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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 552 Session of  
2011

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INTRODUCED BY BRUBAKER, GORDNER, TARTAGLIONE, FOLMER, SMUCKER,  
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FERLO, FARNESE, FONTANA, STACK, DINNIMAN, BAKER, WASHINGTON,  
McILHINNEY AND BLAKE, FEBRUARY 22, 2011

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REFERRED TO LABOR AND INDUSTRY, FEBRUARY 22, 2011

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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

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

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

9 CHAPTER 13

10 INDUSTRY PARTNERSHIPS

11 Section 1301. Definitions.

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

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

19 "Department." The Department of Labor and Industry.

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 1309.

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 1302. 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.

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

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

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

7 (2) Workforce development needs.

8 (3) Economic growth potential.

9 (4) Competitiveness.

10 (5) Employment base.

11 (6) Wages, benefits and career opportunities.

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

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

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

25 Section 1303. Grant program.

26 (a) Establishment.--The department shall establish and  
27 administer a grant program to provide funding to industry  
28 partnerships from funds appropriated by the General Assembly for  
29 the purposes of this act.

30 (b) Use of grant funding.--Industry partnerships shall, to

1 the extent funds are available, use a grant awarded under this  
2 section to do any of the following:

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

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

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

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

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

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

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

30 (8) Assist partner companies in industry partnerships in

1 attracting a diverse work force, including individuals with  
2 barriers to employment. This shall include the economically  
3 disadvantaged, youth, older workers, ex-offenders and the  
4 physically and developmentally disabled.

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

10 Section 1304. Grant program operation.

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

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

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

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

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

22 Section 1305. Powers and duties.

23 The department shall have the following powers and duties:

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

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

28 (3) Establish a process to review applications.

29 (4) Establish a process for providing applicants with  
30 additional information about eligibility requirements and

1 assistance in preparing applications.

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

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

7 Section 1306. Grant period.

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

11 Section 1307. Interdepartmental cooperation.

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

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

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

25 (1) The Department of Agriculture shall:

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

29 (ii) Facilitate agricultural industry clusters, to  
30 include production agriculture, at the State and local

1 levels to ensure accurate representation of all sectors  
2 and inclusion of those fields typically categorized as  
3 self-employment.

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

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

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

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

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

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

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

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

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

29 (3) The Department of Corrections shall:

30 (i) Align training for inmates with industry



1 clusters and high-priority occupations and annually  
2 review these training programs to assure that the  
3 training programs prepare individuals for high-priority  
4 occupations.

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

8 (4) The Department of Education shall:

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

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

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

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

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

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

30 (vii) Advise and assist high-school-based career and

1 technical education programs to qualify as high-priority  
2 occupation programs.

3 (5) The Department of Public Welfare shall:

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

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

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

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

14 Section 1308. Industry and labor market research.

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

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

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

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

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

29 Section 1309. Industry partnership performance improvement and  
30 evaluation system.

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

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

6 (i) What the industry partnership has learned.

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

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

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

13 (v) Industry partnership best practices.

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

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

18 Section 3. This act shall take effect immediately.