

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 91 Session of 2019

INTRODUCED BY HUGHES, MENSCH, FOLMER, FONTANA, SANTARSIERO, STREET, FARNESE, SCHWANK, GORDNER, KEARNEY, BROWNE, PHILLIPS-HILL, COSTA, BLAKE, LEACH AND J. WARD, JANUARY 24, 2019

SENATOR BARTOLOTTA, LABOR AND INDUSTRY, AS AMENDED, MAY 7, 2019

AN ACT

1 Amending the act of December 18, 2001 (P.L.949, No.114),
2 entitled "An act establishing a unified workforce investment
3 system; restructuring certain administrative functions,
4 procedures and entities; transferring workforce development
5 functions of Commonwealth agencies; establishing the
6 Pennsylvania Workforce Investment Board; providing for
7 critical job training grants, for guarantees for program
8 quality and performance for workforce development programs,
9 for workforce leadership grants and for industry
10 partnerships; establishing the Keystone Works Program; and
11 authorizing local workforce investment boards," in industry
12 partnerships, further providing for definitions, for industry
13 clusters, for interdepartmental cooperation and for industry
14 and labor market research and providing for dissemination of
15 industry and labor market research to educational
16 institutions.

17 The General Assembly of the Commonwealth of Pennsylvania
18 hereby enacts as follows:

19 Section 1. The definitions of "high-priority occupations"
20 and "targeted industry cluster" in section 1301 of the act of
21 December 18, 2001 (P.L.949, No.114), known as the Workforce
22 Development Act, are amended and the section is amended by
23 adding definitions to read:

24 Section 1301. Definitions.

1 The following words and phrases when used in this chapter
2 shall have the meanings given to them in this section unless the
3 context clearly indicates otherwise:

4 * * *

5 "Educational institution." Each school district, ~~technical~~ <--
6 ~~education school~~ CHARTER SCHOOL, CYBER CHARTER SCHOOL, CAREER <--
7 AND TECHNICAL EDUCATION CENTER and public institution of higher
8 education in this Commonwealth.

9 "Forward-facing employment data." Data on current and
10 projected employment opportunities within this Commonwealth,
11 including factors such as geographical location or required
12 training and experience for such opportunities.

13 "High-priority occupations." Occupations which have or are
14 projected to have a significant presence in a targeted industry
15 cluster, are in demand by employers and pay or lead to payment
16 of a family-sustaining wage.

17 * * *

18 "Public institution of higher education." Any of the
19 following:

20 (1) A community college which is an institution created
21 under Article XIX-A of the act of March 10, 1949 (P.L.30,
22 No.14), known as the Public School Code of 1949, or the act
23 of August 24, 1963 (P.L.1132, No.484), known as the Community
24 College Act of 1963.

25 ~~(2) A State owned institution.~~ <--

26 ~~(3) A State related institution.~~

27 (2) A STATE-OWNED INSTITUTION WHICH IS PART OF THE STATE <--
28 SYSTEM OF HIGHER EDUCATION PURSUANT TO ARTICLE XX-A OF THE
29 ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC
30 SCHOOL CODE OF 1949.

1 (3) A STATE-RELATED INSTITUTION WHICH INCLUDES THE
2 PENNSYLVANIA STATE UNIVERSITY, INCLUDING THE PENNSYLVANIA
3 COLLEGE OF TECHNOLOGY, THE UNIVERSITY OF PITTSBURGH, TEMPLE
4 UNIVERSITY AND LINCOLN UNIVERSITY.

5 (4) THADDEUS STEVENS COLLEGE OF TECHNOLOGY.

6 (5) A RURAL REGIONAL COLLEGE, AS DEFINED UNDER SECTION
7 1903-G OF THE PUBLIC SCHOOL CODE OF 1949.

8 * * *

9 "Targeted industry cluster." An industry cluster identified
10 by the department as having or being projected to have a
11 Statewide economic impact, immediate workforce development needs
12 [and] or emerging or competitive career opportunities.

13 Section 2. Sections 1302, 1307(c) and 1308 of the act are
14 amended to read:

15 Section 1302. Industry clusters.

16 (a) Identification of industry clusters.--The department
17 shall work with businesses, industry associations, career and
18 technical associations and organizations, participating
19 agencies, State and local workforce investment boards and
20 economic development entities to identify industry clusters
21 based on the following:

22 (1) Statistics showing the competitiveness of a
23 potential industry cluster.

24 (2) Importance of an industry cluster to the current or
25 future economic development of this Commonwealth.

26 (3) Identification of other employers that supply
27 materials, technology and services to the industry.

28 (4) Research studies on industry clusters.

29 (4.1) Forward-facing employment data compiled by the
30 department.

1 (5) Any other criteria deemed relevant by the
2 department.

3 (b) Identification of targeted industry clusters.--The
4 department shall work with State and regional workforce and
5 economic development agencies, with input from regional business
6 and labor leaders, to identify which industry clusters shall be
7 targeted for workforce and economic development investments
8 based on:

9 (1) Importance of the cluster to the economy of this
10 Commonwealth and the region.

11 (2) [Workforce] Current and projected workforce
12 development needs.

13 (3) Economic growth potential.

14 (4) Competitiveness.

15 (5) Employment base.

16 (6) Wages, benefits and career opportunities.

17 (7) Forward-facing employment data compiled by the
18 department.

19 (c) Ongoing evaluation.--The department shall [periodically]
20 annually evaluate the targeted industry clusters and the
21 forward-facing employment data compiled by the department to
22 determine the need for any changes to the targeted industry
23 clusters or the need for addition of new industry clusters.

24 (d) Publication of information.--The department shall issue
25 by July 1 of each year, on its Internet website, information and
26 statistics on the targeted industry clusters, including labor
27 market information highlighting the clusters. The information
28 shall include an occupational analysis depicting the employment
29 [and], wages, geographic location and required training or
30 experience within the targeted industry cluster and the forward-

1 facing employment data compiled by the department.

2 (e) List of occupations.--The department shall annually
3 issue a list of Statewide and regional high-priority occupations
4 which will guide workforce and educational investments by the
5 department and participating agencies.

6 Section 1307. Interdepartmental cooperation.

7 * * *

8 (c) Agencies.--The following agencies shall work with the
9 department as set forth below:

10 (1) The Department of Agriculture shall:

11 (i) Advise the department on the agriculture
12 industry and agriculture education economic development
13 strategies, programs and initiatives.

14 (ii) Facilitate agricultural industry clusters, to
15 include production agriculture, at the State and local
16 levels to ensure accurate representation of all sectors
17 and inclusion of those fields typically categorized as
18 self-employment.

19 (iii) Advise the department on career pathways
20 available in the rural communities of this Commonwealth
21 and nontraditional career pathways available to urban and
22 disadvantaged students and citizens.

23 (iii.1) Work in collaboration with the department to
24 use forward-facing employment data to project and
25 identify future and emerging employment opportunities in
26 the agriculture industry.

27 (iv) Work in collaboration with the department and
28 the Department of Education to identify emerging career
29 opportunities, including support in establishing career
30 ladders and career pathways.

1 (v) Support initiatives to develop industry-
2 recognized credentials and new credit-bearing programs in
3 this Commonwealth's public and private postsecondary
4 institutions, especially in critical occupations.

5 (2) The Department of Community and Economic Development
6 shall:

7 (i) Advise the department of its workforce and
8 economic development strategies, programs and
9 initiatives.

10 (ii) Align existing training programs with industry
11 partnerships.

12 (iii) Make relevant business assistance programs
13 available to industry partnerships.

14 (iv) Coordinate with the department on areas of
15 business retention.

16 (v) Advise the department of its industry
17 competitiveness programs and cluster strategies.

18 (vi) Work in collaboration with the department to
19 use forward-facing employment data to project and
20 identify future and emerging employment opportunities to
21 create workforce and economic development strategies.

22 (3) The Department of Corrections shall:

23 (i) Align training for inmates with industry
24 clusters and high-priority occupations and annually
25 review these training programs to assure that the
26 training programs prepare individuals for high-priority
27 occupations.

28 (ii) Align reentry programs to take advantage of
29 information and career opportunities provided by industry
30 partnerships.

1 (iii) Work in collaboration with the department to
2 use forward-facing employment data to project and
3 identify future and emerging employment opportunities for
4 purposes of aligning reentry programs with current and
5 emerging industry clusters and high-priority occupations.

6 (4) The Department of Education shall:

7 (i) Work with the department to support career
8 pathways.

9 (ii) Support innovative programs to address
10 literacy, including English as a second language, and
11 numeracy shortcomings, especially in those occupations
12 which are critical to targeted industry clusters and
13 which lead to postsecondary education and employment.

14 (iii) Collaborate with the department to develop
15 programs and strategies to reduce barriers to adult
16 education.

17 (iv) Coordinate career education initiatives in
18 middle and high schools, especially in Project 720
19 schools and career and technical education programs.

20 (v) Support initiatives to develop industry-
21 recognized credentials and new credit-bearing programs in
22 this Commonwealth's public and private postsecondary
23 institutions, especially in occupations critical to
24 targeted industry clusters.

25 (vi) Work in collaboration with the department to
26 determine education and skill gaps associated with
27 targeted industry clusters.

28 (vi.1) Work in collaboration with the department to
29 use forward-facing employment data to project and
30 identify future and emerging employment opportunities.

1 (vii) Advise and assist high-school-based career and
2 technical education programs to develop high-priority
3 occupation programs.

4 (viii) Within two years following the effective date
5 of this act, regulations may be promulgated by the
6 Department of Education in consultation with career and
7 technical school administrators. The regulations shall
8 conform to career and technical schools' needs and assist
9 to align their needs with employer demands. Incentives
10 shall be included to increase alignment. Until this
11 program and regulations are in effect, secondary career
12 and technical schools and programs shall not be required
13 to meet the requirements for high-priority occupations
14 for program approval.

15 (5) The Department of Public Welfare shall:

16 (i) Create and maintain innovative programs which
17 connect qualified TANF clients with employment
18 opportunities in the targeted industry clusters.

19 (ii) Support strategies to prepare TANF clients for
20 success in postsecondary education and training programs.

21 (iii) Develop career education initiatives which
22 provide TANF clients with information to guide their
23 education and training plans.

24 (iv) Collect and share employment information with
25 the department.

26 Section 1308. Industry and labor market research.

27 The department shall provide the necessary industry and labor
28 market research to support and further develop the work of
29 industry partnerships, including:

30 (1) Providing current data on all targeted industry

1 clusters.

2 (2) Providing the most current available analysis of
3 industry employment in this Commonwealth for the purpose of
4 determining trends in this Commonwealth which may lead to
5 changes in the targeted industry clusters.

6 (2.1) Compiling and providing forward-facing employment
7 data on projected employment opportunities in this
8 Commonwealth, including future and emerging industry clusters
9 and high-priority occupations.

10 (3) Maintaining and updating the annual list of this
11 Commonwealth's high-priority occupations.

12 (4) Providing the most currently available analysis of
13 high-priority occupations for the purpose of determining
14 trends which may lead to adjustments to the list.

15 Section 3. The act is amended by adding a section to read:
16 Section 1308.1. Dissemination of industry and labor market
17 research to educational institutions.

18 (a) Dissemination of information.--By July 1, 2019, and each
19 July 1 thereafter, the department, in coordination with the
20 Department of Education, shall provide the information under
21 sections 1302(d) and (e) and 1308 to educational institutions.

22 (b) Additional information.--In addition to the information
23 provided under subsection (a), beginning July 1, 2019, on a
24 quarterly basis the department shall provide to each educational
25 institution specific labor market information and forward-facing
26 employment data for the labor market in which the educational
27 institution is located.

28 (c) Analysis.--The following shall apply:

29 (1) When the department and the Department of Education
30 jointly determine that labor market information or forward-

1 facing employment data prepared by the department requires an
2 explanatory analysis for the information or data to be
3 utilized to its fullest potential, the ~~Department of~~ <--
4 ~~Education~~ DEPARTMENT, in collaboration with the ~~department~~ <--
5 DEPARTMENT OF EDUCATION, shall provide an analysis of the <--
6 information or data, written in clear, concise and easily
7 understandable language.

8 (2) The analysis under paragraph (1) shall consider, but
9 not be limited to a consideration of, the following:

10 (i) instructions for the proper use of the
11 information or data by individuals involved in the
12 planning and development of career education;

13 (ii) the proper use of the information or data by
14 individuals involved in vocational and educational
15 guidance; and

16 (iii) the proper use of the information or data by
17 current and prospective career education pupils in the
18 selection of career education programs likely to offer
19 the greatest potential for employment upon graduation.

20 (d) Dissemination of data.--Each educational institution
21 that receives labor market information and forward-facing
22 employment data under subsections (b) and (c) shall provide
23 copies of the information and data to the individuals
24 responsible for vocational and educational guidance at an
25 educational institution for use in planning and developing
26 career education programs and providing vocational and education
27 guidance to career education pupils.

28 Section 4. This act shall take effect in 60 days.