

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 1409 Session of  
2010

INTRODUCED BY BRUBAKER, ALLOWAY, RAFFERTY, WASHINGTON,  
TARTAGLIONE, FOLMER, PIPPY, D. WHITE, SMUCKER, ERICKSON,  
ARGALL, McILHINNEY, STOUT, ROBBINS, VANCE, WAUGH, GREENLEAF,  
BROWNE, TOMLINSON, BOSCOLA, STACK, KASUNIC, ORIE, WOZNIAK,  
LOGAN, WARD, FARNESE, MENSCH AND DINNIMAN, JUNE 16, 2010

SENATOR GORDNER, LABOR AND INDUSTRY, AS AMENDED, JUNE 30, 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 Establishing a unified workforce investment system;  
19 restructuring certain administrative functions, procedures  
20 and entities; transferring workforce development functions of  
21

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~~ THE

1 DEPARTMENT SHALL ESTABLISH AND ADMINISTER A GRANT PROGRAM TO  
2 PROVIDE FUNDING TO INDUSTRY PARTNERSHIPS FROM FUNDS APPROPRIATED  
3 BY THE GENERAL ASSEMBLY FOR THE PURPOSES OF THIS ACT.

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

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

11 (2) Identify the training needs of multiple businesses,  
12 ~~especially~~ INCLUDING skill gaps critical to competitiveness ←  
13 and innovation to their industry cluster.

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

16 (4) Assist educational and training institutions in  
17 aligning curricula and programs to industry demand,  
18 particularly for high-priority occupations.

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

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

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

4       (8) Assist partner companies in industry partnerships in  
5       attracting ~~potential employees from a diverse job seeker~~ ←  
6       ~~base, including individuals with barriers to employment, such~~  
7       ~~as job seekers who are economically disadvantaged, youth,~~  
8       ~~older workers, ex-offenders and others.~~ A DIVERSE WORK FORCE, ←  
9       INCLUDING INDIVIDUALS WITH BARRIERS TO EMPLOYMENT. THIS SHALL  
10       INCLUDE THE ECONOMICALLY DISADVANTAGED, YOUTH, OLDER WORKERS,  
11       EX-OFFENDERS AND THE PHYSICALLY AND DEVELOPMENTALLY DISABLED.

12       (9) Assist in strengthening connections among businesses  
13       in industry clusters, leading to cooperation, beyond  
14       workforce issues, which would improve competitiveness and job  
15       quality, ~~such as~~ INCLUDING joint purchasing, market research ←  
16       or centers for technology and innovation.

17 Section 1104. Grant program operation.

18       In order to receive grant funding under this section, an  
19       industry partnership must, in its grant application, do all of  
20       the following:

21       (1) Show evidence of involvement of the local workforce  
22       investment board.

23       (2) Show evidence of participation of workers or labor  
24       representatives in industry partnerships.

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

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

29 Section 1105. Powers and duties.

30       The department ~~has~~ SHALL HAVE the following powers and ←

1 duties:

2 (1) Establish grant guidelines and develop grant  
3 applications.

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

6 (3) Establish a process to review applications.

7 (4) Establish a process for providing applicants with  
8 additional information about eligibility requirements and  
9 assistance in preparing applications.

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

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

15 Section 1106. Grant period.

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

19 Section 1107. Interdepartmental cooperation.

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

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

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

3         (1) The Department of Agriculture shall:

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

7             (ii) Facilitate agricultural industry clusters, to  
8 include production agriculture, at the State and local  
9 levels to ensure accurate representation of all sectors  
10 and inclusion of those fields typically categorized as  
11 self-employment.

12            (iii) Advise the department on career pathways  
13 available in the rural communities of this Commonwealth  
14 and nontraditional career pathways available to urban and  
15 disadvantaged students and citizens.

16            (iv) Work in collaboration with the department and  
17 the Department of Education to identify emerging career  
18 opportunities, including support in establishing career  
19 ladders and career pathways.

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 critical occupations.

24         (2) The Department of Community and Economic Development  
25 shall:

26             (i) Advise the department of its workforce and  
27 economic development strategies, programs and  
28 initiatives.

29             (ii) Align existing training programs with industry  
30 partnerships.



1           (iii) Make relevant business assistance programs  
2           available to industry partnerships.

3           (iv) Coordinate with the department on areas of  
4           business retention.

5           (v) Advise the department of its industry  
6           competitiveness programs and cluster strategies.

7           (3) The Department of Corrections shall:

8           (i) Align training for inmates with industry  
9           clusters and high-priority occupations and annually  
10          review these training programs to assure that the  
11          training programs prepare individuals for high-priority  
12          occupations.

13          (ii) Align reentry programs to take advantage of  
14          information and career opportunities provided by industry  
15          partnerships.

16          (4) The Department of Education shall:

17          (i) Work with the department to support career  
18          pathways.

19          (ii) Support innovative programs to address  
20          literacy, including English as a second language, and  
21          numeracy shortcomings, especially in those occupations  
22          which are critical to targeted industry clusters and  
23          which lead to postsecondary education and employment.

24          (iii) Collaborate with the department to develop  
25          programs and strategies to reduce barriers to adult  
26          education.

27          (iv) Coordinate career education initiatives in  
28          middle and high schools, especially in Project 720  
29          schools and career and technical education programs.

30          (v) Support initiatives to develop industry-

1 recognized credentials and new credit-bearing programs in  
2 this Commonwealth's public and private postsecondary  
3 institutions, especially in occupations critical to  
4 targeted industry clusters.

5 (vi) Work in collaboration with the department to  
6 determine education and skill gaps associated with  
7 targeted industry clusters and high priority occupations. ←

8 (vii) Advise and assist high-school-based career and  
9 technical education programs to qualify as high-priority  
10 occupation programs.

11 (5) The Department of Public Welfare shall:

12 (i) Create and maintain innovative programs which  
13 connect qualified TANF clients with employment  
14 opportunities in the targeted industry clusters.

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

17 (iii) Develop career education initiatives which  
18 provide TANF clients with information to guide their  
19 education and training plans.

20 (iv) Collect and share employment information with  
21 the department.

22 Section 1108. Industry and labor market research.

23 The department shall provide the necessary industry and labor  
24 market research to support and further develop the work of  
25 industry partnerships, including:

26 (1) Providing current data on all targeted industry  
27 clusters.

28 (2) Providing the most current available analysis of  
29 industry employment in this Commonwealth for the purpose of  
30 determining trends in this Commonwealth which may lead to

1 changes in the targeted industry clusters.

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

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

7 Section 1109. Industry partnership performance improvement and  
8 evaluation system.

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

11 (1) Collects critical industry partnership information  
12 on an annual basis or more frequently as determined by the  
13 department, including:

14 (i) What the industry partnership has learned.

15 (ii) What human resource challenges were most common  
16 within the industry partnership.

17 (iii) The influence and use of technology by the  
18 industry partnership.

19 (iv) Challenges foreseen by the industry  
20 partnership.

21 (v) Industry partnership best practices.

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

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

26 Section 3. This act shall take effect immediately.