
SUBSTITUTE HOUSE BILL 2256

State of Washington

56th Legislature

1999 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Conway, Clements, Stensen, Reardon, Murray, Keiser, Ruderman, Lantz, Fisher, Lovick, Sullivan, Hurst, Santos, Kenney, Wolfe, Ogden, Kagi, Constantine, Dickerson, Linville, Rockefeller, Romero, Hatfield, Voloria, Wood, Edmonds, McIntire and O'Brien)

Read first time 03/01/1999. Referred to Committee on .

1 AN ACT Relating to the workforce development system; amending RCW
2 28C.18.010, 28C.18.020, 28C.18.030, 28C.18.040, 28C.18.050, 28C.18.060,
3 50.38.050, and 50.67.010; adding a new section to chapter 28C.18 RCW;
4 adding a new chapter to Title 50 RCW; creating new sections; repealing
5 RCW 28C.18.070, 28C.18.080, 28C.18.090, 28C.18.100, 28C.18.110,
6 50.67.020, and 50.67.030; prescribing penalties; providing an
7 expiration date; and declaring an emergency.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

9 **Sec. 1.** RCW 28C.18.010 and 1996 c 99 s 2 are each amended to read
10 as follows:

11 Unless the context clearly requires otherwise, the definitions in
12 this section apply throughout this title.

13 (1) "Board" means the (~~work force training and education~~
14 ~~coordinating~~) workforce development board.

15 (2) "Director" means the director of the (~~work force training and~~
16 ~~education coordinating~~) workforce development board.

17 (3) (~~"Training system" means programs and courses of secondary~~
18 ~~vocational education, technical college programs and courses, community~~
19 ~~college vocational programs and courses, private career school and~~

1 college programs and courses, employer-sponsored training, adult basic
2 education programs and courses, programs and courses funded by the job
3 training partnership act, programs and courses funded by the federal
4 vocational act, programs and courses funded under the federal adult
5 education act, publicly funded programs and courses for adult literacy
6 education, and apprenticeships, and programs and courses offered by
7 private and public nonprofit organizations that are representative of
8 communities or significant segments of communities and provide job
9 training or adult literacy services.) "Operating agencies" means those
10 state agencies responsible for the governance and management of state
11 and federal workforce development programs.

12 (4) "Workforce development system" means public and private
13 programs that use state or federal funds to prepare workers for
14 employment, upgrade worker skills, retrain workers, or provide
15 employment or retention services for workers or employers. "Workforce
16 development system" includes, but is not limited to, secondary
17 vocational education, community and technical college vocational
18 education, private career school and college vocational programs,
19 employer-sponsored training, work-related adult basic education and
20 literacy programs, programs funded by Title 1B of the federal workforce
21 investment act, activities funded under the federal Wagner-Peyser act,
22 programs funded by the federal vocational education act, work-related
23 programs funded under the adult education and family literacy act,
24 publicly funded programs for work-related adult literacy, education,
25 and apprenticeships, the one-stop system, the state job skills program,
26 timber retraining benefits, the work-related components of the
27 vocational rehabilitation program authorized under Title IV of the
28 workforce investment act, P.L. 105-220, the department of services for
29 the blind, and programs offered by private and public nonprofit
30 organizations that are representative of communities or significant
31 segments of communities and provide job training or work-related adult
32 literacy services.

33 (5) ~~"((Work-force))~~ Workforce skills means skills developed
34 through applied learning that strengthen and reinforce an individual's
35 academic knowledge, critical thinking, problem solving, and work ethic
36 and, thereby, develop the employability, occupational skills, and
37 management of home and work responsibilities necessary for economic
38 independence.

1 ~~((5))~~ (6) "Vocational education" means organized educational
2 programs offering a sequence of courses which are directly related to
3 the preparation or retraining of individuals in paid or unpaid
4 employment in current or emerging occupations requiring other than a
5 baccalaureate or advanced degree. ~~((Such programs shall include
6 competency-based applied learning which contributes to an individual's
7 academic knowledge, higher-order reasoning, and problem-solving skills,
8 work attitudes, general employability skills, and the occupational-
9 specific skills necessary for economic independence as a productive and
10 contributing member of society.))~~ Such term also includes applied
11 technology education.

12 ~~((6))~~ (7) "Adult basic education" means ~~((instruction designed to
13 achieve mastery of skills in reading, writing, oral communication, and
14 computation at a level sufficient to allow the individual to function
15 effectively as a parent, worker, and citizen in the United States,
16 commensurate with that individual's actual ability level, and includes
17 English as a second language and preparation and testing service for
18 the general education development exam))~~ (a) adult education and
19 literacy services, including workforce literacy services; (b) family
20 literacy services; and (c) English literacy services as defined in P.L.
21 105-220, Title II, that enable eligible adults to speak, read, and
22 write in the English language, compute, solve problems, and relate
23 effectively with others in order to exercise the rights and
24 responsibilities of a family member, worker, and community member.

25 (8) "Local workforce development councils" means the same as
26 defined in P.L. 105-220, Sec. 117 and are responsible for performing
27 the duties of that section as well as developing a local area unified
28 plan for state purposes as defined in this chapter.

29 **Sec. 2.** RCW 28C.18.020 and 1991 c 238 s 3 are each amended to read
30 as follows:

31 (1) There is hereby created the ~~((work force training and education
32 coordinating))~~ workforce development board as a state agency ~~((and as
33 the successor agency to the state board for vocational education. Once
34 the coordinating board has convened, all references to the state board
35 for vocational education in the Revised Code of Washington shall be
36 construed to mean the work force training and education coordinating
37 board, except that reference to the state board for vocational~~

1 education in RCW 49.04.030 shall mean the state board for community and
2 technical colleges)).

3 (2)(a) The board shall consist of (~~nine~~) eighteen voting members
4 appointed by the governor with the consent of the senate, as follows:
5 (~~Three~~) Five representatives of business, (~~three~~) five
6 representatives of labor, a representative of private career schools,
7 a representative of community-based organizations, a representative of
8 local elected officials, and, serving as ex officio members, the
9 superintendent of public instruction, the executive director of the
10 state board for community and technical colleges, (~~and~~) the
11 commissioner of the employment security department, the secretary of
12 the department of social and health services, and the director of the
13 department of community, trade, and economic development. (~~The chair~~
14 ~~of the board shall be a nonvoting member selected by the governor with~~
15 ~~the consent of the senate, and shall serve at the pleasure of the~~
16 ~~governor. In selecting the chair, the governor shall seek a person who~~
17 ~~understands the future economic needs of the state and nation and the~~
18 ~~role that the state's training system has in meeting those needs.))
19 Each (~~voting~~) member of the board may appoint a designee to function
20 in his or her place with the right to vote. Representatives of
21 business and labor must constitute a majority of those casting votes on
22 any given vote. In (~~making appointments to~~) recruiting members for
23 the board, the governor shall seek to ensure geographic, ethnic, and
24 gender diversity and balance. The governor shall also seek to ensure
25 diversity and balance by (~~the appointment of~~) recruiting persons with
26 disabilities.~~

27 (b) The business representatives shall be selected from among
28 nominations provided by (~~a~~) state-wide business organizations
29 representing a cross-section of industries and small businesses. One
30 of the business representatives will serve as the chair of the board on
31 a rotating basis with one of the labor representatives. However, the
32 governor may request, and the organization shall provide, an additional
33 list or lists from which the governor shall select the business
34 representatives. (~~The nominations and selections~~) Recruitment shall
35 reflect the cultural diversity of the state, including women, people
36 with disabilities, and racial and ethnic minorities, and diversity in
37 sizes of businesses.

38 (c) The labor representatives shall be selected from among
39 nominations provided by state-wide labor organizations. One of the

1 labor representatives will serve as the chair of the board on a
2 rotating basis with one of the business representatives. However, the
3 governor may request, and the organizations shall provide, an
4 additional list or lists from which the governor shall select the labor
5 representatives. ~~((The nominations and selections))~~ Recruitment shall
6 reflect the cultural diversity of the state, including women, people
7 with disabilities, and racial and ethnic minorities.

8 (d) The private career school representative shall be selected from
9 among nominations provided by a state-wide organization representing a
10 cross-section of private career schools. However, the governor may
11 request, and the organization shall provide, an additional list or
12 lists from which the governor shall select the private career school
13 representative.

14 (e) The community-based organizations' representative shall be
15 selected from among nominations provided by a state-wide organization
16 representing community-based organizations. However, the governor may
17 request, and the organization shall provide, an additional list or
18 lists from which the governor shall select the community-based
19 organizations' representative.

20 (f) Each business member may cast a proxy vote or votes for any
21 business member who is not present and who authorizes in writing the
22 present member to cast such vote.

23 ~~((e))~~ (g) Each labor member may cast a proxy vote for any labor
24 member who is not present and who authorizes in writing the present
25 member to cast such vote.

26 ~~((f) The chair shall appoint to the board one nonvoting member to~~
27 ~~represent racial and ethnic minorities, women, and people with~~
28 ~~disabilities. The nonvoting member appointed by the chair shall serve~~
29 ~~for a term of four years with the term expiring on June 30th of the~~
30 ~~fourth year of the term.~~

31 ~~(g))~~ (h) The business members of the board shall serve for terms
32 of four years, the terms expiring on June 30th of the fourth year of
33 the term except that in the case of initial members, one shall be
34 appointed to a two-year term and one appointed to a three-year term.

35 ~~((h))~~ (i) The labor members of the board shall serve for terms of
36 four years, the terms expiring on June 30th of the fourth year of the
37 term except that in the case of initial members, one shall be appointed
38 to a two-year term and one appointed to a three-year term.

1 ~~((i))~~ (j) The private career school, community-based
2 organization, and local elected officials representatives shall serve
3 for terms of four years, the terms expiring on June 30th of the fourth
4 year of the term except that in the case of initial members, one shall
5 be appointed to a two-year term and one appointed to a three-year term.

6 (k) Any vacancies among board members representing business ~~((or))~~,
7 labor, private career schools, or community-based organizations shall
8 be filled by the governor with nominations provided by state-wide
9 organizations representing business ~~((or))~~, labor, private career
10 schools, or community-based organizations respectively.

11 ~~((j))~~ (l) The board shall adopt bylaws and shall meet at least
12 bimonthly and at such other times as determined by the chair who shall
13 give reasonable prior notice to the members or at the request of a
14 majority of the ~~((voting))~~ members.

15 ~~((k))~~ (m) Members of the board shall be compensated in accordance
16 with RCW 43.03.040 and shall receive travel expenses in accordance with
17 RCW 43.03.050 and 43.03.060.

18 ~~((l) The board shall be formed and ready to assume its~~
19 ~~responsibilities under this chapter by October 1, 1991.~~

20 ~~(m))~~ (n) The director of the board shall be appointed by the
21 governor ~~((from a list of three names submitted by a committee made up~~
22 ~~of the business and labor members of the board. However, the governor~~
23 ~~may request, and the committee shall provide, an additional list or~~
24 ~~lists from which the governor shall select the director. The lists~~
25 ~~compiled by the committee shall not be subject to public disclosure.~~
26 ~~The governor may dismiss the director only with the approval of a~~
27 ~~majority vote of the board. The board, by a majority vote, may dismiss~~
28 ~~the director with the approval))~~, shall serve at the pleasure of the
29 governor, and shall be confirmed by the senate.

30 ~~((3) The state board for vocational education is hereby abolished~~
31 ~~and its powers, duties, and functions are hereby transferred to the~~
32 ~~work force training and education coordinating board. All references~~
33 ~~to the director or the state board for vocational education in the~~
34 ~~Revised Code of Washington shall be construed to mean the director or~~
35 ~~the work force training and education coordinating board.))~~

36 **Sec. 3.** RCW 28C.18.030 and 1996 c 99 s 3 are each amended to read
37 as follows:

1 The purpose of the board is to (~~provide planning, coordination,~~
2 ~~evaluation, monitoring, and policy analysis for the state training~~
3 ~~system as a whole, and advice to the governor and legislature~~
4 ~~concerning the state training system, in cooperation with the state~~
5 ~~training system and the higher education coordinating board~~)) develop
6 policies that create an integrated state workforce development system
7 that links people to jobs, allows them access to training and
8 education, and provides an opportunity to move up the job ladder over
9 their lifetime. The board shall plan, promote cooperation, measure
10 performance, evaluate, and provide policy analysis for the state
11 workforce development system as a whole, and advise the governor
12 concerning the state's workforce development system in cooperation with
13 the operating agencies of the workforce development system.

14 **Sec. 4.** RCW 28C.18.040 and 1994 c 154 s 307 are each amended to
15 read as follows:

16 (1) The director shall serve as chief executive officer of the
17 board who shall administer the provisions of this chapter, employ such
18 personnel as may be necessary to implement the purposes of this
19 chapter, and utilize staff of existing operating agencies to the
20 fullest extent possible.

21 (2) (~~The director shall not be the chair of the board.~~

22 ~~(3))~~ Subject to the approval of the board, the director shall
23 appoint necessary deputy and assistant directors and other staff who
24 shall be exempt from the provisions of chapter 41.06 RCW. The
25 director's appointees shall serve at the director's pleasure on such
26 terms and conditions as the director determines but subject to chapter
27 42.52 RCW.

28 (~~(4))~~ (3) The director shall appoint and employ such other
29 employees as may be required for the proper discharge of the functions
30 of the board.

31 (~~(5) The director shall, as permissible under P.L. 101-392, as~~
32 ~~amended, integrate the staff of the council on vocational education,~~
33 ~~and contract with the state board for community and technical colleges~~
34 ~~for assistance for adult basic skills and literacy policy development~~
35 ~~and planning as required by P.L. 100-297, as amended.))~~

36 **Sec. 5.** RCW 28C.18.050 and 1995 c 130 s 3 are each amended to read
37 as follows:

1 (1) The board shall be designated as the state workforce investment
2 board described in P.L. 105-220, the workforce investment act of 1998,
3 and shall perform such functions as necessary to comply with federal
4 directives pertaining to this law. In order to comply with the
5 regulations of P.L. 105-220, the governor may designate the board
6 membership structure of the workforce training and education
7 coordinating board as it existed as of December 31, 1997, as the
8 workforce investment board specifically to carry out the provisions of
9 P.L. 105-220.

10 (2) The board shall be designated as the state board of vocational
11 education as provided for in P.L. ((98-524)) 105-332, as amended, and
12 shall perform such functions as is necessary to comply with federal
13 directives pertaining to the provisions of such law. The board shall
14 establish a subcommittee to study and make recommendations to the board
15 on the use of funds provided under P.L. 105-332. The subcommittee
16 membership shall consist of the superintendent of public instruction,
17 the executive director of the state board for community and technical
18 colleges, two members who are business representatives, and two members
19 who are labor representatives.

20 ((+2)) (3) The board shall perform the functions of the human
21 resource investment council as provided for in the federal job training
22 partnership act, P.L. 97-300, as amended.

23 ((+3)) (4) The board shall provide policy advice for any federal
24 act pertaining to ((work-force)) workforce development that is not
25 required by state or federal law to be provided by another state body.

26 ((+4)) (5) Upon enactment of new federal initiatives relating to
27 ((work-force)) workforce development, the board shall advise the
28 governor and the legislature on mechanisms for integrating the federal
29 initiatives into the state's ((work-force)) workforce development
30 system and make recommendations on the legislative or administrative
31 measures necessary to streamline and coordinate state efforts to meet
32 federal guidelines.

33 ((+5)) (6) The board shall ((monitor)) review for consistency with
34 the state ((comprehensive plan for work force training and education
35 the policies and plans established by the state job training
36 coordinating council)) unified plan, the policies and plans established
37 by the advisory council on adult education, and the Washington state
38 plan for adult literacy and basic ((education)) skills, and provide
39 guidance for making such policies and plans consistent with the state

1 ((comprehensive)) unified plan for ((work force training and
2 education)) workforce development system.

3 (7) The board shall perform the functions of the job training
4 coordinating council until July 1, 2000.

5 (8) Recommend to the governor the performance accountability system
6 required by P.L. 105-220 or successor legislation.

7 (9) For the purposes of P.L. 105-332, the superintendent of public
8 instruction shall have operating responsibility for secondary education
9 and the state board for community and technical colleges shall have
10 operating responsibility for postsecondary vocational and technical
11 education.

12 **Sec. 6.** RCW 28C.18.060 and 1996 c 99 s 4 are each amended to read
13 as follows:

14 The board, in cooperation with the operating agencies of the state
15 ((training)) development system and private career schools and colleges
16 shall:

17 (1) ~~((Concentrate its major efforts on planning, coordination~~
18 ~~evaluation, policy analysis, and recommending improvements to the~~
19 ~~state's training system.~~

20 (2) ~~Advocate for the state training system and for meeting the~~
21 ~~needs of employers and the work force for work force education and~~
22 ~~training.~~

23 (3) ~~Establish and maintain an inventory of the programs of the~~
24 ~~state training system, and related state programs, and perform a~~
25 ~~biennial assessment of the vocational education, training, and adult~~
26 ~~basic education and literacy needs of the state; identify ongoing and~~
27 ~~strategic education needs; and assess the extent to which employment,~~
28 ~~training, vocational and basic education, rehabilitation services, and~~
29 ~~public assistance services represent a consistent, integrated approach~~
30 ~~to meet such needs.~~

31 (4) ~~Develop and maintain a state comprehensive plan for work force~~
32 ~~training and education, including but not limited to, goals,~~
33 ~~objectives, and priorities for the state training system, and review~~
34 ~~the state training system for consistency with the state comprehensive~~
35 ~~plan. In developing the state comprehensive plan for work force~~
36 ~~training and education, the board shall use, but shall not be limited~~
37 ~~to: Economic, labor market, and populations trends reports in office~~
38 ~~of financial management forecasts; joint office of financial management~~

1 and employment security department labor force, industry employment,
2 and occupational forecasts; the results of scientifically based
3 outcome, net impact and cost benefit evaluations; the needs of
4 employers as evidenced in formal employer surveys and other employer
5 input; and the needs of program participants and workers as evidenced
6 in formal surveys and other input from program participants and the
7 labor community.

8 (5) In consultation with the higher education coordinating board,
9 review and make recommendations to the office of financial management
10 and the legislature on operating and capital facilities budget requests
11 for operating agencies of the state training system for purposes of
12 consistency with the state comprehensive plan for work force training
13 and education.

14 (6) Provide for coordination among the different operating agencies
15 and components of the state training system at the state level and at
16 the regional level.

17 (7) Develop a consistent and reliable data base on vocational
18 education enrollments, costs, program activities, and job placements
19 from publicly funded vocational education programs in this state.

20 (8) Establish standards for data collection and maintenance for the
21 operating agencies of the state training system in a format that is
22 accessible to use by the board. The board shall require a minimum of
23 common core data to be collected by each operating agency of the state
24 training system.

25 The board shall develop requirements for minimum common core data
26 in consultation with the office of financial management and the
27 operating agencies of the training system.

28 (9) Establish minimum standards for program evaluation for the
29 operating agencies of the state training system, including, but not
30 limited to, the use of common survey instruments and procedures for
31 measuring perceptions of program participants and employers of program
32 participants, and monitor such program evaluation.

33 (10) Every two years administer scientifically based outcome
34 evaluations of the state training system, including, but not limited
35 to, surveys of program participants, surveys of employers of program
36 participants, and matches with employment security department payroll
37 and wage files. Every five years administer scientifically based net-
38 impact and cost benefit evaluations of the state training system.

1 (11) In cooperation with the employment security department,
2 provide for the improvement and maintenance of quality and utility in
3 occupational information and forecasts for use in training system
4 planning and evaluation. Improvements shall include, but not be
5 limited to, development of state-based occupational change factors
6 involving input by employers and employees, and delineation of skill
7 and training requirements by education level associated with current
8 and forecasted occupations.

9 (12) Provide for the development of common course description
10 formats, common reporting requirements, and common definitions for
11 operating agencies of the training system.

12 (13) Provide for effectiveness and efficiency reviews of the state
13 training system.

14 (14) In cooperation with the higher education coordinating board,
15 facilitate transfer of credit policies and agreements between
16 institutions of the state training system, and encourage articulation
17 agreements for programs encompassing two years of secondary work force
18 education and two years of postsecondary work force education.

19 (15) In cooperation with the higher education coordinating board,
20 facilitate transfer of credit policies and agreements between private
21 training institutions and institutions of the state training system.

22 (16) Participate in the development of coordination criteria for
23 activities under the job training partnership act with related programs
24 and services provided by state and local education and training
25 agencies.

26 (17) Make recommendations to the commission of student assessment,
27 the state board of education, and the superintendent of public
28 instruction, concerning basic skill competencies and essential core
29 competencies for K-12 education. Basic skills for this purpose shall
30 be reading, writing, computation, speaking, and critical thinking,
31 essential core competencies for this purpose shall be English, math,
32 science/technology, history, geography, and critical thinking. The
33 board shall monitor the development of and provide advice concerning
34 secondary curriculum which integrates vocational and academic
35 education.

36 (18) Establish and administer programs for marketing and outreach
37 to businesses and potential program participants.

38 (19) Facilitate the location of support services, including but not
39 limited to, child care, financial aid, career counseling, and job

1 placement services, for students and trainees at institutions in the
2 state training system, and advocate for support services for trainees
3 and students in the state training system.

4 (20) Facilitate private sector assistance for the state training
5 system, including but not limited to: Financial assistance, rotation
6 of private and public personnel, and vocational counseling.

7 (21) Facilitate programs for school-to-work transition that combine
8 classroom education and on-the-job training in industries and
9 occupations without a significant number of apprenticeship programs.

10 (22) Encourage and assess progress for the equitable representation
11 of racial and ethnic minorities, women, and people with disabilities
12 among the students, teachers, and administrators of the state training
13 system. Equitable, for this purpose, shall mean substantially
14 proportional to their percentage of the state population in the
15 geographic area served. This function of the board shall in no way
16 lessen more stringent state or federal requirements for representation
17 of racial and ethnic minorities, women, and people with disabilities.

18 (23) Participate in the planning and policy development of governor
19 set-aside grants under P.L. 97-300, as amended.

20 (24) Administer veterans' programs, licensure of private vocational
21 schools, the job skills program, and the Washington award for
22 vocational excellence.

23 (25) Allocate funding from the state job training trust fund.

24 (26) Work with the director of community, trade, and economic
25 development to ensure coordination between work force training
26 priorities and that department's economic development efforts.

27 (27) Adopt rules as necessary to implement this chapter.

28 The board may delegate to the director any of the functions of this
29 section.)) Establish and maintain an inventory of the programs of the
30 state workforce development system and ensure that information is
31 provided to consumers and policymakers at the state and local level in
32 order to enable them to make informed choices.

33 (2) Assess employer and worker needs for workforce training and the
34 gap between their needs and the public and private supply of workforce
35 training. The assessments of employer and worker needs shall include
36 state-wide surveys of employers and workers. The survey sample must be
37 statistically representative of the state's employer and employee
38 population.

1 (3) Analyze the future employment needs of employers and develop
2 strategies to ensure that Washington residents are prepared to meet
3 those needs. The board shall work with industry, labor, and business
4 associations, the operating agencies, and the department of community,
5 trade, and economic development, and local workforce investment
6 councils, to develop demand driven and targeted industry strategies to
7 build a world class workforce.

8 (4) Develop and maintain a state unified plan for the workforce
9 development system. The unified plan shall include assessments of the
10 state's employment opportunities and skills needs, the current and
11 future workforce, and the current workforce development system; and
12 include goals, objectives, and strategies for improving the workforce
13 development system and a description of the performance measurement
14 system for workforce development.

15 (5) Work in collaboration with local workforce development councils
16 to develop the state unified plan. Local workforce development
17 councils shall provide input to the board in the development of the
18 state unified plan which articulate their local strategy and needs.

19 (6) Work in partnership with the training related components of the
20 temporary assistance for needy families program, community service
21 employment under Title V of the older Americans act, and the retraining
22 component of the workers' compensation vocational rehabilitation
23 program; training activities carried out through contracts with the
24 United States department of housing and urban development; and
25 community services block grants authorized under the national community
26 service act, to integrate these programs into the unified planning.
27 The governor may approve inclusion of these programs into the workforce
28 development system.

29 (7) Review and make recommendations to the governor concerning the
30 program plans of the operating agencies of the state workforce
31 development system regarding consistency with the unified plan.

32 (8) Recommend to the governor strategies to assure coordination and
33 avoid duplication among the programs of the workforce development
34 system.

35 (9) Design and implement a performance measurement system for
36 workforce development in cooperation with the operating agencies and
37 with the review of the joint legislative audit and review committee.
38 The performance measurement system for the workforce development system

1 shall be coordinated with the state's accountability system for K-12
2 education. The performance measurement system includes:

3 (a) Minimum standards for performance measurement for the state
4 workforce development system including, but not limited to, the use of
5 common survey instruments and common performance indicators;

6 (b) Standards for data collection and maintenance for the operating
7 agencies of the state workforce development system. The board shall
8 require a minimum of common core data to be collected by each operating
9 agency of the state workforce development system;

10 (c) Evaluations of the state workforce development system
11 including, but not limited to, outcome, net impact, and cost-benefit
12 evaluations, surveys of program participants, surveys of employers of
13 program participants, and matches with employment security department
14 payroll and wage files, the outcomes of which shall be reported on a
15 regular basis to the governor and the legislature;

16 (d) Standards for measuring the performance of local training
17 providers to enable consumers to make informed choices and gain access
18 to services they need;

19 (e) Recommendations to the governor regarding expected performance
20 levels using the performance measurement system established under this
21 section; and

22 (f) Information provided to the governor and the legislature on the
23 outcomes of workforce development programs. Such information shall
24 include, but not be limited to, program results in the following areas:
25 Participant competencies, employment, wages and earnings, and receipt
26 of public assistance; customer satisfaction, including employer
27 customers who have hired program participants; and the public cost per
28 benefit received.

29 (10) Measure the performance of the workforce development system
30 using the performance measurement system established in subsection (9)
31 of this section. Operating agencies shall establish and implement
32 rewards for exceptional programs and corrective actions for programs
33 failing to meet minimum performance standards as defined in subsection
34 (9)(a) of this section. Operating agencies shall report to the board
35 annually beginning December 31, 2001, on corrective action taken and
36 rewards granted. Beginning July 1, 2002, the board shall report to the
37 governor and the legislature on operating agencies' actions to reward
38 exceptional programs and to correct and improve programs that fail to
39 meet standards established in subsection (9)(a) of this section.

1 (11) Establish an incentive fund for workforce development, using
2 federal funding for workforce development programs, and allocate
3 dollars from the incentive fund to reward local workforce development
4 councils and programs that produce exemplary results.

5 (12) Review the plans of local workforce development councils for
6 consistency with the state unified plan and recommend to the governor
7 whether local plans should be approved. The board shall provide
8 technical assistance to local workforce development councils as
9 necessary.

10 (13) Work with local workforce development councils and state
11 operating agencies to implement a one stop delivery system that is
12 seamless and consumer-based.

13 (14) For the purposes of enabling individuals to make smooth
14 transitions into the workforce and back and forth between workforce
15 development programs and employment, make recommendations regarding
16 generic workplace skills that individuals need in order to meet
17 employer expectations.

18 (15) Administer veterans' programs, licensure of private vocational
19 schools, and the Washington award for vocational excellence.

20 (16) Work with the director of community, trade, and economic
21 development to ensure coordination between workforce training
22 priorities and that department's economic development efforts.

23 (17) Work in collaboration with local workforce development
24 councils, business organizations, and economic development councils to
25 create a coordinated and responsive system of outreach for small
26 business.

27 (18) Consult with the programs and the customers of programs in the
28 workforce development system in performing the board's duties.

29 (19) Adopt rules as necessary to implement this chapter.

30 The board may delegate to the director any of the functions of this
31 section.

32 NEW SECTION. Sec. 7. A new section is added to chapter 28C.18 RCW
33 to read as follows:

34 There are hereby created local workforce development councils to
35 serve functions including, but not limited to, those specified for
36 local workforce development councils under P.L. 105-220. The governor,
37 in partnership with the state board, shall establish criteria for use
38 by chief elected officials in the local areas for appointment of

1 members of the local councils. Local workforce development councils
2 shall:

3 (1) In partnership with chief local elected officials, develop and
4 maintain a local unified plan for the workforce development system
5 including but not limited to the local plan required by P.L. 105-220
6 Title I. The unified plan shall include assessments of local
7 employment opportunities and skills needs, the current and future
8 workforce, the current workforce development system, and financial
9 resources; and include goals, objectives, and strategies for the local
10 workforce development system, including a system-wide financial
11 strategy for implementing the plan. Local workforce development
12 councils shall submit their unified plans to the governor for approval
13 and the plan should be consistent with the state unified plan.

14 (2) Conduct oversight over the local one stop system under P.L.
15 105-220 Title 1(b).

16 (3) Coordinate workforce development activities at the local level
17 and ensure a linkage with local economic development strategies.

18 (4) Provide for a coordinated and responsive system of outreach to
19 employers to include the establishment of public-private partnerships
20 of local brokers to connect small businesses to workforce training
21 programs and resources. Brokers may include industry and trade
22 associations, chambers of commerce, central labor councils, and other
23 labor organizations. Broker services may include communicating small
24 business needs to training providers, pooling the specific training
25 needs of several small employers to create cost-effective demand, and
26 supporting the growth of apprenticeship programs.

27 (5) Identify eligible providers of training services.

28 (6) Assess the planning process to identify quality improvements.

29 (7) Execute a master partnership agreement with local elected
30 officials that establishes the working relationships and specifies
31 responsibilities of each body in the partnership.

32 **Sec. 8.** RCW 50.38.050 and 1993 c 62 s 5 are each amended to read
33 as follows:

34 The department shall have the following duties:

35 (1) Oversight and management of a state-wide comprehensive labor
36 market and occupational supply and demand information system, including
37 development of a five-year employment forecast for state and labor
38 market areas;

1 (2) Produce local labor market information packages for the state's
2 counties, including special studies and job impact analyses in support
3 of state and local employment, training, education, and job creation
4 programs, especially activities that prevent job loss, reduce
5 unemployment, and create jobs;

6 (3) Coordinate with the office of financial management and the
7 office of the forecast council to improve employment estimates by
8 enhancing data on corporate officers, improving business establishment
9 listings, expanding sample for employment estimates, and developing
10 business entry/exit analysis relevant to the generation of occupational
11 and economic forecasts; ((and))

12 (4) In cooperation with the office of financial management, produce
13 long-term industry and occupational employment forecasts. These
14 forecasts shall be consistent with the official economic and revenue
15 forecast council biennial economic and revenue forecasts; and

16 (5) Provide labor market information needed for the state workforce
17 development board to fulfill its duties under RCW 28C.04.060.

18 **Sec. 9.** RCW 50.67.010 and 1991 c 238 s 14 are each amended to read
19 as follows:

20 ~~(1) ((There is hereby created the Washington state job training~~
21 ~~coordinating council for so long as a state council is required by~~
22 ~~federal law or regulation as a condition for receipt of federal funds.~~
23 ~~The council shall perform all duties of state job training coordinating~~
24 ~~council as specified in the federal job training partnership act, P.L.~~
25 ~~97-300, as amended, including the preparation of a coordination and~~
26 ~~special services plan for a two year period, consistent with the state~~
27 ~~comprehensive plan for work force training and education prepared by~~
28 ~~the work force training and education coordinating board as provided~~
29 ~~for in RCW 28C.18.060.~~

30 ~~(2) The work force training and education coordinating board shall~~
31 ~~monitor the need for the council as described in subsection (1) of this~~
32 ~~section, and, if that need no longer exists, propose legislation to~~
33 ~~terminate the council.))~~ The duties of the job training coordinating
34 council described in section 122 of P.L. 97-300 shall be performed by
35 the workforce development board until July 1, 2000.

36 (2) This section expires July 1, 2000.

1 NEW SECTION. **Sec. 10.** The department is responsible to prepare
2 the following elements for the program plan required by the workforce
3 investment act of 1998 (P.L. 105-220) which include:

4 (1) Detailed plans required under section 8 of the Wagner-Peyser
5 act (29 U.S.C. 49g);

6 (2) Assurances that the state will provide, in accordance with
7 section 184 of the workforce investment act, for fiscal control and
8 fund accounting procedures that are necessary to ensure the proper
9 disbursement of, and accounting for, funds paid to the state through
10 the allotments made under sections 127 and 132 of the workforce
11 investment act;

12 (3)(a) A description of the methods and factors the state will use
13 in distributing funds to local areas for youth activities and adult
14 employment and training activities under sections 128(b)(3)(B) and
15 133(b)(3)(B) of the workforce investment act, including:

16 (i) A description of how the individuals and entities represented
17 on the workforce development board were involved in determining such
18 methods and factors of distribution; and

19 (ii) A description of how that state consulted with chief elected
20 officials in local areas throughout the state in determining such
21 distribution; and

22 (b) Assurances that the funds will be distributed equitably
23 throughout the state, and that no local areas will suffer significant
24 shifts in funding from year to year; and

25 (c) A description of the formula prescribed by the governor
26 pursuant to section 133(b)(2)(B) of the workforce investment act for
27 the allocation of funds to local areas for dislocated worker employment
28 and training activities;

29 (4) With respect to the one stop delivery systems described in
30 section 134(c) of the workforce investment act, a description of the
31 operational strategy of the state for assisting local areas in
32 development and implementation of fully operational one stop delivery
33 systems in the state;

34 (5) A description of the competitive process to be used by the
35 state to award grants and contracts in the state for activities carried
36 out under the workforce investment act;

37 (6) With respect to the employment and training activities
38 authorized in section 134 of the workforce investment act:

1 (a) The employment and training activities that will be carried out
2 with the funds received by the state through the allotment made under
3 section 132 of the workforce investment act;

4 (b) How the state will provide rapid response activities to
5 dislocated workers from funds reserved under section 133(a)(2) of the
6 workforce investment act for such purposes, including the designation
7 of an identifiable state rapid response dislocated worker unit to carry
8 out state-wide rapid response activities; and

9 (c) With other state operating agencies, how the state will serve
10 the employment and training needs of dislocated workers, including
11 displaced homemakers; low-income individuals, including recipients of
12 public assistance; individuals training for nontraditional employment;
13 and other individuals with multiple barriers to employment, including
14 older individuals and individuals with disabilities; and

15 (7) With respect to youth activities authorized in section 129 of
16 the workforce investment act, information:

17 (a) Describing the state strategy for providing comprehensive
18 services to eligible youth, particularly those eligible youth who are
19 recognized as having significant barriers to employment;

20 (b) Describing how that state will coordinate the youth activities
21 carried out in the state under section 129 of the workforce investment
22 act with the services provided by job corps centers in the state, where
23 such centers exist; and

24 (c) Describing how the state will coordinate youth activities
25 described in subparagraph (C) of the workforce investment act with
26 activities carried out through the youth opportunity grants under
27 section 169 of the workforce investment act.

28 NEW SECTION. **Sec. 11.** The department shall receive federal funds
29 authorized under the workforce investment act of 1998 (P.L. 105-220)
30 Title 1B and recommend to the governor the allocation of the funds to
31 support this chapter, chapter 28C.18 RCW, and the workforce investment
32 act.

33 NEW SECTION. **Sec. 12.** Training and placement activities of the
34 WorkFirst program or any successor program shall be included in the
35 state workforce development system by July 1, 2001.

1 NEW SECTION. **Sec. 13.** The joint legislative audit and review
2 committee shall conduct a performance audit of the state workforce
3 development system including but not limited to outcome, net impact,
4 and cost-benefit evaluations. A performance audit may include, where
5 practical and feasible, surveys of program participants and employers,
6 and analyses of employment outcomes for participants.

7 The joint legislative audit and review committee shall prepare an
8 interim report of its performance audit findings by December 1, 2003,
9 and a final report by December 1, 2004, and deliver the reports to the
10 appropriate committees of the legislature. The operating agencies of
11 the workforce development system, the workforce development board, and
12 the private career schools and colleges shall provide administrative,
13 program, and client data to the joint legislative audit and review
14 committee for this performance audit.

15 NEW SECTION. **Sec. 14.** The following acts or parts of acts are
16 each repealed:

17 (1) RCW 28C.18.070 (Intent--"Program" clarified) and 1995 c 130 s
18 1;

19 (2) RCW 28C.18.080 (Comprehensive plan--Contents--Updates--Agency
20 operating plans--Reports to the legislature) and 1997 c 369 s 5 & 1995
21 c 130 s 2;

22 (3) RCW 28C.18.090 (Additional board duties--Program evaluation by
23 operating agencies) and 1995 c 130 s 4;

24 (4) RCW 28C.18.100 (Assessments by board--Biennial report to
25 legislature and governor) and 1995 c 130 s 5;

26 (5) RCW 28C.18.110 (Identification of policies and methods to
27 promote efficiency and sharing of resources--Report to governor and
28 legislature) and 1995 c 130 s 6;

29 (6) RCW 50.67.020 (Membership of council--Assistance to work force
30 training and education coordinating board) and 1991 c 238 s 15; and

31 (7) RCW 50.67.030 (Washington youthbuild program--Council to
32 advise) and 1994 sp.s. c 3 s 8.

33 NEW SECTION. **Sec. 15.** Sections 10 and 11 of this act constitute
34 a new chapter in Title 50 RCW.

35 NEW SECTION. **Sec. 16.** If any part of this act is found to be in
36 conflict with federal requirements that are a prescribed condition to

1 the allocation of federal funds to the state, the conflicting part of
2 this act is inoperative solely to the extent of the conflict and with
3 respect to the agencies directly affected, and this finding does not
4 affect the operation of the remainder of this act in its application to
5 the agencies concerned. Rules adopted under this act must meet federal
6 requirements that are a necessary condition to the receipt of federal
7 funds by the state.

8 NEW SECTION. **Sec. 17.** If any provision of this act or its
9 application to any person or circumstance is held invalid, the
10 remainder of the act or the application of the provision to other
11 persons or circumstances is not affected.

12 NEW SECTION. **Sec. 18.** This act is necessary for the immediate
13 preservation of the public peace, health, or safety, or support of the
14 state government and its existing public institutions, and takes effect
15 immediately.

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