

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 2043

Session of  
1986

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INTRODUCED BY KOSINSKI, MANDERINO, PIEVSKY, IRVIS, MICHLOVIC,  
VEON, CARN, STEWART, KUKOVICH, OLIVER, ACOSTA, TRUMAN,  
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COLAFELLA, PISTELLA, COY, FOX, ITKIN, WASS, DURHAM,  
PRESSMANN, AFFLERBACH, HARPER AND LESCOVITZ, JANUARY 22, 1986

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AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
FEBRUARY 19, 1986

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## AN ACT

1 Establishing the Pennsylvania Job Training Council and providing  
2 for its membership, powers and duties; providing priorities  
3 and guidelines for Statewide and other job training plans and  
4 programs and for coordination of such programs; and making an  
5 appropriation.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. Short title.

9 This act shall be known and may be cited as the Pennsylvania  
10 Job Training Council Act.

11 Section 2. Legislative findings and intent.

12 (a) Legislative findings.--The General Assembly finds and  
13 declares that:

14 (1) This Commonwealth has large numbers of unemployed,  
15 underemployed, illiterate and other disadvantaged persons who  
16 are in need of job training and related services to give them

1 an opportunity to fully participate in this Commonwealth's  
2 economy.

3 (2) The Commonwealth has available to it a myriad of job  
4 training programs, controlled by multiple departments and  
5 bureaus; and this disjointed effort has resulted in  
6 inefficiencies and duplication of effort.

7 (3) In spite of the length of time the various programs  
8 have been in operation, information from each of the sources  
9 is not sufficient, complete or uniform enough to permit  
10 proper oversight or policymaking.

11 (b) Legislative intent.--It is the intent of the General  
12 Assembly to provide for a coordinated job training effort which  
13 seeks to maximize the benefits to be derived from the  
14 Commonwealth's job training programs and related programs and  
15 services, thereby assisting individuals to become productive  
16 members of the work force of this Commonwealth.

### 17 Section 3. Definitions.

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

21 "Council." The Pennsylvania Job Training Council established  
22 by this act.

23 "JTPA." The Job Training Partnership Act (Public Law 97-300,  
24 96 Stat. 1322).

25 "PIC." The private industry council established in JTPA.

26 "Program Year." The fiscal year of the Commonwealth.

### 27 Section 4. Job Training Council.

28 (a) Establishment.--There is hereby established an  
29 independent agency of the Commonwealth to be known as the  
30 Pennsylvania Job Training Council which shall exist to carry out

1 the purposes set forth in this act.

2 (b) Membership.--The council shall be composed of 15 members  
3 appointed by the Governor from the following groups:

4 (1) Five members shall be representatives, owners or  
5 operators of business and industry, at least one of whom  
6 shall represent small businesses or own or operate a small  
7 business, and at least one of whom shall represent minority-  
8 owned businesses or own or operate a minority-owned business.

9 (2) One member shall represent the Department of Labor  
10 and Industry.

11 (3) One member shall be a member of the House of  
12 Representatives.

13 (4) One member shall be a member of the Senate.

14 (5) Three members shall represent local government; at  
15 least one of these members shall represent or be a member of  
16 county governments and one shall represent or be a member of  
17 city governments.

18 (6) One member shall represent the largest association  
19 of labor unions in this Commonwealth.

20 (7) One member shall represent community-based  
21 organizations.

22 (8) One member shall represent public assistance  
23 recipients.

24 (9) One member shall represent local vocational-  
25 education schools.

26 Of these members, at least one shall be over the age of 60, at  
27 least two shall be veterans and at least two shall be members of  
28 PICs. The legislative members shall be from the majority party  
29 in each chamber, unless the majority party in each chamber is  
30 the same, in which case one members shall be appointed from the

1 minority party of either chamber. Legislative members may  
2 designate, in writing, a person to attend and vote in their  
3 place if legislative business forces them to miss any meeting.  
4 Each member shall serve at the pleasure of the Governor, but any  
5 member who misses more than three consecutive meetings shall  
6 automatically be removed. If any member is removed for any  
7 reason, the Governor shall appoint a new member within 15 days,  
8 ensuring that the new member shall keep the composition of the  
9 council in accordance with this subsection. The chairman shall  
10 be appointed by the Governor from the members listed in  
11 paragraph (1). The council may, and is hereby encouraged to,  
12 appoint non-members to advisory committees or subcommittees in  
13 order to obtain their expertise and opinions.

14 (c) Meetings.--The council shall conduct at least six  
15 meetings each program year. Twelve members shall constitute a  
16 quorum. The Governor may overturn decisions of the council, but  
17 he must notify the chairman, in writing, within ten days of the  
18 decision or the decision shall deem to be approved.

19 (d) Expenses.--Members of the council and members of  
20 advisory committees or subcommittees shall serve without  
21 compensation, but shall receive any and all valid expenses for  
22 attending meetings and performing any and all other required  
23 duties.

24 Section 5. Statewide and other job training plans.

25 (a) Statewide plan.--It shall be the duty of the council to  
26 issue a Statewide job training plan by July 1 of each year. The  
27 Statewide plan shall contain the following:

28 (1) A list of each job training and related service  
29 program available in this Commonwealth.

30 (2) The priorities for, and activities to be carried out

1 under, each program as established under section 6, along  
2 with any problems in obtaining, or exceptions to, these goals  
3 and priorities.

4 (3) The eligible and priority populations to be served  
5 for each program as specified in section 6.

6 (4) Performance standards, impact indicators and output  
7 measures to be achieved during the program year for each  
8 program.

9 (5) Identification of strategies to integrate job  
10 training and other services with the occupational supply and  
11 demand information required in this act.

12 (6) Recommendations to improve coordination efforts and  
13 program effectiveness by removing statutory or administrative  
14 barriers.

15 (7) The methodology, by program, for followup of program  
16 participants.

17 (8) Any other information which the council deems  
18 necessary.

19 The Statewide plan may be combined with any other job training  
20 plan required by State or Federal law at the discretion of the  
21 council.

22 (b) Other plans.--In the approval of other job training and  
23 related services plans which come under the auspices of the  
24 council, the council shall consider the following:

25 (1) The coordination of the plan with the Statewide  
26 plan.

27 (2) The coordination of the plan with the priorities set  
28 forth in this act.

29 (3) The efficiency of its use of funds, including the  
30 use of existing job training facilities and administration.

1           (4) The methodology of the followup of participants in  
2 the program. Followup shall be a requirement for approval of  
3 any plan, although groups of individual plans may use common  
4 followup procedures.

5           (5) Coordination with economic development strategies.

6           (6) Compliance with State and Federal law.

7 Section 6. Priorities of job training.

8       The council is hereby empowered to establish priorities,  
9 within the following guidelines, for the various State job  
10 training and related programs:

11           (1) Groups to be served. The council shall compile a  
12 list of the number of people who may benefit from job  
13 training and related programs for each county, major city and  
14 any other relevant geographical unit. This list should  
15 itemize the number of people, or the best estimate of the  
16 number of people, by area for the following groups and any  
17 other appropriate group:

18           (i) Unemployed.

19           (ii) Dislocated workers.

20           (iii) Unemployed employable handicapped.

21           (iv) Transitionally needy.

22           (v) General assistance recipients.

23           (vi) Recipients, over 15 years of age, of assistance  
24 from aid to families with dependent children.

25           (vii) Displaced homemakers.

26           (viii) Unemployed in need of literacy services.

27       The council shall establish standards for serving each of  
28 these groups for each program, including the establishment of  
29 income standards, when necessary, for these and other groups.

30       The council shall attempt to ensure that all funds are spent

1 to provide services for those who are employable and least  
2 likely to obtain jobs without the services being provided,  
3 including the targeting of funds to those areas of this  
4 Commonwealth with the highest proportion of eligible  
5 population to total population.

6 (2) Service priorities. The council shall be responsible  
7 for setting priorities on the types of services to be  
8 provided. These priorities should emphasize skills which are  
9 transportable, such as literacy training, attainment of a  
10 high school equivalency and basic employment skills training.  
11 The council should base its performance and other standards  
12 on these priorities. The council should also base its  
13 decisions concerning service priorities on the following:

14 (i) Use of existing local education agencies as well  
15 as higher education institutions.

16 (ii) Provision of job training and related services  
17 only for those occupations which show future growth  
18 patterns.

19 (iii) Avoiding the use of funds for upgrade  
20 training.

21 (iv) Preventing funding of programs for occupational  
22 skills when the occupational supply and demand  
23 information indicates that the skill has a surplus of  
24 trained individuals in the applicable geographic area.

25 Section 7. Powers and duties of the council.

26 In addition to those powers and duties specified elsewhere in  
27 this act, the council shall:

28 (1) Review all plans of all departments, bureaus and  
29 agencies of the Commonwealth which it deems to be applicable  
30 to job training, and, when not in violation of Federal law,

1 the council shall have the power to reject or amend these  
2 plans.

3 (2) ENCOURAGE THE COORDINATION AND COOPERATION AMONG <—  
4 VARIOUS JOB TRAINING SERVICES IN ORDER TO RAPIDLY AND  
5 EFFICIENTLY EVALUATE THE DEMANDS FOR VARIOUS JOB SKILL  
6 LEVELS, SKILL LEVELS OF JOB TRAINING RECIPIENTS, AND  
7 AVAILABLE OR POSSIBLE TRAINING PROGRAMS FOR AN EFFECTIVE JOB  
8 TRAINING SYSTEM.

9 ~~(2)~~ (3) Exist as the State job training coordinating <—  
10 council for JTPA, and have all the powers and duties which  
11 that act confers upon it.

12 ~~(3)~~ (4) Perform the duties of any coordination committee <—  
13 for the work incentive program under Title IV of the Social  
14 Security Act (Public Law 74-271, 42 U.S.C. § 301 et seq.).

15 ~~(4)~~ (5) Perform the duties of any advisory council <—  
16 established under the Wagner-Peyser Act (48 Stat. 113, 29  
17 U.S.C. § 49 et seq.), including approval of the budget  
18 request for the Office of Employment Security.

19 ~~(5)~~ (6) Hire an executive director, chief legal counsel <—  
20 and such other staff as it deems necessary to carry out the  
21 duties set forth in this act. No other Commonwealth official  
22 shall be able to interfere in the council's ability to both  
23 hire and remove any employee. The executive director, or his  
24 designee, shall attend, and be a voting member of, the Board  
25 of Vocational Education and the Human Resources Committee of  
26 the Cabinet.

27 ~~(6)~~ (7) Pay the expenses of any person the council may <—  
28 designate to serve on advisory committees, as the council  
29 deems necessary.

30 (8) REJECT ANY PLAN WHICH DOES NOT CONTAIN ASSURANCES <—



1 THAT NO PARTICIPANT IN ANY PROGRAM FUNDED WITHIN THE PLAN  
2 SHALL BE ASSIGNED TO WORK OPPORTUNITIES AVAILABLE DUE TO A  
3 LABOR DISPUTE, STRIKE OR LOCKOUT OR BE ASSIGNED TO PERFORM  
4 WORK SO AS TO CAUSE THE LAYOFF, DOWNGRADING OR PREVENTION OF  
5 RETURN TO WORK OF AVAILABLE COMPETENT EMPLOYEES, AND, WHERE  
6 APPLICABLE, THAT WORKMEN'S COMPENSATION INSURANCE COVERAGE  
7 FOR PARTICIPANTS WILL BE PROVIDED BY THE ENTITY SPONSORING  
8 THE EMPLOYMENT OPPORTUNITY.

9 Section 8. Occupational supply and demand estimates.

10 The council shall be responsible for the creation and  
11 updating of a State occupational supply and demand model. This  
12 duty may be given to another agency of the Commonwealth, but the  
13 council shall be responsible for ensuring that the information  
14 obtained from the model is the best possible for use in the job  
15 training and related service programs under its jurisdiction. At  
16 a minimum, the model must:

17 (1) Contain the maximum available data pertaining to the  
18 current labor pool, the changes in labor pool brought about  
19 by existing job training and education programs and  
20 institutions, and the changes to the required labor pool  
21 brought about by changing economic conditions.

22 (2) Contain demographic information pertaining to both  
23 age cohort population estimates and net migration estimates.

24 (3) Be updated annually.

25 (4) Provide for ten year forecasts.

26 (5) Provide data at a low enough geographic level as to  
27 be useful for providing information to local groups who  
28 participate in job training and related programs. The council  
29 shall provide this information as an addendum to its State  
30 plan and should give this information to any group submitting

1 plans to the council.

2 Section 9. Annual report.

3 By October 1 of each year, the council shall provide a  
4 written report of the job training and related services carried  
5 out by the Commonwealth in the preceding program year, to the  
6 Governor, the Chief Clerk of the House of Representatives and  
7 the Secretary of the Senate. This report shall contain, by  
8 program, at a minimum, the following:

9 (1) The types of job training provided and how much  
10 money was spent, the number of participants, and the measures  
11 of success for each.

12 (2) The types of assistance provided for participants in  
13 the program, the cost of this assistance and the number of  
14 recipients of this assistance.

15 (3) The types of service providers and the number of  
16 participants and the money expended by each type.

17 (4) The occupations trained for with the money expended  
18 on each, and the number of participants.

19 (5) The number of participants by group as specified in  
20 section 6(1).

21 (6) The results of the measures established in section  
22 5(a)(4).

23 (7) The lead agency and agencies for which there was a  
24 coordination agreement, along with a summary of the  
25 provisions of the coordination agreement.

26 (8) The improvements to the program that were begun in  
27 the program year of the report, along with their effect.

28 The report should also contain overall changes which the council  
29 feels are necessary for the effective operation of the  
30 Commonwealth's job training effort, including suggested changes

1 in funding, recommendations for program discontinuation and  
2 recommendations for new programs.

3 Section 10. Appropriation.

4 The sum of \$200,000 is hereby appropriated to the  
5 Pennsylvania Job Training Council for the fiscal year July 1,  
6 1985, to June 30, 1986.

7 Section 11. First meeting of council.

8 The first meeting of the council shall be called by the  
9 Governor within 45 days after the effective date of this act.

10 Section 12. Effective date.

11 This act shall take effect immediately.