effectiveness of the current language in statute;

10           (2) determine, due to changes in the State Workforce Board as set forth  
11           in this act, how the authorities and responsibilities for the coordination of  
12           workforce education and training set forth in 10 V.S.A. § 540 should be  
13           modified to ensure there is effective and comprehensive leadership in  
14           workforce development, education, and training between the Commissioner of  
15           Labor, the Executive Director of the Office of Workforce Expansion and  
16           Development, and any other relevant authorities.

17           (3) provide a clear delineation of author

18           (e) Reporting.

19           (1) Progress report. The working group shall submit a written progress  
20           report to the House Committee on Commerce and Economic Development and  
21           the Senate Committee on Economic Development, Housing and General

1 Affairs updating the committees on its progress on the work set forth in this  
2 section on or before April 1, 2025.

3 (2) Final report. The working group shall submit a written report to the  
4 House Committee on Commerce and Economic Development and the Senate  
5 Committee on Economic Development, Housing and General Affairs with its  
6 final recommendations based on the analysis conducted pursuant to this section  
7 on or before November 1, 2025.

8 (f) Compensation and reimbursement.

9 (1) Unless otherwise compensated by the member’s employer for  
10 performance of the member’s duties on the working group, a nonlegislative  
11 member of the working group shall be entitled to per diem compensation and  
12 reimbursement of expenses as permitted under 32 V.S.A. § 1010.

13 (2) Payments to members of the working group authorized under this  
14 subsection shall be made from monies appropriated to the Department of  
15 Labor.

16 (g) Expiration. The working group shall cease to exist on December 31,  
17 2025.

18 Sec. 5. STATE WORKFORCE DEVELOPMENT BOARD TRANSITION

19 PERIOD

1       (a) An appointing authority for the State Workforce Development Board  
2       pursuant to 10 V.S.A. § 541a(c) shall make all appointments as required to the  
3       Board on or before September 1, 2024.

4       (b) A member of the State Workforce Development Board on June 30,  
5       2024, except for the Governor, and unless appointed or placed on the Board  
6       after the passage of this act pursuant to 10 V.S.A. § 541a(c), shall cease being  
7       a member of the Board on July 1, 2024.

8       (c) Notwithstanding subsection (b) of this section, an appointing authority  
9       pursuant to 10 V.S.A. § 541a(c) may reappoint the same individual as a  
10       member to the Board after passage of this act.

11       (d) Members of the Board appointed by the Governor shall serve initial  
12       staggered terms with eight members serving three-year terms, eight members  
13       servng two-year terms, and seven members serving one-year terms.

14       (e) The Governor shall appoint a chair of the Board pursuant to 10 V.S.A.  
15       § 541a(d)(3) on or before August 1, 2024.

16       (f) The Board shall amend the Board’s WIOA Governance Document to  
17       align it pursuant to the terms of this act on or before February 1, 2025.

18       Sec. 6. EFFECTIVE DATE

19       This act shall take effect on July 1, 2024.

20  
21

1

2 (Committee vote: \_\_\_\_\_)

3

\_\_\_\_\_

4

Representative \_\_\_\_\_

5

FOR THE COMMITTEE