

Requested by Representative YUNKER

**PROPOSED AMENDMENTS TO
HOUSE BILL 3669**

1 On page 1 of the printed bill, line 2, after “ORS” insert “660.175,
2 660.300.”.

3 Delete lines 4 through 28 and delete page 2.

4 On page 3, delete lines 1 through 43 and insert:

5 **“SECTION 1.** ORS 660.300 is amended to read:

6 “660.300. As used in ORS 660.300 to 660.420:

7 “(1) ‘Chief elected official’ means a county commissioner, a county judge
8 or the mayor of the City of Portland.

9 “(2) ‘Federal Act’ or ‘federal Workforce Innovation and Opportunity Act’
10 means the federal Workforce Innovation and Opportunity Act (29 U.S.C. 3101
11 et seq.).

12 “(3) ‘Local workforce development area’ means the City of Portland or a
13 county when the city or county has been designated as a local workforce
14 development area under ORS 660.324. ‘Local workforce development area’
15 may include two or more counties that have joined together to form a local
16 workforce development area and that have been designated as a local
17 workforce development area under ORS 660.324.

18 “(4) ‘Local workforce development board’ means a board established pur-
19 suant to section 3122 of the federal Workforce Innovation and Opportunity
20 Act.

21 “(5) ‘Maritime sector’ includes but is not limited to:

1 “(a) Enterprises engaged in the design, construction, manufacture, acqui-
2 sition, operation, supply, repair or maintenance of marine vessels or compo-
3 nent parts of marine vessels;

4 “(b) Enterprises engaged in managing or operating shipping lines;

5 “(c) Customs brokerage services, shipyards, shipping and freight forward-
6 ing services, dry docks, marine railways and marine repair shops;

7 “(d) Enterprises engaged in commercial or recreational fishing;

8 “(e) Enterprises and academic institutions engaged in scientific research
9 of ocean processes, marine life or other ocean resources; and

10 “(f) Enterprises engaged in marine tours or travel, water sports or other
11 marine leisure activities.

12 “(6) ‘Participant’ means a person receiving services under the federal
13 Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.).

14 “(7) ‘Participant records’ means records relating to matters such as
15 grades, conduct, personal and academic evaluations, results of psychometric
16 testing, counseling, disciplinary actions, if any, and other personal matters.

17 “(8) ‘Priority populations’ means:

18 “[*(a) Communities of color;*]

19 “[*(b) Women;*]

20 “[*(c)*] **(a)** Low-income communities; **and**

21 “[*(d) Rural and frontier communities;*]

22 “[*(e)*] **(b)** Veterans[;].

23 “[*(f) Persons with disabilities;*]

24 “[*(g) Incarcerated and formerly incarcerated individuals;*]

25 “[*(h) Members of Oregon’s nine federally recognized Indian tribes;*]

26 “[*(i) Individuals who disproportionately experience discrimination in em-
27 ployment on the basis of age; and*]

28 “[*(j) Individuals who identify as members of the LGBTQ+ community.*]

29 “(9) ‘State workforce agencies’ means state agencies that administer
30 workforce programs.

1 “(10) ‘Workforce development’ means services designed to help individuals
2 attain employment and progress along career pathways and to help busi-
3 nesses better achieve business goals by more easily finding skilled employees.

4 ‘Workforce development’ includes:

5 “(a) Education and training services;

6 “(b) Apprenticeship and preapprenticeship training programs registered
7 with the State Apprenticeship and Training Council;

8 “(c) Labor market analysis;

9 “(d) Employment and reemployment services;

10 “(e) Employee recruitment and retention services; and

11 “(f) Convening, coordinating, oversight and evaluation services for busi-
12 ness and state workforce agencies.

13 “(11) ‘Workforce programs’ means programs that have a primary mission
14 of helping individuals become employed, retain employment, increase wages
15 and progress along career pathways and that are responsible for outcomes
16 related to the primary mission.

17 **“SECTION 2.** ORS 660.380 is amended to read:

18 “660.380. (1) The Prosperity 10,000 Program is established in the Higher
19 Education Coordinating Commission for the following purposes:

20 “(a) To provide career coaching, occupational training and job placement
21 services;

22 “(b) To provide wraparound supports and services that are necessary to
23 facilitate reengagement **and advancement** in the workforce, including, but
24 not limited to, transportation, child care and rental assistance;

25 “(c) To provide paid work experiences, including stipends and wages and
26 other income supports for individuals from priority populations; [*and*]

27 “(d) To support targeted recruitment and **industry** engagement efforts[.];
28 **and**

29 “(e) **To build pathways that support career advancement for**
30 **incumbent workers by improving job quality through on-the-job**

1 **training grants, curriculum development and customized training.**

2 “(2) The goals of the Prosperity 10,000 Program are to:

3 “(a) Include at least 10,000 total individuals who participate in the
4 program[;].

5 “(b) Improve the capacity and responsiveness of the public workforce
6 system in this state by providing assistance for workforce development pro-
7 gram navigation, expanding access to community-based career counseling and
8 wraparound supports and services, and providing opportunities to earn
9 industry-recognized certificates, credentials and degrees through work-based
10 learning experiences[;].

11 “(c) Ensure that services and benefits available through workforce pro-
12 grams are provided to individuals from priority populations[;].

13 “(d) Provide increased access for priority populations to services and
14 benefits available through workforce programs[;].

15 “[*(e) Ensure that at least 50 percent of the individuals who participate in*
16 *the program are women;*]

17 “**(e)(A) Support employers and incumbent workers in high-growth**
18 **industries by building pathways that promote advancement in quality**
19 **jobs, attained skills and wage and benefit earnings.**

20 “**(B) As used in this paragraph, ‘high-growth industries’ includes,**
21 **but is not limited to, industry sectors such as clean energy, semicon-**
22 **ductor manufacturing and broadband infrastructure, child care, be-**
23 **havioral and mental health care, transportation and construction and**
24 **other areas deemed essential by state and local workforce development**
25 **boards for expanding economic and workforce development opportu-**
26 **nities.**

27 “(f) Ensure that at least 80 percent of the individuals who participate
28 successfully complete the program[;].

29 “(g) Ensure that at least 75 percent of the individuals who **are unem-**
30 **ployed at the time of enrollment** [*participate*] in the program successfully

1 obtain employment **and earn at least \$17 per hour.**[; *and*]

2 “[*h*] *Ensure that at least 75 percent of the individuals who participate in*
3 *the program earn at least \$17 per hour.*]

4 **“(h) Ensure that incumbent workers participating in the program**
5 **obtain transferable skills or credentials and increased earnings that**
6 **amount to \$23 per hour or a percentage increase of _____, whichever**
7 **is greater.**

8 “(3)(a) The Prosperity 10,000 Program shall be administered by local
9 workforce development boards. The local workforce development boards
10 shall:

11 “(A) Distribute resources and available funds to nonprofit community-
12 based organizations, educational institutions, labor organizations, **employ-**
13 **ers** and other workforce service providers to facilitate the provision of
14 workforce development services and wraparound supports to individuals who
15 participate in the program;

16 “(B) Coordinate with state workforce agencies and other workforce part-
17 ners to expand regional community-based partnerships that work to support
18 and sustain workforce development services and wraparound supports; and

19 “(C) Connect with businesses and organizations in targeted industry sec-
20 tors to identify training needs and ensure that business needs relating to a
21 skilled workforce are met.

22 “(b) An entity that collaborates with a local workforce development board
23 to accomplish the workforce development activities described under this
24 subsection shall, in accordance with ORS 660.327, participate with local
25 workforce development boards in developing a proposed local plan.

26 “(4)(a) If an entity receives funds distributed from a local workforce de-
27 velopment board under this section and provides paid work experience to
28 individuals who participate in the program established under this section,
29 the entity shall:

30 “(A) Notwithstanding ORS 653.025 [*and subsection (2)(h)*] of this section,

1 pay wages to individuals participating in the program at a rate that is:

2 “(i) Equivalent to an entry-level training wage as determined by the en-
3 tity pursuant to paragraph (b) of this subsection; and

4 “(ii) In alignment with the wage progression schedule established by the
5 entity under subparagraph (B) of this paragraph;

6 “(B) Establish a wage progression schedule that includes the step
7 progression requirements and the rate calculation formula upon which the
8 entity shall make determinations about a participating individual’s eligibility
9 to increase the individual’s wage rate from an entry-level training wage to
10 a wage rate that is equivalent to the average area wage standard for an
11 hour’s work in the same trade or occupation in the locality where the labor
12 is performed;

13 “(C) Develop a training plan for individuals participating in the program
14 that includes, at a minimum:

15 “(i) The entry-level training wage that will be paid to the individual;

16 “(ii) A statement that the individual shall be paid according to the wage
17 progression schedule established by the entity, along with a description of
18 the requirements that the individual must meet in order to progress to a
19 higher wage rate under the wage progression schedule;

20 “(iii) A statement that the entry-level training wage paid to the individual
21 may not be less than the federal minimum wage rate or the applicable state
22 minimum wage rate, whichever is greater; and

23 “(iv) A statement explaining that the entry-level training wage paid to the
24 individual is a minimum standard and that a higher wage rate shall be paid
25 to the individual if so required under other applicable federal or state laws,
26 regulations or a collective bargaining agreement; and

27 “(D) Provide each individual participating in the program with a copy of
28 the training plan described in subparagraph (C) of this paragraph on the date
29 on which the individual first begins participating in the program.

30 “(b) For purposes of paragraph (a)(A) of this subsection, the entry-level

1 training wage shall be a percentage amount of the average area wage
2 standard for an hour's work in the same trade or occupation in the locality
3 where the labor is performed, but in no event may the entry-level training
4 wage be less than the applicable state minimum wage rate under ORS
5 653.025.

6 “(c) Each individual who performs work for an entity described in this
7 subsection shall be considered an employee of the entity for purposes of state
8 wage and hour laws and state laws prohibiting employment discrimination
9 and retaliation.

10 “(5)(a) As used in this subsection, ‘SNAP Employment and Training Pro-
11 gram’ means the employment and training component of the federal Supple-
12 mental Nutrition Assistance Program under 7 U.S.C. 2015(d)(4).

13 “(b) To the extent possible, the Department of Human Services shall:

14 “(A) Incorporate the Prosperity 10,000 Program into the statewide plan
15 for the SNAP Employment and Training Program;

16 “(B) Seek federal reimbursement for 50 percent of the Prosperity 10,000
17 Program's costs and for other eligible activities as reported by the local
18 workforce development boards;

19 “(C) Refer individuals who receive supplemental nutrition assistance un-
20 der ORS 411.806 to 411.845 to participate in the Prosperity 10,000 Program;
21 and

22 “(D) Distribute moneys received as reimbursement under subparagraph (B)
23 of this paragraph to local workforce development boards, not later than 60
24 days after the department receives an invoice that is consistent with re-
25 quirements under the SNAP Employment and Training Program, for rein-
26 vestment in workforce development and wraparound supports and services
27 provided under the Prosperity 10,000 Program.

28 “(6) The State Workforce and Talent Development Board, in consultation
29 with the Committee for Continuous Improvement, shall:

30 “(a) Oversee the progress of the Prosperity 10,000 Program;

1 “(b) Ensure that program goals are met; and

2 “(c) Identify areas for program improvement.”.

3 In line 44, delete “2” and insert “3”.

4 **“SECTION 4.** ORS 660.175 is amended to read:

5 “660.175. (1) As used in this section:

6 “(a) ‘Community-based organization’ has the meaning given that term in
7 ORS 660.390.

8 “(b) ‘Local workforce development board’ has the meaning given that term
9 in ORS 660.300.

10 “(c) ‘Priority populations’ has the meaning given that term in ORS
11 660.300.

12 “(2) The Bureau of Labor and Industries shall establish and administer a
13 grant program to provide financial support for the development, expansion
14 and implementation of registered apprenticeship and preapprenticeship
15 training programs in health care and manufacturing, and for the development
16 and implementation of preapprenticeship training programs in construction.

17 “(3) The State Apprenticeship and Training Council, under the direction
18 of the Apprenticeship and Training Division of the Bureau of Labor and In-
19 dustries, may award grants to community-based organizations, labor organ-
20 izations, local workforce development boards and other entities that develop
21 apprenticeship and preapprenticeship training programs described under
22 subsection (2) of this section and that prioritize program participation by
23 apprentices from priority populations.

24 “(4) The Apprenticeship and Training Division of the Bureau of Labor and
25 Industries shall, in collaboration with the Higher Education Coordinating
26 Commission, recommend for approval by the council:

27 “(a) The criteria and standards by which the entities described under
28 subsection (3) of this section may submit proposals to receive a grant under
29 this section.

30 “(b) The grant proposals to consider in awarding grants.

1 “(5) The council shall award grants under this section on a competitive
2 basis and may give priority to grant proposals that demonstrate effective
3 strategies for engaging with priority populations.

4 “(6) A recipient of a grant under this section may use the moneys:

5 “(a) To pay the costs of convening employers in health care and manu-
6 facturing;

7 “(b) To recruit and conduct outreach for apprentices;

8 “(c) To provide tuition and fee assistance to program participants;

9 “(d) To pay the costs of tools, supplies and equipment and other
10 training-related costs;

11 “(e) To pay for technology supports, including broadband services;

12 “(f) To provide apprentices with supports and services that are equivalent
13 to the supports and services available to apprentices who perform work on
14 a bridge or highway project;

15 “(g) To develop uniform standards for new registered apprenticeship and
16 preapprenticeship training programs described under subsection (2) of this
17 section;

18 “(h) To develop a curriculum and standard courses of study for the in-
19 struction of apprentices; and

20 “(i) For any other activities that the bureau deems necessary to support
21 the expansion of registered apprenticeship and preapprenticeship training
22 programs and to support overall increased program participation[, *with an*
23 *emphasis on increased participation by women and individuals from commu-*
24 *nities of color*].

25 “(7) The bureau may adopt rules necessary to implement the provisions
26 of this section.

27 “(8) Each grant recipient shall track and report to the council informa-
28 tion regarding the status of each apprenticeship and preapprenticeship pro-
29 gram developed, expanded and implemented under this section and the use
30 of grant funds.”.

