

# VIRGINIA ACTS OF ASSEMBLY -- 2001 SESSION

## CHAPTER 336

*An Act to amend and reenact § 9-329.1 of the Code of Virginia, relating to the Virginia Workforce Council; membership.*

[H 2693]

Approved March 19, 2001

**Be it enacted by the General Assembly of Virginia:**

**1. That § 9-329.1 of the Code of Virginia is amended and reenacted as follows:**

§ 9-329.1. Virginia Workforce Council established; membership; terms; chairman and vice-chairman; compensation; staff; Virginia Workforce Development Program established.

A. The Virginia Workforce Council (the Council) is hereby established to assist the Governor in meeting workforce training needs in the Commonwealth.

B. The Secretary of Commerce and Trade and the Council shall assist the Governor in complying with the provisions of the federal Workforce Investment Act (P.L. 105-220), hereinafter referred to as "the WIA," including the creation of Virginia's Workforce Development Program.

C. The Council shall be composed of the following forty-three members: the Governor; the Secretaries of Commerce and Trade, Education, Health and Human Resources, and Technology; the Director of the Department of Business Assistance; the Chancellor of the Virginia Community College System; the Director of the State Council of Higher Education; the President of the Center for Innovative Technology; the Executive Director of the Virginia Economic Development Partnership; ~~the Director of the Governor's Employment and Training Department~~; the Commissioner of the Virginia Employment Commission; the president of the Virginia AFL-CIO; and one other labor representative, appointed by the Governor.

The Governor shall also appoint ~~twenty-two~~ *twenty-three* members representing the business community, to include the presidents of the Virginia Chamber of Commerce and the Virginia Manufacturer's Association; one representative of private nonprofit institutions; one representative of proprietary schools; *one representative of health care employers*; and the remaining eighteen members who are business owners, chief executive officers, chief operating officers, or other business executives or employers with optimum policy-making or hiring authority and who shall represent diverse regions of the state, to include urban, suburban, and rural areas; and members of the local workforce investment boards, representing businesses with employment opportunities that reflect the employment opportunities of the state, and who are appointed from among individuals nominated by state business organizations and business trade associations.

The Governor shall also appoint one mayor, one chairperson of a county board of supervisors, and one representative of a community-based organization delivering workforce activities.

The Council shall also include two members of the House of Delegates to be appointed by the Speaker of the House and two members of the Senate to be appointed by the Senate Committee on Privileges and Elections.

Initially, of the ~~twenty-two~~ *twenty-three* members who are serving as representatives of business and industry, other than the presidents of the Virginia Chamber of Commerce and the Virginia Manufacturer's Association, eight shall serve four-year terms; six shall serve three-year terms; and six shall serve two-year terms. Thereafter, all appointments shall be for four-year terms. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. No appointed member shall be eligible to serve for more than two successive four-year terms, but after the expiration of the remainder of a term to which a member was appointed to fill a vacancy, two additional four-year terms may be served by such member if appointed. Legislative members shall serve terms coincident with their terms of office.

D. The Governor shall select a chairman and vice-chairman from among the ~~twenty-two~~ *twenty-three* business representatives appointed in accordance with subsection C.

E. Appointed members of the Council shall not be compensated; however, they shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties on behalf of the Council.

F. The Council shall assist the Governor in the following areas with respect to workforce development: development of the WIA State Plan; development and continuous improvement of a statewide system of activities that are funded under the WIA or carried out at a one-stop delivery system; development of linkages to ensure coordination and nonduplication among programs and activities; review of local plans; commenting at least once annually on the measures taken pursuant to §§ 121(a)(1)(D)(i) and 122(c)(16) and (c)(21) of the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. § 2301 et seq.); designation of local areas; development of allocation formulas;

development and continuous improvement of comprehensive state performance measures; preparation of the annual report to the U.S. Secretary of Labor; development of a statewide employment statistics system; and development of incentive grant applications.

The Council shall share information regarding its meetings and activities with the public.

G. Each local workforce investment board shall develop and submit a local plan to the Governor; designate or certify one-stop operators; identify eligible providers of youth activities; identify eligible providers of intensive services if unavailable at one-stop; develop a budget; conduct local program oversight in partnership with its local chief elected official; negotiate local performance measures; assist in developing statewide employment statistics; coordinate workforce investment activities with economic development strategies and develop linkages; develop and enter into memoranda of understanding with one-stop partners; and promote participation by the private sector.

Each local workforce investment board shall share information regarding its meetings and activities with the public.

H. Each chief local elected official shall consult with the Governor regarding designation of local workforce investment areas; appoint members to the local board in accordance with state criteria; serve as the local grant recipient unless another entity is designated in the local plan; negotiate local performance measures with the Governor; and collaborate with the local workforce investment board on local plans and program oversight.

I. The Virginia Secretary of Commerce and Trade, and at his direction, the Virginia Employment Commission, shall be responsible for the coordination of the Virginia Workforce Development Program and the implementation of the WIA.

J. The Virginia Employment Commission and the Virginia Community College System shall serve as staff to the Council as directed by the Secretary of Commerce and Trade. The Virginia Employment Commission shall act as fiscal agent for the Council and the WIA.

K. Regional workforce training centers shall be established at institutions within the Virginia Community College System in the Peninsula, Southside, Central Virginia, and Western Tidewater regions to assist the Council in (i) coordinating specific high-skill training, (ii) developing industry standards and related curricula, and (iii) providing skills assessments.

The Virginia Community College System shall evaluate other regional workforce center locations and recommend to the Council their establishment as such needs are identified. The Virginia Community College System shall support regional workforce training centers created by the Regional Competitiveness Act (§ 15.2-1306 et seq.) in which community colleges participate.