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SENATE BILL NO. 1153

Offered January 14, 2015

Prefiled January 13, 2015

A BILL to amend and reenact §§ 2.2-2472 and 40.1-125 of the Code of Virginia, relating to apprenticeship opportunities; online portal.

Patron—Wexton

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-2472 and 40.1-125 of the Code of Virginia are amended and reenacted as follows: § 2.2-2472. Powers and duties of the Board; Virginia Workforce Network created.

A. The Board shall undertake the following actions to implement and foster workforce training and better align education and workforce programs to meet current and projected skills requirements of an increasingly technological, global workforce:

- 1. Provide policy advice to the Governor on workforce and workforce development issues;
2. Provide policy direction to local workforce investment boards;
3. Provide recommendations on the policy, plans, and procedures for secondary and postsecondary career and technical education activities authorized under the federal Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. § 2301 et seq.) to ensure alignment with the state's plan for coordinating programs authorized under Title I of the WIA and under the federal Wagner-Peyser Act (29 U.S.C. § 49 et seq.);
4. Provide recommendations on the policy, plans, and procedures for other education and workforce development programs that provide resources and funding for training and employment services as identified by the Governor or Board;
5. Identify current and emerging statewide workforce needs of the business community;
6. Forecast and identify training requirements for the new workforce;
7. Recommend strategies that will match trained workers with available jobs to include strategies for increasing business engagement in education and workforce development;
8. Develop WIA incentive grant applications and approve criteria for awarding incentive grants;
9. Develop and approve criteria for the reallocation of unexpended WIA funds from local workforce investment boards;
10. Conduct a review of budgets, which shall be submitted annually to the Board by each agency conducting federal and state funded career and technical and adult education and workforce development programs, that identify the agency's sources and expenditures of administrative, workforce training, and leadership funds for workforce development programs;
11. Administer the Virginia Career Readiness Certificate Program in accordance with § 2.2-2477 and review and recommend industry credentials that align with high demand occupations;
12. Define the Board's role in certifying WIA training providers, including those not subject to the authority expressed in Chapter 21.1 (§ 23-276.1 et seq.) of Title 23;
13. Provide an annual report to the Governor concerning its actions and determinations under subdivisions 1 through 13;
14. Create procedures, guidelines, and directives applicable to local workforce investment boards and the operation of one-stops, as necessary and appropriate to carry out the purposes of this article; and
15. Establish, in coordination with the Commissioner of Labor and Industry, an online portal for accessing apprenticeship opportunities available to high school graduates; and
16. Perform any act or function in accordance with the purposes of this article.

B. The Board may establish such committees as it deems necessary including the following:

- 1. A committee to accomplish the federally mandated requirements of the WIA;
2. An advanced technology committee to focus on high-technology workforce training needs and skills attainment solutions through sector strategies, career readiness, and career pathways;
3. A performance and accountability committee to coordinate with the Virginia Employment Commission, State Council of Higher Education for Virginia, and the Council on Virginia's Future to develop the metrics and measurements for publishing comprehensive workforce score cards and other longitudinal data that will enable the Virginia Workforce Network to measure comprehensive accountability and performance; and
4. A military transition assistance committee to focus on military transition assistance, including reforms to (i) improve the integration of the federal Local Veterans Employment Representative Program

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59 and the Disabled Veterans Outreach Program into all Virginia Workforce Centers and (ii) reduce process
60 and qualification barriers to training and employment services.

61 C. The Board and the Governor's cabinet secretaries shall assist the Governor in complying with the
62 provisions of the WIA and ensuring the coordination and effectiveness of all federal and state funded
63 career and technical and adult education and workforce development programs and providers comprising
64 elements of Virginia's Career Pathways System and Workforce Network.

65 D. The Board shall assist the Governor in the following areas with respect to workforce
66 development: development of the WIA Wagner-Peyser State Plan; development and continuous
67 improvement of a statewide workforce development and career pathways system that ensures career
68 readiness and coordinates and aligns career and technical education, adult education, and federal and
69 state workforce programs; development of linkages to ensure coordination and nonduplication among
70 programs and activities; review of local plans; designation of local areas; development of local
71 discretionary allocation formulas; development and continuous improvement of comprehensive state
72 performance measures including, without limitation, performance measures reflecting the degree to which
73 one-stop centers provide comprehensive services with all mandatory partners and the degree to which
74 local workforce investment boards have obtained funding from sources other than the WIA; preparation
75 of the annual report to the U.S. Secretary of Labor; development of a statewide employment statistics
76 system; and development of a statewide system of one-stop centers that provide comprehensive
77 workforce services to employers, employees, and job seekers.

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

79 E. Each local workforce investment board shall develop and submit to the Governor and the Virginia
80 Board of Workforce Development an annual workforce demand plan for its workforce investment board
81 area based on a survey of local and regional businesses that reflects the local employers' needs and
82 requirements and the availability of trained workers to meet those needs and requirements; designate or
83 certify one-stop operators; identify eligible providers of youth activities; identify eligible providers of
84 intensive services if unavailable at one-stop; develop a budget; conduct local oversight of one-stop
85 operators and training providers in partnership with its local chief elected official; negotiate local
86 performance measures, including incentives for good performance and penalties for inadequate
87 performance; assist in developing statewide employment statistics; coordinate workforce investment
88 activities with economic development strategies and the annual demand plan, and develop linkages
89 among them; develop and enter into memoranda of understanding with one-stop partners and implement
90 the terms of such memoranda; promote participation by the private sector; actively seek sources of
91 financing in addition to WIA funds; report performance statistics to the Virginia Board of Workforce
92 Development; and certify local training providers in accordance with criteria provided by the Virginia
93 Board of Workforce Development. Further, a local training provider certified by any workforce
94 investment board has reciprocal certification for all workforce investment boards.

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

97 F. Each chief local elected official shall consult with the Governor regarding designation of local
98 workforce investment areas; appoint members to the local board in accordance with state criteria; serve
99 as the local grant recipient unless another entity is designated in the local plan; negotiate local
100 performance measures with the Governor; ensure that all mandated partners are active participants in the
101 local workforce investment board and one-stop center; and collaborate with the local workforce
102 investment board on local plans and program oversight.

103 G. Each local workforce investment board shall develop and enter into a memorandum of
104 understanding concerning the operation of the one-stop delivery system in the local area with each entity
105 that carries out any of the following programs or activities:

- 106 1. Programs authorized under Title I of the WIA;
- 107 2. Programs authorized under the Wagner-Peyser Act (29 U.S.C. § 49 et seq.);
- 108 3. Adult education and literacy activities authorized under Title II of the WIA;
- 109 4. Programs authorized under Title I of the Rehabilitation Act of 1973 (29 U.S.C. § 720 et seq.);
- 110 5. Postsecondary career and technical education activities authorized under the Carl D. Perkins
111 Vocational and Applied Technology Education Act (20 U.S.C. § 2301 et seq.);
- 112 6. Activities authorized under Chapter 2 of Title II of the Trade Act of 1974 (19 U.S.C. § 2271 et
113 seq.);
- 114 7. Activities pertaining to employment and training programs for veterans authorized under 38 U.S.C.
115 § 4100 et seq.;
- 116 8. Programs authorized under Title 60.2, in accordance with applicable federal law;
- 117 9. Workforce development activities or work requirements of the Temporary Assistance to Needy
118 Families (TANF) program known in Virginia as the Virginia Initiative for Employment, Not Welfare
119 (VIEW) program established pursuant to § 63.2-608;
- 120 10. Workforce development activities or work programs authorized under the Food Stamp Act of

121 1977 (7 U.S.C. § 2011 et seq.); and
122 11. Other programs or activities as required by the WIA.
123 H. The Chief Workforce Development Advisor shall be responsible for the coordination of the
124 Virginia Workforce Network and the implementation of the WIA.
125 **§ 40.1-125. Commissioner to administer chapter.**
126 A. The Commissioner, with the advice and guidance of the Council, shall be responsible for
127 administering the provisions of this chapter.
128 B. The Commissioner shall:
129 1. Approve, if approval is in the best interests of the apprentice, any apprenticeship agreement that
130 meets the standards established under this chapter;
131 2. Terminate or cancel any apprenticeship agreement in accordance with the provisions of such
132 agreement;
133 3. Keep a record of apprenticeship agreements and their disposition;
134 4. Issue certificates of completion upon the completion of the apprenticeship;
135 5. Initiate deregistration proceedings when an apprenticeship program is not conducted, operated, and
136 administered in accordance with the registered provisions, except that deregistration proceedings for
137 violation of equal opportunity requirements shall be processed in accordance with the provisions of the
138 Virginia State Plan for Equal Employment Opportunity in Apprenticeship; ~~and~~
139 6. *Establish, in coordination with the Virginia Board of Workforce Development, an online portal for*
140 *accessing apprenticeship opportunities available to high school graduates; and*
141 7. Perform such other duties as are necessary to carry out the intent of this chapter.