

AN ACT

1 Amending the act of December 18, 2001 (P.L.949, No.114),
2 entitled "An act establishing a unified workforce investment
3 system; restructuring certain administrative functions,
4 procedures and entities; transferring workforce development
5 functions of Commonwealth agencies; establishing the
6 Pennsylvania Workforce Investment Board; providing for
7 critical job training grants, for guarantees for program
8 quality and performance for workforce development programs,
9 for workforce leadership grants and for industry
10 partnerships; establishing the Keystone Works Program; and
11 authorizing local workforce investment boards," in
12 preliminary provisions, further providing for declaration of
13 policy and for definitions; in board, further providing for
14 establishment, for membership, for plan, functions and
15 responsibilities and for State performance management system;
16 in local workforce investment areas and boards, further
17 providing for plan, functions and responsibilities and for
18 local performance measures; and making editorial changes to
19 citations of Federal statutes.

20 The General Assembly of the Commonwealth of Pennsylvania
21 hereby enacts as follows:

22 Section 1. Section 102(5) of the act of December 18, 2001
23 (P.L.949, No.114), known as the Workforce Development Act, is
24 amended to read:

25 Section 102. Declaration of policy.

26 The General Assembly finds and declares as follows:

1 * * *

2 (5) This act enables the Commonwealth to participate in
3 the program under the Workforce [Investment Act of 1998
4 (Public Law 105-220, 112 Stat. 936)] Innovation and
5 Opportunity Act (Public Law 113-128, 128 Stat. 1425).

6 Section 2. The definition of "participating agencies" in
7 section 103 of the act is amended and the section is amended by
8 adding definitions to read:

9 Section 103. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 * * *

14 "Department." The Department of Community and Economic
15 Development.

16 "Deputy for Workforce Development." The highest ranking
17 individual other than the Secretary of Community and Economic
18 Development who is employed by the Department of Community and
19 Economic Development and is responsible for managing the unified
20 system.

21 * * *

22 "Participating agencies." All of the following:

23 (1) The Department of Aging.

24 (2) The Department of Community and Economic
25 Development.

26 (3) The Department of Education.

27 (4) The Department of Labor and Industry.

28 (5) The Department of [Public Welfare] Human Services.

29 (6) Any agency which oversees and monitors funds

30 appropriated by the Federal Government and designated by the

1 Governor or funds specifically appropriated by the General
2 Assembly for workforce investment which falls under the
3 authority of the board.

4 * * *

5 Section 3. Sections 301, 302(a)(3), (d) and (i), 304(a)
6 introductory paragraph, 305.1(a) and (b) last paragraph, 504(a)
7 introductory paragraph and (b)(7)(i)(F) and 505(c) of the act
8 are amended to read:

9 Section 301. Establishment.

10 The Pennsylvania Workforce Investment Board is established
11 within the department to advise and assist the Governor, the
12 Deputy for Workforce Development and the General Assembly on the
13 implementation of a unified system to assure a well-educated,
14 highly skilled workforce. The board is responsible for unifying
15 the Commonwealth's existing Federal and State workforce
16 investment programs into an integrated system. All
17 recommendations and decisions of the board shall be in
18 compliance with the Workforce [Investment Act of 1998 (Public
19 Law 105-220, 112 Stat. 936)] Innovation and Opportunity Act
20 (Public Law 113-128, 128 Stat. 1425).

21 Section 302. Membership.

22 (a) General rule.--The board shall be established as
23 follows:

24 * * *

25 (3) Representatives appointed by the Governor who are:

26 (i) Representatives of business, including private
27 sector employers, representatives from each of the
28 Commonwealth's marketing regions, owners of businesses,
29 chief executive officers, other business executives with
30 optimum policymaking or hiring authority, members of

1 local workforce investment boards and businesses that
2 reflect the employment opportunities in this
3 Commonwealth, including large and small employers.

4 (ii) Chief elected officials nominated by Statewide
5 organizations or associations representing elected
6 officials.

7 (iii) Representatives of labor organizations who
8 have been nominated by State labor federations.

9 (iv) Representatives of individuals and
10 organizations experienced with respect to youth
11 activities.

12 (v) Representatives of organizations which have
13 experience and expertise in the delivery of workforce
14 investment activities, including chief executive officers
15 of community colleges, technical colleges and community-
16 based organizations in this Commonwealth.

17 [(v.1) The chair or a cochair of the Health Careers
18 Leadership Council of the Pennsylvania Center for Health
19 Careers.]

20 (vi) Lead Commonwealth agency officials, including:

21 (A) The Secretary of Aging.

22 (B) The Secretary of Community and Economic
23 Development.

24 (C) The Secretary of Education.

25 (D) The Secretary of Labor and Industry.

26 (E) The Secretary of Public Welfare.

27 (F) The Director of the Governor's Policy
28 Office.

29 (vii) Any other representative or Commonwealth
30 agency official the Governor deems necessary.

1 * * *

2 (d) Staff.--[The board may employ a limited staff to
3 implement the decisions of the board.] The Deputy for Workforce
4 Development or a designee shall serve as the executive director
5 for the board. The department shall provide administrative
6 services and the use of staff to the board.

7 * * *

8 (i) Personnel, equipment, resources.--The policy and program
9 offices of the [Department of Aging, the Department of Community
10 and Economic Development, the Department of Education, the
11 Department of Labor and Industry and the Department of Public
12 Welfare shall] participating agencies shall, upon request of the
13 board or the Deputy for Workforce Development, provide
14 personnel, equipment and resources as required for the
15 functioning of the board.

16 Section 304. Plan, functions and responsibilities.

17 (a) General rule.--The board, in furtherance of section 102,
18 shall advise and assist the Governor and the Deputy for
19 Workforce Development on all of the following:

20 * * *

21 Section 305.1. State performance management system.

22 (a) General rule.--The board shall establish a system for
23 the development, oversight, modification and continuous
24 improvement of a comprehensive performance accountability system
25 that will provide effective measures of the performance and
26 impact of the workforce development system at the State and
27 local levels. The system will include input from board members,
28 local workforce investment boards, operators of the one-stop
29 delivery system, workforce development program providers,
30 business and industry and the participating agencies. The Deputy

1 for Workforce Development shall be responsible for the
2 coordination and management of data. The system will be designed
3 to produce recommendations to the board, the Governor, the
4 Deputy for Workforce Development and the General Assembly and
5 shall function within time frames established by the board. The
6 system shall be comprehensive and provide a reporting system for
7 program funding as established by the board. The system shall:

8 (1) Identify one or more State agencies responsible for
9 the coordination and management of data.

10 (2) Identify systems for tracking and reporting of
11 information and determining the role of the State and local
12 workforce investment boards.

13 (3) Enable the development and funding of a locally
14 based management information system that will provide local
15 workforce investment boards and the board with management
16 data.

17 (4) Enable revisions to the performance management
18 system.

19 (b) Required performance measures.--The State performance
20 management system shall include:

21 * * *

22 The required performance measures in paragraphs (1) through (5)
23 may be modified by the board to be aligned with common
24 performance measures adopted pursuant to revisions to the
25 Workforce [Investment Act of 1998 (Public Law 105-220, 112 Stat.
26 936)] Innovation and Opportunity Act (Public Law 113-128, 128
27 Stat. 1425) or the adoption of common performance measures by
28 the Federal agencies covered by this act.

29 * * *

30 Section 504. Plan, functions and responsibilities.

1 (a) Unified workforce investment plan.--A local workforce
2 investment board, in partnership with the chief elected official
3 of the county or counties served by the local workforce
4 investment board, shall submit to the Governor and the Deputy
5 for Workforce Development for approval a unified workforce
6 investment plan. The unified workforce investment plan shall be
7 developed through a process which includes the opportunity for
8 participation by current and potential customers and service
9 providers and which shall contain, at a minimum, the following:

10 * * *

11 (b) Functions and responsibilities.--A local workforce
12 investment board, in order to develop and implement a unified
13 workforce investment plan for the investment and utilization of
14 private and public resources to meet the current and future
15 workforce investment needs of its region in furtherance of
16 section 102, has the following functions and responsibilities:

17 * * *

18 (7) To authorize use of local workforce investment
19 funds, including individual training accounts, where
20 applicable, for eligible customers, for any of the following
21 services:

22 (i) Core services shall be available to individuals
23 who are adults or dislocated workers through the one-stop
24 delivery system and shall, at a minimum, include all of
25 the following:

26 * * *

27 (F) Provision of performance information and
28 program cost information on eligible providers of
29 training services, provided by program, eligible
30 providers of youth activities, providers of adult

1 education, providers of postsecondary vocational
2 education activities and vocational education
3 activities available to school dropouts under the
4 Carl D. Perkins [Vocational and Applied Technology
5 Education Act] Career and Technical Education Act of
6 2006 (Public Law 88-210, 20 U.S.C. § 2301 et seq.)
7 and providers of vocational rehabilitation program
8 activities described in the Rehabilitation Act of
9 1973 (Public Law 93-112, 29 U.S.C. § 701 et seq.).

10 * * *

11 Section 505. Local performance measures.

12 * * *

13 [(c) School-to-Work Opportunities Act of 1994.--No funds
14 made available under the Workforce Investment Act of 1998
15 (Public Law 105-220, 112 Stat. 936) shall be used to develop or
16 continue programs or activities created under the School-to-Work
17 Opportunities Act of 1994 (Public Law 103-239, 108 Stat. 568).]

18 Section 4. This act shall take effect in 60 days.