

1 Introduced by Committee on Commerce and Economic Development

2 Date:

3 Subject: Commerce and trade; workforce development

4 Statement of purpose of bill as introduced: This bill proposes to adopt  
5 miscellaneous provisions relating to workforce development.

6 An act relating to workforce development

7 It is hereby enacted by the General Assembly of the State of Vermont:

8 \* \* \* Workforce Training;

9 Vermont Training Program; Weatherization \* \* \*

10 Sec. 1. VERMONT TRAINING PROGRAM; WORKFORCE TRAINING

11 ALLOCATIONS

12 (a) In an effort to promote access to training opportunities for Vermont  
13 small businesses, and to increase the resources available for employees to  
14 obtain recognized credentials of value, of the amounts appropriated to the  
15 Agency of Commerce and Community Development for the Vermont Training  
16 Program in fiscal year 2020:

17 (1) the Agency, working in partnership with the Department of Labor to  
18 identify appropriate opportunities, shall employ its best efforts to allocate 25  
19 percent of Program funding to provide training that results in an industry-  
20 recognized credential; and

1           (2) the Agency shall employ its best efforts to allocated 25 percent of  
2           Program funding to provide training for businesses with 50 or fewer  
3           employees.

4           (b) In its annual report submitted pursuant to 10 V.S.A. § 531(k) the  
5           Agency shall specifically address:

6                   (1) whether it was able to achieve the allocations specified in subsection  
7           (a) of this section, and if not, the reasons therefor;

8                   (2) the distribution of training funds by the number of employees of  
9           each business that benefitted from training;

10                  (3) the distribution of training funds that resulted in an employee  
11           obtaining an industry-recognized credential; and

12                  (4) the extent to which the Program benefitted businesses with 50 or  
13           fewer employees.

14           Sec. 2. 10 V.S.A. § 531 is amended to read:

15           § 531. THE VERMONT TRAINING PROGRAM

16           (a)(1) The Secretary of Commerce and Community Development, in  
17           consultation with the State Workforce Development Board, shall have the  
18           authority to design and implement a Vermont Training Program, the purpose  
19           of which shall be to issue performance-based grants to employers and to  
20           education and training providers to increase employment opportunities in  
21           Vermont consistent with this chapter.

1           (2) The Secretary shall structure the Vermont Training Program to serve  
2           as a flexible, nimble, and strategic resource for Vermont businesses and  
3           workers across all sectors of the economy.

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

6           (1) the training is for preemployment, new employees, or incumbent  
7           employees in the methods, either singularly or in combination, relating to  
8           preemployment training, on-the-job training, upgrade training, crossover  
9           training, or specialized instruction, either on-site or through a training  
10          provider;

11          (2) the employer provides its employees with at least three of the  
12          following:

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

15                (B) dental assistance;

16                (C) paid vacation;

17                (D) paid holidays;

18                (E) child care;

19                (F) other extraordinary employee benefits;

20                (G) retirement benefits;

21                (H) other paid time off, excluding paid sick days;

1           (3) the training is directly related to the employment responsibilities of  
2 the trainee; and

3           (4) compensation for each trainee at the completion of the training  
4 program equals or exceeds the livable wage as defined in 2 V.S.A. § 505,  
5 provided that the Secretary shall have the authority to modify this requirement  
6 if he or she determines that the employer offers compensation or benefits, the  
7 value of which exceeds the compensation and benefit assumptions in the basic  
8 needs budget and livable wage calculated pursuant to 2 V.S.A. § 505.

9           (c) In the case of a grant to a training provider, the Secretary shall require as  
10 a condition of the grant that the provider shall disclose to the Secretary the  
11 name of the employer and the number of employees trained prior to final  
12 payment for the training.

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

16           (1) consult with the Commissioner of Labor regarding whether the  
17 grantee has accessed, or is eligible to access, other workforce education and  
18 training resources;

19           (2) disburse grant funds only for training hours that have been  
20 successfully completed by employees; ~~provided that,~~ subject to the following:

1           (A) except for an award under an enhanced incentive for workforce  
2 training as provided in 32 V.S.A. § 3336, a grant for on-the-job training shall:

3           (i) for a business with 50 or fewer employees, either provide not  
4 more than 75 percent of wages for each employee in training or not more than  
5 75 percent of trainer expense, but not both;

6           (ii) for all other businesses, either provide not more than 50  
7 percent of wages for each employee in training or not more than 50 percent of  
8 trainer expense, but not both,~~and further provided that ;~~

9           (B) training shall be performed in accordance with a training plan that  
10 defines the subject of the training, the number of training hours, and how the  
11 effectiveness of the training will be evaluated; and

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

14           (e) Work-based learning activities.

15           (1) In addition to eligible training authorized in subsection (b) of this  
16 section, the Secretary of Commerce and Community Development may  
17 annually allocate up to 10 percent of the funding appropriated for the Program  
18 to fund work-based learning programs and activities with eligible employers to  
19 introduce Vermont students in a middle school, secondary school, career  
20 technical education program, or postsecondary school to manufacturers and  
21 other regionally significant employers.

1           (2) An employer with a defined work-based learning program or activity  
2 developed in partnership with a middle school, secondary school, career  
3 technical education program, or postsecondary school may apply to the  
4 Program for a grant to offset the costs the employer incurs for the work-based  
5 learning program or activity, including the costs of transportation, curriculum  
6 development, and materials.

7           (f) Upon completion of the training program for any individual, the  
8 Secretary of Commerce and Community Development shall review the records  
9 and shall award to the trainee, if appropriate, a certificate of completion for the  
10 training.

11           (g)-(j) [Repealed.]

12           (k) Annually on or before January 15, the Secretary shall submit a report to  
13 the House Committee on Commerce and Economic Development and the  
14 Senate Committee on Economic Development, Housing and General Affairs.

15 In addition to the reporting requirements under section 540 of this title, the  
16 report shall identify:

17           (1) all active and completed contracts and grants;

18           (2) from among the following, the category the training addressed:

19           (A) preemployment training or other training for a new employee to  
20 begin a newly created position with the employer;

1           (B) preemployment training or other training for a new employee to  
2 begin in an existing position with the employer;

3           (C) training for an incumbent employee who, upon completion of  
4 training, assumes a newly created position with the employer;

5           (D) training for an incumbent employee who upon completion of  
6 training assumes a different position with the employer;

7           (E) training for an incumbent employee to upgrade skills;

8           (3) for the training identified in subdivision (2) of this subsection  
9 whether the training is onsite or classroom-based;

10           (4) the number of employees served;

11           (5) the average wage by employer;

12           (6) any waivers granted;

13           (7) the identity of the employer, or, if unknown at the time of the report,  
14 the category of employer;

15           (8) the identity of each training provider;

16           (9) whether training results in a wage increase for a trainee, and the  
17 amount of increase; and

18           (10) the number, type, and description of grants for work-based learning  
19 programs and activities awarded pursuant to subsection (e) of this section.

20           Sec. 3. WORKFORCE TRAINING; WEATHERIZATION

1       (a) In fiscal year 2020 the amount of \$350,000.00 is appropriated from the  
2       General Fund to the Office of Economic Opportunity within the Department of  
3       Children and Families, which shall provide grant funding to the five Home  
4       Weatherization Assistance Programs for the purpose of recruiting and training  
5       individuals in the home weatherization industry.

6       (b) Grantees may use the funding for:

7           (1) recruitment efforts of youth, underemployed adults, or other  
8       populations;

9           (2) operations for weatherization training programs including training  
10      coordinators across the state and

11          (3) stipends and wage subsidies for training participants.

12      (c) The Home Weatherization Assistance Programs are also encouraged to  
13      apply for the federal Workforce Innovation Opportunity Act grant funds  
14      through the Department of Labor to supplement and enhance the  
15      weatherization training programs.

16      (d) On or before January 15, 2020, the Departments of Labor and of  
17      Children and Families shall report to the House Committee on Commerce and  
18      Economic Development and the Senate Committee on Economic  
19      Development, Housing and General Affairs with recommendations on best  
20      practices for recruiting, training, and retaining the weatherization workforce in  
21      this State.



1 **Sec. 4. VERMONT TALENT PIPELINE MANAGEMENT PROJECT**

2 The Vermont Talent Pipeline Management Project brings value to  
3 Vermont’s workforce and economic development initiatives by:

4 (1) convening employers by sector to create industry specific  
5 partnerships and employer informed initiatives aimed at addressing skill gaps;

6 (2) engaging post-secondary training and education partners to develop  
7 or streamline programs that meet employer and incumbent needs; and

8 (3) highlighting policy, practice, and funding challenges that prevent  
9 access to training or that inhibit advancement of workers within high need  
10 areas of Vermont’s economy.

11 (b) The Vermont Talent Pipeline Management Project shall have the  
12 limited role in the post-secondary workforce and economic development  
13 systems of:

14 (1) organizing, convening and maintaining employer collaboratives in  
15 key sectors of the economy, identified by available labor market information;

16 (2) broadly sharing competency and credential requirements learned  
17 from employer collaboratives, and specifically engaging post-secondary  
18 training and post-secondary education partners in the development of new or  
19 modification of existing programs; and

20 (3) using a continuous improvement process to ensure employer needs  
21 are met.

1 **Sec. 5. 16 V.S.A. § 2846 is amended to read:**

2 § 2846. ~~NONDEGREE~~ ADVANCEMENT GRANTS

3 The Corporation may establish grant programs for residents pursuing  
4 nondegree education and training opportunities who do not meet the definition  
5 of student in subdivision 2822(3) of this title, and who may not meet the  
6 requirements of this subchapter. ~~Nondegree grants~~ Grants may be used at  
7 institutions that are not approved postsecondary education institutions. The  
8 Corporation may adopt rules or establish policies, procedures, standards, and  
9 forms for ~~nondegree~~ grants, including the requirements for applying for and  
10 using the grants and the eligibility requirements for the institutions where the  
11 grants may be used.

12 \* \* \* Adult Career and Technical Education; Study \* \* \*

13 **Sec. 6. ADULT CTE STUDY; REPORT**

14 (a) Findings; purpose; creation of committee.

15 (1) Findings. The General Assembly finds:

16 (A) Like many rural states, Vermont faces demographic realities  
17 that have resulted in an historically low unemployment rate and created  
18 obstacles for employers that seek to hire and retain enough fully-trained  
19 employees.

1           (B) Notwithstanding this high employer demand, due to rapidly  
2           changing technology and evolving business needs, potential employees may  
3           lack the particular skills and training necessary to qualify for available jobs.

4           (C) In order to assist employers and employees in matching demand  
5           to requisite skills, Vermont has a broad diversity of adult workforce  
6           education and training programs offered by multiple providers, including  
7           programs administered or funded by State government, educational  
8           institutions, business and industry, and private professionals.

9           (2) Purpose. Consistent with the goals and purposes of H.919 (2018),  
10          pursuant to which the State Workforce Development Board and other  
11          stakeholders are currently engaged in planning the design and  
12          implementation of a fully-integrated workforce development system, it is the  
13          purpose of the General Assembly to explore the creation of a fully-integrated  
14          adult career and technical education system that:

15               (A) provides Vermonters throughout the State with high quality  
16               programs that are standardized and replicable;

17               (B) coordinates, or integrates where appropriate, the many  
18               programs and providers to maximize the efficient use of training resources;  
19               and

1           (C) features a governance structure that provides consistency across  
2           the system whenever appropriate, but also provides the flexibility necessary  
3           to respond to local and regional workforce demands.

4           (3) Creation. There is created an Adult Career and Technical  
5           Education Study Committee to consider and report to the General Assembly  
6           on the design, implementation, and costs of an integrated adult career and  
7           technical education system that achieves the results specified in subdivision  
8           (2) of this subsection.

9           (b) Membership. The Committee shall be composed of the following  
10           members:

11           (1) one current member of the House of Representatives appointed by  
12           the Speaker of the House;

13           (2) one current member of the Senate appointed by the Committee on  
14           Committees;

15           (3) the Chancellor of the Vermont State Colleges, or designee;

16           (4) the Commissioner of Labor, or designee;

17           (5) the Chair of the State Workforce Development Board, or designee;

18           and

19           (6) a member appointed by the Vermont Adult Technical Education  
20           Association.

21           (c) Assistance.

1           (1) The Committee shall have the administrative, legal, and fiscal  
2           assistance of the Office of Legislative Council and the Joint Fiscal Office.

3           (2) The Committee may request additional support for subject matter  
4           and technical expertise from executive branch agencies and departments as is  
5           necessary to complete its work.

6           (d) Report. On or before January 15, 2020 the Committee shall submit a  
7           its findings and any recommendations for legislative action to the House and  
8           Senate Committees on Education, the House Committee on Commerce and  
9           Economic Development, and the Senate Committee on Economic  
10          Development, Housing and General Affairs.

11          (e) Meetings.

12           (1) The Office of Legislative Council shall coordinate with the Chair  
13           to call the first meeting of the Committee to occur on or before August 15,  
14           2019.

15           (2) The first member appointed from the General Assembly shall be  
16           the chair.

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

18           (4) The Committee shall cease to exist on January 15, 2020.

19          (f) Compensation and reimbursement.

20           (1) For attendance at meetings during adjournment of the General  
21           Assembly, a legislative member of the Committee serving in his or her

1 capacity as a legislator shall be entitled to per diem compensation and  
2 reimbursement of expenses pursuant to 2 V.S.A. § 406 for not more than  
3 eight meetings. These payments shall be made from monies appropriated to  
4 the General Assembly.

5 (2) Other members of the Committee shall be entitled to per diem  
6 compensation and reimbursement of expenses as permitted under 32 V.S.A.  
7 § 1010 for not more than eight meetings. These payments shall be made  
8 from monies appropriated to the General Assembly.

9 (g) Appropriation. The sum of \$X,000.00 is appropriated from the General  
10 Fund to the General Assembly in fiscal year 2020 for per diem compensation  
11 and reimbursement of expenses for members of the Committee.

12 \* \* \*

13 \* \* \* Workforce Recruitment;

14 Relo802; Military Base Recruitment \* \* \*

15 **Sec. 7. RELOCATION SUPPORT SYSTEM**

16 (a) In order for Vermonters to support themselves and their families, enable  
17 Vermont businesses to grow, and expand our communities' tax base, the  
18 Department of Labor shall competitively grant three awards to organizations  
19 with local expertise and the ability to directly support a coordinated, high-  
20 touch, approach to connecting individuals and families to employment by

1 working with employers and service organizations in federal Opportunity Zone  
2 communities.

3 (1) The Department shall support grantees by facilitating the  
4 development of clear outcomes and accountability frameworks for each  
5 community. Accountability data should be shared with partners across the state  
6 in a Community of Practice so innovations, challenges, and best practices can  
7 be leveraged towards the development of a comprehensive statewide path  
8 towards full employment.

9 (2) The Department of Labor shall coordinate monitoring, information,  
10 tracking, and support systems to facilitate the successful connection of these  
11 individuals to Vermont employment. Services provided under contracts or  
12 grants shall facilitate and expedite the physical transition of any person into the  
13 Vermont workforce by providing quick, customized information, resources,  
14 referrals, and support.

15 (b) State agencies and State-funded programs shall coordinate with the  
16 Department to ensure that services and information that could assist a person in  
17 relocating to Vermont are made available through an integrated, employee-  
18 centered system. The Department shall pursue working agreements with key  
19 employers and nongovernmental organizations to ensure that appropriate  
20 expertise is available to program staff and individuals looking to enter

1 Vermont’s job market, through referrals or other information sharing  
2 mechanisms.

3 (c) The Department shall coordinate available information for each region  
4 that includes labor market information, housing and education information,  
5 recreation information, and other relevant resources. The Department shall  
6 make the information easily accessible for interested individuals to assist in  
7 aspects of preliminary decision making.

8 (d) The Department shall convene regional, multidisciplinary teams to  
9 provide community-level knowledge, support, and services to best meet the  
10 needs of prospective employees. Partners shall represent expertise from  
11 relevant sectors, including housing, transportation, education, health, child  
12 care, recreation, and economic development.

13 Sec. 8. ON-BASE RECRUITMENT PILOT PROGRAM

14 (a) The Department of Labor shall work with the Vermont National Guard  
15 and public and private employers in health care, construction, manufacturing,  
16 business services, transportation, and human services to pilot an on-base  
17 recruitment effort that encourages service members separating from military  
18 service to relocate to Vermont.

19 (b) The Department shall coordinate with the Agency of Commerce and  
20 Community Development to direct available marketing and outreach funds to  
21 support targeted recruitment events held on military bases.



1       (c) The Department shall provide limited organizational support to  
2       employers interested in participating in private-pay travel to military bases in  
3       conjunction with other employers, representatives of the Vermont National  
4       Guard, and State officials, for the purpose of promoting employment and  
5       relocation to Vermont.

6       (d) Not more than \$25,000 in General Funds may be allocated to the  
7       Department to support staff time, supplies, necessary travel, and other related  
8       costs.

9                   \* \* \* Workforce Training and Credentialing;

10                  New Americans; Workers with Barriers to Employment \* \* \*

11       Sec. 9. OFFICE OF PROFESSIONAL REGULATION; REPORT

12       On or before December 15, 2020, the Office of Professional Regulation, in  
13       consultation with the Vermont Board of Nursing, shall assess the feasibility of  
14       designing and implementing a basic teaching certification program for nurse  
15       educators and report its findings to the House Committees on Commerce and  
16       Economic Development and on Government Operations and to the Senate  
17       Committees on Economic Development, Housing and General Affairs and on  
18       Government Operations.

19       Sec. 10. NEW AMERICANS; BARRIERS TO EMPLOYMENT

1       (a) The Department of Labor shall preserve and expand apprenticeship as a  
2       path to licensure wherever possible and work collaboratively with relevant  
3       stakeholders to avoid unnecessary obstacles to participation.

4       (b) The Department shall consider credentialing as a means of making  
5       language interpreters available to facilitate interactions with licensing  
6       authorities.

7       **Sec. 11. STUDY; WORKFORCE DEVELOPMENT OPPORTUNITIES FOR**  
8       **REFUGEES, IMMIGRANTS, AND ASYLYM SEEKERS**

9       (a) Creation. There is created a task force on workforce development  
10       opportunities for refugees, immigrants, and asylum seekers living in Vermont.

11       (b) Membership. The task force shall be composed of the following  
12       members:

13           (1) The State Refugee Coordinator.

14           (2) A member appointed by the Agency of Human Services Secretary,  
15       with expertise in New American workforce development issues.

16           (3) The executive director of AALV, or their designee.

17           (4) The director of Vermont’s Refugee Resettlement/USCRI program.

18           (5) The director of CVOEO’s financial futures program, or designee.

19           (6) A representative of Burlington’s Community and Economic  
20       Development Office’s Sustainability, Housing, and Economic Development  
21       department.

1           (7) Two Vermont employers with experience hiring and cultivating New  
2           American workers.

3           (8) Two members of Vermont’s refugee, immigrant, and immigrant  
4           communities, appointed by AALV and VRR.

5           (9) An appointee of the University of Vermont with research expertise  
6           in refugee and New American migration in Vermont.

7           (10) Legislator(s)?

8           (11) A member appointed by the Vermont Migrant Education Project.

9           (12) A member appointed by the Community Asylum Seekers Project.

10          (13) A member appointed by Rutland Welcomes.

11          (c) Powers and duties. The task force shall study the following:

12           (1) Recommendations identified in the following studies and  
13           documents:

14           (A) Occupational Regulation and Migrant Professionals in Vermont:  
15           Reducing Barriers for Qualified Immigrants.

16           (B) [Senate Pro Tem Tim Ashe’s memo of February 4, 2019].

17           (C) Vermont New American Community Needs Assessment;  
18           Champlain Valley Head Start, 2015.

19           (D) CVOEO’s New American Working Group report.

20           (E) Others as identified by task force membership and/or witnesses.

1           (2) Cultural competency supports needed in Vermont’s employment  
2 settings.

3           (3) Training, apprenticeship, and mentorship needs and opportunities.

4           (4) Tools and supports needed for refugees to effectively translate pre-  
5 existing educational and professional credentials in Vermont settings.

6           (5) Additional supports needed to ensure employment opportunities,  
7 including child care and transportation.

8           (d) Report. On or before December 1, 2019, the task force shall produce a  
9 report for House and Senate Economic Development, Gov Ops, and  
10 Appropriations committees with recommendations for proposed legislation and  
11 investments, in order of priority.

12 **Sec. 12. DEPARTMENT OF LABOR; FIDELITY BONDS**

13           Of the amounts appropriated to the Department of Labor in fiscal year 2020  
14 from the Workforce Education and Training Fund, the Department shall  
15 allocate not less than \$3,000.00 to purchase fidelity bonds through the Federal  
16 Bonding Program to provide insurance against theft or loss for insurers to hire  
17 workers with barriers to employment.

18 **Sec. 13. OFFICE OF THE GOVERNOR; REGISTRY OF EMPLOYERS**

19           The Office of the Governor, with support from the Department of Labor,  
20 shall create and maintain on its public website a registry of employers who  
21 accept applications and are willing to hire workers with barriers to

1 employment, including workers in recovery from addiction and workers with  
2 past incarceration.

3 \* \* \* Appropriations \* \* \*

4 **Sec. 14. APPROPRIATIONS**

5 In fiscal year 2020 the amount of \$2,000,000.00 is appropriated from the  
6 General Fund to the following recipients for the purposes specified:

7 (1) \$250,000 to the Agency of Commerce and Community Development  
8 for economic development marketing pursuant to its authority in 3 V.S.A.  
9 § 2476(c) to execute the State’s core Economic Development Marketing Plan  
10 through paid, owned, and earned media, utilizing technology, data, and  
11 analysis tools;

12 (2) \$250,000 to the Agency of Commerce and Community Development  
13 to identify, recruit, and provide relocation assistance to workers, including:

14 (A) identifying target audiences;

15 (B) targeting through digital and social media; and

16 (C) implementing strategies that convert visitors to residents and  
17 awarding grants for regional partnerships to help recruitment efforts at the  
18 local and regional levels;

19 (3) \$500,000 to the Department of Labor to implement a relocation  
20 support system pursuant to 10 V.S.A. § 546;

21 (4) \$1,050,000 to the Department of Labor as follows:

1                   (A) \$50,000 for a grant to the Community College of Vermont to  
2                   provide robotics training at its Rutland location; and

3                   (B) \$1,000,000 to expand opportunities for apprenticeships, training,  
4                   and adult career and technical education, which may include funding to  
5                   replicate in additional locations the robotics training program at the Rutland  
6                   location of the Community College of Vermont.

7                                                           \* \* \* Effective Date \* \* \*

8                   Sec. 15. EFFECTIVE DATE

9                   This act shall take effect on July 1, 2019.