

## AN ACT

1 Amending the act of December 18, 2001 (P.L.949, No.114),  
2 entitled, as amended, "An act establishing a unified  
3 workforce development system; restructuring certain  
4 administrative functions, procedures and entities;  
5 transferring workforce development functions of Commonwealth  
6 agencies; establishing the Pennsylvania Workforce Development  
7 Board; providing for critical job training grants, for  
8 program quality and performance for workforce development  
9 programs, for workforce leadership grants and for industry  
10 partnerships; and authorizing local workforce development  
11 boards," in preliminary provisions, further providing for  
12 definitions; in board, further providing for establishment,  
13 for membership, for plan, functions and responsibilities, for  
14 Commonwealth fiscal management accountability information  
15 system and for performance accountability system; and, in  
16 local workforce development areas and regions and local  
17 workforce development boards, further providing for  
18 establishment, for membership, for plan, functions and  
19 responsibilities and for local performance measures.

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

22 Section 1. Section 103 of the act of December 18, 2001  
23 (P.L.949, No.114), known as the Workforce Development Act, is  
24 amended by adding a definition to read:

25 Section 103. Definitions.

26 The following words and phrases when used in this act shall

1 have the meanings given to them in this section unless the  
2 context clearly indicates otherwise:

3 \* \* \*

4 "Deputy for Workforce Development." The highest ranking  
5 individual other than the Secretary of Community and Economic  
6 Development who is employed by the Department of Community and  
7 Economic Development and is responsible for managing the unified  
8 system.

9 \* \* \*

10 Section 2. Sections 301 and 302(a)(3)(v.1), (d) and (i) of  
11 the act, amended July 7, 2022 (P.L.399, No.31), are amended to  
12 read:

13 Section 301. Establishment.

14 The Pennsylvania Workforce Development Board is established  
15 within the Department of Community and Economic Development to  
16 advise and assist the Governor, the Deputy for Workforce  
17 Development and the General Assembly on the implementation of a  
18 unified system to assure a well-educated, highly skilled  
19 workforce. The board is responsible for unifying the  
20 Commonwealth's existing Federal and State workforce development  
21 programs into an integrated system. All recommendations and  
22 decisions of the board shall be in compliance with the Workforce  
23 Innovation and Opportunity Act.

24 Section 302. Membership.

25 (a) General rule.--The board shall be established as  
26 follows:

27 \* \* \*

28 (3) Representatives appointed by the Governor as  
29 follows:

30 \* \* \*

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

4 \* \* \*

5 (d) Staff.--[The board may employ a limited staff to  
6 implement the decisions of the board.] The Deputy for Workforce  
7 Development or a designee shall serve as the executive director  
8 for the board. The Department of Community and Economic  
9 Development shall provide administrative services and the use of  
10 staff to the board.

11 \* \* \*

12 (i) Personnel, equipment, resources.--The policy and program  
13 offices of the [Department of Aging, the Department of Community  
14 and Economic Development, the Department of Education, the  
15 Department of Labor and Industry and the Department of Human  
16 Services shall] participating agencies shall, upon request of  
17 the board or the Deputy for Workforce Development, provide  
18 personnel, equipment and resources as required for the  
19 functioning of the board.

20 Section 3. Section 304(a) introductory paragraph of the act  
21 is amended to read:

22 Section 304. Plan, functions and responsibilities.

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

26 \* \* \*

27 Section 4. Sections 305.1, 305.2(a) introductory paragraph,  
28 501(a)(1), 502(a)(1) introductory paragraph, 504(a) introductory  
29 paragraph, (1) and (1.1) and (b)(2), (4) and (6) introductory  
30 paragraph and (c)(2) and 505 of the act, amended or added July

1 7, 2022 (P.L.399, No.31), are amended to read:

2 Section 305.1. Commonwealth fiscal management accountability  
3 information system.

4 The Governor, in coordination with the board and the Deputy  
5 for Workforce Development, Commonwealth agencies administering  
6 the core programs, local workforce development boards and chief  
7 elected officials shall establish and operate a fiscal  
8 management accountability information system based on guidelines  
9 established by the United States Secretary of Labor and the  
10 United States Secretary of Education. Funds for the  
11 establishment and operation of the fiscal management  
12 accountability information system shall be money that is  
13 authorized under a core program and made available to carry out  
14 Title I, Subtitle A, Chapter 4 of the Workforce Innovation and  
15 Opportunity Act.

16 Section 305.2. Performance accountability system.

17 (a) Required performance measures.--The board shall assist  
18 the Governor and the Deputy for Workforce Development in  
19 developing and updating comprehensive State performance  
20 accountability measures to assess the effectiveness of the core  
21 programs in this Commonwealth. The accountability measures shall  
22 consist of the accountability measures specified in section  
23 116(b)(1) of the Workforce Innovation and Opportunity Act, which  
24 are:

25 \* \* \*

26 Section 501. Establishment.

27 (a) Areas and regions.--

28 (1) Local workforce development areas shall be  
29 designated by the Governor through consultation with the  
30 board and the Deputy for Workforce Development and after

1 consultation with chief elected officials and local workforce  
2 development boards and consideration of comments received  
3 through the public comment process. The Governor shall base  
4 the designations on considerations specified in section  
5 106(b)(1)(B) of the Workforce Innovation and Opportunity Act.

6 \* \* \*

7 Section 502. Membership.

8 (a) Composition.--The following apply:

9 (1) The Governor, in partnership with the board and the  
10 Deputy for Workforce Development, shall establish criteria  
11 for use by chief elected officials in local workforce  
12 development areas for appointment of members to local  
13 workforce development boards. The following apply:

14 \* \* \*

15 Section 504. Plan, functions and responsibilities.

16 (a) Local plan.--A local workforce development board, in  
17 partnership with the chief elected official, shall submit to the  
18 Governor and the Deputy for Workforce Development for approval a  
19 local plan. The local plan shall support the strategy described  
20 in the State plan in accordance with section 102(b)(1)(E) of the  
21 Workforce Innovation and Opportunity Act, and otherwise be  
22 consistent with the State plan. If the local area is part of a  
23 planning region, the local workforce development board shall  
24 comply with this section in the preparation and submission of a  
25 regional plan. At the end of the first two-year period of the  
26 four-year local plan, each local workforce development board  
27 shall review the local plan and, in partnership with the chief  
28 elected official, prepare and submit modifications to the local  
29 plan to reflect changes in labor market and economic conditions  
30 or in other factors affecting the implementation of the local

1 plan. The following apply:

2 (1) The local plan shall be developed through a process  
3 which includes the opportunity for participation by current  
4 and potential customers, program partners, service providers  
5 and other local area stakeholders prior to the date on which  
6 the board submits a local plan to the Governor and the Deputy  
7 for Workforce Development for approval, the local workforce  
8 development board shall:

9 (i) make available copies of a proposed local plan  
10 to the public through electronic and other means, which  
11 may include public hearings and local news media; and

12 (ii) allow members of the public, including  
13 representatives of business, representatives of labor  
14 organizations and representatives of education, to submit  
15 to the local workforce development board comments on the  
16 proposed local plan not later than the end of the 30-day  
17 period beginning on the date on which the proposed local  
18 plan is made available.

19 (1.1) The local workforce development board shall  
20 include with the local plan submitted to the Governor and the  
21 Deputy for Workforce Development any comments received under  
22 paragraph (1)(ii) that represent public disagreement with the  
23 plan.

24 \* \* \*

25 (b) Functions and responsibilities.--A local workforce  
26 development board has the following functions and  
27 responsibilities:

28 \* \* \*

29 (2) In partnership with the chief elected official for  
30 the local workforce development area, to develop and submit a

1 local plan to the Governor and the Deputy for Workforce  
2 Development that meets the requirements in this section.

3 \* \* \*

4 (4) To coordinate with the Governor, the Deputy for  
5 Workforce Development, the board, Commonwealth agencies  
6 administering the core program and chief elected officials in  
7 establishing and operating a fiscal management accountability  
8 information system under section 305.1.

9 \* \* \*

10 (6) To compile an annual report and to submit the report  
11 to the Governor and the Deputy for Workforce Development by a  
12 deadline determined by the Governor. This report shall  
13 include, at a minimum:

14 \* \* \*

15 (c) Regional planning.--The following apply:

16 \* \* \*

17 (2) The Governor, after consultation with the Deputy for  
18 Workforce Development and with local workforce development  
19 boards and chief elected officials for the planning regions,  
20 shall require local workforce development boards and chief  
21 elected officials within a planning region to prepare, submit  
22 and obtain approval of a single regional plan as specified in  
23 section 106(c)(2) of the Workforce Innovation and Opportunity  
24 Act.

25 \* \* \*

26 Section 505. Local performance measures.

27 (a) General rule.--The local workforce development board,  
28 the chief elected officials, the Deputy for Workforce  
29 Development and the Governor shall negotiate and reach agreement  
30 on local levels of performance based on the State-adjusted

1 levels of performance for primary indicators established under  
2 section 116(b)(3)(A) of the Workforce Innovation and Opportunity  
3 Act.

4 [(c) School-to-Work Opportunities Act of 1994.--No funds  
5 made available under the Workforce Innovation and Opportunity  
6 Act shall be used to develop or continue programs or activities  
7 created under the School-to-Work Opportunities Act of 1994  
8 (Public Law 103-239, 108 Stat. 568).]

9 Section 5. This act shall take effect in 60 days.