

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Commerce and Economic Development to which was
3 referred House Bill No. 707 entitled “An act relating to revising the delivery
4 and governance of the Vermont workforce system” respectfully reports that it
5 has considered the same and recommends that the bill be amended by striking
6 out all after the enacting clause and inserting in lieu thereof the following:

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

8 CHAPTER 22A. WORKFORCE EDUCATION AND TRAINING

9 § 540. WORKFORCE EDUCATION AND TRAINING LEADER

10 The Commissioner of Labor and the Executive Director of the Office of
11 Workforce Expansion and Development shall lead ~~be the leader of~~ workforce
12 education and training in the State, and shall have the authority and
13 responsibility for the coordination of workforce education and training within
14 State government, including the following duties:

15 (1) Perform the following duties in consultation with ~~the State~~
16 ~~Workforce Development Board~~ State entities and other partners that are
17 identified to be part of the workforce training system in the State:

18 (A) advise the Governor on the establishment of ~~an~~ a comprehensive
19 and integrated system of workforce education and training for Vermont, which
20 includes provisions of the Workforce Innovation and Opportunity Act (WIOA)

1 as well as other workforce and education activities of the State and identified
2 partners;

3 (B) create and maintain an inventory of ~~all existing~~ identified partner
4 workforce education and training programs and activities across ~~in~~ the State;

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

9 (D) develop a comprehensive workforce development and expansion
10 strategy, which shall include the State WIOA plan; as required by federal law,
11 to ensure that workforce education and training programs and activities ~~in the~~
12 ~~State serve Vermont citizens and businesses to the maximum extent possible~~
13 are well coordinated across the State;

14 (E) ensure coordination and nonduplication of workforce education
15 and training activities;

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

18 (G) in consultation with the Chief Performance Officer, design and
19 implement criteria and performance measures for publicly funded workforce
20 education and training activities that align with the State's comprehensive
21 workforce development and expansion strategy and the State's WIOA plan;

1 (H) in collaboration with the State Workforce Expansion and
2 Development Board (Board) and identified partners, establish goals for the
3 comprehensive and integrated workforce education and training system; ~~and~~

4 (I) with the assistance of the Secretaries of Commerce and
5 Community Development, of Human Services, of Education, of Agriculture,
6 Food and Markets, and of Transportation; ~~and of the Commissioner of Public~~
7 Safety; the Director of the State Refugee Office; and with identified partners,
8 develop and implement a coordinated system to recruit, relocate, and train
9 workers to ensure the labor force needs of Vermont’s businesses are met; and

10 (J) with input from the Executive Committee of the State Workforce
11 Expansion and Development Board, suggest workforce investments for the
12 annual budget process.

13 (2) Require from each business, training provider, or program that
14 receives ~~State~~ funding to conduct workforce education and training a report
15 that evaluates the results of the training. Each recipient shall submit its report
16 on a schedule determined by the Department of Labor Commissioner and shall
17 include at least the following information:

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

19 (B) amount of funding;

20 (C) activities and training provided;

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

1 (E) employment status of trainees; and

2 (F) future needs for resources.

3 (3) ~~Review~~ In collaboration with the Board, annually review and
4 analyze the reports submitted by each recipient of workforce education and
5 training funding to inform future strategies in delivering workforce education
6 and training as needed.

7 (4) Issue an annual report to the Governor, the House Committees on
8 Appropriations and on Commerce and Economic Development, and the Senate
9 Committees on Appropriations and on Economic Development, Housing and
10 General Affairs on or before December 1 that includes a systematic evaluation
11 of the accomplishments of the State workforce ~~investment~~ system and the
12 performance of participating agencies and institutions. The provisions of
13 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to
14 be made under this subdivision.

15 (5) Coordinate public programs and, to the extent possible, ~~private~~
16 ~~workforce programs~~ with identified partners to ensure that information is
17 easily accessible to students, employees, and employers, ~~and that all~~
18 ~~information and necessary counseling is available through one contact.~~

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

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

6 (8) Coordinate intentional outreach and connections between students
7 graduating from Vermont’s colleges and universities and employment
8 opportunities in Vermont.

9 § 541. OFFICE OF WORKFORCE EXPANSION AND DEVELOPMENT

10 (a) There is created within the Executive Branch the Office of the
11 Workforce Expansion and Development.

12 (b) The Office of Workforce Expansion and Development shall have the
13 administrative, legal, and technical support of the Department of Labor.

14 (c) There shall be at least two full-time staff to accomplish the duties of the
15 Office. One of these staff positions shall be the Executive Director of
16 Workforce Expansion and Development, who shall be an exempt employee
17 and who shall report to and be under the general supervision of the Governor.
18 Another position shall be a staff member, who shall be a classified employee,
19 who shall support the work of the Executive Director, and who shall report to
20 and be under the general supervision of the Executive Director.

1 (d) The Executive Director of Workforce Expansion and Development
2 shall manage and coordinate the efforts of workforce development in the State,
3 oversee the affairs of the State Workforce Expansion and Development Board,
4 lead the development of comprehensive and integrated workforce education
5 and training, and perform other workforce and development duties as directed
6 by the Governor.

7 (e) The Executive Committee of the State Workforce Expansion and
8 Development Board shall, in coordination with the Department of Human
9 Resources, suggest a set of recommended qualifications for the position of
10 Executive Director of Workforce Expansion and Development.

11 (f) The Governor shall appoint the Executive Director with the advice and
12 consent of the Senate, and the Executive Committee of the State Workforce
13 Expansion and Development Board may provide a list to the Governor of
14 recommended candidates for Executive Director.

15 § 541a. STATE WORKFORCE EXPANSION AND DEVELOPMENT

16 BOARD; EXECUTIVE COMMITTEE

17 (a) Board established; duties. Pursuant to the requirements of 29 U.S.C. §
18 3111, the Governor shall establish the State Workforce Expansion and
19 Development Board to assist the Governor in the execution of his or her duties
20 under the Workforce Innovation and Opportunity Act of 2014 and to assist the
21 Commissioner of Labor as specified in section 540 of this title.

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

- (1) ~~the Commissioner of Labor;~~
- (2) ~~two members~~ one member of the Vermont House of Representatives, appointed by the Speaker of the House;
- (3)(2) ~~two members~~ one member of the Vermont Senate, appointed by the Senate Committee on Committees;
- (4) ~~the President of the University of Vermont;~~
- (5) ~~the Chancellor of the Vermont State Colleges;~~
- (6) ~~the President of the Vermont Student Assistance Corporation;~~
- (7) ~~a representative of an independent Vermont college or university;~~
- (8) ~~a director of a regional technical center;~~
- (9) ~~a principal of a Vermont high school;~~

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

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

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

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

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

12 (D) the Secretary of Commerce and Community Development or
13 designee;

14 ~~(12)(4) two~~ six workforce representatives of ~~individuals and~~
15 ~~organizations who have experience in the delivery of workforce investment~~
16 ~~activities, as defined in 29 U.S.C. § 3102(68), as follows:~~

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

19 (B) one representative from a State-registered apprenticeship
20 program; and

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

4 (i) organizations that serve veterans;

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

7 (iii) organizations that support the training or education needs of
8 eligible youth as described in 20 CFR § 681.200, including representatives of
9 organizations that serve out-of-school youth as described in 20 CFR § 681.210;

10 and

11 (iv) organizations that connect volunteers in national or State
12 service programs to the workforce;

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

5 ~~(19)(6) a number of appointees sufficient to constitute a majority of the~~
6 ~~Board~~ 13 business representatives who:

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

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

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

16 (d) Operation of Board.

17 (1) Executive Committee.

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

20 (B) Members. The members of the Executive Committee shall
21 comprise the following:

- 1 (i) the Chair of the Board;
- 2 (ii) the Commissioner of Labor or designee;
- 3 (iii) the Secretary of Education or designee;
- 4 (iv) the Secretary of Human Services or designee;
- 5 (v) the Secretary Commerce and Community Development or
- 6 designee;
- 7 (vi) two business representatives, appointed by the Chair of the
- 8 Board, who serve on the Board; and
- 9 (vii) two workforce representatives, appointed by the Chair of the
- 10 Board, who serve on the Board.

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

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

- 16 (i) recommend to the Board changes to the Board’s rules or
 - 17 bylaws;
 - 18 (ii) establish one or more subcommittees as it determines
 - 19 necessary and appropriate to perform its work; and
 - 20 (iii) other duties as provided in the Board’s bylaws.
- 21 (2) Member representation and vacancies.

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

6 (B) Members of the State Board or their designees who represent
7 organizations, agencies, or other entities shall be individuals with optimum
8 policymaking authority or relevant subject matter expertise within the
9 organizations, agencies, or entities.

10 (C) ~~The members of the Board shall represent diverse regions of the~~
11 ~~State, including urban, rural, and suburban areas~~ The Chair of the Board shall
12 provide not less than 30 days notice of a vacancy on the Board to the relevant
13 appointing authority, which shall appoint a replacement not later than 60 days
14 after receiving notice.

15 ~~(2)~~(3) Chair. The Governor shall select a chair for the Board from
16 among the business representatives appointed pursuant to subdivision
17 (c)~~(18)~~(6) of this section.

18 ~~(3)~~(4) Meetings. The Board shall meet at least three times annually and
19 shall hold additional meetings upon call of the Chair.

20 ~~(4)~~(5) Committees; work groups; ad hoc committees. The Chair, in
21 consultation with the Commissioner of Labor, may:

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

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

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11 § 541b. WORKFORCE EDUCATION AND TRAINING; DUTIES OF
12 OTHER STATE AGENCIES, DEPARTMENTS, AND PRIVATE
13 PARTNERS

14 (a) To ensure the State Workforce Expansion and Development Board, ~~and~~
15 the Commissioner of Labor, and the Executive Director of the Office of
16 Workforce Expansion and Development are able to fully perform their duties
17 under this chapter, each agency and department within State government, and
18 each person who receives funding from the State, shall comply within a
19 reasonable period of time with a request for data and information made by the
20 Board, ~~or~~ the Commissioner, or the Executive Director in furtherance of their
21 duties under this chapter.

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

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

6 Sec. 5a. REGIONAL WORKFORCE EXPANSION SYSTEM

7 * * *

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

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

15 * * *

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

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

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

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

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

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

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

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

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

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

9 Sec. 4. STATE WORKFORCE EXPANSION AND DEVELOPMENT

10 BOARD TRANSITION PERIOD

11 (a) An appointing authority for the State Workforce Expansion and
12 Development Board pursuant to 10 V.S.A. § 541(c) shall make all
13 appointments as required to the Board on or before September 1, 2024.

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

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

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

4 (e) The Governor shall appoint a chair of the Board pursuant to 10 V.S.A.
5 § 541(d)(3) on or before August 1, 2024.

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

8 (g) Beginning on July 1, 2024, the State Workforce Development Board
9 shall be known as the State Workforce Expansion and Development Board.

10 Sec. 5. EFFECTIVE DATE

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

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(Committee vote: _____)

Representative _____

FOR THE COMMITTEE