

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 § 541a. STATE WORKFORCE DEVELOPMENT BOARD

11 \* \* \*

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

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

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

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

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

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

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

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

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

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

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

13          ~~(11)(3) two~~ four members that are core program representatives of  
14 ~~individuals and organizations who have experience with respect to youth~~  
15 ~~activities, as defined in 29 U.S.C. § 3102(71);, as follows:~~

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

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

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

1           (D) the Secretary of Commerce and Community Development or  
2           designee.

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

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

8           (B) one representative from a State registered apprenticeship  
9           program; and

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

13               (i) organizations that serve veterans;

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

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

20               (iv) organizations that connect volunteers in national or State  
21               service programs to the workforce.

1           ~~(13) the lead State agency officials with responsibility for the programs~~  
2           ~~and activities carried out by one-stop partners, as described in 29 U.S.C. §~~  
3           ~~3151(b), or if no official has that responsibility, representatives in the State~~  
4           ~~with responsibility relating to these programs and activities;~~

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

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

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

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

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

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

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

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

20                 (B) represent businesses with employment opportunities that reflect  
21          ~~in-demand sectors and employment opportunities in the State; and~~

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

3 (d) Operation of Board.

4 (1) Executive Committee.

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

7 (B) Members. The members of the Executive Committee shall  
8 comprise the following:

9 (i) the Chair of the Board;

10 (ii) the Commissioner of Labor or designee;

11 (iii) the Secretary of Education or designee;

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

13 (v) the Secretary Commerce and Community Development or  
14 designee;

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

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

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

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

3                   (i) recommend to the Board changes to the Board’s rules or  
4           bylaws;

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

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

8           (2) Member representation **and vacancies.**

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

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

18                   (C) ~~The members of the Board shall represent diverse regions of the~~  
19           ~~State, including urban, rural, and suburban areas~~

1            The Chair of the Board shall provide not less than 30 days notice of a  
2            vacancy on the Board to the relevant appointing authority, which shall appoint  
3            a replacement not later than 30 days after receiving notice.

4            ~~(2)~~(3) Chair. The Governor shall select a chair for the Board from  
5            among the business representatives appointed pursuant to subdivision  
6            (c)~~(18)~~(6) of this section.

7            ~~(3)~~(4) Meetings. The Board shall meet at least three times annually and  
8            shall hold additional meetings upon call of the Chair.

9            ~~(4)~~(5) Committees; work groups; ad hoc committees. The Chair, in  
10           consultation with the Commissioner of Labor, may:

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

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

19           \* \* \*

1     § 541c. OFFICE OF EXECUTIVE DIRECTOR OF WORKFORCE

2             EXPANSION AND DEVELOPMENT

3             (a) There is created within the Executive Branch the Office of the  
4             Executive Director of Workforce Expansion and Development to manage and  
5             coordinate the efforts of workforce development in the State and to perform  
6             other duties as directed by the Governor.

7             (b) The Office of the Executive Director of Workforce Expansion and  
8             Development shall have the administrative, legal, and technical support of the  
9             Department of Labor.

10            (c) There shall be two full-time exempt staff to accomplish the duties of the  
11            Office. One of these staff positions shall be the Executive Director of  
12            Workforce Expansion and Development, who shall report to and be under the  
13            general supervision of the Governor. The other position shall be a staff  
14            member supporting the work of the Executive Director and who shall report to  
15            and be under the general supervision of the Executive Director.

16            (d) The State Workforce Board shall, in coordination with the Department  
17            of Human Resources, set the minimum qualifications for the position of  
18            Executive Director of Workforce Expansion and Development.

19            (e) The Governor shall appoint the Executive Director with the advice and  
20            consent of the Senate, and the Executive Committee of the State Workforce



1 Board may provide a list to the Governor of recommended candidates for  
2 Executive Director.

3 \* \* \*

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

5 Sec. 5a. REGIONAL WORKFORCE EXPANSION SYSTEM

6 \* \* \*

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

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

14 \* \* \*

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

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

4 **Sec. 3. TASK FORCE TO STUDY DATA MANAGEMENT MODELS**

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

13 **Sec. 5. The report shall include:**

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

16 (2) a detailed review of the current availability of public and private  
17 workforce development and training data, education data, and demographic  
18 data, including the integration of data between the State's workforce  
19 development and training programs and private programs funded through State  
20 funding dollars;

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

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

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

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

9           Sec. 4. WORKFORCE EDUCATION AND TRAINING LEADERSHIP

10                   WORKING GROUP

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

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

14                   (1) the Executive Committee of the State Workforce Board;

15                   (2) the Executive Director of Workforce Expansion and Development;

16                   (3) the Commissioner of Disabilities, Aging, and Independent Living or  
17 designee.

18           (c) Meetings.

19                   (1) Chair. The Chair of the State Workforce Board shall initially chair  
20 the working group and shall call the first meeting of the working group to

1 occur on or before October 1, 2024. The Executive Director of Workforce  
2 Expansion and Development shall, upon hire, solely chair the working group.

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

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

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

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

8 (2) determine, due to changes in the State Workforce Board as set forth  
9 in this act, what changes should be made to the duties and responsibilities in  
10 the statute to ensure there is effective and comprehensive leadership in  
11 workforce development, education, and training.

12 (e) Reporting.

13 (1) Progress report. The working group shall submit a written progress  
14 report to the House Committee on Commerce and Economic Development and  
15 the Senate Committee on Economic Development, Housing and General  
16 Affairs updating the committees on its progress on the work set forth in this  
17 section on or before April 1, 2025.

18 (2) Final report. The working group shall submit a written report to the  
19 House Committee on Commerce and Economic Development and the Senate  
20 Committee on Economic Development, Housing and General Affairs with its

1 final recommendations based on the analysis conducted pursuant to this section  
2 on or before November 1, 2025.

3 (f) Compensation and reimbursement.

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

8 (2) Payments to members of the working group authorized under this  
9 subsection shall be made from monies appropriated to the Department of  
10 Labor.

11 (g) Expiration. The working group shall cease to exist on December 31,  
12 2025.

13 Sec. 5. STATE WORKFORCE BOARD TRANSITION PERIOD

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

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

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

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

7        (e) The Governor shall appoint a chair of the Board pursuant to 10 V.S.A.  
8        § 541(d)(3) on or before August 1, 2024.

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

11       Sec. 6. EFFECTIVE DATE

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

13

14

15

16       (Committee vote: \_\_\_\_\_)

17

\_\_\_\_\_

18

Representative \_\_\_\_\_

19

FOR THE COMMITTEE