

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 174

By: Standridge

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6 AS INTRODUCED

7 An Act relating to the Department of Labor;
8 authorizing consolidation and administration of
9 certain grants and programs relating to the federal
10 Workforce Innovation and Opportunity Act and the
11 State's Workforce Investment Board on certain date;
12 creating the Division of the Office of Workforce
13 Development in the Department of Labor; providing for
14 administration and regulation by the Commissioner of
15 Labor; providing Sunset date; creating the Office of
16 Workforce Development Revolving Fund for the
17 Department of Labor; providing for administration,
18 funding and expenditures; directing the employment of
19 a Division director and support staff; providing the
20 director report to the Commissioner of Labor; making
21 certain employees unclassified personnel of the
22 Department of Labor; establishing powers and duties
23 for the Division of the Office of Workforce
24 Development; authorizing delegation of certain powers
and duties for certain purpose; requiring
promulgation of rules for the Division of the Office
of Workforce Development; directing the Commissioner
of Labor coordinate with the Governor's Council of
Workforce Development and Economic Development, the
Work-based Learning Program, and the Secretary of
State for a comprehensive workforce development
program; providing for codification; and providing an
effective date.

23 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 5003.10f-1 of Title 74, unless
3 there is created a duplication in numbering, reads as follows:

4 Beginning July 1, 2020, all state and federal grants relating to
5 the federal Workforce Innovation and Opportunity Act and the
6 authority of the State's Workforce Investment Board established by
7 Section 5003.10d of Title 74 of the Oklahoma Statutes shall be
8 administered by the Department of Labor for use and benefit of the
9 Division of the Office of Workforce Development created in Section 2
10 of this act and the Work-based Learning Program established in
11 Section 5003.10e of Title 74 of the Oklahoma Statutes. Beginning on
12 July 1, 2020, all state and local grant programs designed to further
13 the development of employment opportunities and workforce training
14 services in this state, except those relating to the Oklahoma
15 Employment Security Commission, shall be consolidated under the
16 authority of the Department of Labor, Division of the Office of
17 Workforce Development, created in Section 2 of this act, for
18 convenience to the citizens of this state who utilize these various
19 programs and services and for expedited and efficient
20 administration.

21 SECTION 2. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 5003.10f-2 of Title 40, unless
23 there is created a duplication in numbering, reads as follows:
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1 There is hereby created in the Department of Labor, the Division
2 of the Office of Workforce Development, to continue until July 1,
3 2026, in accordance with the Oklahoma Sunset Law. The Commissioner
4 of Labor shall administer and regulate the Division of the Office of
5 Workforce Development through the powers and duties set forth in
6 this act and in the respective state and federal laws pertaining to
7 the federal Workforce Innovation and Opportunity Act, and the
8 authority of the State's Workforce Investment Board established by
9 Section 5003.10d of Title 74 of the Oklahoma Statutes. The Division
10 of the Office of Workforce Development shall coordinate its efforts
11 and responsibilities with the Work-based Learning Program to
12 establish a comprehensive workforce development program in this
13 state. The Division of the Office of Workforce Development may also
14 be known and called the Office of Workforce Development.

15 SECTION 3. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 5003.10f-3 of Title 40, unless
17 there is created a duplication in numbering, reads as follows:

18 There is hereby created in the State Treasury a revolving fund
19 for the Department of Labor to be designated the "Workforce
20 Development Revolving Fund". The fund shall be a continuing fund,
21 not subject to fiscal year limitations, and shall consist of all
22 monies received by the Department of Labor from federal Workforce
23 Innovation and Opportunity Act funds, this State's Workforce
24 Investment Board, also known as the Governor's Council For Workforce

1 and Economic Development funds allocated to workforce development
2 and work-based learning programs, and all other sources of funds
3 received for workforce development projects in this state whether
4 allocated or collected from other state or local agency partners,
5 grants, gifts, devises or fundraising efforts. All monies accruing
6 to the credit of the fund are hereby appropriated and may be
7 budgeted and expended by the Department of Labor for the purpose of
8 supporting the Office of Workforce Development. Expenditures from
9 the fund shall be made upon warrants issued by the State Treasurer
10 against claims filed as prescribed by law with the Director of the
11 Office of Management and Enterprise Services for approval and
12 payment.

13 SECTION 4. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 5003.10f-4 of Title 40, unless
15 there is created a duplication in numbering, reads as follows:

16 The Commissioner of Labor shall no later than March 1, 2020, and
17 thereafter each time the position becomes vacant, hire a Director of
18 the Office of Workforce Development and set his or her salary. The
19 Director of the Office of Workforce Development shall report
20 directly to the Commissioner of Labor on all aspects of the
21 division's operations, grants, financial expenditures and programs
22 developed. The Commissioner shall additionally establish full-time
23 equivalent positions, define the duties and responsibilities of such
24 personnel and hire such persons deemed necessary to administer the

1 Division of the Office of Workforce Development, subject to the
2 division's budgetary limitations. All personnel hired for the
3 Division of the Office of Workforce Development shall be
4 unclassified employees of the Department of Labor and shall have
5 those benefits afforded other unclassified employees of the
6 Department of Labor.

7 SECTION 5. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 5003.10f5 of Title 40, unless
9 there is created a duplication in numbering, reads as follows:

10 A. The Commissioner of Labor shall have the following powers,
11 duties and responsibilities in establishing and administering the
12 Division of the Office of Workforce Development:

13 1. Select and hire the Director of Office of Workforce
14 Development and necessary support staff;

15 2. Administer the Division of the Office of Workforce
16 Development and account for all funds allocated to or received and
17 expended by the division;

18 3. Assure the allocation of federal Workforce Innovation and
19 Opportunity Act funds awarded to the State of Oklahoma are properly
20 secured and administered by the recipients in compliance with all
21 regulations on such grant funds and law;

22 4. Determine and set budgets and monitor financial matters
23 relating to the Division of the Office of Workforce Development and
24 collect all funds owing, awarded or authorized to be received by the
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1 Department of Labor for the Division of the Office of Workforce
2 Development;

3 5. Determine workforce development areas to be served by the
4 Office of Workforce Development throughout the network of local
5 boards participating in the workforce development program;

6 6. Enter into contracts with local workforce development boards
7 for the benefit of state and local workforce development programs
8 and their clients;

9 7. Authorize and encourage other state agencies to cooperate
10 and engage in workforce development programs with the Office of
11 Workforce Development and through the network of local boards
12 participating in workforce development and the Work-based Learning
13 Program;

14 8. Develop cooperative contractual agreements with other
15 agencies including, but not limited to, collection of, or sharing
16 of, office space expense and sharing of personnel or
17 responsibilities, or allowing placement of other agency personnel
18 into the Office of Workforce Development for purposes of furthering
19 the efficiency and benefits to the Office of Workforce Development
20 and mutual agency partner client access. These agreements are to be
21 used for those state or local agencies desiring to become resource
22 partners in workforce development programs through the Office of
23 Workforce Development and each must bring adequate support,
24 resources and expertise beneficial to the Office of Workforce

1 Development and the citizens of this state. Any placement of other
2 agency personnel within the Office of Workforce Development shall be
3 authorized, without the requirement or approval of the Office of
4 Management and Enterprise Services, space and personnel sharing by
5 agreement with the Office of Workforce Development and the
6 participating agency;

7 9. Develop agency sharing agreements authorizing other agency
8 resource partners with personnel placed within the Office of
9 Workforce Development or its network of local boards to use the
10 division's infrastructure and resources without establishing a
11 method of separate billing or allocation of costs to such agency
12 partner, except as agreed in the mutual cooperative contractual
13 agreement for workforce development. Such sharing agreements may
14 include, but are not limited to, telephone service, Internet
15 services, technical support, computer systems and equipment, office
16 equipment, furniture and supplies;

17 10. Coordinate with the Oklahoma Employment Security Commission
18 to secure necessary support and research data for servicing,
19 reporting and providing workforce development programs and services
20 to clients and partner resource agencies as required to comply with
21 grants and obligations of services;

22 11. Enter into contracts for various support personnel and
23 services, local offices and boards, and other necessary services of
24 the Office of Workforce Development;

1 12. Develop methods and responsibilities for tracking,
2 utilizing and reporting the receipt, allocation and expenditure of
3 all state, local and federal funds including, but not limited to,
4 all grant, gift and earned funds through the initial receipt of such
5 funds through the actual percentage of funds used in training,
6 administration, client-based initiatives and services, assessments,
7 and allocation to local programs or boards for workforce development
8 projects;

9 13. Develop methods for processing cash advances from federal
10 Workforce Innovation and Opportunity Act Title 1 funds and other
11 funds and the methods to process and manage cash flow to control,
12 protect and regulate circulating cash and grant funds;

13 14. Develop agreements and rules for contracting with the
14 Department of Human Services to afford its TANF and SNAP clients to
15 receive various workforce and work-based learning services through
16 the Office of Workforce Development's network of local workforce
17 development boards;

18 15. Develop agreements with the Department of Human Services
19 for the placement of childcare subsidy workers and emergency SNAP
20 workers into the Office of Workforce Development's network of local
21 boards to facilitate better client services;

22 16. Approve plans for employment and training programs
23 including, but not limited to, evaluation and allocation of
24 resources, preparing contractual agreements between agency resource

1 partners or other agencies including, but not limited to, the
2 Department of Rehabilitation Services, the Oklahoma Employment
3 Security Commission, the Department of Human Services, the
4 Department of Commerce, the State Department of Career and
5 Technology Education, the Department of Corrections, the State
6 Department of Education, the Work-based Learning program, and the
7 Secretary of State;

8 17. Set standards for equality and fair access to workforce
9 development programs by the citizens of this state;

10 18. Convene industry partners, whether public or private, for
11 training and participation in resource allocation and workforce
12 development programs; and

13 19. Prioritize expenditures, programs, and resources for the
14 Office of Workforce Development to meet its goals and duties for
15 workforce development and employment opportunities.

16 B. The Commissioner is authorized to delegate any of the duties
17 and responsibilities directly to the Director of the Division of the
18 Office of Workforce Development.

19 C. The Office of the Attorney General shall provide contractual
20 legal services upon request to the Department of Labor, Division of
21 the Office of Workforce Development on all matters relating to
22 federal grants, funding, governmental agreements, public-private
23 partnerships, sharing governmental resources and all applicable laws
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1 relating to the Department of Labor administering workforce
2 development programs.

3 D. The Commissioner of Labor shall establish and coordinate all
4 Division of the Office of Workforce Development with the Governor's
5 Council For Workforce and Economic Development, which is recognized
6 as the State's Workforce Investment Board for purposes of federal
7 Workforce Innovation and Opportunity Act funds, the Work-based
8 Learning Program and the Secretary of State to form a comprehensive
9 Office of Workforce Development program in this state.

10 E. The Commissioner of Labor shall promulgate rules, procedures
11 and forms to establish, implement, regulate, administer and enforce
12 the provisions of this act and all applicable laws and rules
13 relating to the Division of the Office of Workforce Development and
14 its responsibilities for workforce development in this state.

15 SECTION 6. This act shall become effective November 1, 2019.

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