

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1409 Session of 2010

INTRODUCED BY BRUBAKER, ALLOWAY, RAFFERTY, WASHINGTON,
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ARGALL, McILHINNEY, STOUT, ROBBINS, VANCE, WAUGH, GREENLEAF,
BROWNE, TOMLINSON, BOSCOLA, STACK, KASUNIC, ORIE, WOZNIAK,
LOGAN, WARD AND FARNESE, JUNE 16, 2010

REFERRED TO LABOR AND INDUSTRY, JUNE 16, 2010

AN ACT

1 Amending the act of December 18, 2001 (P.L.949, No.114),
2 entitled, as amended, "An act establishing a unified
3 workforce investment system; restructuring certain
4 administrative functions, procedures and entities;
5 transferring workforce development functions of Commonwealth
6 agencies; establishing the Pennsylvania Workforce Investment
7 Board; providing for critical job training grants, for
8 guarantees for program quality and performance for workforce
9 development programs, for workforce leadership grants; and
10 authorizing local workforce investment boards," providing for
11 industry partnerships.

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

14 Section 1. The title of the act of December 18, 2001
15 (P.L.949, No.114), known as the Workforce Development Act,
16 amended December 16, 2002 (P.L.1930, No.224), is amended to
17 read:

AN ACT

18
19 Establishing a unified workforce investment system;
20 restructuring certain administrative functions, procedures
21 and entities; transferring workforce development functions of

1 Commonwealth agencies; establishing the Pennsylvania
2 Workforce Investment Board; providing for critical job
3 training grants, for guarantees for program quality and
4 performance for workforce development programs, for workforce
5 leadership grants, for industry partnerships; and authorizing
6 local workforce investment boards.

7 Section 2. The act is amended by adding a chapter to read:

8 CHAPTER 11

9 INDUSTRY PARTNERSHIPS

10 Section 1101. Definitions.

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

14 "Career pathways." An identified series of positions, work
15 experiences or educational benchmarks or credentials which offer
16 occupational and financial advancement within a specified career
17 field or related fields over time.

18 "Department." The Department of Labor and Industry of the
19 Commonwealth.

20 "High-priority occupations." Occupations which have a
21 significant presence in a targeted industry cluster, are in
22 demand by employers and pay or lead to payment of a family-
23 sustaining wage.

24 "Industry cluster." A group of employers closely linked by
25 common product or services, workforce needs, similar
26 technologies, supply chains or other economic ties.

27 "Industry partnership." A collaboration which brings
28 together multiple employers and workers or, when appropriate,
29 worker representatives and career and technical educators, in a
30 targeted industry cluster to address common workforce needs.

1 "Industry partnership performance improvement and evaluation
2 system." The evaluation system established under section 1107.

3 "Participating agency." An agency under the Governor's
4 jurisdiction.

5 "TANF." The Temporary Assistance for Needy Families program
6 under the Social Security Act (49 Stat. 620, 42 U.S.C. § 301 et
7 seq.), which provides temporary assistance to needy, dependent
8 children and their parents or caretaker relatives.

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

13 Section 1102. Industry clusters.

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

20 (1) Statistics showing the competitiveness of a
21 potential industry cluster.

22 (2) Importance of an industry cluster to the economic
23 development of this Commonwealth or the region.

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

26 (4) Research studies on industry clusters.

27 (5) Any other criteria deemed relevant by the
28 department.

29 (b) Identification of targeted industry clusters.--The
30 department shall work with State and regional workforce and

economic development agencies, with input from regional business and labor leaders, to identify which industry clusters shall be targeted for workforce and economic development investments based on:

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

(2) Workforce development needs.

(3) Economic growth potential.

(4) Competitiveness.

(5) Employment base.

(6) Wages, benefits and career opportunities.

(7) Any other criteria deemed relevant by the department.

(c) Ongoing evaluation.--The department shall periodically evaluate the targeted industry clusters to determine the need for any changes to the targeted industry clusters.

(d) Publication of information.--The department shall issue by July 1 of each year, on its website, information and statistics on the targeted industry clusters, including labor market information highlighting the clusters. The information shall include an occupational analysis depicting the employment and wages within the targeted industry cluster.

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

Section 1103. Grant program.

(a) Establishment.--There is established a grant program, to be administered by the department, to provide funding from funds appropriated for this purpose to industry partnerships.

1 (b) Use of grant funding.--Industry partnerships shall, to
2 the extent funds are available, use a grant awarded under this
3 section to do any of the following:

4 (1) Organize businesses, employers, workers, labor
5 organizations and industry associations into a collaborative
6 structure that supports the sharing of information, ideas and
7 challenges common to their industry cluster.

8 (2) Identify the training needs of multiple businesses,
9 especially skill gaps critical to competitiveness and
10 innovation to their industry cluster.

11 (3) Facilitate economies of scale by aggregating
12 training and education needs of multiple employers.

13 (4) Assist educational and training institutions in
14 aligning curricula and programs to industry demand,
15 particularly for high-priority occupations.

16 (5) Collaborate with the PA CareerLinks, youth councils,
17 business-education partnerships, intermediate units,
18 secondary and postsecondary educational institutions,
19 parents, career counselors and career and technical educators
20 for the purpose of addressing the challenges of connecting
21 disadvantaged adults and youth to careers.

22 (6) Assist companies in identifying and working together
23 to address common organizational and human resource
24 challenges, such as recruiting new workers, retaining
25 incumbent workers, implementing a high-performance work
26 organization, adopting new technologies and fostering
27 experiential and contextualized on-the-job learning.

28 (7) Assist in developing and strengthening career
29 ladders within and across companies, enabling entry-level
30 workers to improve skills and advance to higher-wage jobs.

1 (8) Assist partner companies in industry partnerships in
2 attracting potential employees from a diverse job-seeker
3 base, including individuals with barriers to employment, such
4 as job seekers who are economically disadvantaged, youth,
5 older workers, ex-offenders and others.

6 (9) Assist in strengthening connections among businesses
7 in industry clusters, leading to cooperation, beyond
8 workforce issues, which would improve competitiveness and job
9 quality, such as joint purchasing, market research or centers
10 for technology and innovation.

11 Section 1104. Grant program operation.

12 In order to receive grant funding under this section, an
13 industry partnership must, in its grant application, do all of
14 the following:

15 (1) Show evidence of involvement of the local workforce
16 investment board.

17 (2) Show evidence of participation of workers or labor
18 representatives in industry partnerships.

19 (3) Provide for private sector matching funding of at
20 least 25% of the grant.

21 (4) Commit to participate in the industry partnership's
22 performance improvement and evaluation system.

23 Section 1105. Powers and duties.

24 The department has the following powers and duties:

25 (1) Establish grant guidelines and develop grant
26 applications.

27 (2) Develop forms and institute procedures to award
28 competitive grants under this section.

29 (3) Establish a process to review applications.

30 (4) Establish a process for providing applicants with

additional information about eligibility requirements and assistance in preparing applications.

(5) Provide technical assistance to grant applicants and grantees.

(6) Apply for grants and seek other revenue sources to fund the industry partnership administrative and training activities.

Section 1106. Grant period.

The grant period shall be for a period of not less than 12 months and not more than 24 months. A grantee may apply to renew the grant.

Section 1107. Interdepartmental cooperation.

(a) Oversight.--The department shall oversee the operation of the grant program, with appropriate agency staffing support from the participating agencies.

(b) Assistance.--In addition to the specific departmental duties under subsection (c), participating agencies shall assist the department in carrying out this chapter in relation to each agency's roles and responsibilities, including providing to the department all information relevant to the implementation of this chapter. The information shall include all performance measurement information necessary to evaluate any program or policy impacting workforce development in this Commonwealth.

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

(1) The Department of Agriculture shall:

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

(ii) Facilitate agricultural industry clusters, to

1 include production agriculture, at the State and local
2 levels to ensure accurate representation of all sectors
3 and inclusion of those fields typically categorized as
4 self-employment.

5 (iii) Advise the department on career pathways
6 available in the rural communities of this Commonwealth
7 and nontraditional career pathways available to urban and
8 disadvantaged students and citizens.

9 (iv) Work in collaboration with the department and
10 the Department of Education to identify emerging career
11 opportunities, including support in establishing career
12 ladders and career pathways.

13 (v) Support initiatives to develop industry-
14 recognized credentials and new credit-bearing programs in
15 this Commonwealth's public and private postsecondary
16 institutions, especially in critical occupations.

17 (2) The Department of Community and Economic Development
18 shall:

19 (i) Advise the department of its workforce and
20 economic development strategies, programs and
21 initiatives.

22 (ii) Align existing training programs with industry
23 partnerships.

24 (iii) Make relevant business assistance programs
25 available to industry partnerships.

26 (iv) Coordinate with the department on areas of
27 business retention.

28 (v) Advise the department of its industry
29 competitiveness programs and cluster strategies.

30 (3) The Department of Corrections shall:

1 (i) Align training for inmates with industry
2 clusters and high-priority occupations and annually
3 review these training programs to assure that the
4 training programs prepare individuals for high-priority
5 occupations.

6 (ii) Align reentry programs to take advantage of
7 information and career opportunities provided by industry
8 partnerships.

9 (4) The Department of Education shall:

10 (i) Work with the department to support career
11 pathways.

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

17 (iii) Collaborate with the department to develop
18 programs and strategies to reduce barriers to adult
19 education.

20 (iv) Coordinate career education initiatives in
21 middle and high schools, especially in Project 720
22 schools and career and technical education programs.

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

28 (vi) Work in collaboration with the department to
29 determine education and skill gaps associated with
30 targeted industry clusters and high-priority occupations.

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

4 (5) The Department of Public Welfare shall:

5 (i) Create and maintain innovative programs which
6 connect qualified TANF clients with employment
7 opportunities in the targeted industry clusters.

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

10 (iii) Develop career education initiatives which
11 provide TANF clients with information to guide their
12 education and training plans.

13 (iv) Collect and share employment information with
14 the department.

15 Section 1108. Industry and labor market research.

16 The department shall provide the necessary industry and labor
17 market research to support and further develop the work of
18 industry partnerships, including:

19 (1) Providing current data on all targeted industry
20 clusters.

21 (2) Providing the most current available analysis of
22 industry employment in this Commonwealth for the purpose of
23 determining trends in this Commonwealth which may lead to
24 changes in the targeted industry clusters.

25 (3) Maintaining and updating the annual list of the
26 Commonwealth's high-priority occupations.

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

30 Section 1109. Industry partnership performance improvement and

1 evaluation system.

2 The department shall develop and implement an evaluation and
3 performance improvement system which does all of the following:

4 (1) Collects critical industry partnership information
5 on an annual basis or more frequently as determined by the
6 department, including:

7 (i) What the industry partnership has learned.
8 (ii) What human resource challenges were most common
9 within the industry partnership.

10 (iii) The influence and use of technology by the
11 industry partnership.

12 (iv) Challenges foreseen by the industry
13 partnership.

14 (v) Industry partnership best practices.

15 (2) Defines the benefits of the industry partnership and
16 its activities to employers, workers and communities.

17 (3) Provides annual performance information to the
18 General Assembly, the public and workforce stakeholders.

19 Section 3. This act shall take effect immediately.