

1 TO THE HONORABLE SENATE:

2 The Committee on Economic Development, Housing and General Affairs to  
3 which was referred Senate Bill No. 137 entitled “An act relating to promoting  
4 workforce development” respectfully reports that it has considered the same  
5 and recommends that Senate amend the bill by striking out all after the  
6 enacting clause and inserting in lieu thereof the following:

7 Sec. 1. PURPOSE

8 (a) The purpose of this act is to promote a more collaborative effort to  
9 provide Vermont employers with the skilled workforce necessary for business  
10 growth and prosperity, and to provide Vermont job seekers with access to the  
11 tools and services they need to be competitive in a changing labor market.

12 (b) It is the intent of the General Assembly that the Workforce  
13 Development Division within the Department of Labor, and the programs and  
14 positions within the Division, be transferred to the Department of Economic  
15 and Workforce Development.

16 Sec. 2. STATUTORY REVISION

17 The Legislative Council shall revise the terms “Commissioner of Economic  
18 Development” and “Department of Economic Development” in the Vermont  
19 Statutes Annotated to read “Commissioner of Economic and Workforce  
20 Development” and “Department of Economic and Workforce Development”  
21 consistent with the provisions of this act.

1 Sec. 3. 3 V.S.A. § 2402 is amended to read:

2 § 2402. CREATION OF AGENCY

3 (a) An Agency of Commerce and Community Development is created  
4 consisting of the following:

5 (1) The Department of Economic and Workforce Development, 3 V.S.A.  
6 § 2471.

7 (2) The Department of Housing and Community Development.

8 (3) The Division for Historic Preservation.

9 (4) Vermont Life magazine.

10 (5) The Department of Tourism and Marketing.

11 (6) The Vermont Center for Geographic Information.

12 (b) The Agency shall contain an Administrative Support Division.

13 (c), (d) [Repealed.]

14 (e) Units attached to the Agency for administrative support shall receive,  
15 and shall use, the services provided by the Administrative Services Division of  
16 the Agency under section 2474 of this title.

17 Sec. 4. 3 V.S.A. § 2471 is amended to read:

18 § 2471. DEPARTMENT OF ECONOMIC AND WORKFORCE  
19 DEVELOPMENT

20 The Department of Economic and Workforce Development is created  
21 within the Agency of ~~Commerce and Community Development~~ as the

1 ~~successor to and the continuation of the Department of Development~~ and shall  
2 include the following [this is the list provided by administration; what about  
3 others currently in DED?]:

4 (A) The Apprenticeship Division, and the State Apprenticeship  
5 Council, and apprenticeship programs, 21 V.S.A. chapter 13.

6 (B) Youth in Agriculture, Natural Resources, and Food Production  
7 Consortium, 21 V.S.A. chapter 14.

8 (C) The Vermont Employment Service Division, 21 V.S.A. chapter  
9 15.

10 (D) Displaced Homemaker Programs, 21 V.S.A. chapter 16.

11 (E) Workforce Education and Training Fund, 10 V.S.A. § 543.

12 Sec. 5. 21 V.S.A. chapter 13 is amended to read:

13 Chapter 13: Apprenticeship

14 § 1101. APPRENTICESHIP DIVISION AND COUNCIL

15 (a)(1) The Apprenticeship Division and the State Apprenticeship Council  
16 (Council) shall be located within the Department of ~~Labor~~ Economic and  
17 Workforce Development.

18 (2) The Commissioner of ~~Labor~~ Economic and Workforce Development  
19 shall supervise the work of the Division, and shall be the Chair of the Council.

20 (b)(1) The Council shall consist of 12 members, four ex officio members  
21 and eight members who shall be appointed by the Governor.

1           (2) Of the ex officio members, one shall be the Commissioner of ~~Labor~~  
2           Economic and Workforce Development or designee, one shall be the  
3           Commissioner of Public Safety or designee, one shall be the Secretary of  
4           Education or designee, and one shall be the Director of the Apprenticeship  
5           Division who shall act as secretary of the Council without vote.

6           (c)(1) The Council shall be composed of persons familiar with  
7           apprenticeable occupations.

8           (2) Of the appointed members, three shall be individuals who represent  
9           employers, three shall be individuals who represent employee organizations,  
10          and two shall be members of the public.

11          (d) Appointment of the employer and the employee members shall be made  
12          for the term of three years except the employer and employee members first  
13          appointed shall be appointed for the term of one, two, and three years  
14          respectively. ~~The Governor shall annually designate one member of the~~  
15          Council as chair.

16          (f) Each member of the Council who is not a salaried official or employee  
17          of the State shall be entitled to compensation and expenses as provided in 32  
18          V.S.A. § 1010.

19          § 1102. MEETINGS, REGULATIONS

20          (a)(1) The Council shall meet semiannually and as often as may be  
21          necessary in the opinion of the majority of the members.

1           (2) The Chair shall designate the time and place of all meetings.

2           (b)(1) The Council shall establish minimum standards for apprenticeship  
3 and all on-the-job training.

4           (2) The Council shall also make provision for the registration and  
5 approval of apprenticeship and all on-the-job training programs and individual  
6 apprentice and all on the job training agreements.

7           (c) The Council may:

8           (1) adopt rules relating to its policy as are necessary to carry out the  
9 intent and purposes of this chapter; ~~may~~

10           (2) issue State certificates of completion of apprenticeship to apprentices  
11 who have completed their trade training under apprenticeship programs  
12 registered and approved by the Council; ~~may~~

13           (3) issue certificates to on-the-job trainees upon completion of training,  
14 ~~may~~ ; and

15           (4) utilize the services of any State or federal agency or department  
16 which may be of assistance in carrying out its duties and the purposes of this  
17 chapter.

18 § 1103. SUPPLEMENTARY INSTRUCTION

19           (a)(1) The Department of ~~Labor~~ Economic and Workforce Development  
20 shall provide for related and supplementary instruction for apprentices

1 employed under apprenticeship programs registered and approved by the  
2 Council, and for all on-the-job trainees.

3 (2) To make certain there is statewide access to training opportunities,  
4 the Department shall ensure that instruction in the electrical and plumbing  
5 trades is offered at each regional ~~career technical~~ CTE center, as defined by 16  
6 V.S.A. § 1522(4).

7 (3) If the Department enters into a single-source contract with an entity  
8 to provide apprenticeship training, the contract shall specify that access to  
9 programs must be available to all Vermont residents, at least through online  
10 courses.

11 (b)(1) The Department of ~~Labor~~ Economic and Workforce Development  
12 may charge fees to the employers of apprentices registered in Vermont and to  
13 nonregistered individuals to help offset the cost of apprenticeship related  
14 instruction provided by the Department.

15 (2) An employer shall not charge any apprentice for any of the fees  
16 charged to the employer under this section, nor shall an employer reduce an  
17 employee's compensation in any manner in order to recover these fees from  
18 any apprentice.

19 (3) The fees shall be used, in conjunction with other approved funds, to  
20 provide classroom instruction primarily for Vermont registered apprentices.



1 § 1152. YOUTH IN AGRICULTURE, NATURAL RESOURCES, AND  
2 FOOD PRODUCTION CONSORTIUM; CREATION

3 (a)(1) There is created a Youth in Agriculture, Natural Resources, and Food  
4 Production Consortium of program providers in order that programs to build  
5 pathways to careers in agriculture, natural resources, and food production may  
6 be connected, developed, and supported in a coordinated manner.

7 (2) The Consortium shall comprise:

8 (A) employees of the Department of ~~Labor~~ Economic and Workforce  
9 Development assigned by the Commissioner of ~~Labor~~ Economic and  
10 Workforce Development;

11 (B) employees of the Agency of Education assigned by the Secretary  
12 of Education;

13 (C) employees of the Agency of Agriculture, Food and Markets  
14 appointed by the Secretary of Agriculture, Food and Markets;

15 (D) employees of the Agency of Natural Resources appointed by the  
16 Secretary of Natural Resources;

17 (E) representatives of the Extension Service of the University of  
18 Vermont selected by the Service; and

19 (F) representatives from agriculture, food, and natural resources  
20 businesses appointed by the Secretary of Agriculture, Food and Markets.



1           (b)(1) The ~~consortium~~ Consortium shall be attached to the Department of  
2     ~~Labor~~ Economic and Workforce Development for administrative support.

3           (2) ~~It~~ The Consortium shall elect its own chair and meet as required to  
4     fulfill its obligations under this chapter.

5     § 1153. YOUTH IN AGRICULTURE, NATURAL RESOURCES, AND  
6     FOOD PRODUCTION CONSORTIUM; POWERS AND DUTIES

7           (a)(1) The Youth in Agriculture, Natural Resources, and Food Production  
8     Consortium shall be charged with the oversight of the development and  
9     coordination of programs in agriculture, natural resources, and food  
10    production, and education to connect youths' experiences in agriculture, natural  
11    resources, and food production to their in-school learning and develop  
12    pathways for pursuing further education related to agriculture or natural  
13    resources.

14          (2) ~~It~~ The Consortium shall seek to coordinate and connect programs  
15    around common standards, coordinate resources, provide a clearinghouse for  
16    information and technical assistance, establish a strong business and education  
17    partnership, identify missing components of the system, and oversee funds  
18    made available for the express purpose of implementing these pathways.

19          (3) ~~It~~ The Consortium shall endeavor to sustain and expand  
20    programming in agriculture, natural resources, and food production on a

1 statewide basis in order to affect middle and secondary school students in  
2 Vermont.

3 (4) The Consortium shall seek to ensure the effectiveness of all the  
4 programs in reaching large numbers of students, and in so far as possible, seek  
5 to provide programs in all regions of the State through a statewide system with  
6 uniform availability, eligibility, and funding requirements to make such  
7 opportunities available to all students.

8 (b)(1) Among the programs to be reviewed and coordinated by the  
9 Consortium are:

10 (A) projects that involve agriculture and the environment;

11 (B) programs within the elementary and middle school system which  
12 provide hands-on learning, such as "Ag in the Classroom" sponsored by the  
13 Agency of Agriculture, Food and Markets, and "Forest, Fields, and Futures"  
14 sponsored by UVM Extension Service; ~~and~~

15 (C) secondary school programs in agriculture and natural resources-  
16 related areas in education; and

17 (D) "Smokeyhouse" and other career technical education, agriculture,  
18 and natural resources programs offered by high schools and career technical  
19 centers.

20 (2) ~~In addition, it shall~~ The Consortium shall also review and coordinate  
21 programs such as the Youth Conservation Corps and the Farm Youth Corps of

1 the Department of Labor which has offered summer employment for students  
2 on farms, and other summer employment programs and alternative programs  
3 for in-school youth operated outside the public school funding system.

4 (c) The Consortium shall report by January 15, 2005 to the Commissioner  
5 of ~~Labor~~ Economic and Workforce Development, the Secretary of Agriculture,  
6 Food and Markets, the Secretary of Natural Resources, the Secretary of  
7 Education, and the House and Senate Committees on Agriculture and on  
8 Education on its progress, outcomes, and recommendations for expansion,  
9 development, and coordination of programs and pathways to careers in  
10 agriculture, natural resources, and food production in the State.

11 Sec. 7. 21 V.S.A. chapter 15 is amended to read:

12 Chapter 15: Vermont Employment Service

13 § 1201. ACCEPTANCE BY STATE

14 The State of Vermont hereby accepts the provisions of the Act of Congress,  
15 approved June 6, 1933, entitled "An act to provide for the establishment of a  
16 national employment system and for cooperation with the states in the  
17 promotion of such system, and for other purposes."

18 § 1202. COMMISSIONER OF LABOR AS AGENT

19 The Commissioner of ~~Labor~~ Economic and Workforce Development is  
20 hereby designated and constituted the agent of the State of Vermont for the  
21 purposes of the Act, with full power to cooperate with all authorities of the

1 United States having powers or duties under the Act and to do and perform all  
2 things necessary to secure to the State of Vermont the benefits of the Act in the  
3 promotion and maintenance of a system of public employment offices.

4 § 1203. RULES AND REGULATIONS

5 (a) There is hereby created, under the direction of the Commissioner of  
6 ~~Labor~~ Economic and Workforce Development, a division to be known as the  
7 Vermont Employment Service Division, responsible for administering a  
8 system of public employment offices for the purpose of assisting employers to  
9 secure employees and workers to secure employment.

10 (b) The Commissioner is authorized and directed to establish such offices  
11 in such parts of the State as he or she deems necessary and to prescribe rules  
12 and regulations not inconsistent with any of the provisions of this chapter.

13 (c) The Commissioner shall appoint the director, assistants, and other  
14 employees of the Vermont Employment Service Division in accordance with  
15 the regulations prescribed by the Secretary of the U.S. Department of Labor.

16 § 1204. RECEIPT OF FUNDS

17 The State Treasurer is hereby authorized to receive, on behalf of this State,  
18 all funds granted to it under authority of the Act.

19 § 1205. CONTRACTUAL SPECIAL SERVICES

20 (a) The Commissioner of ~~Labor~~ Economic and Workforce Development  
21 may enter into agreements to provide customized or special services that are

1 beyond basic services required by federal statute, provided that such services  
2 do not interfere with the Department's statutory purposes and programs.

3 (b) The Department may charge for services provided under this section.  
4 Charges collected under this section shall be credited to separate special funds  
5 for each type of service agreement, and shall be available to the Department to  
6 offset the costs of each type of service.

7 § 1206. TERMINATION

8 This chapter may be terminated by the Governor at any time, upon notice to  
9 the U.S. Department of Labor, when in his or her judgment the need for the  
10 same no longer exists. However, such notice of termination shall not be  
11 effective until the close of the U.S. fiscal year in which the notice is given.

12 Sec. 8. 21 V.S.A. chapter 16 is amended to read:

13 Chapter 16: Displaced Homemakers

14 § 1231. DEFINITION

15 "Displaced homemaker" means a person who:

16 (1) has worked in the home for a substantial number of years providing  
17 unpaid household services for family members; and

18 (2) has or is expected to have difficulty becoming gainfully employed  
19 outside the home, or is not gainfully employed or is under-employed; and

20 (3) has been dependent on the income of another family member and is  
21 no longer receiving that income; or has been dependent on government

1 assistance and is no longer eligible for that assistance; or is receiving payments  
2 from a spouse or public agency for the care of minor children and the minor  
3 children are within two years of reaching majority.

4 § 1232. DISPLACED HOMEMAKER PROGRAMS AND SERVICES

5 (a) Programs to serve the needs of displaced homemakers may be developed  
6 in coordination with the Displaced Homemakers Policy Council and  
7 implemented by the Commissioner of Economic and Workforce Development.

8 The programs may provide the following services:

9 (1) statewide outreach and advertising to inform displaced homemakers  
10 of services and programs available;

11 (2) job counseling and job placement;

12 (3) crisis intervention;

13 (4) peer counseling;

14 (5) life skills counseling;

15 (6) resource information and referrals to other State, federal, or private  
16 nonprofit programs which provide pre-vocational and vocational training,  
17 educational financial support, and other appropriate services; and

18 (7) any other service which helps displaced homemakers.

19 (b)(1) The Commissioner of Economic and Workforce Development,  
20 subject to the approval of the Joint Fiscal Committee, may accept federal

1 grants or funds to assist the Department in providing displaced homemaker  
2 services and programs.

3 (2) Upon receipt of such funds, the Commissioner shall make those  
4 funds available to carry out the goals of the Federal Displaced Homemakers  
5 Self Sufficiency Assistance Act, Public Law 101-554, which may include  
6 providing funds to existing or new services and programs for displaced  
7 homemakers including those mentioned in subsection (c) of this section.

8 (c) The Commissioner of Economic and Workforce Development shall  
9 coordinate with existing services and other related State and federal  
10 organizations to ensure communication and cooperation among programs and  
11 to share efforts and resources for new services and programs for displaced  
12 homemakers, including the Secretary of Education, the Department for  
13 Children and Families, VISTA, the Vermont State Colleges, the University of  
14 Vermont, the Vermont Extension Service, and the Governor's Commission on  
15 Women.

16 Sec. 9. 10 V.S.A. chapter 22A is amended to read:

17 Sec. 19. 10 V.S.A. chapter 22A is amended to read:

18 Chapter 22A: Workforce Education and Training

19 § 540. WORKFORCE EDUCATION AND TRAINING LEADER

20 The Commissioner of ~~Labor~~ Economic and Workforce Development shall  
21 be the leader of workforce education and training in the State, and shall have

1 the authority and responsibility for the coordination of workforce education  
2 and training within State government, including the following duties:

3 (1) Perform the following duties in consultation with the State

4 Workforce Development Board:

5 (A) advise the Governor on the establishment of an integrated system  
6 of workforce education and training for Vermont;

7 (B) create and maintain an inventory of all existing workforce  
8 education and training programs and activities in the State;

9 (C) use data to ensure that State workforce education and training  
10 activities are aligned with the needs of the available workforce, the current and  
11 future job opportunities in the State, and the specific credentials needed to  
12 achieve employment in those jobs;

13 (D) develop a State plan, as required by federal law, to ensure that  
14 workforce education and training programs and activities in the State serve  
15 Vermont citizens and businesses to the maximum extent possible;

16 (E) ensure coordination and non-duplication of workforce education  
17 and training activities;

18 (F) identify best practices and gaps in the delivery of workforce  
19 education and training programs;

20 (G) design and implement criteria and performance measures for  
21 workforce education and training activities; and



1           (H) establish goals for the integrated workforce education and training  
2 system.

3           (2) Require from each business, training provider, or program that  
4 receives State funding to conduct workforce education and training a report  
5 that evaluates the results of the training. Each recipient shall submit its report  
6 on a schedule determined by the Commissioner and shall include at least the  
7 following information:

8           (A) name of the person who receives funding;

9           (B) amount of funding;

10          (C) activities and training provided;

11          (D) number of trainees and their general description;

12          (E) employment status of trainees; and

13          (F) future needs for resources.

14          (3) Review reports submitted by each recipient of workforce education  
15 and training funding.

16          (4) Issue an annual report to the Governor and the General Assembly on  
17 or before December 1 that includes a systematic evaluation of the  
18 accomplishments of the State workforce investment system and the  
19 performance of participating agencies and institutions.

1           (5) Coordinate public and private workforce programs to assure that  
2 information is easily accessible to students, employees, and employers, and  
3 that all information and necessary counseling is available through one contact.

4           (6) Facilitate effective communication between the business community  
5 and public and private educational institutions.

6           (7) Notwithstanding any provision of State law to the contrary, and to the  
7 fullest extent allowed under federal law, ensure that in each State and State-  
8 funded workforce education and training program, the program administrator  
9 collects and reports data and results at the individual level by Social Security  
10 Number or an equivalent.

11   § 541A. STATE WORKFORCE DEVELOPMENT BOARD

12           (a) Board established; duties. Pursuant to the requirements of 29 U.S.C. §  
13 3111, the Governor shall establish a State Workforce Development Board to  
14 assist the Governor in the execution of his or her duties under the Workforce  
15 Innovation and Opportunity Act of 2014 and to assist the Commissioner of  
16 ~~Labor~~ Economic and Workforce Development as specified in section 540 of  
17 this title.

18           (b) Additional duties; planning; process. In order to inform its decision-  
19 making and to provide effective assistance under subsection (a) of this section,  
20 the Board shall:

1           (1) conduct an ongoing public engagement process throughout the State  
2           that brings together employers and potential employees, including students, the  
3           unemployed, and incumbent employees seeking further training, to provide  
4           feedback and information concerning their workforce education and training  
5           needs; and

6           (2) maintain familiarity with the federal Comprehensive Economic  
7           Development Strategy (CEDS) and other economic development planning  
8           processes, and coordinate workforce and education activities in the State,  
9           including the development and implementation of the State plan required under  
10          the Workforce Innovation and Opportunity Act of 2014, with economic  
11          development planning processes occurring in the State, as appropriate.

12          (c) Membership. The Board shall consist of the Governor and the following  
13          members who are appointed by the Governor in conformance with the federal  
14          Workforce Innovation and Opportunity Act and who serve at his or her  
15          pleasure, unless otherwise indicated:

16               (1) the **Commissioner of Labor**;

17               (2) two members of the Vermont House of Representatives appointed by  
18          the Speaker of the House;

19               (3) two members of the Vermont Senate appointed by the Senate  
20          Committee on Committees;

21               (4) the President of the University of Vermont;

- 1 (5) the Chancellor of the Vermont State Colleges;
- 2 (6) the President of the Vermont Student Assistance Corporation;
- 3 (7) a representative of an independent Vermont college or university;
- 4 (8) a director of a regional technical center;
- 5 (9) a principal of a Vermont high school;
- 6 (10) two representatives of labor organizations who have been
- 7 nominated by a State labor federation;
- 8 (11) two representatives of individuals and organizations who have
- 9 experience with respect to youth activities, as defined in 29 U.S.C. § 3102(71);
- 10 (12) two representatives of individuals and organizations who have
- 11 experience in the delivery of workforce investment activities, as defined in 29
- 12 U.S.C. § 3102(68);
- 13 (13) the lead State agency officials with responsibility for the programs
- 14 and activities carried out by one-stop partners, as described in 29 U.S.C. §
- 15 3151(b), or if no official has that responsibility, representatives in the State
- 16 with responsibility relating to these programs and activities;
- 17 (14) the Commissioner of Economic and Workforce Development;
- 18 (15) the Secretary of Commerce and Community Development;
- 19 (16) the Secretary of Human Services;
- 20 (17) the Secretary of Education;

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

3           (19) a number of appointees sufficient to constitute a majority of the  
4 Board who:

5           (A) are owners, chief executives, or operating officers of businesses,  
6 and other business executives or employers with optimum policymaking or  
7 hiring authority;

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

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

12           (d) Operation of Board.

13           (1) Member representation.

14           (A) A member of the State Board may send a designee that meets the  
15 requirements of subdivision (B) of this subdivision (1) to any State Board  
16 meeting who shall count toward a quorum and shall be allowed to vote on  
17 behalf of the Board member for whom he or she serves as a designee.

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

1           (C) 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 (c)(18) of this  
5 section.

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

8           (4) Work groups; task forces. The Chair, in consultation with the  
9 Commissioner of ~~Labor~~ Economic and Workforce Development, may:

10           (A) assign one or more members to work groups to carry out the work  
11 of the Board; and

12           (B) appoint one or more members of the Board, or nonmembers of the  
13 Board, or both, to one or more task forces for a discrete purpose and duration.

14           (5) Quorum meetings; voting.

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

19           (B) The Board may permit one or more members to participate in a  
20 regular or special meeting by, or conduct the meeting through the use of, any  
21 means of communication, including an electronic, telecommunications, and

1 video- or audio-conferencing conference telephone call, by which all members  
2 participating may simultaneously or sequentially communicate with each other  
3 during the meeting. A member participating in a meeting by this means is  
4 deemed to be present in person at the meeting.

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

10 (6) Reimbursement.

11 (A) Legislative members of the Board shall be entitled to  
12 compensation and expenses as provided in 2 V.S.A. § 406.

13 (B) Unless otherwise compensated by his or her employer for  
14 performance of his or her duties on the Board, a nonlegislative member of the  
15 Board shall be eligible for per diem compensation of \$50.00 per day for  
16 attendance at a meeting of the Board, and for reimbursement of his or her  
17 necessary expenses, which shall be paid through funds available for that  
18 purpose under the Workforce Innovation and Opportunity Act of 2014.

19 (7) Conflict of interest. A member of the Board shall not:

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

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

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

5 (B) engage in any activity that the Governor determines constitutes a  
6 conflict of interest as specified in the State Plan required under 29 U.S.C. §  
7 3112 or 3113.

8 (8) Sunshine provision. The Board shall make available to the public, on  
9 a regular basis through open meetings, information regarding the activities of  
10 the Board, including information regarding the State Plan adopted pursuant to  
11 29 U.S.C. § 3112 or 3113 and prior to submission of the State Plan to the U.S.  
12 Secretary of Labor, information regarding membership, and, on request,  
13 minutes of formal meetings of the Board.

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~~ Economic and Workforce Development are able to  
19 fully perform their duties under this chapter, each agency and department  
20 within State government, and each person who receives funding from the State,  
21 shall comply within a reasonable period of time with a request for data and



1 information made by the Board or the Commissioner in furtherance of their  
2 duties under this chapter.

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

6 § 542. REGIONAL WORKFORCE EDUCATION AND TRAINING

7 (a) The Commissioner of ~~Labor~~ Economic and Workforce Development, in  
8 ~~coordination with the Secretary of Commerce and Community Development,~~  
9 ~~and in~~ consultation with the State Workforce Development Board, is  
10 authorized to issue performance grants to one or more persons to perform  
11 workforce education and training activities in a region.

12 (b) Each grant shall specify the scope of the workforce education and  
13 training activities to be performed and the geographic region to be served, and  
14 shall include performance measures and results to evaluate the grantee's  
15 performance.

16 (c) The Commissioner of ~~Labor~~ Economic and Workforce Development  
17 ~~and the Secretary of Commerce and Community Development~~ shall jointly  
18 develop a grant process and eligibility criteria, as well as an outreach process  
19 for notifying potential participants of the grant program. The Commissioner ~~of~~  
20 ~~Labor~~ shall have final authority to approve each grant.

1 § 543. WORKFORCE EDUCATION AND TRAINING FUND; GRANT  
2 PROGRAMS

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

6 (b) Purposes. The Department shall use the Fund for the following  
7 purposes:

8 (1) training for Vermont workers, including those who are unemployed,  
9 underemployed, or in transition from one job or career to another;

10 (2) internships to provide students with work-based learning  
11 opportunities with Vermont employers;

12 (3) apprenticeship, preapprenticeship, and industry-recognized credential  
13 training; and

14 (4) other workforce development initiatives related to current and future  
15 job opportunities in Vermont as determined by the Commissioner of ~~Labor~~  
16 Economic and Workforce Development.

17 (c) Administrative and other support. The Department of ~~Labor~~ Economic  
18 and Workforce Development shall provide administrative support for the grant  
19 award process. When appropriate and reasonable the State Workforce  
20 Investment Board and all other public entities involved in economic

1 development and workforce education and training shall provide other support  
2 in the process.

3 (d) Eligible activities.

4 (1) The Department shall grant awards from the Fund to employers and  
5 entities, including private, public, and nonprofit entities, institutions of higher  
6 education, high schools, technical centers, and workforce education and  
7 training programs that:

8 (A) create jobs, offer education, training, apprenticeship,  
9 preapprenticeship and industry-recognized credentials, mentoring, or work-  
10 based learning activities, or any combination;

11 (B) employ student-oriented approaches to workforce education and  
12 training; and

13 (C) link workforce education and economic development strategies.

14 (2) The Department may fund programs or projects that demonstrate  
15 actual increased income and economic opportunity for employees and  
16 employers for more than one year.

17 (3) The Department may fund student internships and training programs  
18 that involve the same employer in multiple years with approval of the  
19 Commissioner.

20 (e) Repealed].

1 (f) Awards. The Commissioner of ~~Labor~~ Economic and Workforce  
2 Development, in consultation with the Chair of the State Workforce  
3 Development Board, shall develop award criteria and may grant awards to the  
4 following:

5 (1) Training Programs.

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

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

13 (ii) do not duplicate, supplant, or replace other available training  
14 funded with public money;

15 (iii) provide a project timeline, including performance goals, and  
16 identify how the effectiveness and outcomes of the program will be measured,  
17 including for the individual participants, the employers, and the program as a  
18 whole; and

19 (iv) articulate the need for the training and the direct connection  
20 between the training and the job.

1           (B) The Department shall grant awards under this subdivision (1) to  
2 programs or projects that:

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

6           (ii) address the needs of workers who are unemployed,  
7 underemployed, or are at risk of becoming unemployed, and workers who are  
8 in transition from one job or career to another;

9           (iii) address the needs of employers to hire new employees, or  
10 retrain incumbent workers, when the employer has demonstrated a need not  
11 within the normal course of business, with priority to training that results in  
12 new or existing job openings for which the employer intends to hire; or

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

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

18           (3) Apprenticeship Program. The Vermont Apprenticeship Program  
19 established under 21 V.S.A. chapter 13. Awards under this subdivision may be  
20 used to fund the cost of apprenticeship-related instruction provided by the  
21 Department of ~~Labor~~ Economic and Workforce Development.

1 § 544. VERMONT STRONG INTERNSHIP PROGRAM

2 (a)(1) The Department of ~~Labor~~ Economic and Workforce Development, in  
3 consultation with the Agency of Education, shall develop, and ~~the Department~~  
4 ~~shall~~ implement, a statewide Vermont Strong Internship Program for students  
5 who are in high school or in college and for those who are recent graduates of  
6 24 months or less.

7 (2) The Department of ~~Labor~~ Economic and Workforce Development  
8 shall coordinate and provide funding to public and private entities for  
9 internship programs that match Vermont employers with students from public  
10 and private secondary schools, regional technical centers, the Community High  
11 School of Vermont, colleges, and recent graduates of 24 months or less.

12 (3) Funding awarded through the Vermont Strong Internship Program  
13 may be used to build and administer an internship program and to provide  
14 participants with a stipend during the internship, based on need. Funds may be  
15 made only to programs or projects that:

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

17 (B) expose students to the workplace or create real workplace  
18 expectations and consequences;

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

1           (D) are designed to motivate and educate participants through work-  
2 based learning opportunities with Vermont employers;

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

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

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

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

18           (1) identify new and existing funding sources that may be allocated to  
19 the Vermont Strong Internship Program;

1           (2) collect data and establish program goals and performance measures  
2           that demonstrate program results for internship programs funded through the  
3           Vermont Strong Internship Program;

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

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

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

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16          (Committee vote: \_\_\_\_\_)

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Senator \_\_\_\_\_

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FOR THE COMMITTEE