

Senate Bill 623

Sponsored by Senator FREDERICK, Representative REARDON (at the request of Oregon Workforce Partnership)
(Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires local workforce development boards to evaluate programs administered by state workforce agencies through WorkSource Oregon system. Requires agencies to provide boards with information for performance evaluation.

Requires annual report to Legislative Assembly and Governor listing all programs delivered through WorkSource Oregon and identifying program problems and potential solutions.

Requires state workforce agencies to annually provide to each local workforce development board information on amount of fund availability and services provided by agencies in each local workforce development area. Requires agencies to also provide to boards quarterly expenditure and performance information for each workforce program delivered by agency through WorkSource Oregon.

Requires state workforce agencies to implement all recommendations made by local workforce development board during program evaluation, unless recommendation is prohibited by federal or state law.

Requires Governor to collaborate with members of Legislative Assembly to establish funding formula to support WorkSource Oregon evaluation.

Authorizes Higher Education Coordinating Commission to provide grants to local workforce development boards for paid work experiences for youth.

Authorizes commission to establish pilot programs to provide grants to local workforce development boards to work with organizations to enhance adult learning.

Requires State Workforce and Talent Development Board to convene representatives from state workforce agencies and local workforce development boards to identify program and system changes to support individuals and business most impacted by COVID-19 pandemic and 2020 wildfire disasters. Requires report on findings to be submitted to Governor and Legislative Assembly within 45 days of effective date of Act.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to workforce development; and declaring an emergency.

3 Whereas support for people to recognize their full potential is necessary and must be inten-
4 tional; and

5 Whereas multiple systems that impact a person's success in training, education and work are
6 disparate and lack coordination; and

7 Whereas community-based organizations and nonprofit groups have stepped up in unprecedented
8 ways to support people during these unprecedented times; and

9 Whereas workforce development is economic development; and

10 Whereas Oregon is experiencing a significant economic downturn as a result of COVID-19, un-
11 precedented wildfires and extensive business closures; and

12 Whereas Oregonians most impacted by the economic downturn are communities of color, women,
13 younger, less educated and lower-income workers; and

14 Whereas achieving equitable economic recovery will require changes to services and systems
15 at both the state and local level and a commitment to engage, listen and learn at the community
16 level; and

17 Whereas WorkSource Oregon is essential to helping those most impacted by the downturn to

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 return to work and support regional economic recovery; and

2 Whereas Local Workforce Development Boards are uniquely positioned to direct public
3 workforce investments at the state and local level for talent development, job creation, income
4 progression, business competitiveness, integrated service delivery and expanded opportunities for
5 citizen prosperity; and

6 Whereas Local Workforce Development Boards are uniquely positioned to develop local
7 workforce plans in alignment with state priorities; and

8 Whereas Local Workforce Development Boards are uniquely positioned to direct and prioritize
9 funding toward workforce development activities and to help shape how services are delivered in the
10 local WorkSource Oregon system; and

11 Whereas Local Workforce Development Boards are uniquely positioned to use labor market in-
12 telligence to better align economic development, education and training, and workforce development
13 investments and services, for job seekers and businesses to efficiently address local labor market
14 needs and statewide priorities; and

15 Whereas Local Workforce Development Boards are uniquely positioned to lead employer en-
16 gagement to promote business representation, develop linkages, implement effective strategies and
17 ensure that workforce investments support the needs of employers; and

18 Whereas Local Workforce Development Boards are uniquely positioned to expand private-public
19 partnerships with an integrated workforce system to better meet the needs of communities and
20 create solutions to address tomorrow's workforce challenges; and

21 Whereas Local Workforce Development Boards are uniquely positioned to partner with Regional
22 Solutions Committees to identify and leverage opportunities to expand job creation and incentivize
23 job growth; and

24 Whereas Local Workforce Development Boards are uniquely positioned to conduct program
25 oversight to ensure appropriate use, management and investment of workforce resources; and

26 Whereas Local Workforce Development Boards are uniquely positioned to assume accountability
27 for workforce system outcomes; now, therefore,

28 **Be It Enacted by the People of the State of Oregon:**

29 **SECTION 1. Sections 2, 3, 4, 5 and 8 of this 2021 Act are added to and made a part of**
30 **ORS 660.300 to 660.364.**

31 **SECTION 2. (1) As used in sections 2, 3 and 4 of this 2021 Act, "one-stop delivery**
32 **system" has the meaning given that term in ORS 660.334.**

33 **(2) In addition to the duties described in ORS 660.327, at least once each year each local**
34 **workforce development board shall evaluate the workforce programs administered by state**
35 **workforce agencies under the one-stop delivery system. The evaluation must include:**

36 **(a) Monitoring and evaluating the effectiveness of entities created to perform workforce**
37 **development activities under ORS 660.334, state workforce agencies and other contractors**
38 **that are involved in programs under the federal Workforce Innovation and Opportunity Act**
39 **to ensure that performance is consistent with state and local goals and objectives;**

40 **(b) Identifying any duplication of, or gaps in, the workforce development provided by the**
41 **programs, or any other problems in the workforce development provided by the programs,**
42 **that adversely affect the seamless delivery of workforce development services;**

43 **(c) Identifying any specific barriers to integrated service delivery at the federal, state or**
44 **local levels; and**

45 **(d) Developing recommendations and implementation strategies to address any problems**

1 or issues discovered in the evaluation conducted under this section.

2 (3) Not later than 60 calendar days after receiving a formal request from a local
3 workforce development board for information necessary to allow the board to conduct the
4 evaluation described in subsection (2) of this section, a state workforce agency must provide
5 the board with any requested information regarding fund allocation, expenditures or per-
6 formance metrics for each local workforce development area. The information provided to
7 the local workforce development board under this subsection must also provide the requested
8 information for all requested workforce programs, including:

9 (a) Adult and dislocated worker programs authorized by Title I of the federal Workforce
10 Innovation and Opportunity Act;

11 (b) Youth workforce programs authorized by Title I of the federal Workforce Innovation
12 and Opportunity Act;

13 (c) Adult Education and Family Literacy Act programs authorized by Title II of the fed-
14 eral Workforce Innovation and Opportunity Act;

15 (d) Programs authorized by the federal Wagner-Peyser Act (29 U.S.C. 49 et seq.), as
16 amended;

17 (e) WorkSource Oregon centers funded by the Supplemental Employment Department
18 Administration Fund established under ORS 657.783;

19 (f) Reemployment and eligibility assessment programs required under ORS 657.156;

20 (g) Trade Adjustment Assistance programs authorized by Title II of the federal Trade
21 Act of 1974 (19 U.S.C. 2271 et seq.), as amended;

22 (h) Jobs for Veterans State Grants authorized by 38 U.S.C. 4102A(b)(5);

23 (i) Employment and training programs authorized by sections 6(d)(4) and 6(o) of the fed-
24 eral Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), as amended;

25 (j) Employment and training programs under the Temporary Assistance for Needy Fam-
26 ilies program authorized by Part A of Title IV of the Social Security Act (42 U.S.C. 601 et
27 seq.), as amended;

28 (k) Vocational rehabilitation programs authorized by the federal Rehabilitation Act of
29 1973 (29 U.S.C. 701 et seq.), as amended; and

30 (L) Senior Community Service Employment Program authorized by the federal Older
31 Americans Act of 1965 (42 U.S.C. 3001 et seq.), as amended.

32 (4)(a) Not later than July 1 of each year, each local workforce development board shall
33 provide to the State Workforce and Talent Development Board:

34 (A) A review of all workforce programs delivered through the local one-stop delivery
35 system, including expenditures and program outcomes;

36 (B) A list of specific problems identified by the local workforce development board in the
37 evaluation conducted subsection (2) of this section; and

38 (C) Recommendations to address problems, improve integration, increase efficiency and
39 scale best practices. The recommendations developed by a local workforce development board
40 under this subparagraph must identify the state workforce agency that is responsible for
41 implementing each recommendation and establish a recommended time frame for the im-
42 plementation of each recommendation.

43 (b) Not later than October 1 of each year, the State Workforce and Talent Development
44 Board shall submit to the Governor and the interim committees of the Legislative Assembly
45 related to workforce development, in the manner provided in ORS 192.245, a report that

1 comprehensively sets forth the material provided to the State Workforce and Talent Development Board by all local workforce development boards under paragraph (a) of this subsection.
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4 **SECTION 3.** (1)(a) Not less than once a year, each state workforce agency shall provide to each local workforce development board information regarding the amount of moneys and services available from the agency to each local workforce development area.
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7 (b) At the end of each fiscal quarter, each state workforce agency shall provide to each local workforce development board expenditure and performance information for each workforce program that is delivered through the one-stop delivery system.
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10 (2) A state workforce agency that is responsible for the administration or delivery of workforce programs through the one-stop delivery system must implement all recommendations that are both made by a local workforce development board under section 2 of this 2021 Act and approved by the Governor, unless a recommendation violates a federal or state law. In implementing recommendations that are both made by a local workforce development board and approved by the Governor, a state workforce agency must:
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16 (a) Provide the local workforce development board with any information relating to implementation in a timely manner;
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18 (b) Report on the implementation of the local workforce development board's recommendations at the time and in the format requested by the board; and
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20 (c) Notify the relevant board or boards, the interim committees of the Legislative Assembly relating to workforce development and the Governor within 30 days of any state workforce agency determination for why a recommendation cannot be implemented. The notification must include a justification for why the recommendation cannot be implemented.
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24 **SECTION 4.** The Governor, in consultation with members of the Legislative Assembly with expertise in workforce development, shall establish a funding formula to determine the level of financial support each state workforce agency that administers a workforce program delivered through the one-stop delivery system must provide annually to support the evaluations of workforce programs required by section 2 of this 2021 Act. The funding formula shall ensure that the financial support identified under this section is delivered to local workforce development boards for the purpose of conducting the evaluations required by section 2 of this 2021 Act.
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32 **SECTION 5.** (1) There is created in the Office of Community Colleges and Workforce Development a program to make grants to local workforce development boards that contract with local community-based and other youth-serving organizations whose mission is consistent with the purposes of the Oregon Youth Employment Program created under ORS 660.353, to provide paid work experiences and workforce training to youth between the ages of 14 and 24.
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38 (2) In order for an organization to be eligible to receive a grant under this section, the local workforce development board that contracts with the organization must ensure and attest that at least 75 percent of the youths who participate in any program funded by the grant are from communities that are historically underrepresented in specific fields and occupations, including communities of color, rural communities and communities facing generational poverty.
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44 (3) The Higher Education Coordinating Commission may adopt rules necessary to implement this section.
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1 **SECTION 6.** In addition to and not in lieu of any other appropriation, there is appropri-
2 ated to the Higher Education Coordinating Commission, for the biennium beginning July 1,
3 2021, out of the General Fund, the amount of \$____, for the purpose of providing grants in
4 the manner described in section 5 of this 2021 Act.

5 **SECTION 7.** In addition to and not in lieu of any other appropriation, there is appropri-
6 ated to the Higher Education Coordinating Commission, for the biennium beginning July 1,
7 2021, out of the General Fund, the amount of \$____, for the purpose of allocating moneys
8 to local workforce development boards that:

9 (1) Engage in local competitiveness strategies that effectively manage workforce pro-
10 grams and business engagement;

11 (2) Establish work experiences including on-the-job training, customized training,
12 incumbent worker training, apprenticeship-related training and work experience or
13 internship programs that serve traditionally underserved and vulnerable populations, in-
14 cluding those most impacted by the COVID-19 pandemic and 2020 wildfire disasters; or

15 (3) Establish industry engagement strategies in which employer-driven and community-
16 supported strategies enhance the overall economic health of target industry sectors and re-
17 gions.

18 **SECTION 8.** (1) There is created in the Office of Community Colleges and Workforce
19 Development a program to make grants to pilot projects brought by local workforce devel-
20 opment boards to promote adult learning.

21 (2) Pilot projects funded by the program must:

22 (a) Involve local workforce development boards working with local community-based or-
23 ganizations, educators and other providers; and

24 (b) Demonstrate the ability to serve adult learners from underserved and underrepre-
25 sented communities, including communities of color, rural communities and communities
26 facing generational poverty.

27 (3) Local workforce development boards that receive funding for a pilot program under
28 this section may use the moneys to:

29 (a) Provide wraparound workforce development services;

30 (b) Offer tuition and fee assistance for workforce training programs;

31 (c) Hire career coaches, counselors or case managers;

32 (d) Provide workforce training and professional development; or

33 (e) Develop adult-friendly career pathways.

34 (4) The Higher Education Coordinating Commission may adopt rules necessary to imple-
35 ment this section.

36 **SECTION 9.** In addition to and not in lieu of any other appropriation, there is appropri-
37 ated to the Higher Education Coordinating Commission, for the biennium beginning July 1,
38 2021, out of the General Fund, the amount of \$____, for the purpose of providing grants in
39 the manner described in section 7 of this 2021 Act.

40 **SECTION 10.** (1) The State Workforce and Talent Development Board shall convene rep-
41 resentatives from local workforce development boards and other regional and local partners
42 and representatives from each state workforce agency to identify changes and improvements
43 to workforce programs that are immediately necessary in order to better support individuals
44 and businesses impacted by the COVID-19 pandemic and the 2020 wildfire disasters.

45 (2) Not later than 45 calendar days after the effective date of this 2021 Act, the State

1 **Workforce and Talent Development Board shall submit to the Governor and the interim**
2 **committees of the Legislative Assembly related to workforce development, in the manner**
3 **provided in ORS 192.245, a report setting forth the recommendations arrived at under sub-**
4 **section (1) of this section.**

5 **SECTION 11. Section 10 of this 2021 Act is repealed on June 30, 2023.**

6 **SECTION 12. This 2021 Act being necessary for the immediate preservation of the public**
7 **peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect**
8 **on its passage.**

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