

**2016 -- S 2476 AS AMENDED**

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LC003200  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2016**

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- GOVERNOR'S WORKFORCE  
BOARD RHODE ISLAND

Introduced By: Senators Conley, Lombardo, Archambault, McCaffrey, and Metts

Date Introduced: February 11, 2016

Referred To: Senate Labor

It is enacted by the General Assembly as follows:

1           SECTION 1. Sections 42-102-6 and 42-102-10 of the General Laws in Chapter 42-102  
2 entitled "Governor's Workforce Board Rhode Island" are hereby amended to read as follows:

3           **42-102-6. Powers and duties.** -- (a) Strategic statewide employment and training plan.

4           (1) The board shall meet with other entities involved with career and technical education,  
5 workforce development, and career training and shall be responsible for the development of a  
6 comprehensive, and cohesive statewide employment-and-training plan. The strategic, statewide  
7 employment-and-training plan shall include goals and objectives for serving the state's existing  
8 and emerging workforce utilizing all state and federal workforce development programs. The  
9 board shall take into consideration the needs of all segments of the state's citizenry in establishing  
10 goals and training objectives, including the workforce needs of the state's employers.

11           (2) The strategic statewide employment and training plan shall be developed biennially  
12 and shall cover the subsequent, two (2) fiscal years. Said biennial plans shall be submitted on  
13 November 15. The biennial plan shall outline goals and objectives of the coordinated programs  
14 system, major priorities needed for the next two-year (2) period, and policies and requirements  
15 necessary to meet those priorities. The board shall provide a funding plan necessary to achieve  
16 system priorities and serve the anticipated number of participants and shall identify the general  
17 revenue funds necessary to meet program needs, taking into account anticipated federal, private,  
18 and other sources of funds. The biennial plan shall incorporate the annual unified workforce

1 development system report required pursuant to subsection (f) in those years in which both  
2 reports are due.

3 (3) The board shall develop and maintain a comprehensive inventory and analysis of  
4 workforce development activities in the state to support the biennial statewide employment and  
5 training plan. The analysis shall include, but not be limited to, an examination of the populations  
6 being served across the different employment and training and adult education programs across  
7 the state; the number of participants being served by these programs; the type of services  
8 provided; and the eligibility requirements of each of these programs. The analysis shall also  
9 identify the funding sources (all sources) used in these programs; the service providers within the  
10 state; as well as the range of services provided. The analysis shall also examine the employer role  
11 in workforce development activities, including, but not limited to, how employer needs are  
12 assessed, benefits employers receive for partnering with workforce development organizations,  
13 and the role employers play in developing programs and providing training.

14 (4) The board shall establish and convene an advisory group to assist in the development  
15 of this comprehensive inventory and analysis that consists of stakeholders and organizations with  
16 specific knowledge and expertise in the area of workforce development.

17 (5) All departments and agencies of the state shall furnish advice and information,  
18 documentary or otherwise, to the board and its agents as is deemed necessary or desirable by the  
19 board to facilitate the purposes of the board, including the development of the statewide,  
20 employment-and-training plan.

21 (6) Elements of the statewide employment and training plan established pursuant to  
22 subsection (a) of this section may inform the development of the state workforce investment plan  
23 required pursuant to § 42-102-6(d)(2)(i).

24 (b) Performance management and coordination of employment-and-training programs.

25 (1) The board shall establish statewide policies, definitions, objectives, goals, and  
26 guidelines for the coordination of all employment-and-training programs and related services and  
27 programs within the state, including:

28 (i) The state department of labor and training programs, sponsored under the Workforce  
29 Investment Act of 1998, Wagner-Peyser Act, 29 U.S.C. 49 et seq., the Trade Act of 2002, and  
30 any other employment-related educational program administered by the state department of labor  
31 and training;

32 (ii) The state department of human services training programs, sponsored under the  
33 Temporary Assistance to Needy Families, Title IV of the Social Security Act; the Supplemental  
34 Nutrition Assistance Program (SNAP) Employment and Training Program; Vocational

1 Rehabilitation Act of 1973, and any other employment-and-training and related services and  
2 employment-related educational programs administered by the state's department of human  
3 services;

4 (iii) Employment and training programs sponsored under the Carl D. Perkins Vocational  
5 Education Act, 20 U.S.C. 2301 et seq., the Federal Adult Education Act, Title II of the Workforce  
6 Investment Act of 1998 and any other employment-related educational programs administered by  
7 the board of education;

8 (iv) The state department of corrections training programs for ex-offenders to help them  
9 reintegrate into the community and re-enter employment;

10 (v) Projects and services funded through the job development fund pursuant to § 42-102-  
11 6(e)(1);

12 (vi) All other employment-and-training and related services and employment-related  
13 educational programs, either presently existing or hereinafter established that are administered by  
14 any state agencies, departments, or councils; and

15 (vii) Programs included within subsections (b)(1)(i) through (b)(1)(vi) of this section  
16 shall be referred herein collectively as "the coordinated programs system".

17 (2) With respect to plans for employment-and-training programs sponsored under the  
18 federal Carl D. Perkins Vocational Education Act, 20 U.S.C. 2301 et seq., and any other  
19 employment-related educational programs administered by the board of education, the workforce  
20 board and board of education shall establish a process for the development and preparation of all  
21 these plans and the board of education shall approve the plan subject to review and comment by  
22 the workforce board; provided, however, that the responsibilities and duties of the board of  
23 education, as set forth in the general laws, shall not be abridged.

24 (3) With respect to plans for the Temporary Assistance to Needy Families Program,  
25 SNAP Employment and Training Program, Vocational Rehabilitation Services, and any other  
26 employment-and-training and related programs administered by the state's department of human  
27 services, the authority and responsibilities of the department as the single state agency under  
28 Titles IV-A, 42 U.S.C. 601 through 617, and IV-F, 42 U.S.C. 681 through 687 [repealed] of the  
29 Federal Social Security Act shall not be abridged.

30 (4) With respect to plans for training ex-offenders to help them reintegrate into the  
31 community and re-enter employment, and any other employment-and-training programs  
32 administered by the state's department of corrections, the responsibilities and duties of the  
33 department, as set forth in the general laws, shall not be abridged.

34 (5) The board shall review, comment on, or approve as appropriate all plans for

1 employment and training within the coordinated-programs system. The board shall establish  
2 policies and performance goals for the coordinated-programs system. These policies and goals  
3 shall include, but not be limited to:

4 (i) Establishing and communicating uniform policies and consistent terms and  
5 definitions;

6 (ii) Gathering and distributing information from, and to, all agencies, departments, and  
7 councils within the coordinated-programs system;

8 (iii) Standardizing and coordinating program planning, evaluation, budgeting, and  
9 funding processes;

10 (iv) Recommending structural and procedural changes;

11 (v) Establishing performance goals and measurements for monitoring the effectiveness  
12 of the programs provided through the coordinated-programs system; and

13 (vi) Reconciling diverse agency, departmental, or council goals and developing priorities  
14 among those goals.

15 (c) Comprehensive system-improvement plan.

16 (1) The 2015 unified workforce development system report required pursuant to § 42-  
17 102-6(f) and due on November 15, 2015 shall include an additional, comprehensive system-  
18 improvement plan to facilitate the seamless and coordinated delivery of workforce services in this  
19 state, consistent with the goals and objectives of the board's statewide employment-and-training  
20 plan. In developing the comprehensive, system-improvement plan, the board shall review the  
21 roles, responsibilities, and functions of all state employment-and-training programs. The study  
22 shall identify any gaps in the services provided by those programs; any barriers to integration and  
23 cooperation of these programs; and any other matters that adversely affect the seamless delivery  
24 of workforce-development systems in the state.

25 (2) The board shall include in the comprehensive, system-improvement plan:

26 (i) A list of specific barriers, whether structural, regulatory, or statutory, that adversely  
27 affect the seamless, and coordinated, delivery of workforce-development programs and services  
28 in this state, as well as recommendations to overcome or eliminate these barriers; and

29 (ii) Recommendations for providing, at a minimum, board comment and review of all  
30 state employment-and-training programs, to ensure such programs are consistent with the board's  
31 statewide employment-and-training plan, and meet the current, and projected, workforce demands  
32 of this state, including programs that, pursuant to state or federal law or regulation, must remain  
33 autonomous.

34 (3) The recommendations developed by the board under subsection (c)(1) must identify

1 the state agency or department that is responsible for implementing each recommendation; and  
2 include a time frame for the implementation of each recommendation. The governor may include  
3 such recommendations in his or her proposed budget the following fiscal year.

4 (d) Workforce investment act responsibilities.

5 (1) The board shall assume the duties and responsibilities of the state workforce  
6 investment board established pursuant to Executive Order 05-18 dated September 22, 2005, as  
7 outlined in subsection(c)(2).

8 (2) The board shall assist the governor and the general assembly in:

9 (i) Developing a state workforce-investment plan for the purposes of the Workforce  
10 Investment Act of 1998 (WIA) and the Wagner-Peyser Act;

11 (ii) Actively promoting and coordinating private-sector involvement in the workforce-  
12 investment system through the development of partnerships among state agencies, the business  
13 community, and the Board;

14 (iii) Ensuring that the current, and projected, workforce needs of Rhode Island  
15 employers inform and advise Rhode Island's education and workforce-development system;

16 (iv) Providing oversight of local workforce-investment boards, whose primary role in the  
17 workforce investment system is to deliver employment, training, and related education services in  
18 their respective local area; and

19 (v) Developing a statewide system of activities that are funded under the WIA or carried  
20 out through the one-stop delivery system, including:

21 (A) Assuring coordination and non duplication among the programs and activities  
22 carried out by one-stop partners;

23 (B) Reviewing local workforce-investment plans;

24 (C) Designating local workforce-investment areas in accordance with federal law;

25 (D) Developing allocation formulas for the distribution of funds for adult employment-  
26 and-training activities, ~~and~~ youth activities to local areas, and creating and expanding job and  
27 career opportunities for individuals with intellectual, developmental, or other significant  
28 disabilities;

29 (E) Developing comprehensive state performance measures as prescribed by federal law,  
30 including state-adjusted levels of performance, to assess the effectiveness of the workforce-  
31 investment activities in the state;

32 (F) Preparing the annual report to the Secretary of Labor described in WIA;

33 (G) Developing the statewide employment statistics system;

34 (H) Developing an application for incentive grants;

1 (I) Carrying out the responsibilities of a local board as outlined in WIA; and  
2 (J) Addressing any other issue requiring input from the board under the provisions of  
3 WIA.

4 (e) Job-development fund responsibilities.

5 (1) The board shall allocate monies from the job-development fund for projects to  
6 implement the recommendations of the board consistent with the statewide employment-and-  
7 training plan established pursuant to § 42-102-6(a).

8 (f) Unified workforce development system report.

9 (1) The board shall produce and submit an annual, unified, workforce-development  
10 system report to the governor, the speaker of the house, the president of the senate, and the  
11 secretary of state. The report shall be submitted annually on November 15. The report shall cover  
12 activity having taken place the preceding fiscal year ending June 30 and shall include:

13 (i) A fiscal and programmatic report for the governor's workforce board covering the  
14 previous fiscal year including:

15 (A) A summary of the board's activities and accomplishments during the previous fiscal  
16 year;

17 (B) A summary of clerical, administrative, professional, or technical reports received by  
18 the board during the previous fiscal year, if applicable;

19 (C) A briefing on anticipated activities in the upcoming fiscal year;

20 (D) A consolidated financial statement of all funds received, and expended, by the board,  
21 including the source of funds, during the previous fiscal year;

22 (E) A listing of any staff supported by these funds;

23 (ii) A unified, expenditure-and-program report for statewide employment-and-training  
24 programs and related services including:

25 (A) Expenditures by agencies for programs included in § 42-102-6(b)(1), including  
26 information regarding the number of individuals served by each program; demographic  
27 information by gender, race and ethnicity; outcome and program-specific performance  
28 information as determined by the board, and such other information as may be determined by the  
29 board, including, but not limited to, the attainment of credentials;

30 (2) Beginning November 15, 2015, program expenditures included in the unified,  
31 workforce-development-system report shall be categorized as administrative, program delivery,  
32 or other costs; the report shall further include information on the cost-per-individual served  
33 within each program, through a manner determined by the board;

34 (3) All state and local agencies, departments, or council or similar organizations within

1 the coordinated-programs system, shall be required to provide the board with the information  
2 necessary to produce the unified workforce-development-system report.

3 **42-102-10. State Career Pathways System.** -- The workforce board ("board") shall  
4 support and oversee statewide efforts to develop and expand career pathways that enable  
5 individuals to secure employment within a specific industry or occupational sector and to advance  
6 over time to successively higher levels of education and employment in that sector. Towards this  
7 purpose the board shall convene an advisory committee comprised of representatives from  
8 business, labor, adult education, secondary education, higher education, the department of  
9 corrections, the executive office of health and human services, [the department of behavioral](#)  
10 [healthcare, developmental disabilities and hospitals](#), the office of library and information services,  
11 community-based organizations, [consumers](#), and the public-workforce system.

12 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- GOVERNOR'S WORKFORCE  
BOARD RHODE ISLAND

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1           This act would require the governor's workforce board to expand job and career  
2 opportunities for individuals with intellectual and developmental disabilities. In addition, it would  
3 add representatives from the department of behavioral healthcare, developmental disabilities and  
4 hospitals to the advisory committee of the state career pathways systems.

5           This act would take effect upon passage.

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