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H.533

Introduced by Committee on Commerce and Economic Development

Date:

Subject: Commerce and trade; workforce development

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

An act relating to workforce development

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

\* \* \* Workforce Training;

Vermont Training Program; Weatherization \* \* \*

Sec. 1. VERMONT TRAINING PROGRAM; WORKFORCE TRAINING  
ALLOCATIONS

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

(1) the Agency, working in partnership with the Department of Labor to  
identify appropriate opportunities, shall employ its best efforts to allocate 25

1 percent of Program funding to provide training that results in a credential of  
2 value or apprenticeship; and

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

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

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

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

12 (3) the distribution of training funds that resulted in an employee  
13 obtaining a credential of value or apprenticeship; and

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

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

17 § 531. THE VERMONT TRAINING PROGRAM

18 \* \* \*

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) consult with the Commissioner of Labor regarding whether the  
2 grantee has accessed, or is eligible to access, other workforce education and  
3 training resources;

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

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

8 (i) for a business with 50 or fewer employees, either provide not  
9 more than 75 percent of wages for each employee in training or not more than  
10 75 percent of trainer expense, but not both;

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

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

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

19 \* \* \*

20 (k) Annually on or before January 15, the Secretary shall submit a report to  
21 the House Committee on Commerce and Economic Development and the

1 Senate Committee on Economic Development, Housing and General Affairs.

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

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

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

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

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

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

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

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

15 (3) for the training identified in subdivision (2) of this subsection

16 whether the training is ~~onsite~~ on-site or classroom-based;

17 (4) the number of employees served;

18 (5) the average wage by employer;

19 (6) any waivers granted;

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

1 (8) the identity of each training provider;

2 (9) whether training results in a wage increase for a trainee, and the  
3 amount of increase; ~~and~~

4 (10) the aggregated median wage of employees invoiced for training  
5 during the reporting period;

6 (11) the percentage growth in wages for all wage earners in the State  
7 during the reporting period; and

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

10 Sec. 3. WORKFORCE TRAINING; WEATHERIZATION

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

16 (b) Grantees may use the funding for:

17 (1) recruiting Vermonters who are eligible for funding under the federal  
18 Workforce Innovation Opportunity Act;

19 (2) operations for weatherization training programs, including training  
20 coordinators across the State; and

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

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

5        (d) On or before January 15, 2020, the Departments of Labor and for  
6        Children and Families shall report to the House Committee on Commerce and  
7        Economic Development and the Senate Committee on Economic  
8        Development, Housing and General Affairs with recommendations on best  
9        practices for recruiting, training, and retaining the weatherization workforce in  
10       this State.

11       Sec. 4. 16 V.S.A. § 2846 is amended to read:

12       § 2846. ~~NONDEGREE~~ ADVANCEMENT GRANTS

13       (a) The Corporation may establish ~~grant programs~~ an advancement grant  
14       program for residents pursuing nondegree education and training opportunities  
15       who do not meet the definition of student in subdivision 2822(3) of this title,  
16       and who may not meet the requirements of this subchapter.

17       (b) ~~Nondegree grants~~ Advancement grants may be used at institutions that  
18       are not approved postsecondary education institutions.

19       (c) The Corporation may adopt rules or establish policies, procedures,  
20       standards, and forms for ~~nondegree~~ advancement grants, including the

1 requirements for applying for and using the grants and the eligibility  
2 requirements for the institutions where the grants may be used.

3 Sec. 5. 10 V.S.A. § 546 is added to read:

4 § 546. STATE POSTSECONDARY ATTAINMENT GOAL

5 (a) It is the policy of the State of Vermont to:

6 (1) grow awareness of postsecondary pathways and the individual and  
7 public value of continued education after high school;

8 (2) expand postsecondary access so that students of all ages and  
9 backgrounds can pursue postsecondary education and training;

10 (3) increase postsecondary success by ensuring that Vermonters have  
11 the supports they need to complete a credential of value; and

12 (4) maximize partnerships across and within sectors to achieve State  
13 workforce development and education goals.

14 (b) In order to meet workforce and labor market demands, the State of  
15 Vermont shall take steps necessary to achieve a postsecondary attainment goal  
16 that not less than 70 percent of working-age Vermonters possess a credential of  
17 value, as defined by the State Workforce Development Board, by the year  
18 2025.

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

20 Sec. 6. ADULT CTE STUDY; REPORT

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

1           (1) Findings. The General Assembly finds:

2           (A) Like many rural states, Vermont faces demographic realities  
3           that have resulted in an historically low unemployment rate and created  
4           obstacles for employers that seek to hire and retain enough fully trained  
5           employees.

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

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

14          (2) Purpose. Consistent with the goals and purposes of 2018 Acts and  
15          Resolves No. 189, pursuant to which the State Workforce Development  
16          Board and other stakeholders are currently engaged in planning the design  
17          and implementation of a fully integrated workforce development system, it is  
18          the purpose of the General Assembly to explore the creation of a fully  
19          integrated adult career and technical education system that:



1           (A) provides Vermonters throughout the State with high quality  
2           programs that are standardized, replicable, and offered with regularity and  
3           consistency;

4           (B) coordinates, or integrates where appropriate, the many  
5           programs and providers to maximize the efficient use of training resources;  
6           and

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

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

15           (b) Membership. The Committee shall be composed of the following  
16           members:

17           (1) one current member of the House of Representatives appointed by  
18           the Speaker of the House;

19           (2) one current member of the Senate appointed by the Committee on  
20           Committees;

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

1           (4) the Commissioner of Labor or designee;

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

3           (6) an employer who is a member of the State Workforce Development  
4 Board, appointed by the Board chair;

5           (7) two members appointed by the Vermont Adult Technical  
6 Education Association, each of whom is a director of an adult career and  
7 technical education center; and

8           (8) the President of the Vermont Student Assistance Corporation or  
9 designee.

10          (c) Assistance.

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

13           (2) The Committee may request additional support for subject matter  
14 and technical expertise from Executive Branch agencies and departments as  
15 is necessary to complete its work.

16          (d) Report. On or before January 15, 2020 the Committee shall submit a  
17 report of its findings and any recommendations for legislative action to the  
18 House Committee on Commerce and Economic Development and the Senate  
19 Committee on Economic Development, Housing and General Affairs.

20          (e) Meetings.

1           (1) The Office of Legislative Council shall coordinate with the Chair  
2           to call the first meeting of the Committee to occur on or before August 15,  
3           2019.

4           (2) The first member appointed from the General Assembly shall be  
5           the chair.

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

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

8           (f) Compensation and reimbursement.

9           (1) For attendance at meetings during adjournment of the General  
10          Assembly, a legislative member of the Committee serving in his or her  
11          capacity as a legislator shall be entitled to per diem compensation and  
12          reimbursement of expenses pursuant to 2 V.S.A. § 406 for not more than  
13          eight meetings. These payments shall be made from monies appropriated to  
14          the General Assembly.

15          (2) Other members of the Committee shall be entitled to per diem  
16          compensation and reimbursement of expenses as permitted under 32 V.S.A.  
17          § 1010 for not more than eight meetings. These payments shall be made  
18          from monies appropriated to the General Assembly.

1           \* \* \* Workforce Recruitment; Military Base Recruitment \* \* \*

2           Sec. 7. RELOCATION SUPPORT SYSTEM

3           (a)(1) In order for Vermonters to support themselves and their families,  
4           enable Vermont businesses to grow, and expand our communities' tax base,  
5           the Department of Labor shall award grants on a competitive basis to three  
6           organizations with local expertise and a demonstrated ability to directly  
7           support a coordinated, high-touch approach to connecting individuals and  
8           families to employment by working with employers and service organizations.

9           (2)(A) A grantee shall use its award to facilitate and expedite the  
10          transition of individuals into the Vermont workforce by providing quick,  
11          customized information, resources, referrals, and support.

12          (B) The Department shall coordinate monitoring, information,  
13          tracking, and support systems to facilitate the successful connection of these  
14          individuals to Vermont employment.

15          (3) The Department shall:

16               (A) support grantees by facilitating the development of clear  
17               outcomes and accountability frameworks for each community; and

18               (B) share accountability data with partners across the State in a  
19               community of practice so that innovations, challenges, and best practices can  
20               be leveraged towards the development of a comprehensive Statewide path  
21               towards full employment.

1       (b) State agencies and State-funded programs shall coordinate with the  
2       Department to ensure that services and information that could assist a person in  
3       relocating to Vermont are made available through an integrated, employee-  
4       centered system.

5       (c) The Department shall:

6           (1) collaborate with key employers and nongovernmental organizations  
7       to ensure that appropriate expertise is available to program staff and  
8       individuals looking to enter Vermont's job market, through referrals or other  
9       information sharing mechanisms;

10          (2)(A) coordinate available information for each region that includes  
11       labor market information, housing and education information, recreation  
12       information, and other relevant resources; and

13          (B) make the information easily accessible for interested individuals  
14       to assist in aspects of preliminary decision making; and

15          (3) convene regional, multidisciplinary teams that:

16           (A) comprise partners with expertise from relevant sectors, including  
17       housing, transportation, education, health, child care, recreation, and economic  
18       development; and

19           (B) provide community-level knowledge, support, and services to  
20       best meet the needs of prospective employees.

1       Sec. 8. ON-BASE RECRUITMENT PILOT PROGRAM

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

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

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

15          (d) Not more than \$25,000.00 in General Funds may be allocated to the  
16          Department to support staff time, supplies, necessary travel, and other related  
17          costs.

1           \* \* \* Workforce Training and Credentialing; Nurse Educators;  
2           New Americans; Workers with Barriers to Employment \* \* \*

3       Sec. 9. OFFICE OF PROFESSIONAL REGULATION; REPORT

4           (a) The Office of Professional Regulation, in consultation with the  
5           Vermont Board of Nursing, Vermont State Colleges, the University of  
6           Vermont, Norwich University, and other interested stakeholders, shall review  
7           statutory, regulatory, and accreditation standards for nursing programs within  
8           the State and nationally with the purpose of identifying barriers to recruitment  
9           and retention of nurse educators in nursing education programs.

10          (b) The Office of Professional Regulation shall evaluate the  
11          appropriateness of the level of credential and experience currently required for  
12          nurse educators in clinical settings.

13          (c) On or before December 15, 2019, the Office of Professional Regulation  
14          shall report its findings, including recommendations for any statutory or  
15          regulatory changes to facilitate recruitment and retention of nurse faculty, to  
16          the House Committees on Commerce and Economic Development and on  
17          Government Operations and to the Senate Committees on Economic  
18          Development, Housing and General Affairs and on Government Operations.

1       Sec. 10. STUDY; WORKFORCE DEVELOPMENT OPPORTUNITIES FOR  
2                   REFUGEES, IMMIGRANTS, AND ASYLUM SEEKERS

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

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

7                   (1) The State Refugee Coordinator.

8                   (2) A member with expertise in new American workforce development  
9           issues appointed by the Agency of Human Services Secretary.

10                   (3) The executive director of AALV or designee.

11                   (4) The president of Vermont's U.S. Committee for Refugees and  
12           Immigrants or designee.

13                   (5) The director of CVOEO's financial futures program or designee.

14                   (6) A representative of Burlington's Community Economic  
15           Development Office's Sustainability, Housing, and Economic Development  
16           department.

17                   (7) Two Vermont employers, one of whom is engaged in business in the  
18           agricultural sector and one of whom is engaged in business in another sector,  
19           with experience hiring and cultivating new American workers appointed by the  
20           Chair of the State Workforce Development Board.



1           (8) Two members of Vermont's refugee, immigrant, and immigrant  
2           communities, one appointed by each of AALV and Vermont's U.S. Committee  
3           for Refugees and Immigrants.

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

6           (10) A member appointed by the Vermont Migrant Education Project.

7           (11) A member appointed by the Community Asylum Seekers Project.

8           (12) A member appointed by Rutland Welcomes.

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

10           (1) recommendations identified in relevant studies and reports;

11           (2) cultural competency support needed in Vermont's employment  
12           settings;

13           (3) training, apprenticeship, and mentorship needs and opportunities;

14           (4) tools and supports needed for refugees to effectively apply  
15           preexisting educational and professional credentials in Vermont settings; and

16           (5) additional supports needed to ensure employment opportunities,  
17           including child care and transportation.

18           (d) Report. On or before December 1, 2019, the task force shall report to  
19           the House Committees on Commerce and Economic Development, on  
20           Government Operations, and on Appropriations and to the Senate Committees  
21           on Economic Development, Housing and General Affairs, on Government

1 Operations, and on Appropriations concerning its findings, recommendations  
2 for proposed legislation, and investments in order of priority.

3 Sec. 11. DEPARTMENT OF LABOR; FIDELITY BONDS

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

9 Sec. 12. REGISTRY OF EMPLOYERS

10 The Department of Labor shall create and maintain on its website a registry  
11 of employers who accept applications and are willing to hire workers with  
12 barriers to employment, including workers in recovery from addiction and  
13 workers with past incarceration.

14 \* \* \* Vermont Talent Pipeline Management Project \* \* \*

15 Sec. 13. VERMONT TALENT PIPELINE MANAGEMENT PROJECT

16 (a) The Vermont Talent Pipeline Management Project brings value to  
17 Vermont's workforce and economic development initiatives by:

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

20 (2) engaging education partners to develop and align programs that meet  
21 employer and incumbent needs; and

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

4           (b) The Vermont Talent Pipeline Management Project is encouraged to  
5           collaborate in Vermont’s workforce and economic development systems by:

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

8           (2) broadly sharing competency and credential requirements learned  
9           from employer collaboratives, and specifically engaging training and education  
10           partners in the development of new or modification of existing programs; and

11           (3) using a continuous improvement process to ensure employer needs  
12           are met.

13   \* \* \* Appropriations \* \* \*

14           Sec. 14. APPROPRIATIONS

15           In fiscal year 2020 the amount of \$1,985,000.00 is appropriated from the  
16           General Fund to the following recipients for the purposes specified:

17           (1) \$250,000.00 to the Agency of Commerce and Community  
18           Development for economic development marketing pursuant to its authority in  
19           3 V.S.A. § 2476(c) to execute the State’s core Economic Development  
20           Marketing Plan through paid, owned, and earned media, utilizing technology,  
21           data, and analysis tools;

1           (2) \$250,000.00 to the Agency of Commerce and Community  
2           Development to identify, recruit, and provide relocation assistance to workers,  
3           including:

4                   (A) identifying target audiences;

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

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

9           (3) \$10,000.00 to the General Assembly for per diem compensation and  
10          reimbursement of expenses for study committees, as follows:

11                   (A) \$5,000.00 for members of the Adult CTE Study Committee  
12          created in Sec. 6 of this act; and

13                   (B) \$5,000.00 for members of the Task Force on Workforce  
14          Development Opportunities for Refugees, Immigrants, and Asylum Seekers  
15          created in Sec. 10 of this act.

16           (4) \$1,475,000.00 to the Department of Labor as follows:

17                   (A) \$425,000.00 to the Department of Labor to implement a  
18          relocation support system and provide services pursuant to Sec. 7 of this act;

19                   (B) \$50,000.00 for a grant to the Community College of Vermont to  
20          provide robotics training at its Rutland location; and

1                    (C) \$1,000,000.00 to expand opportunities for apprenticeships,  
2                    training, and adult career and technical education, which may include funding  
3                    to replicate in additional locations the robotics training program at the Rutland  
4                    location of the Community College of Vermont.

5                    \* \* \* Effective Dates \* \* \*

6                    Sec. 15. EFFECTIVE DATES

7                    This act shall take effect on July 1, 2019, except that Sec. 6 (Adult CTE  
8                    Study Committee) shall take effect on passage.