

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Commerce and Economic Development to which was  
3 referred House Bill No. 852 entitled “An act relating to improving workforce  
4 education and training” respectfully reports that it has considered the same and  
5 recommends that the bill be amended by striking all after the enacting clause  
6 and inserting in lieu thereof the following:

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

8 CHAPTER 22. EMPLOYMENT THE VERMONT  
9 TRAINING PROGRAM

10 § 531. EMPLOYMENT THE VERMONT TRAINING PROGRAM

11 (a) The Secretary of Commerce and Community Development ~~may~~ shall  
12 have the authority to design and implement a Vermont Training Program, the  
13 purpose of which shall be to issue one or more performance-based grants to  
14 any employer, consortium of employers, or providers of training, either  
15 individuals or organizations, as necessary, to conduct training under the  
16 following circumstances: to employers and to education and training providers  
17 to increase employment opportunities in Vermont consistent with this chapter.

18 ~~(1) when issuing grants to an employer or consortium of employers, the~~  
19 ~~employer promises as a condition of the grant to where eligible facility is~~  
20 ~~defined as in subdivision 212(6) of this title relating to the Vermont Economic~~  
21 ~~Development Authority, or the employer or consortium of employers promises~~

1 ~~to open an eligible facility within the State which will employ persons,~~  
2 ~~provided that for the purposes of this section, eligible facility may be broadly~~  
3 ~~interpreted to include employers in sectors other than manufacturing; and~~

4 ~~(2) training is required for potential employees, new employees, or long-~~  
5 ~~standing employees in the methods, either singularly or in combination relating~~  
6 ~~to pre-employment training, on the job training, upgrade training, and~~  
7 ~~crossover training, or specialized instruction, either in-plant or through a~~  
8 ~~training provider.~~

9 (b) Eligibility for grant. The Secretary of Commerce and Community  
10 Development may award a grant to an employer if:

11 (1) ~~the employer's new or expanded initiative will enhance employment~~  
12 ~~opportunities for Vermont residents;~~

13 (A) the training is for a new employee to begin a new position with  
14 the employer;

15 (B) the training is for an existing employee and, upon completion of  
16 training, the existing employee assumes a new position with the employer and  
17 a new employee is hired to fill the position of the employee who received  
18 training;

19 (C) the employer demonstrates that skill requirements have so  
20 significantly changed as a result of market conditions that employee retention  
21 is at risk without significant training;

1           (D) the employer demonstrates that the training is targeted at one or  
2           more recent new hires whose skills and experience were known to be  
3           insufficient to fulfill obligations of the job and who, with training, will be  
4           retained; or

5           (E) the funds are used to build capacity within the employer's  
6           business to identify and address issues relating to the successful hiring and  
7           retention of its workforce.

8           (2) the employer provides its employees with at least three of the  
9           following:

10           (A) health care benefits with 50 percent or more of the premium paid  
11           by the employer;

12           (B) dental assistance;

13           (C) paid vacation and holidays;

14           (D) child care;

15           (E) other extraordinary employee benefits;

16           (F) retirement benefits; ~~and~~

17           (3) the training is directly related to the employment responsibilities of  
18           the trainee; and

19           (4) the employer compensates each new employee;

1           (A) at a wage rate that is at least twice the prevailing State or federal  
2           minimum wage, whichever is greater, reduced by the value of any health  
3           benefit package up to a limit of 30 percent of the gross program wage; or

4           (B) in an area in which the rate of unemployment is 50 percent  
5           greater than the average for the State, at a wage rate set by the Secretary that is  
6           no less than one and one-half times the federal or State minimum wage,  
7           whichever is greater.

8           ~~(c) The employer promises as a condition of the grant to:~~

9           ~~(1) employ new persons at a wage which, at the completion of the~~  
10          ~~training program, is two times the prevailing state or federal minimum wage,~~  
11          ~~whichever is greater, reduced by the value of any existing health benefit~~  
12          ~~package up to a limit of 30 percent of the gross program wage, or for existing~~  
13          ~~employees, to increase the wage to two times the prevailing state and federal~~  
14          ~~minimum wage, whichever is greater, reduced by the value of any existing~~  
15          ~~health benefit package up to a limit of 20 percent of the gross program wage,~~  
16          ~~upon completion of training; provided, however, that in areas defined by the~~  
17          ~~Secretary of Commerce and Community Development in which the Secretary~~  
18          ~~finds that the rate of unemployment is 50 percent greater than the average for~~  
19          ~~the State, the wage rate under this subsection may be set by the Secretary at a~~  
20          ~~rate no less than one and one-half times the federal or state minimum wage,~~  
21          ~~whichever is greater;~~

1           ~~(2) employ persons who have completed the training provided for them~~  
2           ~~and nominated as qualified for a reasonable period at the wages and~~  
3           ~~occupations described in the contract, unless the employer reasonably finds the~~  
4           ~~nominee is not qualified;~~

5           ~~(3) provide its employees with at least three of the following:~~

6           ~~(A) health care benefits with 50 percent or more of the premium paid~~  
7           ~~by the employer;~~

8           ~~(B) dental assistance;~~

9           ~~(C) paid vacation and holidays;~~

10          ~~(D) child care;~~

11          ~~(E) other extraordinary employee benefits; and~~

12          ~~(F) retirement benefits.~~

13          ~~(4) submit a customer satisfaction report to the Secretary of Commerce~~  
14          ~~and Community Development, on a form prepared by the Secretary for that~~  
15          ~~purpose, no more than 30 days from the last day of the training program.~~

16          (c) An employer shall not be eligible for a grant under this section if,  
17          within one year of the date of an award, the employer has laid off five percent  
18          or more of its full-time workforce.

19          (d) In order to avoid duplication of programs or services and to provide the  
20          greatest return on investment from training provided under this section, the  
21          Secretary of Commerce and Community Development shall:

1           ~~(1) first~~ consult with the Commissioner of Labor regarding whether the  
2           grantee has accessed, or is eligible to access, other workforce development and  
3           training resources ~~offered by public or private workforce development~~  
4           ~~partners; and whether a grant is an effective use of workforce development~~  
5           resources.

6           ~~(2) disburse grant funds only for training hours that have been~~  
7           ~~successfully completed by employees; provided that a grant for on-the-job~~  
8           ~~training shall either provide not more than 50 percent of wages for each~~  
9           ~~employee in training, or not more than 50 percent of trainer expense, but not~~  
10          ~~both, and further provided that training shall be performed in accordance with~~  
11          ~~a training plan that defines the subject of the training, the number of training~~  
12          ~~hours, and how the effectiveness of the training will be evaluated; and~~

13          ~~(3) use funds under this section only to supplement training efforts of~~  
14          ~~employers and not to replace or supplant training efforts of employers.~~

15          (e) ~~The Secretary of Commerce and Community Development shall~~  
16          ~~administer all training programs under this section, may select and use~~  
17          ~~providers of training as appropriate, and shall adopt rules and may accept~~  
18          ~~services, money, or property donated for the purposes of this section. The~~  
19          ~~Secretary may promote awareness of, and may give priority to, training that~~  
20          ~~enhances critical skills, productivity, innovation, quality, or competitiveness,~~

1 such as training in Innovation Engineering, “Lean” systems, and ISO  
2 certification for expansion into new markets. [Repealed.]

3 (f) Upon completion of the training program for any individual, the  
4 secretary of Commerce and Community Development shall review the records  
5 and shall award to the trainee, if appropriate, a certificate of completion for the  
6 training.

7 (g) ~~None of the criteria in subdivision (a)(1) of this section shall apply to a~~  
8 ~~designated job development zone under chapter 29, subchapter 2 of this title.~~  
9 [Repealed.]

10 (h) ~~The Secretary may designate the Commissioner of Economic~~  
11 ~~Development to carry out his or her powers and duties under this chapter.~~  
12 [Repealed.]

13 (i) ~~Program Outcomes.~~

14 (1) ~~On or before September 1, 2011, the Agency of Commerce and~~  
15 ~~Community Development, in coordination with the department of labor, and in~~  
16 ~~consultation with the Workforce Development Council and the legislative Joint~~  
17 ~~Fiscal Office, shall develop, to the extent appropriate, a common set of~~  
18 ~~benchmarks and performance measures for the training program established in~~  
19 ~~this section and the Workforce Education and Training Fund established in~~  
20 ~~section 543 of this title, and shall collect employee-specific data on training~~

1 ~~outcomes regarding the performance measures; provided, however, that the~~  
2 ~~Secretary shall redact personal identifying information from such data.~~

3 ~~(2) On or before January 15, 2013, the Joint Fiscal Office shall prepare a~~  
4 ~~performance report using the benchmarks and performance measures created~~  
5 ~~pursuant to subdivision (1) of this subsection. The Joint Fiscal Office shall~~  
6 ~~submit its report to the Senate Committee on Economic Development, Housing~~  
7 ~~and General Affairs and the House Committee on Commerce and Economic~~  
8 ~~Development.~~

9 ~~(3) The Secretary shall use information gathered pursuant to this~~  
10 ~~subsection and customer satisfaction reports submitted pursuant to subdivision~~  
11 ~~(c)(4) of this section to evaluate the program and make necessary changes that~~  
12 ~~fall within the Secretary's authority or, if beyond the scope of the Secretary's~~  
13 ~~authority, to recommend necessary changes to the appropriate committees of~~  
14 ~~the General Assembly. [Repealed.]~~

15 (j) Consistent with the training program's goal of providing specialized  
16 training and increased employment opportunities for Vermonters, and  
17 notwithstanding provisions of this section to the contrary, the Secretary shall  
18 canvas apprenticeship sponsors to determine demand for various levels of  
19 training and classes and shall transfer up to \$250,000.00 annually to the  
20 regional technical centers to fund or provide supplemental funding for  
21 apprenticeship training programs leading up to certification or licensing as

1 journeyman or master electricians or plumbers. The Secretary shall seek to  
2 provide these funds equitably throughout Vermont; however, the Secretary  
3 shall give priority to regions not currently served by apprenticeship programs  
4 offered through the Vermont Department of Labor pursuant to 21 V.S.A.  
5 chapter 13.

6 (k) Annually on or before January 15, the Secretary shall submit a report to  
7 the House Committee on Commerce and Economic Development and the  
8 Senate Committee on Economic Development, Housing and General Affairs  
9 summarizing all active and completed contracts and grants, the types of  
10 training activities provided, the number of employees served, and the average  
11 wage by employer, and addressing any waivers granted.

12 Sec. 2. 10 V.S.A. chapter 22A is amended to read:

13 CHAPTER 22A. WORKFORCE EDUCATION AND TRAINING

14 § 541. ~~WORKFORCE DEVELOPMENT COUNCIL; STATE WORKFORCE~~  
15 ~~INVESTMENT BOARD; MEMBERS, TERMS~~

16 ~~(a) The Workforce Development Council is created as the successor to and~~  
17 ~~the continuation of the Governor's Human Resources Investment Council and~~  
18 ~~shall be the State Workforce Investment Board under Public Law 105-220, the~~  
19 ~~Workforce Investment Act of 1998, and any reauthorization of that act. The~~  
20 ~~Council shall consist of the members required under the federal act and the~~  
21 ~~following: the President of the University of Vermont or designee; the~~

1 ~~Chancellor of the Vermont State Colleges or designee; the President of the~~  
2 ~~Vermont Student Assistance corporation or designee; the President of the~~  
3 ~~Association of Vermont Independent Colleges or designee; a representative of~~  
4 ~~the Abenaki Self Help Organization; at least two representatives of labor~~  
5 ~~appointed by the Governor in addition to the two required under the federal~~  
6 ~~act, who shall be chosen from a list of names submitted by Vermont AFL-CIO,~~  
7 ~~Vermont NEA, and the Vermont State Employees Association; one~~  
8 ~~representative of the low income community appointed by the Governor; two~~  
9 ~~members of the Senate appointed by the Senate Committee on Committees;~~  
10 ~~and two members of the house appointed by the speaker. In addition, the~~  
11 ~~Governor shall appoint enough other members who are representatives of~~  
12 ~~business or employers so that one half plus one of the members of the council~~  
13 ~~are representatives of business or employers. At least one third of those~~  
14 ~~appointed by the Governor as representatives of business or employers shall be~~  
15 ~~chosen from a list of names submitted by the regional technical centers. As~~  
16 ~~used in this section, “representative of business” means a business owner, a~~  
17 ~~chief executive operating officer, or other business executive, and “employer”~~  
18 ~~means an individual with policy making or hiring authority, including a public~~  
19 ~~school superintendent or school board member and representatives from the~~  
20 ~~nonprofit, social services, and health sectors of the economy. If there is a~~

1 ~~dispute as to who is to represent an interest as required under the federal law,~~  
2 ~~the Governor shall decide who shall be the member of the Council.~~

3 ~~(b) Appointed members, except legislative appointees, shall be appointed~~  
4 ~~for three-year terms and serve at the pleasure of the Governor.~~

5 ~~(c) A vacancy shall be filled for the unexpired term in the same manner as~~  
6 ~~the initial appointment.~~

7 ~~(d) The Governor shall appoint one of the business or employer members~~  
8 ~~to chair the council for a term of two years. A member shall not serve more~~  
9 ~~than three consecutive terms as chair.~~

10 ~~(e) Legislative members shall be entitled to compensation and expenses as~~  
11 ~~provided in 2 V.S.A. § 406, and other members shall be entitled to~~  
12 ~~compensation and expenses as provided in 32 V.S.A. § 1010.~~

13 ~~(f) The Department of Labor shall provide the Council with administrative~~  
14 ~~support.~~

15 ~~(g) The Workforce Development Council shall be subject to 1 V.S.A.~~  
16 ~~chapter 5, subchapters 2 and 3, relating to public meetings and access to public~~  
17 ~~records.~~

18 ~~(h) [Repealed.]~~

19 ~~(i) The Workforce Development Council shall:~~

20 ~~(1) Advise the Governor on the establishment of an integrated network~~  
21 ~~of workforce education and training for Vermont.~~

1           ~~(2) Coordinate planning and services for an integrated network of~~  
2 ~~workforce education and training and oversee its implementation at State and~~  
3 ~~regional levels.~~

4           ~~(3) Establish goals for and coordinate the State's workforce education~~  
5 ~~and training policies.~~

6           ~~(4) Speak for the workforce needs of employers.~~

7           ~~(5) Negotiate memoranda of understanding between the Council and~~  
8 ~~agencies and institutions involved in Vermont's integrated network of~~  
9 ~~workforce education and training in order to ensure that each is working to~~  
10 ~~achieve annual objectives developed by the Council.~~

11           ~~(6) Carry out the duties assigned to the State Workforce Investment~~  
12 ~~Board, as required for a single service delivery state, under P.L. 105-220, the~~  
13 ~~Workforce Investment Act of 1998, and any amendments that may be made to~~  
14 ~~it. [Repealed.]~~

15           § 541a. STATE WORKFORCE INVESTMENT BOARD

16           (a) Board established. Pursuant to the requirements of 29 U.S.C. § 2821  
17 the Governor shall establish a State Workforce Investment Board (Board) to  
18 assist the Governor as required by the Workforce Investment Act of 1998.

19           (b) Membership. The Board shall consist of the Governor and the  
20 following members who are appointed by the Governor and serve at his or her  
21 pleasure, unless otherwise indicated:

- 1           (1) two Members of the Vermont House of Representatives appointed  
2 by the Speaker of the House;
- 3           (2) two Members of the Vermont Senate appointed by the Senate  
4 Committee on Committees;
- 5           (3) the President of the University of Vermont or his or her designee;  
6           (3A) the Chancellor of the Vermont State Colleges or his or her  
7 designee;
- 8           (3B) the executive director of the Vermont Student Assistance  
9 Corporation or his or her designee;
- 10           (3C) a representative of an independent Vermont college or university;  
11           (3D) the Secretary of Education or his or her designee;  
12           (3E) a director of a regional technical center;
- 13           (4) two representatives of labor organizations who have been nominated  
14 by State labor federations;
- 15           (5) two representatives of individuals and organizations who have  
16 experience with respect to youth activities, as defined in 29 U.S.C. § 2801(52);
- 17           (6) two representatives of individuals and organizations who have  
18 experience in the delivery of workforce investment activities, as defined in  
19 29 U.S.C. § 2801(51);
- 20           (7) 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 § 2841(b), or if no official has that responsibility, a representative in the State  
2 with expertise relating to these programs and activities;

3 (8) the Commissioner of Economic Development;

4 (9) the Commissioner of Labor;

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

7 (11) a number of appointees sufficient to constitute a majority of the  
8 Board of who:

9 (A) are owners, chief executives, or operating officers of businesses,  
10 and other business executives or employers with optimum policymaking or  
11 hiring authority; and

12 (B) are appointed from among individuals nominated by State  
13 business organizations and business trade associations;

14 (12) one or more appointees necessary to ensure compliance with the  
15 Workforce Investment Act of 1998.

16 (c) Operation of Board.

17 (1) Member representation.

18 (A) Members of the State Board who represent organizations,  
19 agencies, or other entities shall be individuals with optimum policymaking  
20 authority within the organizations, agencies, or entities.

1           (B) The members of the Board shall represent diverse regions of the  
2           State, including urban, rural, and suburban areas.

3           (2) Chair. The Governor shall select a chair for the Board from among  
4           the business representatives appointed pursuant to subdivision (b)(11) of this  
5           section.

6           (3) Meetings. The Board shall meet at least twice annually to assist the  
7           Governor in the performance of his or her duties, as provided in the federal  
8           Workforce Investment Act of 1998, and shall hold additional meetings upon  
9           call of the Governor.

10          (4) Work groups; task forces.

11           (A) The Chairperson, with the approval of the Commissioner of  
12           Labor, shall have the authority to assign one or more members to work groups  
13           to carry out the work of the Board.

14           (B) The Chairperson, with the approval of the Commissioner of  
15           Labor, may appoint one or more members of the Board, or non-members of the  
16           Board, or both, to one or more task forces for a discrete purpose and duration.

17          (5) Quorum; meetings; voting.

18           (A) A majority of the sitting members of the Board shall constitute a  
19           quorum, and to be valid any action taken by the Board shall be authorized by a  
20           majority of the members present and voting at any regular or special meeting at  
21           which a quorum is present.

1           (B) The Board may permit one or more members to participate in a  
2           regular or special meeting by, or conduct the meeting through the use of, any  
3           means of communication, including an electronic, telecommunications, and  
4           video- or audio-conferencing conference telephone call, by which all members  
5           participating may simultaneously or sequentially communicate with each other  
6           during the meeting. A member participating in a meeting by this means is  
7           deemed to be present in person at the meeting.

8           (C) The Board shall deliver electronically the minutes for each of its  
9           meetings to each member of the Board and to the House Committees on  
10           Education and on Commerce and Economic Development, and to the Senate  
11           Committees on Education and on Economic Development, Housing and  
12           General Affairs.

13           (6) Conflict of interest. A member of the Board shall not:

14           (A) vote on a matter under consideration by the Board:

15           (i) regarding the provision of services by the member, or by an  
16           entity that the member represents; or

17           (ii) that would provide direct financial benefit to the member or  
18           the immediate family of the member; or

19           (B) engage in any activity that the Governor determines constitutes a  
20           conflict of interest as specified in the State Plan required under 29 U.S.C.  
21           § 2822.

1           (7) Sunshine provision. The Board shall make available to the public,  
2           on a regular basis through open meetings, information regarding the activities  
3           of the Board, including information regarding the State Plan adopted  
4           pursuant to 29 U.S.C. § 2822 and prior to submission of the State Plan to the  
5           U.S. Secretary of Labor, information regarding membership, and, on request,  
6           minutes of formal meetings of the Board.

7           (d) Duties of the Board. The Board shall assist the Commissioner of Labor  
8           in performing the following duties:

9           (1) Create an inventory of all existing workforce development programs  
10          and activities in the State.

11          (2) Utilize data to ensure that State workforce development activities are  
12          aligned with the current and future job opportunities and the specific training  
13          credentials needed to achieve employment in those jobs.

14          (3) Utilize data to ensure that activities are aligned with the workforce  
15          education and training needs of the available workforce.

16          (4) Develop a State plan to ensure that workforce development  
17          programs and activities in the state serve Vermont citizens and businesses to  
18          the maximum extent possible, and as required by federal law.

19          (5) Identify opportunities to ensure coordination and non-duplication of  
20          workforce development activities.

1           (6) Identify gaps in the delivery of workforce education and training  
2           programs.

3           (7) Conduct a public engagement process that includes multiple forums  
4           in regions throughout the State at which Vermonters have the opportunity to  
5           provide feedback and information concerning their workforce education and  
6           training needs.

7           (8) Design and implement performance measures for workforce  
8           education and training activities.

9           (9) Shall fully apprise itself of the CEDS process and coordinate its  
10          activities, including the development and implementation of the state plan,  
11          with the CEDS. The Agency of Commerce and Community Development shall  
12          similarly cooperate and coordinate its CEDS activities with the Council,  
13          including the development and implementation of the state plan.

14          § 542. REGIONAL WORKFORCE DEVELOPMENT

15          (a) The Commissioner of Labor, in coordination with the Secretary of  
16          Commerce and Community Development, and in consultation with the  
17          Workforce Development Council, is authorized to issue performance grants to  
18          one or more persons to perform workforce development activities in a region.

19          (b) Each grant shall specify the scope of the workforce development  
20          activities to be performed and the geographic region to be served, and shall  
21          include outcomes and measures to evaluate the grantee's performance.

1 (c) The Commissioner of Labor and the Secretary of Commerce and  
2 Community Development shall jointly develop a grant process and eligibility  
3 criteria, as well as an outreach process for notifying potential participants of  
4 the grant program. The Commissioner of Labor shall have final authority to  
5 approve each grant.

6 § 543. WORKFORCE EDUCATION AND TRAINING FUND; GRANT  
7 PROGRAMS

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

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

13 (1) training ~~to improve the skills of~~ for Vermont workers, ~~including~~  
14 ~~those~~ who are unemployed, underemployed, or in transition from one job or  
15 career to another; and

16 (2) internships to provide students with work-based learning  
17 opportunities with Vermont employers .

18 (c) Administrative Support. Administrative support for the grant award  
19 process shall be provided by the Departments of Labor and of Economic  
20 Development. ~~Technical, administrative, financial, and other support shall be~~  
21 ~~provided whenever appropriate and reasonable by the Workforce Development~~

1 ~~Council and all other public entities involved in Economic Development,~~  
2 ~~workforce development and training, and education.~~

3 (d) Eligible Activities. Awards from the Fund shall be made to employers  
4 and entities that offer programs that require collaboration between employees  
5 and businesses, including private, public, and nonprofit entities, institutions of  
6 higher education, technical centers, and workforce development programs.

7 Funding shall be for training programs and student internship programs that  
8 offer education, training, apprenticeship, mentoring, or work-based learning  
9 activities, or any combination; that employ innovative intensive  
10 student-oriented competency-based or collaborative approaches to workforce  
11 development; and that link workforce education and economic development  
12 strategies. Training programs or projects that demonstrate actual increased  
13 income and economic opportunity for employees and employers may be  
14 funded for more than one year. Student internships and training programs that  
15 involve the same employer may be funded multiple times, provided that new  
16 students participate.

17 (e) Award Criteria and Process. ~~The Workforce Development Council, in~~  
18 ~~consultation with the Commissioners of Labor and of Economic Development~~  
19 ~~and the Secretary of Education, shall develop criteria consistent with~~  
20 ~~subsection (d) of this section for making awards under this section. The~~  
21 ~~Commissioners of Labor and, in consultation with the Commissioner of~~

1 Economic Development and the Secretary of Education, shall develop criteria  
2 and a process for making awards under this section.

3 (f) Awards. ~~Based on guidelines set by the council, the~~ The Commissioner  
4 of labor, ~~and the Secretary of Education~~ Labor shall ~~jointly~~ make awards to the  
5 following:

6 (1) Training Programs. Public, private, and nonprofit entities for  
7 existing or new innovative training programs. Awards may be made to  
8 programs that ~~retrain~~ significantly enhance the skills of incumbent workers  
9 with a preference for cross-training and other skill improvements that make the  
10 employee more adaptable for future employment. Awards under this  
11 subdivision shall be made to programs or projects that do all the following:

12 (A) offer innovative programs of intensive, student-centric,  
13 competency-based education, training, apprenticeship, mentoring, or any  
14 combination of these;

15 (B) address the needs of workers who are unemployed,  
16 underemployed, or are at risk of becoming unemployed due to changing  
17 workplace demands by increasing productivity and developing new skills for  
18 incumbent workers;

19 (C) train workers for trades or occupations that are expected to lead  
20 to jobs paying at least 200 percent of the current minimum wage or at least 150

1 percent if benefits are included; this requirement may be waived when  
2 warranted based on regional or occupational wages or economic reality;

3 (D) do not duplicate, supplant, or replace other available programs  
4 funded with public money;

5 (E) articulate clear goals and demonstrate readily accountable,  
6 reportable, and measurable results; and

7 (F) demonstrate an integrated connection between training and  
8 specific employment opportunities, ~~including an effort and consideration by~~  
9 ~~participating employers to hire those who successfully complete a training~~  
10 ~~program; and~~ with priority for programs that lead directly to employment.

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

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

18 (g) [Repealed.]

19 § 544. VERMONT CAREER INTERNSHIP PROGRAM

20 (a)(1) The Department of Labor, in consultation with the Agency of  
21 Education, shall develop and implement a statewide Vermont Career

1 Internship Program for Vermonters who are in high school or in college and  
2 for those who are recent graduates of ~~24~~ 12 months or less.

3 (2) The Department of Labor shall coordinate and provide funding to  
4 public and private entities for internship programs that match Vermont  
5 employers with students from public and private secondary schools, regional  
6 technical centers, the Community High School of Vermont, colleges, and  
7 recent graduates of ~~24~~ 12 months or less.

8 (3) Funding awarded through the Vermont Career Internship Program  
9 may be used to administer an internship program and to provide participants  
10 with a stipend during the internship, based on need. Funds may be made only  
11 to programs or projects that do all the following:

12 (A) do not replace or supplant existing positions;

13 (B) create real workplace expectations and consequences;

14 (C) provide a process that measures progress toward mastery of  
15 skills, attitude, behavior, and sense of responsibility required for success in that  
16 workplace;

17 (D) are designed to motivate and educate secondary and  
18 postsecondary students and recent graduates through work-based learning  
19 opportunities with Vermont employers that are likely to lead to real  
20 employment;

1           (E) include mechanisms that promote employer involvement with  
2 secondary and postsecondary students and curriculum and the delivery of  
3 education at the participating schools; and

4           (F) offer participants a continuum of learning, experience, and  
5 relationships with employers that will make it financially possible and  
6 attractive for graduates to continue to work and live in Vermont.

7           (4) ~~For the purposes of~~ As used in this section, “internship” means a  
8 learning experience working with an employer where the intern may, but does  
9 not necessarily, receive academic credit, financial remuneration, a stipend, or  
10 any combination of these.

11           (b) The Department of Labor, in collaboration with the Agencies of  
12 Agriculture, Food and Markets and of Education, ~~state-funded~~ State-funded  
13 postsecondary educational institutions, the Workforce Development Council,  
14 and other ~~state~~ State agencies and departments that have workforce  
15 development and training monies, shall:

16           (1) identify new and existing funding sources that may be allocated to  
17 the Vermont Career Internship Program;

18           (2) collect data and establish program goals and quantifiable  
19 performance measures for internship programs funded through the Vermont  
20 Career Internship Program;

1           (3) develop or enhance a website that will connect students and  
2 graduates with internship opportunities with Vermont employers;

3           (4) engage appropriate agencies and departments of the State in the  
4 Internship Program to expand internship opportunities with State government  
5 and with entities awarded State contracts; and

6           (5) work with other public and private entities to develop and enhance  
7 internship programs, opportunities, and activities throughout the State.

8 § 545. WORKFORCE DEVELOPMENT LEADER

9           The Commissioner of Labor shall be the leader of workforce development,  
10 education, training, and investment systems in the State, and shall have the  
11 primary authority and responsibility for workforce development within State  
12 government, which shall include the following duties:

13           (1) Advise the Governor on the establishment of an integrated network  
14 of workforce education and training for Vermont.

15           (2) Coordinate planning and services for an integrated network of  
16 workforce education and training and oversee its implementation at State and  
17 regional levels.

18           (3) Establish goals for and coordinate the State’s workforce education  
19 and training policies.

20           (4) Develop a limited number of overarching goals and challenging  
21 measurable criteria for the workforce development system that supports the

1 creation of good jobs to build and retain a strong, appropriate, and sustainable  
2 economic environment in Vermont.

3 (5) Review reports submitted by each person who receives workforce  
4 development funding. The reports shall be submitted on a schedule  
5 determined by the Commissioner and shall include all the following  
6 information:

7 (A) a description of the mission and programs relating to preparing  
8 individuals for employment and meeting the needs of employers for skilled  
9 workers;

10 (B) the measurable accomplishments that have contributed to  
11 achieving the overarching goals;

12 (C) identification of any innovations made to improve delivery of  
13 services;

14 (D) future plans that will contribute to the achievement of the goals;

15 (E) the successes of programs to establish working partnerships and  
16 collaborations with other organizations that reduce duplication or enhance the  
17 delivery of services, or both; and

18 (F) any other information that the Committee may deem necessary  
19 and relevant.

1           (6) Review information pursuant to subdivision (5) of this section that is  
2           voluntarily provided by education and training organizations that are not  
3           required to report this information but want recognition for their contributions;

4           (7) Issue an annual report to the Governor and the General Assembly on  
5           or before December 1, that shall include a systematic evaluation of the  
6           accomplishments of the State workforce investment system and the  
7           participating agencies and institutions and all the following:

8                   (A) a compilation of the systemwide accomplishments made toward  
9                   achieving the overarching goals, specific notable accomplishments,  
10                  innovations, collaborations, grants received, or new funding sources developed  
11                  by participating agencies, institutions, and other education and training  
12                  organizations;

13                   (B) an evaluation of each provider’s contributions toward achieving  
14                  the overarching goals;

15                   (C) identification of areas needing improvement, including time  
16                  frames, expected annual participation, and contributions, and the overarching  
17                  goals; and

18                   (D) recommendations for the allocating of next generation funds and  
19                  other public resources.

20           (8) Develop an integrated workforce strategy that incorporates economic  
21           development, workforce development, and education to provide all

1 Vermonters with the best education and training available in order to create a  
2 strong, appropriate, and sustainable economic environment that supports a  
3 healthy State economy; and

4 (9) Develop strategies for both the following:

5 (A) coordination of public and private workforce programs to assure  
6 that information is easily accessible to students, employees, and employers,  
7 and that all information and necessary counseling is available through one  
8 contact; and

9 (B) more effective communications between the business community  
10 and educational institutions, both public and private.

11 Sec. 3. REPEAL

12 2007 Acts and Resolves No. 46, Sec. 6(a) as amended by 2009 Acts and  
13 Resolves No. 54, Sec. 8 (workforce development leader) and 2013 Acts and  
14 Resolves No. 81, Sec. 2, is repealed.

15 Sec. 4. EFFECTIVE DATE

16 This act shall take effect on July 1, 2014.

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

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\_\_\_\_\_

4

Representative [surname]

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FOR THE COMMITTEE