

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL**No. 552** Session of
2011

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McILHINNEY, BLAKE AND D. WHITE, FEBRUARY 22, 2011

AS REPORTED FROM COMMITTEE ON LABOR AND INDUSTRY, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 27, 2011

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;

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

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

10 CHAPTER 13

11 INDUSTRY PARTNERSHIPS

12 Section 1301. Definitions.

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

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

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

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

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

28 "Industry partnership." A collaboration which brings
29 together multiple employers and workers or, when appropriate,
30 worker representatives and career and technical educators, in a

1 targeted industry cluster to address common workforce needs.

2 "Industry partnership performance improvement and evaluation
3 system." The evaluation system established under section 1309.

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

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

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

14 Section 1302. Industry clusters.

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

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

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

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

27 (4) Research studies on industry clusters.

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

30 (b) Identification of targeted industry clusters.--The

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

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

8 (2) Workforce development needs.

9 (3) Economic growth potential.

10 (4) Competitiveness.

11 (5) Employment base.

12 (6) Wages, benefits and career opportunities.

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

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

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

26 Section 1303. Grant program.

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

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

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, including joint purchasing, market research or
10 centers for technology and innovation.

11 Section 1304. 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 1305. Powers and duties.

24 The department shall have 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

1 additional information about eligibility requirements and
2 assistance in preparing applications.

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

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

8 Section 1306. Grant period.

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

12 Section 1307. Interdepartmental cooperation.

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

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

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

26 (1) The Department of Agriculture shall:

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

30 (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.

1 (vii) Advise and assist high-school-based career and
2 technical education programs to ~~qualify~~ DEVELOP as high- ←
3 priority 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 (3) Maintaining and updating the annual list of this
7 Commonwealth's high-priority occupations.

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

11 Section 1309. Industry partnership performance improvement and
12 evaluation system.

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

15 (1) Collects critical industry partnership information
16 on an annual basis or more frequently as determined by the
17 department, including:

18 (i) What the industry partnership has learned.

19 (ii) What human resource challenges were most common
20 within the industry partnership.

21 (iii) The influence and use of technology by the
22 industry partnership.

23 (iv) Challenges foreseen by the industry
24 partnership.

25 (v) Industry partnership best practices.

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

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

30 Section 3. This act shall take effect immediately.