

1 TO THE HONORABLE SENATE:

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

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

9 CHAPTER 22A. WORKFORCE EDUCATION AND TRAINING

10 * * *

11 § 541. OFFICE OF WORKFORCE EXPANSION AND DEVELOPMENT

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

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

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

1 employee, who shall support the work of the Executive Director, and who shall
2 report to and be under the general supervision of the Executive Director.

3 (d) The Executive Director of the Office of Workforce Expansion and
4 Development shall:

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

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

7 (3) work with State agencies and private partners to:

8 (A) develop strategies for comprehensive and integrated workforce
9 education and training;

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

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

12 (4) perform other workforce development duties as directed by the
13 Governor.

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

18 § 541a. STATE WORKFORCE DEVELOPMENT BOARD; EXECUTIVE
19 COMMITTEE

20 (a) Board established; duties. Pursuant to the requirements of 29 U.S.C.

21 § 3111, the Governor shall establish the State Workforce Development Board

1 to assist the Governor in the execution of his or her duties under the Workforce
2 Innovation and Opportunity Act of 2014 and to assist the Commissioner of
3 Labor as specified in section 540 of this title.

4 * * *

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

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

14 (2) ~~two members~~ one member of the Vermont House of Representatives,
15 who shall serve for the duration of the biennium, appointed by the Speaker of
16 the House;

17 (3) ~~two members~~ one member of the Vermont Senate, who shall
18 serve for the duration of the biennium, appointed by the Senate Committee on
19 Committees;

20 (4) ~~the President of the University of Vermont;~~

21 (5) ~~the Chancellor of the Vermont State Colleges;~~

1 ~~(6) the President of the Vermont Student Assistance Corporation;~~

2 ~~(7) a representative of an independent Vermont college or university;~~

3 ~~(8) a director of a regional technical center;~~

4 ~~(9) a principal of a Vermont high school;~~

5 ~~(10) two representatives of labor organizations who have been~~
6 ~~nominated by a State labor federation;~~

7 ~~(11)(3) two four members who are core program representatives of~~
8 ~~individuals and organizations who have experience with respect to youth~~
9 ~~activities, as defined in 29 U.S.C. § 3102(71), as follows:~~

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

12 ~~(B) the Secretary of Education, or designee, for the Adult Education~~
13 ~~and Family Literacy Act program;~~

14 ~~(C) the Secretary of Human Services, or designee, for the Vocational~~
15 ~~Rehabilitation program; and~~

16 ~~(D) the Secretary of Commerce and Community Development or~~
17 ~~designee;~~

18 ~~(12)(4) two six workforce representatives of individuals and~~
19 ~~organizations who have experience in the delivery of workforce investment~~
20 ~~activities, as defined in 29 U.S.C. § 3102(68), as follows:~~

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

3 (B) one representative from a State-registered apprenticeship
4 program; and

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

8 (i) organizations that serve veterans;

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

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

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

17 ~~(13) the lead State agency officials with responsibility for the programs~~
18 ~~and activities carried out by one-stop partners, as described in 29 U.S.C. §~~
19 ~~3151(b), or if no official has that responsibility, representatives in the State~~
20 ~~with responsibility relating to these programs and activities;~~

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

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

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

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

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

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

8 ~~(19)(6) a number of appointees sufficient to constitute a majority of the~~
9 ~~Board~~ 13 business representatives who:

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

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

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

19 (d) Operation of Board.

20 (1) Executive Committee.

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

3 (B) Members. The members of the Executive Committee shall
4 comprise the following:

5 (i) the Chair of the Board;

6 (ii) the Commissioner of Labor or designee;

7 (iii) the Secretary of Education or designee;

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

9 (v) the Secretary Commerce and Community Development or
10 designee;

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

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

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

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

20 (i) recommend to the Board changes to the Board's rules or
21 bylaws;

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

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

4 (2) Member representation and vacancies.

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

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

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

19 ~~(2)~~(3) Chair. The Governor shall select a chair for the Board from
20 among the business representatives appointed pursuant to subdivision
21 ~~(c)(18)~~(6) of this section.

1 ~~(3)~~(4) Meetings. The Board shall meet at least three times annually and
2 shall hold additional meetings upon call of the Chair.

3 ~~(4)~~(5) Committees; work groups; ad hoc committees. The Chair, in
4 consultation with the Commissioner of Labor, may:

5 (A) assign one or more members or their designees to standing
6 committees, ad hoc committees, or work groups to carry out the work of the
7 Board; and

8 (B) appoint one or more nonmembers of the Board to a standing
9 committee, ad hoc committee, or work group and determine whether the
10 individual serves as an advisory or voting member, provided that the number
11 of voting nonmembers on a standing committee shall not exceed the number of
12 Board members or their designees.

13 * * *

14 § 541b. WORKFORCE EDUCATION AND TRAINING; DUTIES OF
15 OTHER STATE AGENCIES, DEPARTMENTS, AND PRIVATE
16 PARTNERS

17 (a) To ensure the State Workforce Development Board, ~~and the~~
18 Commissioner of Labor, and the Executive Director of the Office of
19 Workforce Expansion and Development are able to fully perform their duties
20 under this chapter, each agency and department within State government, and
21 each person who receives funding from the State, shall comply within a

1 reasonable period of time with a request for data and information made by the
2 Board, ~~or~~ the Commissioner, or the Executive Director in furtherance of their
3 duties under this chapter.

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

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

9 Sec. 5a. REGIONAL WORKFORCE EXPANSION SYSTEM

10 * * *

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

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

18 * * *

19 (e) Interim report. On or before ~~January 15, 2023~~ July 15, 2025, the
20 Department shall provide a narrative update on the progress made in hiring
21 staff, establishing interagency agreements, developing regional information

1 exchange systems, and supporting State-level work to expand the labor force to
2 the House and Senate committees of jurisdiction.

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

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

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

15 Sec. 5. The report shall include:

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

18 (2) a detailed review of the current availability of public and private
19 workforce development and training data, education data, and demographic
20 data, including the integration of data between the State's workforce

1 development and training programs and private programs funded through State
2 funding dollars;

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

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

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

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

11 **Sec. 4. WORKFORCE EDUCATION AND TRAINING LEADERSHIP**

12 **REVIEW; SOCWED REAUTHORIZATION**

13 (a) Committee reauthorization. The Special Oversight Committee on
14 Workforce Expansion and Development (SOCWED) created pursuant to 2022
15 Acts and Resolves No. 183, Sec. 5 shall review and propose changes to the
16 leadership and duties set forth in 10 V.S.A. § 540 and shall suggest a set of
17 recommended qualifications to the Governor for consideration for the position
18 of Executive Director of the Office of Workforce Expansion and Development.

19 (b) Membership. The members appointed to the SOCWED pursuant to
20 2022 Acts and Resolves No. 183, Sec. 5 shall continue as members of the

1 Committee. Vacancies shall be filled by the relevant appointing authority
2 pursuant to 2022 Acts and Resolves No. 183, Sec. 5.

3 (c) Meetings.

4 (1) The State Director of Workforce Development shall call the first
5 meeting of the Committee to occur on or before June 1, 2024.

6 (2) The Committee shall select a chair from among its legislative
7 members at the first meeting.

8 (3) A majority of the membership shall constitute a quorum.

9 (4) The Committee shall meet not more than eight times.

10 (d) Powers and duties.

11 (1) The Committee, in consultation with the Office of Legislative
12 Counsel, shall review 10 V.S.A. § 540 and engage with workforce
13 development stakeholders to:

14 (A) evaluate the effectiveness of the current language in statute; and

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

1 (2) The Committee, in consultation with the Executive Committee of the
2 State Workforce Development Board and the Department of Human
3 Resources, shall develop qualifications to recommend to the Governor for
4 consideration for the position of Executive Director of the Office of Workforce
5 Expansion and Development.

6 (e) Assistance. For purposes of:

7 (1) administrative and technical support, the Committee shall have the
8 assistance of the Office of Legislative Operations;

9 (2) drafting recommended legislation, the Committee shall have the
10 assistance the Office of Legislative Counsel; and

11 (3) drafting recommended job qualifications, the Committee shall have
12 the assistance the Department of Human Resources.

13 (f) Requirements.

14 (1) The Committee shall submit recommended job qualifications
15 pursuant to subdivision (d)(2) of this section to the House Committee on
16 Commerce and Economic Development and the Senate Committee on
17 Economic Development, Housing and General on or before October 15, 2024.

18 (2) The Committee shall submit recommended legislative language
19 pursuant to subdivision (d)(1)(B) of this section to the House Committee on
20 Commerce and Economic Development and the Senate Committee on

1 Economic Development, Housing and General on or before November 30,
2 2024.

3 (g) Compensation and reimbursement.

4 (1) For attendance at meetings during adjournment of the General
5 Assembly, a legislative member of the Committee serving in the member's
6 capacity as a legislator shall be entitled to per diem compensation and
7 reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than eight
8 meetings.

9 (2) A nonlegislative member of the Committee shall be entitled to per
10 diem compensation and reimbursement of expenses as permitted under
11 32 V.S.A. § 1010 for not more than eight meetings.

12 (3) Payments to members of the Committee authorized under this
13 subsection shall be made from monies appropriated to the Department of
14 Labor.

15 (h) Expiration. The Committee shall cease to exist on January 15, 2025.

16 Sec. 5. STATE WORKFORCE DEVELOPMENT BOARD TRANSITION
17 PERIOD

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

1 (b) A member of the State Workforce Development Board on June 30,
2 2024, except for the Governor, and unless appointed or placed on the Board
3 after the passage of this act pursuant to 10 V.S.A. § 541a(c), shall cease being
4 a member of the Board on July 1, 2024.

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

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

11 (e) The Governor shall appoint a chair of the Board pursuant to 10 V.S.A.
12 § 541a(d)(3) on or before August 1, 2024.

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

15 Sec. 6. EFFECTIVE DATE

16 This act shall take effect on July 1, 2024, except that Sec. 4 shall take effect
17 on passage.

1

2

3 (Committee vote: _____)

4

5

Senator _____

6

FOR THE COMMITTEE