



December 15, 2014

Vermont Department of Labor: 2014 Report, Recommendations for §543 Amendments

Section 44 of Act 199, “The Commissioner of Labor shall submit to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs a proposal to amend the language of 10 V.S.A. § 543 to reflect best practices and improve clarity in the administration of, and for applicants to, the grant program from the Workforce Education and Training Fund (WET Fund) under that section.”

The Workforce Education and Training Fund was first created in the 1999, Act 63 - Budget Bill. It was subsequently codified in 2007 in Act 46, An act relating to the next generation initiative of workforce development through workforce development programs to provide training to Vermonters including those who are unemployed, underemployed or in transition from one job or career to another.

This fund, then and now, continues to be used for the purpose of workforce education and training to help create jobs, train Vermonters for actual job openings, improve the skills of Vermonters and provide employers with the needed workforce.

While there is no need to change the program in any significant way, certain language changes will be helpful in achieving program clarity, securing well-articulated proposals by applicants and obtaining quality outcomes.

VDOL’s recommendations for amendments:

§ 543. Workforce Education and Training Fund; grant programs

(a) Creation. There is created a Workforce Education and Training Fund in the Department of Labor to be managed in accordance with 32 V.S.A. chapter 7, subchapter 5.

(b) Purposes. The Fund shall be used ~~exclusively~~ for the following purposes:

- (1) training for Vermont workers, including those who are unemployed, underemployed, or in transition from one job or career to another; and
- (2) internships to provide students with work-based learning opportunities with Vermont employers; and
- (3) apprenticeship-related instruction, pre-apprenticeship and industry recognized credential training.
- (4) other workforce development initiatives related to current and future job opportunities in Vermont as determined by the Vermont Department of Labor;

(c) Administrative Support. Administrative support for the grant award process shall be provided by the Department of Labor. ~~Technical support~~ Support shall be provided whenever appropriate and reasonable by the State Workforce Investment Board and ~~all~~ other public entities involved in economic development and workforce education and training.

(d) Eligible Activities. Awards from the Fund shall be made to employers and entities ~~that offer programs that require collaboration between employees and businesses~~, including private, public, and nonprofit entities, institutions of higher education, high schools, technical centers, and workforce education and training programs. Funding shall be for training programs and initiatives, and including student internship programs, that create jobs, offer education, training, apprenticeship, pre-apprenticeship and industry recognized credentials, mentoring, or work-based learning activities, or any combination; that employ ~~innovative intensive~~ student-oriented ~~competency based or collaborative~~ approaches to workforce education and training; and that link workforce ~~education~~ development and economic development strategies. Training programs or projects that demonstrate actual increased income and economic opportunity for employees and employers may be funded for more than one year. Student internships and training programs that involve the same employer may be funded multiple times, ~~provided that new students participate,~~ with the specific approval of the Commissioner.

(e) [Repealed].

(f) Awards. The Commissioner of Labor, in consultation with the State Workforce Investment Board Chair, shall develop award criteria and may make awards to the following:

(1) Training Programs.

(A) Public, private, and nonprofit entities, including employers and education and training providers, for existing or new ~~innovative~~ training programs that enhance the skills of Vermont workers and:

(i) train workers for trades or occupations that are expected to lead to jobs paying at least 200 percent of the current minimum wage or at least 150 percent if benefits are included; this requirement may be waived when warranted based on regional or occupational wages or economic reality;

(ii) do not duplicate, supplant, or replace other available ~~programs~~ training funded with public money, or training that is being or would otherwise be provided by the company, including the regular on-going training needs of the employer;

(iii) ~~articulate clear goals and demonstrate readily accountable, reportable, and measurable results; and~~
provide a project time-line, including performance goals, and identify how the effectiveness and outcomes of the program will be measured, including for the individual participants, the employers, and the program as a whole.

(iv) ~~demonstrate an integrated connection between training and specific new or continuing employment opportunities.~~ clearly articulate the need for the training and the direct connection between the training and the job; and

(B) Awards under this subdivision shall be made to programs or projects that:

(i) offer innovative programs of intensive, student-centric, competency-based education, training, apprenticeship, pre-apprenticeship and industry recognized credentials, mentoring, or any combination of these;

(ii) address the needs of workers who are unemployed, underemployed, or are at risk of becoming unemployed ~~due to changing workplace demands by increasing productivity, and developing new skills for incumbent workers;~~ and workers who are in transition from one job or career to another; or

(iii) address the needs of employers to hire new employees, or re-train incumbent workers, when the employer has demonstrated a need not within the normal course of business. Priority shall be given to training which results in new or existing job openings for which the employer intends to hire.

(iv) in the discretion of the Commissioner, otherwise serve the purposes of this chapter.

(2) Vermont Career Internship Program. Funding for eligible internship programs and activities under the Vermont Career Internship Program established in section 544 of this title.

(3) Apprenticeship Program. The Vermont Apprenticeship Program established under 21 V.S.A. chapter 13. Awards under this subdivision may be used to fund the cost of instruction provided by the Department of Labor.

(g) [Repealed.] (Added 2007, No. 46, § 4, eff. May 23, 2007; amended 2007, No. 182 (Adj. Sess.), § 7, eff. June 2, 2008; 2009, No. 33, § 23; 2009, No. 54, § 9, eff. June 1, 2009; 2009, No. 1 (Sp. Sess.), § E.401.1; 2009, No. 146 (Adj. Sess.), § G14, eff. June 1, 2010; 2011, No. 52, § 13, eff. May 27, 2011; 2013, No. 199 (Adj. Sess.), § 41.)