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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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YOUNGBLOOD AND ZUG, MARCH 10, 1999

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REFERRED TO COMMITTEE ON INTERGOVERNMENTAL AFFAIRS,  
MARCH 10, 1999

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AN ACT

1 Establishing a unified workforce investment system;  
2 restructuring certain administrative functions, procedures  
3 and entities; transferring workforce development functions of  
4 Commonwealth agencies; establishing the Pennsylvania Human  
5 Resources Investment Council; and authorizing local workforce  
6 investment boards.

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10 Section 4901. Construction.  
11 Section 4902. Regulations abrogated.  
12 Section 4903. Effective date.

13 The General Assembly of the Commonwealth of Pennsylvania  
14 hereby enacts as follows:

15 CHAPTER 1  
16 PRELIMINARY PROVISIONS

17 Section 101. Short title.

18 This act shall be known and may be cited as the Workforce  
19 Investment Act.

20 Section 102. Declaration of policy.

21 The General Assembly finds and declares as follows:

22 (1) It is the intent of this act to address more  
23 effectively the potential of citizens, employers and  
24 communities in this Commonwealth by doing all of the  
25 following:

26 (i) Recognizing that the skills and knowledge of the  
27 Commonwealth's workforce are the keys to providing  
28 enhanced opportunities for individuals and economic  
29 competitive advantages for businesses and communities.

30 (ii) Expanding and providing for more efficient and

1 coordinated administration of workforce investment  
2 activities.

3 (iii) Effecting the maximum feasible return on  
4 investment for the citizens of this Commonwealth.

5 (iv) Promoting the coordination and integration of  
6 workforce investment, economic development and education  
7 policies.

8 (2) The expressed goals of the system are:

9 (i) Economic opportunity for all citizens and  
10 businesses.

11 (ii) Economic self-sufficiency and individual  
12 responsibility.

13 (iii) An educated workforce with relevant skills for  
14 personal growth and economic prosperity.

15 (3) The goals set forth in paragraph (2) are to be  
16 attained through fostering a dynamic world-class workforce in  
17 which citizens and businesses in this Commonwealth possess  
18 the knowledge and skills to succeed and excel in a highly  
19 competitive and rapidly changing world.

20 (4) Achievement of a world-class workforce in this  
21 Commonwealth is best accomplished through a unified workforce  
22 investment system which is dedicated to and operates in  
23 adherence with the following basic philosophy and core  
24 values:

25 (i) Economic competitiveness based on improvements  
26 in productivity, quality and service.

27 (ii) Excellence and informed choice in education,  
28 training opportunities, workplace preparation and career  
29 decision making.

30 (iii) A strong work ethic, mutual respect, a

1 commitment to lifelong learning and the valuing of all  
2 workers and their work.

3 (iv) Stewardship of public resources, emphasizing  
4 private sector solutions to workforce investment goals  
5 supplemented by limited government involvement when  
6 necessary.

7 (v) The highest quality delivery of market-driven  
8 services which are readily identifiable and easily  
9 accessible and which consider the abilities and work-  
10 support needs of a diverse population.

11 (vi) Continuous quality improvement through  
12 cooperation and collaboration among all who participate  
13 in the system in order for individuals to earn family-  
14 sustaining wages for economic self-sufficiency.

15 Section 103. Definitions.

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

19 "Agreement of mutual responsibility." A written plan which  
20 assures that each of the parties responsible for achieving  
21 mutually agreed upon workforce investment goals understands the  
22 responsibilities and obligations to be undertaken by the direct  
23 recipient of public funds, the time frames within which each  
24 obligation is to be completed, the consequences or corrective  
25 action which may exist for failure to comply and the actions to  
26 be undertaken to support the efforts of the applicant.

27 "Certification." An approval issued by the Pennsylvania  
28 Human Resources Investment Council to a local workforce  
29 investment board that satisfies the eligibility requirements  
30 established by the Commonwealth.

1 "Chief elected official." Any of the following:

2 (1) The mayor of a city of the first class.

3 (2) The mayor of a city of the second class.

4 (3) The chairperson of the board of commissioners of a  
5 county or an individual acting in that capacity.

6 (4) The county executive in a home rule charter county  
7 or optional plan county under 53 Pa.C.S. Pt. III Subpt. E  
8 (relating to home rule and optional plan government).

9 (5) The county executive in a county of the second class  
10 which has opted for home rule under Article XXXI-C of the act  
11 of July 28, 1953 (P.L.723, No.230), known as the Second Class  
12 County Code.

13 "Council." The Pennsylvania Human Resources Investment  
14 Council established in section 301.

15 "Customer." Any employer, job seeker or jobholder who wishes  
16 to engage in workforce investment activities which fall within  
17 the purview of this act. The term does not include a service  
18 provider.

19 "Employment." Work that is employer based or  
20 entrepreneurial.

21 "Facilitated assistance." Person-to-person interaction to  
22 assist a customer:

23 (1) with using the information access system;

24 (2) with securing services such as customer assessment,  
25 employment opportunity development, employment search and  
26 referral, career exploration, postemployment services and  
27 customer case management;

28 (3) by enhancing the ability of the customer to become  
29 more self-directed in utilizing the workforce investment  
30 system; or

(4) by holding the customer accountable to an agreement of mutual responsibility.

"Information access." An information system which:

(1) makes use of a combination of technologies and means of access;

(2) is readily identifiable and easily accessible; and

(3) enables the sharing of workforce investment information across all parts of the workforce investment system and is available to all customers.

"Invest." To oversee and monitor funds appropriated by the Federal Government and designated by the Governor or funds specifically appropriated by State government for workforce investment purposes according to a strategy established by the council to receive an acceptable return on investment. The term includes evaluating unified workforce investment plans submitted by local workforce investment boards and other programs administered by the council.

"Lifelong learning." Formal and informal learning and training activities, as well as work experience, which develop the knowledge and the learning skills of students and customers to enhance learning, employability and the quality of life for each individual in society.

"Local career development marketplace." A collaborative network of service providers designed to deliver to customers high-quality information access, facilitated assistance, lifelong learning, transitional or work support services or activities and economic investment services and activities, at a county or multicounty level.

"Local workforce investment board." An entity certified by the Pennsylvania Human Resources Investment Council and

1 organized to further the goals and purpose of this act.

2 "Participating agencies." All of the following:

3 (1) The Department of Aging.

4 (2) The Department of Community and Economic  
5 Development.

6 (3) The Department of Education.

7 (4) The Department of Labor and Industry.

8 (5) The Department of Public Welfare.

9 (6) An agency designated by Executive Order.

10 (7) Any agency which oversees and monitors funds  
11 appropriated by the Federal Government and designated by the  
12 Governor or funds specifically appropriated by the General  
13 Assembly for workforce investment which falls under the  
14 authority of the Pennsylvania Human Resources Investment  
15 Council.

16 "Return on investment." The economic or social impact of  
17 public workforce investments evaluated according to cost benefit  
18 criteria determined by the Pennsylvania Human Resources  
19 Investment Council to measure and maximize the beneficial  
20 results in the advancement of the goals and purposes of this  
21 act. The criteria include the components of cost, time and  
22 opportunities. The term includes social and economic benefits of  
23 job preparation and placement which enable people to obtain and  
24 retain employment, thereby eliminating dependency on assistance  
25 and freeing funds for reinvestment in people and developing  
26 capacity to improve a region's ability to attract and retain  
27 business and industry. The replacement of private investments in  
28 workforce development with public funds shall be applied in the  
29 negative in evaluating return on investment.

30 "Service provider." Any individual, partnership or

1 corporation, secondary or postsecondary educational institution  
2 or intermediate unit or public agency that engages in the  
3 business of providing workforce investment services and  
4 activities, based upon contract, for monetary remuneration.

5 "System." The unified system for the delivery of workforce  
6 investment programs to assure a well-educated highly skilled  
7 workforce for the Commonwealth.

8 "Team Pennsylvania Career Link." The local career  
9 development marketplace.

10 "Transitional support." Wage loss or subsistence programs,  
11 such as public assistance, unemployment compensation and  
12 workers' compensation, which are designed to provide temporary  
13 income during a defined interim period to enable a customer to  
14 pursue employment opportunities and to obtain and engage in  
15 employment.

16 "Work support." Assistance which helps a customer secure and  
17 maintain employment, such as assistance in securing child care,  
18 transportation, vocational rehabilitation goods or services or  
19 case management.

20 "Workforce development." Information access, facilitated  
21 assistance and lifelong learning activities. The term includes  
22 vocational education programs; programs in community colleges  
23 and postsecondary education institutions authorized to grant  
24 associate, baccalaureate and advanced degrees; and transitional  
25 support and work support services or activities which enable  
26 customers to engage in or prepare for employment opportunities.

27 "Workforce investment." Workforce development.

28 Section 104. Conflicts of interest.

29 (a) Voting.--A member of the council or a member of a local  
30 workforce investment board may not vote on any substantive or



1 financial decision that affects the member's organization  
2 directly or indirectly through organizational partnerships.

3 (b) Lobbying.--An individual who is registered as a lobbyist  
4 under 65 Pa.C.S. Ch. 13 (relating to lobby registration and  
5 disclosure) may not serve as a member of the council or as a  
6 member of a local workforce investment board.

7 (c) Policy.--The council shall adopt a conflict of interest  
8 policy designed to preclude any material conflict of interest or  
9 impropriety with respect to the duties and activities of members  
10 of the council or members of local workforce investment boards  
11 or their officers and employees, and members of their immediate  
12 families.

### 13 CHAPTER 3

#### 14 COUNCIL

#### 15 Section 301. Establishment.

16 The Pennsylvania Human Resources Investment Council is  
17 established to implement a unified system for the delivery of  
18 workforce investment programs to assure a well educated, highly  
19 skilled workforce. The council is vested with the authority to  
20 coordinate the Commonwealth's existing Federal and State  
21 workforce investment programs into an integrated system which  
22 directs Federal, State and local resources to existing programs  
23 with track records of success and new programs of recognized  
24 potential.

#### 25 Section 302. Membership.

26 (a) General rule.--The council shall be established in  
27 accordance with the compositional requirements for state  
28 workforce investment boards set forth in the Workforce  
29 Investment Act (Public Law 105-220, 112 Stat. 936).

30 (b) Chairperson.--The Governor shall designate, to serve at

1 the Governor's pleasure, a member from the private sector to  
2 serve as chairperson of the council. The chairperson shall be  
3 authorized to designate another member to preside at meetings in  
4 the chairperson's absence.

5 (c) Designees.--Each member may designate an individual to  
6 represent the member at a specified meeting. A designee may not  
7 vote but may otherwise act on behalf of the member. The  
8 designation must be in writing and must be delivered to the  
9 chairperson. The designation shall be in effect only for the  
10 meeting date specified.

11 (d) Staff.--The council may employ a limited staff to  
12 implement the decisions of the council.

13 (e) Meetings.--The council shall meet quarterly and  
14 additionally at times and places it determines. Special meetings  
15 may be called by the chairperson or at the request of a majority  
16 of the members.

17 (f) Executive committee.--An executive committee that  
18 includes representation from the private sector may be  
19 established and authorized under the council to oversee and  
20 monitor the Commonwealth's unified workforce investment system.  
21 The organization framework may utilize existing staff structure  
22 or develop its own staffing arrangement.

23 (g) Subcommittees.--The chairperson may establish  
24 subcommittees, appoint members and delegate duties to  
25 subcommittees as the chairperson deems necessary to fulfill the  
26 council's responsibilities. A subcommittee shall be chaired by a  
27 member of the council.

28 (h) Compensation.--Members shall receive no compensation but  
29 shall be entitled to receive an allowance for expenses incurred  
30 in the performance of duties.

1 (i) Personnel, equipment, resources.--The policy and program  
2 offices of the Department of Aging, the Department of Community  
3 and Economic Development, the Department of Education, the  
4 Department of Labor and Industry and the Department of Public  
5 Welfare shall provide personnel, equipment and resources as  
6 required for the functioning of the council.

7 Section. 303. Powers and duties.

8 The council, in furtherance of sections 102 and 104, has the  
9 following powers and duties:

10 (1) To develop, adopt and assure adherence to systemwide  
11 standards, principles, policies, goals, financial resource  
12 investment priorities and strategies for workforce investment  
13 and return on investment to maintain continuously a  
14 competitive advantage for this Commonwealth.

15 (2) To monitor and assure collaboration of the  
16 investment of all funds specifically appropriated by the  
17 Federal Government and designated by the Governor or funds  
18 specifically appropriated by State government, for workforce  
19 investment, under any of the following:

20 (i) The Adult Education Act (Public Law 89-750, 20  
21 U.S.C. § 1201 et seq.).

22 (ii) The Carl D. Perkins Vocational and Applied  
23 Technology Education Act (Public Law 88-210, 20 U.S.C. §  
24 2301 et seq.).

25 (iii) The Community Services Block Grant Act (Public  
26 Law 97-35, 95 Stat. 511).

27 (iv) The Food Stamp Act of 1977 (Public Law 88-525,  
28 7 U.S.C. § 2011 et seq.).

29 (v) The Job Training Partnership Act (Public Law 97-  
30 300, 29 U.S.C. § 1501 et seq.).

1 (vi) The National and Community Service Trust Act of  
2 1993 (Public Law 103-82, 107 Stat. 785).

3 (vii) Title V of the Older Americans Act of 1965  
4 (Public Law 89-73, 42 U.S.C. § 3056 et seq.).

5 (viii) The Personal Responsibility and Work  
6 Opportunity Reconciliation Act of 1996 (Public Law 104-  
7 193, 110 Stat. 2105).

8 (ix) The School-to-Work Opportunities Act of 1994  
9 (Public Law 103-239, 108 Stat. 568).

10 (x) The Trade Act of 1974 (Public Law 93-618, 19  
11 U.S.C. § 2101 et seq.).

12 (xi) The Vocational Rehabilitation Act (41 Stat.  
13 735, 29 U.S.C. § 31 et seq.).

14 (xii) The Wagner-Peyser Act (48 Stat. 113, 29 U.S.C.  
15 § 49 et seq.).

16 (xiii) The act of June 2, 1915 (P.L.736, No.338),  
17 known as the Workers' Compensation Act.

18 (xiv) The act of December 5, 1936 (2nd Sp.Sess.,  
19 1937 P.L.2897, No.1), known as the Unemployment  
20 Compensation Law.

21 (xv) Article XIX-A of the act of March 10, 1949  
22 (P.L.30, No.14), known as the Public School Code of 1949.

23 (xvi) The act of December 20, 1985 (P.L.492,  
24 No.116), known as the Customized Job Training Act.

25 (xvii) The act of October 22, 1986 (P.L.1452,  
26 No.143), known as the Pennsylvania Adult Basic and  
27 Literacy Education Act.

28 (xviii) Any other Federal or State statute of  
29 similar intent and purpose.

30 (3) To examine Federal and State statutes and

1 regulations to assess whether they present barriers to  
2 achieving the provisions of this act and to recommend to the  
3 Federal Government, the Governor and the General Assembly  
4 amendments to statutes and regulations and waivers of  
5 regulations to eliminate barriers and to promote the  
6 provisions of this act.

7 (4) To develop and disseminate appropriate and necessary  
8 research and statistical information, to set the requisite  
9 protocols and standards for common data reference, to engage  
10 in or sponsor studies to identify workforce investment system  
11 needs and to gather and disseminate information.

12 (5) To establish and assure adherence to performance-  
13 based quality assurance standards designed to optimize system  
14 function, performance and effectiveness.

15 (6) To evaluate the five-year unified workforce  
16 investment plans and investment proposals submitted by local  
17 workforce investment boards and to make recommendations for  
18 the investment of public money in plans or parts of plans  
19 which meet the objectives established by the council.

20 (7) To implement mechanisms to secure appropriate input  
21 from service providers in the development of policies, local  
22 performance measures or investment strategies.

23 (8) To establish and maintain a universally accessible  
24 information access system which enables the system to  
25 function and serve its customers effectively.

26 (9) To contract or develop written agreements or  
27 memoranda of understanding with participating agencies for  
28 the administration and management of workforce investment  
29 programs and activities under the responsibility of the  
30 council.

1           (10) To provide technical assistance to local workforce  
2 investment boards to assist them in maximizing the return on  
3 investment of public money.

4           (11) To set the criteria for local career development  
5 market places and service provider participation, to adopt an  
6 official system logo designation and to develop a systemwide  
7 marketing program.

8           (12) To recommend certification to the governor of local  
9 workforce investment boards, by giving consideration to:

10           (i) The proposed board's capability to effectively  
11 monitor and assure collaboration of workforce investment  
12 programs.

13           (ii) The proposed board's capacity to monitor and  
14 assure collaboration of workforce investment programs in  
15 accordance with the Workforce Investment Act (Public Law  
16 105-220, 112 Stat. 936).

17           (iii) The portion of the labor market or  
18 geographical area to be served by the proposed board.

19           (13) To recommend necessary action if a local workforce  
20 investment board fails to act, acts improperly or fails to  
21 meet the conditions of its unified local workforce investment  
22 plan in which Federal or State funds have been invested.

23           (14) To recognize the potential of citizens, employers  
24 and communities in this Commonwealth by affirming the  
25 continued existence and independence of all current funding  
26 streams and programs for persons with disabilities while  
27 ensuring that employment-related programs for individuals  
28 with disabilities operate efficiently.

29           (15) To assess the economic and workforce needs of this  
30 Commonwealth and to develop the system to build on available

1 services and resources to effectively meet these Statewide  
2 needs.

3 (16) To establish cooperative and collaborative  
4 relationships with other states' system governing bodies.

5 (17) To assure the implementation of Federal and State  
6 statutory mandates which fall within the purview of the  
7 system.

8 (18) To promulgate regulations that are reasonable,  
9 necessary and suitable to carry out this act.

10 (19) To compile an annual report, which shall be  
11 submitted to the General Assembly by March 1 and which shall  
12 include all of the following:

13 (i) An explanation of the process used to negotiate  
14 the level of State performance.

15 (ii) The level of State performance achieved by  
16 referring to the State performance measures set forth in  
17 section 304.

18 (iii) The anticipated course of actions to be taken  
19 by the council to encourage continuous improvement in the  
20 system.

21 (iv) A list of the membership of the council,  
22 including name, affiliation, address, telephone number,  
23 telefax number and electronic mail address.

24 (v) An explanation of the process used to negotiate  
25 levels of local performance.

26 (vi) A list of all certified local workforce  
27 investment boards in this Commonwealth, including each  
28 board's negotiated level of local performance, each  
29 board's level of performance attained and the action  
30 taken with respect to any board which failed to meet its

1 negotiated level of local performance.

2 (vii) A copy of the annual report submitted by each  
3 local workforce investment board to the council.

4 Section 304. State performance measures.

5 (a) General rule.--State performance measures for this  
6 Commonwealth shall consist of the indicators set forth in this  
7 section, and the council has a duty to monitor local compliance  
8 with the State performance measures.

9 (b) Core indicators of performance.--The core indicators of  
10 performance for employment and training activities consist of  
11 all of the following:

12 (1) Entry into unsubsidized employment.

13 (2) Retention in unsubsidized employment six months  
14 after entry into the employment.

15 (3) Earnings received in unsubsidized employment six  
16 months after entry into the employment.

17 (4) Attainment of a recognized credential relating to  
18 achievement of educational skills, including attainment of a  
19 secondary school diploma or its recognized equivalent, or  
20 occupational skills, by participants who enter unsubsidized  
21 employment or by participants who are eligible youths between  
22 the ages of 19 and 21 and who enter postsecondary education,  
23 advanced training or unsubsidized employment.

24 (c) Customer satisfaction indicator of performance.--The  
25 customer satisfaction indicator of performance consists of  
26 customer satisfaction of employers and participants services  
27 received from workforce investment activities and may be  
28 measured through surveys conducted after the conclusion of  
29 participation in workforce investment activities. Customer  
30 satisfaction may be measured through surveys conducted after the



1 conclusion of participation in the workforce investment  
2 activities.

3 CHAPTER 5

4 LOCAL WORKFORCE INVESTMENT BOARDS

5 Section 501. Establishment.

6 (a) Approval by Governor.--

7 (1) The Governor shall automatically approve any request  
8 for designation as a local area, from any unit of local  
9 government with a population of 500,000 or more, of the area  
10 served by a rural concentrated employment program grant  
11 recipient of demonstrated effectiveness which served as a  
12 service delivery area or substate area under the Job Training  
13 Partnership Act (Public Law 97-300, 29 U.S.C. § 1501 et  
14 seq.), if the grant recipient has submitted the request.

15 (2) The Governor shall approve any request, made not  
16 later than the date of submission of the initial State plan,  
17 for temporary designation as a local area from any unit of  
18 general local government, including a combination of such  
19 units, which has a population of 200,000 or more and which  
20 was a service delivery area under the Job Training  
21 Partnership Act on the effective date of the Workforce  
22 Investment Act (Public Law 105-220, 112 Stat. 936), if the  
23 Governor determines that the local area complies with all of  
24 the following:

25 (i) Performed successfully, in each of the last two  
26 years prior to the request for which data are available,  
27 in the delivery of services to participants under Part A  
28 or Title II and Title III of the Job Training Partnership  
29 Act.

30 (ii) Has sustained the fiscal integrity of the funds

1           used by the local area to carry out activities.

2           (3) A temporary designation period under paragraph (2)  
3       shall be not more than two years. The temporary designation  
4       period shall be extended for an additional three years, if  
5       the local area substantially met the local performance  
6       measures for the local area and sustained the fiscal  
7       integrity of the funds used by the area to carry out  
8       activities.

9           (4) No local workforce investment board shall operate  
10       unless a written request is submitted to the council and is  
11       certified under section 303(12).

12       (b) Purpose.--The purpose of each local workforce investment  
13       board is to promote effective workforce investment programs in a  
14       geographic area consistent with labor market or standard  
15       metropolitan statistical areas and areas in which related  
16       services are provided under Federal and State programs.

17       (c) Accountability.--A local workforce investment board  
18       shall be accountable for the proper administration of workforce  
19       investment funds it receives.

20       Section 502. Membership.

21       (a) Composition.--

22           (1) A local workforce investment board must be made up  
23       of at least a majority of private sector representatives and  
24       shall include representatives from employers in the region  
25       with key industry clusters or economic sectors, both critical  
26       and emerging, and an appropriate mix of small, medium and  
27       large firms adequately representing, to the extent possible,  
28       urban, suburban and rural interests. A local workforce  
29       investment board shall include representatives from organized  
30       labor or other representatives of employees, representatives

1 of local educational entities, representatives of economic  
2 development agencies, representatives of the Team  
3 Pennsylvania Career Link and representatives of community  
4 groups or organizations and may include other individuals or  
5 representatives of entities as may be deemed appropriate.

6 (2) Members of the board must be individuals who have  
7 ultimate policymaking authority within the organizations,  
8 agencies or other entities which they represent.

9 (3) The membership shall select a chairperson from the  
10 private sector representatives.

11 (4) A local workforce investment board may hire limited  
12 staff for the management of the Commonwealth's investment in  
13 the local workforce investment board.

14 (b) Manner of appointment.--In accordance with the criteria  
15 established by the Governor, a member of a local workforce  
16 investment board shall be appointed by the chief elected  
17 official of the county or counties that participate in the board  
18 as follows:

19 (1) If only one county participates on the board, the  
20 chief elected official shall appoint the members.

21 (2) If a board represents more than one county, the  
22 chief elected officials of each county shall enter into a  
23 detailed written agreement describing the understanding of  
24 the counties as to appointments, governance and oversight  
25 activities of the local board under this act.

26 Section 503. Powers and duties.

27 (a) General rule.--A local workforce investment board, in  
28 order to develop and implement a unified workforce investment  
29 plan for the investment and utilization of private and public  
30 resources to meet the current and future workforce investment

needs of its region in furtherance of section 102, has the following powers and duties:

(1) To organize and elect a chairperson.

(2) To assess the economic and workforce needs of the area and to develop a unified plan which builds on available services and resources to effectively meet the workforce and economic needs of the area.

(3) To implement mechanisms to secure appropriate input from providers in the development of policies, performance standards or investment strategies.

(4) To assist in the development of and collaborate with local career development marketplaces.

(5) To develop, adopt and assure adherence to local performance standards, quality assurance standards and applied operating principles, which are consistent with systemwide criteria.

(6) To establish cooperative and collaborative relationships with other local workforce investment boards and with the system governing bodies of other states.

(7) To use local workforce investment funds to purchase for customers, under an agreement of mutual responsibility, any of the following services:

(i) Facilitated assistance.

(ii) Lifelong learning.

(iii) Work support services or activities.

(8) To invest local workforce investment funds in customers that are eligible to receive the funds under applicable law for the purchase of facilitated assistance, lifelong learning, work support services or activities under an agreement of mutual responsibility.

1 (b) Unified workforce investment plan.--A local workforce  
2 investment board shall submit for approval a five-year unified  
3 workforce investment plan to the chief elected official in the  
4 county or counties served by the board. After that approval is  
5 obtained, the board shall submit the plan to the council for its  
6 approval. 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 all of the following:

10 (i) An explanation of how the investment of public  
11 funds complements and is not a substitute for the  
12 investment of private funds.

13 (ii) A description of how the plan supports and  
14 seeks to accomplish the objectives established by the  
15 council and by the local workforce investment board.

16 (iii) A description of how the plan will further  
17 this Commonwealth's work placement requirements for  
18 Federal and State transition support programs.

19 (iv) An explanation of how the plan meets the  
20 current and future workforce and economic needs of the  
21 local area, including the following:

22 (A) Employment and training priorities and  
23 objectives based on an analysis of local labor market  
24 needs and critical success factors.

25 (B) Needs of job seekers and employers.

26 (C) Potential for utilizing workplaces as  
27 locations for education and training.

28 (D) Incentives or motivation to encourage job  
29 seekers and employees to obtain needed skills and  
30 knowledge.

1 (E) Work-placement requirements for Federal and  
2 State welfare programs.

3 (F) Furthering the region's economic development  
4 strategy.

5 (v) An accounting of the return on investment and  
6 other local performance standards and criteria.

7 (vi) An accounting of the types of products or  
8 services to be purchased and the process used to secure  
9 those products or services. This subparagraph includes  
10 assessment, testing, education, training, job  
11 development, job placement and transitional or work  
12 support services, acquired through the use of direct  
13 purchase, vouchers, performance-based contracting or  
14 other effective methods.

15 (vii) A description of eligible service providers  
16 and the types of services to be provided.

17 (viii) The total amount of Federal, State and local  
18 funds for which the board is responsible.

19 (ix) The submission of an annual report to the  
20 council by a deadline to be determined by the council.  
21 The report shall include a list of the membership of the  
22 local workforce investment board, including the name,  
23 affiliation, address, telephone number, telefax number  
24 and electronic mail address; the negotiated local level  
25 of performance; the level of performance achieved,  
26 including an analysis of its strengths and weaknesses;  
27 programs participated in; and a list of the local  
28 eligible service providers.

29 Section 504. Local performance measures.

30 (a) General.--Local performance measures consist of the

1 indicators set forth in this section and any other performance  
2 measures negotiated with State Government.

3 (b) Core indicators of performance.--The core indicators of  
4 performance for employment and training activities consist of:

5 (1) Entry into unsubsidized employment.

6 (2) Retention in unsubsidized employment six months  
7 after entry into the employment.

8 (3) Earnings received in unsubsidized employment six  
9 months after entry into the employment.

10 (4) Attainment of a recognized credential relating to  
11 achievement of educational skills, including attainment of a  
12 secondary school diploma or its recognized equivalent, or  
13 occupational skills, by participants who enter unsubsidized  
14 employment or by participants who are eligible youths between  
15 the ages 19 and 21 and who enter postsecondary education,  
16 advanced training or unsubsidized employment.

17 (c) Customer satisfaction indicator of performance.--The  
18 customer satisfaction indicator of performance consists of  
19 customer satisfaction of employers and participants in services  
20 received from workforce investment activities. Customer  
21 satisfaction may be measured through surveys conducted after the  
22 conclusion of participation in the workforce investment  
23 activities.

## 24 CHAPTER 7

### 25 IMPLEMENTATION

26 Section 701. Continuation of Pennsylvania Human Resources  
27 Investment Council.

28 The council shall be deemed a continuation of the  
29 Pennsylvania Human Resources Investment Council, as part of Team  
30 Pennsylvania, established by Executive Order No. 1997-7

1 (relating to Pennsylvania Human Resources Investment Council).

2 CHAPTER 49

3 MISCELLANEOUS PROVISIONS

4 Section 4901. Construction.

5 This act, being necessary for the welfare of this  
6 Commonwealth and its citizens, shall be liberally construed to  
7 effect its purposes.

8 Section 4902. Regulations abrogated.

9 As much of the appendix to 4 Pa. Code Ch. 9 Subch. B  
10 (relating to organizational charts) as relates to the State Job  
11 Training Coordinating Council is abrogated.

12 Section 4903. Effective date.

13 This act shall take effect in 60 days.