

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 501 Session of 2019

INTRODUCED BY KAUFER, BERNSTINE, DUNBAR, MILLARD, PYLE AND SAYLOR, FEBRUARY 12, 2019

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, FEBRUARY 12, 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 board,
 12 providing for local program accountability.

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

15 Section 1. The act of December 18, 2001 (P.L.949, No.114),
 16 known as the Workforce Development Act, is amended by adding a
 17 section to read:

18 Section 306. Local program accountability.

19 (a) Authorization.--Local workforce investment boards shall
 20 implement program provider accountability measures in accordance
 21 with this section.

22 (b) Limitation.--No funds, whether appropriated by the
 23 Federal Government and designated by the Governor for workforce

1 development or specifically appropriated by State government for
2 workforce investment, may be distributed to a failed workforce
3 investment program in a local area.

4 (c) Failure to meet negotiated performance goals.--If a
5 local workforce investment board fails to meet its negotiated
6 goals, the local workforce investment board shall identify which
7 programs are responsible for the failure and take remedial
8 action. The following apply:

9 (1) The first time a program is identified as
10 responsible for a failure to meet a negotiated performance
11 goal, the local workforce investment board shall notify the
12 program provider, and the provider shall submit an
13 improvement plan to the local workforce development board.

14 (2) If a program is identified as responsible for a
15 failure to meet a negotiated performance goal in two
16 consecutive years, or in any two of three consecutive years,
17 the local workforce investment board shall notify the program
18 provider and the board that the program has been designated
19 as a failed program.

20 (3) A failed program shall not be eligible to receive
21 funding from the local workforce investment board. The
22 following apply:

23 (i) The local workforce investment board shall
24 terminate its involvement with a failed program and
25 cancel any applicable contract with the program provider
26 within 10 business days of the program's designation as a
27 failed program under paragraph (2).

28 (ii) Funds dedicated to a failed program may be
29 reallocated to:

30 (A) an existing program in the local area that

1 has not been identified as responsible for a failure
2 to meet a negotiated performance goal; or
3 (B) a new workforce investment program in the
4 local area.

5 (d) Program provider contracts.--Contracts between local
6 workforce investment boards and program providers shall:

7 (1) Require the cancellation of the contract when a
8 program has been identified as a failed program under
9 subsection (b).

10 (2) Include specific and measurable program goals for
11 each program.

12 (3) Allow the local workforce investment board to cancel
13 the contract if the local workforce investment board
14 determines that the program has failed to meet its measurable
15 goals.

16 (e) Annual reports.--

17 (1) Each local workforce investment board shall include
18 information about remedial actions taken against program
19 providers under subsections (c) and (d) in its annual report
20 to the board.

21 (2) The board shall include a summary of the information
22 provided by local workforce investment boards in the board's
23 annual report to the General Assembly.

24 (f) Applicability and effect of section.--

25 (1) This section shall only apply to contracts executed
26 on or after the effective date of this section.

27 (2) This section shall not be construed to impair any
28 contract executed prior to the effective date of this
29 section.

30 Section 2. This act shall take effect in 60 days.