
ENGROSSED House Bill 2608

State of Washington

60th Legislature

2008 Regular Session

By Representatives Hasegawa, Wallace, Sells, and Chase; by request of Workforce Training and Education Coordinating Board

Prefiled 01/11/08. Read first time 01/14/08. Referred to Committee on Higher Education.

1 AN ACT Relating to clarifying terms for workforce and economic
2 development; amending RCW 28B.50.030, 28B.50.273, 43.330.090,
3 51.32.099, and 74.08A.250; and providing an expiration date.

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

5 **Sec. 1.** RCW 28B.50.030 and 2007 c 277 s 301 are each amended to
6 read as follows:

7 As used in this chapter, unless the context requires otherwise, the
8 term:

9 (1) "System" shall mean the state system of community and technical
10 colleges, which shall be a system of higher education.

11 (2) "Board" shall mean the workforce training and education
12 coordinating board.

13 (3) "College board" shall mean the state board for community and
14 technical colleges created by this chapter.

15 (4) "Director" shall mean the administrative director for the state
16 system of community and technical colleges.

17 (5) "District" shall mean any one of the community and technical
18 college districts created by this chapter.

1 (6) "Board of trustees" shall mean the local community and
2 technical college board of trustees established for each college
3 district within the state.

4 (7) "Occupational education" shall mean that education or training
5 that will prepare a student for employment that does not require a
6 baccalaureate degree, and education and training leading to an applied
7 baccalaureate degree.

8 (8) "K-12 system" shall mean the public school program including
9 kindergarten through the twelfth grade.

10 (9) "Common school board" shall mean a public school district board
11 of directors.

12 (10) "Community college" shall include those higher education
13 institutions that conduct education programs under RCW 28B.50.020.

14 (11) "Technical college" shall include those higher education
15 institutions with the sole mission of conducting occupational
16 education, basic skills, literacy programs, and offering on short
17 notice, when appropriate, programs that meet specific industry needs.
18 The programs of technical colleges shall include, but not be limited
19 to, continuous enrollment, competency-based instruction, industry-
20 experienced faculty, curriculum integrating vocational and basic skills
21 education, and curriculum approved by representatives of employers and
22 labor. For purposes of this chapter, technical colleges shall include
23 Lake Washington Vocational-Technical Institute, Renton Vocational-
24 Technical Institute, Bates Vocational-Technical Institute, Clover Park
25 Vocational Institute, and Bellingham Vocational-Technical Institute.

26 (12) "Adult education" shall mean all education or instruction,
27 including academic, vocational education or training, basic skills and
28 literacy training, and "occupational education" provided by public
29 educational institutions, including common school districts for persons
30 who are eighteen years of age and over or who hold a high school
31 diploma or certificate. However, "adult education" shall not include
32 academic education or instruction for persons under twenty-one years of
33 age who do not hold a high school degree or diploma and who are
34 attending a public high school for the sole purpose of obtaining a high
35 school diploma or certificate, nor shall "adult education" include
36 education or instruction provided by any four year public institution
37 of higher education.

1 (13) "Dislocated forest product worker" shall mean a forest
2 products worker who: (a)(i) Has been terminated or received notice of
3 termination from employment and is unlikely to return to employment in
4 the individual's principal occupation or previous industry because of
5 a diminishing demand for his or her skills in that occupation or
6 industry; or (ii) is self-employed and has been displaced from his or
7 her business because of the diminishing demand for the business'
8 services or goods; and (b) at the time of last separation from
9 employment, resided in or was employed in a rural natural resources
10 impact area.

11 (14) "Forest products worker" shall mean a worker in the forest
12 products industries affected by the reduction of forest fiber
13 enhancement, transportation, or production. The workers included
14 within this definition shall be determined by the employment security
15 department, but shall include workers employed in the industries
16 assigned the major group standard industrial classification codes "24"
17 and "26" and the industries involved in the harvesting and management
18 of logs, transportation of logs and wood products, processing of wood
19 products, and the manufacturing and distribution of wood processing and
20 logging equipment. The commissioner may adopt rules further
21 interpreting these definitions. For the purposes of this subsection,
22 "standard industrial classification code" means the code identified in
23 RCW 50.29.025(3).

24 (15) "Dislocated salmon fishing worker" means a finfish products
25 worker who: (a)(i) Has been terminated or received notice of
26 termination from employment and is unlikely to return to employment in
27 the individual's principal occupation or previous industry because of
28 a diminishing demand for his or her skills in that occupation or
29 industry; or (ii) is self-employed and has been displaced from his or
30 her business because of the diminishing demand for the business's
31 services or goods; and (b) at the time of last separation from
32 employment, resided in or was employed in a rural natural resources
33 impact area.

34 (16) "Salmon fishing worker" means a worker in the finfish industry
35 affected by 1994 or future salmon disasters. The workers included
36 within this definition shall be determined by the employment security
37 department, but shall include workers employed in the industries

1 involved in the commercial and recreational harvesting of finfish
2 including buying and processing finfish. The commissioner may adopt
3 rules further interpreting these definitions.

4 (17) "Rural natural resources impact area" means:

5 (a) A nonmetropolitan county, as defined by the 1990 decennial
6 census, that meets three of the five criteria set forth in subsection
7 (18) of this section;

8 (b) A nonmetropolitan county with a population of less than forty
9 thousand in the 1990 decennial census, that meets two of the five
10 criteria as set forth in subsection (18) of this section; or

11 (c) A nonurbanized area, as defined by the 1990 decennial census,
12 that is located in a metropolitan county that meets three of the five
13 criteria set forth in subsection (18) of this section.

14 (18) For the purposes of designating rural natural resources impact
15 areas, the following criteria shall be considered:

16 (a) A lumber and wood products employment location quotient at or
17 above the state average;

18 (b) A commercial salmon fishing employment location quotient at or
19 above the state average;

20 (c) Projected or actual direct lumber and wood products job losses
21 of one hundred positions or more;

22 (d) Projected or actual direct commercial salmon fishing job losses
23 of one hundred positions or more; and

24 (e) An unemployment rate twenty percent or more above the state
25 average. The counties that meet these criteria shall be determined by
26 the employment security department for the most recent year for which
27 data is available. For the purposes of administration of programs
28 under this chapter, the United States post office five-digit zip code
29 delivery areas will be used to determine residence status for
30 eligibility purposes. For the purpose of this definition, a zip code
31 delivery area of which any part is ten miles or more from an urbanized
32 area is considered nonurbanized. A zip code totally surrounded by zip
33 codes qualifying as nonurbanized under this definition is also
34 considered nonurbanized. The office of financial management shall make
35 available a zip code listing of the areas to all agencies and
36 organizations providing services under this chapter.

37 (19) "Applied baccalaureate degree" means a baccalaureate degree

1 awarded by a college under RCW 28B.50.810 for successful completion of
2 a program of study that is:

3 (a) Specifically designed for individuals who hold an associate of
4 applied science degree, or its equivalent, in order to maximize
5 application of their technical course credits toward the baccalaureate
6 degree; and

7 (b) Based on a curriculum that incorporates both theoretical and
8 applied knowledge and skills in a specific technical field.

9 (20) "Qualified institutions of higher education" means:

10 (a) Washington public community and technical colleges;

11 (b) Private career schools that are members of an accrediting
12 association recognized by rule of the higher education coordinating
13 board for the purposes of chapter 28B.92 RCW; and

14 (c) Washington state apprenticeship and training council-approved
15 apprenticeship programs.

16 (21) "High employer demand program of study" means an
17 apprenticeship, or an undergraduate or graduate certificate or degree
18 program in which the number of students prepared for employment per
19 year from in-state institutions is substantially less than the number
20 of projected job openings per year in that field, statewide or in a
21 substate region.

22 **Sec. 2.** RCW 28B.50.273 and 2007 c 277 s 201 are each amended to
23 read as follows:

24 The college board, in partnership with business, labor, and the
25 workforce training and education coordinating board, shall:

26 (1) Identify (~~(job specific training programs)~~) high employer
27 demand programs of study offered by qualified postsecondary
28 institutions that lead to a credential, certificate, or degree (~~in~~
29 ~~high demand occupations, which are occupations where data show that~~
30 ~~employer demand for workers exceeds the supply of qualified job~~
31 ~~applicants throughout the state or in a specific region, and where~~
32 ~~training capacity is underutilized));~~

33 (2) Gain recognition of the credentials, certificates, and degrees
34 by Washington's employers and labor organizations. The college board
35 shall designate these recognized credentials, certificates, and degrees
36 as "opportunity grant-eligible programs of study"; and

1 (3) Market the credentials, certificates, and degrees to potential
2 students, businesses, and apprenticeship programs as a way for
3 individuals to advance in their careers and to better meet the needs of
4 industry.

5 **Sec. 3.** RCW 43.330.090 and 2007 c 228 s 201 are each amended to
6 read as follows:

7 (1) The department shall work with private sector organizations,
8 industry and (~~cluster~~) sector associations, federal agencies, state
9 agencies that use a (~~cluster~~) sector-based approach to service
10 delivery, local governments, local associate development organizations,
11 and higher education and training institutions in the development of
12 industry (~~cluster~~) sector-based strategies to diversify the economy,
13 facilitate technology transfer and diffusion, and increase value-added
14 production. The industry (~~clusters~~) sectors targeted by the
15 department may include, but are not limited to, aerospace, agriculture,
16 food processing, forest products, marine services, health and
17 biomedical, software, digital and interactive media, transportation and
18 distribution, and microelectronics. The department shall, on a
19 continuing basis, evaluate the potential return to the state from
20 devoting additional resources to an industry (~~cluster~~) sector-based
21 approach to economic development and identifying and assisting
22 additional (~~clusters~~) sectors. The department shall use information
23 gathered in each service delivery region in formulating its industry
24 (~~cluster~~) sector-based strategies and shall assist local communities
25 in identifying regional industry (~~clusters~~) sectors and developing
26 industry (~~cluster~~) sector-based strategies.

27 (2)(a) The department shall promote, market, and encourage growth
28 in the production of films and videos, as well as television
29 commercials within the state; to this end the department is directed to
30 assist in the location of a film and video production studio within the
31 state.

32 (b) The department may, in carrying out its efforts to encourage
33 film and video production in the state, solicit and receive gifts,
34 grants, funds, fees, and endowments, in trust or otherwise, from
35 tribal, local, or other governmental entities, as well as private
36 sources, and may expend the same or any income therefrom for the

1 encouragement of film and video production. All revenue received for
2 such purposes shall be deposited into the film and video promotion
3 account created in RCW 43.330.092.

4 (3) In assisting in the development of regional and statewide
5 industry ((~~cluster~~)) sector-based strategies, the department's
6 activities shall include, but are not limited to:

7 (a) Facilitating regional focus group discussions and conducting
8 studies to identify industry clusters, appraise the current information
9 linkages within a cluster, and identify issues of common concern within
10 a cluster;

11 (b) Supporting industry and cluster associations, publications of
12 association and cluster directories, and related efforts to create or
13 expand the activities of industry and cluster associations;

14 (c) Administering a competitive grant program to fund activities
15 designed to further regional cluster growth. In administering the
16 program, the department shall work with an industry cluster advisory
17 committee with equal representation from the work force training and
18 education coordinating board, the state board for community and
19 technical colleges, the employment security department, business, and
20 labor.

21 (i) The industry cluster advisory committee shall recommend
22 criteria for evaluating applications for grant funds and recommend
23 applicants for receipt of grant funds.

24 (ii) Applicants must include organizations from at least two
25 counties and participants from the local business community. Eligible
26 organizations include, but are not limited to, local governments,
27 economic development councils, chambers of commerce, federally
28 recognized Indian tribes, workforce development councils, and
29 educational institutions.

30 (iii) Applications must evidence financial participation of the
31 partner organizations.

32 (iv) Priority shall be given to applicants which will use the grant
33 funds to build linkages and joint projects, to develop common resources
34 and common training, and to develop common research and development
35 projects or facilities.

36 (v) The maximum amount of a grant is one hundred thousand dollars.

37 (vi) A maximum of one hundred thousand dollars total can go to
38 King, Pierce, Kitsap, and Snohomish counties combined.

1 (vii) No more than ten percent of funds received for the grant
2 program may be used by the department for administrative costs.

3 (4) As used in (~~subsection (3) of~~) this section(~~(7)~~):

4 (a) "Industry cluster" means a geographic concentration of
5 interdependent competitive firms that do business with each other(~~(-~~
6 ~~"Industry cluster" also includes~~), including firms that sell inside
7 and outside of the geographic region as well as support firms that
8 supply raw materials, components, and business services, and other
9 institutions including government and education.

10 (b) "Sector" means a group of industries with similar business
11 processes, products, or services, such as construction or health
12 services; formerly categorized by the standard industrial
13 classification system, now categorized by the North American industry
14 classification system.

15 **Sec. 4.** RCW 51.32.099 and 2007 c 72 s 2 are each amended to read
16 as follows:

17 (1)(a) The legislature intends to create improved vocational
18 outcomes for Washington state injured workers and employers through
19 legislative and regulatory change under a pilot program for the period
20 of January 1, 2008, through June 30, 2013. This pilot vocational
21 system is intended to allow opportunities for eligible workers to
22 participate in meaningful retraining in high demand occupations,
23 improve successful return to work and achieve positive outcomes for
24 workers, reduce the incidence of repeat vocational services, increase
25 accountability and responsibility, and improve cost predictability. To
26 facilitate the study and evaluation of the results of the proposed
27 changes, the department shall establish the temporary funding of
28 certain state fund vocational costs through the medical aid account to
29 ensure the appropriate assessments to employers for the costs of their
30 claims for vocational services in accordance with RCW 51.32.0991.

31 (b) An independent review and study of the effects of the pilot
32 program shall be conducted to determine whether it has achieved the
33 appropriate outcomes at reasonable cost to the system. The review
34 shall include, at a minimum, a report on the department's performance
35 with regard to the provision of vocational services, the skills
36 acquired by workers who receive retraining services, the types of
37 training programs approved, whether the workers are employed, at what

1 jobs and wages after completion of the training program and at various
2 times subsequent to their claim closure, the number and demographics of
3 workers who choose the option provided in subsection (4)(b) of this
4 section, and their employment and earnings status at various times
5 subsequent to claim closure. The department may adopt rules, in
6 collaboration with the subcommittee created under (c)(iii) of this
7 subsection, to further define the scope and elements of the required
8 study. Reports of the independent researcher are due on December 1,
9 2010, December 1, 2011, and December 1, 2012.

10 (c) In implementing the pilot program, the department shall:

11 (i) Establish a vocational initiative project that includes
12 participation by the department as a partner with WorkSource, the
13 established state system that administers the federal workforce
14 investment act of 1998. As a partner, the department shall place
15 vocational professional full-time employees at pilot WorkSource
16 locations; refer some workers for vocational services to these
17 vocational professionals; and work with employers in work source pilot
18 areas to market the benefits of on-the-job training programs and with
19 community colleges to reserve slots in high employer demand programs of
20 study as defined in RCW 28B.50.030. These on-the-job training programs
21 and community college slots may be considered by both department and
22 private sector vocational professionals for vocational plan
23 development. The department will also assist stakeholders in
24 developing additional vocational training programs in various
25 industries, including but not limited to agriculture and construction.
26 These programs will expand the choices available to injured workers in
27 developing their vocational training plans with the assistance of
28 vocational professionals.

29 (ii) Develop and maintain a register of state fund and self-insured
30 workers who have been retrained or have selected any of the vocational
31 options described in this section for at least the duration of the
32 pilot program.

33 (iii) Create a vocational rehabilitation subcommittee made up of
34 members appointed by the director for at least the duration of the
35 pilot program. This subcommittee shall provide the business and labor
36 partnership needed to maintain focus on the intent of the pilot
37 program, as described in this section, and provide consistency and
38 transparency to the development of rules and policies. The

1 subcommittee shall report to the director at least annually and
2 recommend to the director and the legislature any additional statutory
3 changes needed, which may include extension of the pilot period. The
4 subcommittee shall provide input and oversight with the department
5 concerning the study required under (b) of this subsection. The
6 subcommittee shall provide recommendations for additional changes or
7 incentives for injured workers to return to work with their employer of
8 injury.

9 (iv) The department shall develop an annual report concerning
10 Washington's workers' compensation vocational rehabilitation system to
11 the legislature and to the subcommittee by December 1, 2009, and
12 annually thereafter with the final report due by December 1, 2012. The
13 annual report shall include the number of workers who have participated
14 in more than one vocational training plan beginning with plans approved
15 on January 1, 2008, and in which industries those workers were
16 employed. The final report shall include the department's assessment
17 and recommendations for further legislative action, in collaboration
18 with the subcommittee.

19 (2)(a) For the purposes of this section, the day the worker
20 commences vocational plan development means the date the department or
21 self-insurer notifies the worker of his or her eligibility for plan
22 development services.

23 (b) When vocational rehabilitation is both necessary and likely to
24 make the worker employable at gainful employment, he or she shall be
25 provided with services necessary to develop a vocational plan that, if
26 completed, would render the worker employable. The vocational
27 professional assigned to the claim shall, at the initial meeting with
28 the worker, fully inform the worker of the return-to-work priorities
29 set forth in RCW 51.32.095(2) and of his or her rights and
30 responsibilities under the workers' compensation vocational system.
31 The department shall provide tools to the vocational professional for
32 communicating this and other information required by RCW 51.32.095 and
33 this section to the worker.

34 (c) On the date the worker commences vocational plan development,
35 the department shall also inform the employer in writing of the
36 employer's right to make a valid return-to-work offer during the first
37 fifteen days following the commencement of vocational plan development.
38 To be valid, the offer must be for bona fide employment with the

1 employer of injury, consistent with the worker's documented physical
2 and mental restrictions as provided by the worker's health care
3 provider. When the employer makes a valid return-to-work offer, the
4 vocational plan development services and temporary total disability
5 compensation shall be terminated effective (~~([on])~~) on the starting
6 date for the job without regard to whether the worker accepts the
7 return-to-work offer. Following the fifteen-day period, the employer
8 may still provide, and the worker may accept, any valid return-to-work
9 offer. The worker's acceptance of such an offer shall result in the
10 termination of vocational plan development or implementation services
11 and temporary total disability compensation effective the day the
12 employment begins.

13 (3)(a) All vocational plans must contain an accountability
14 agreement signed by the worker detailing expectations regarding
15 progress, attendance, and other factors influencing successful
16 participation in the plan. Failure to abide by the agreed expectations
17 shall result in suspension of vocational benefits pursuant to RCW
18 51.32.110.

19 (b) Any formal education included as part of the vocational plan
20 must be for an accredited or licensed program or other program approved
21 by the department. The department shall develop rules that provide
22 criteria for the approval of nonaccredited or unlicensed programs.

23 (c) The vocational plan for an individual worker must be completed
24 and submitted to the department within ninety days of the day the
25 worker commences vocational plan development. The department may
26 extend the ninety days for good cause. Criteria for good cause shall
27 be provided in rule. The frequency and reasons for good cause
28 extensions shall be reported to the subcommittee created under
29 subsection (1)(c)(iii) of this section.

30 (d) Costs for the vocational plan may include books, tuition, fees,
31 supplies, equipment, child or dependent care, training fees for on-the-
32 job training, the cost of furnishing tools and other equipment
33 necessary for self-employment or reemployment, and other necessary
34 expenses in an amount not to exceed twelve thousand dollars. This
35 amount shall be adjusted effective July 1 of each year for vocational
36 plans or retraining benefits available under subsection (4)(b) of this
37 section approved on or after this date but before June 30 of the next

1 year based on the average percentage change in tuition for the next
2 fall quarter for all Washington state community colleges.

3 (e) The duration of the vocational plan shall not exceed two years
4 from the date the plan is implemented. The worker shall receive
5 temporary total disability compensation under RCW 51.32.090 and the
6 cost of transportation while he or she is actively and successfully
7 participating in a vocational plan.

8 (f) If the worker is required to reside away from his or her
9 customary residence, the reasonable cost of board and lodging shall
10 also be paid.

11 (4) Vocational plan development services shall be completed within
12 ninety days of commencing. During vocational plan development the
13 worker shall, with the assistance of a vocational professional,
14 participate in vocational counseling and occupational exploration to
15 include, but not be limited to, identifying possible job goals,
16 training needs, resources, and expenses, consistent with the worker's
17 physical and mental status. A vocational rehabilitation plan shall be
18 developed by the worker and the vocational professional and submitted
19 to the department or self-insurer. Following this submission, the
20 worker shall elect one of the following options:

21 (a) Option 1: The department or self-insurer implements and the
22 worker participates in the vocational plan developed by the vocational
23 professional and approved by the worker and the department or
24 self-insurer. For state fund claims, the department must review and
25 approve the vocational plan before implementation may begin. If the
26 department takes no action within fifteen days, the plan is deemed
27 approved. The worker may, within fifteen days of approval of the plan
28 by the department, elect option 2.

29 (i) Following successful completion of the vocational plan, any
30 subsequent assessment of whether vocational rehabilitation is both
31 necessary and likely to enable the injured worker to become employable
32 at gainful employment under RCW 51.32.095(1) shall include
33 consideration of transferable skills obtained in the vocational plan.

34 (ii) If a vocational plan is successfully completed on a claim
35 which is thereafter reopened as provided in RCW 51.32.160, the cost and
36 duration available for any subsequent vocational plan is limited to
37 that in subsection (3)(d) and (e) of this section, less that previously
38 expended.

1 (b) Option 2: The worker declines further vocational services
2 under the claim and receives an amount equal to six months of temporary
3 total disability compensation under RCW 51.32.090. The award is
4 payable in biweekly payments in accordance with the schedule of
5 temporary total disability payments, until such award is paid in full.
6 These payments shall not include interest on the unpaid balance.
7 However, upon application by the worker, and at the discretion of the
8 department, the compensation may be converted to a lump sum payment.
9 The vocational costs defined in subsection (3)(d) of this section shall
10 remain available to the worker, upon application to the department or
11 self-insurer, for a period of five years. The vocational costs shall,
12 if expended, be available for programs or courses at any accredited or
13 licensed institution or program from a list of those approved by the
14 department for tuition, books, fees, supplies, equipment, and tools,
15 without department or self-insurer oversight. The department shall
16 issue an order as provided in RCW 51.52.050 confirming the option 2
17 election, setting a payment schedule, and terminating temporary total
18 disability benefits. The department shall thereafter close the claim.

19 (i) If within five years from the date the option 2 order becomes
20 final, the worker is subsequently injured or suffers an occupational
21 disease or reopens the claim as provided in RCW 51.32.160, and
22 vocational rehabilitation is found both necessary and likely to enable
23 the injured worker to become employable at gainful employment under RCW
24 51.32.095(1), the duration of any vocational plan under subsection
25 (3)(e) of this section shall not exceed eighteen months.

26 (ii) If the available vocational costs are utilized by the worker,
27 any subsequent assessment of whether vocational rehabilitation is both
28 necessary and likely to enable the injured worker to become employable
29 at gainful employment under RCW 51.32.095(1) shall include
30 consideration of the transferable skills obtained.

31 (iii) If the available vocational costs are utilized by the worker
32 and the claim is thereafter reopened as provided in RCW 51.32.160, the
33 cost available for any vocational plan is limited to that in subsection
34 (3)(d) of this section less that previously expended.

35 (iv) Option 2 may only be elected once per worker.

36 (c) The director, in his or her sole discretion, may provide the
37 worker vocational assistance not to exceed that in subsection (3) of

1 this section, without regard to the worker's prior option selection or
2 benefits expended, where vocational assistance would prevent permanent
3 total disability under RCW 51.32.060.

4 (5)(a) As used in this section, "vocational plan interruption"
5 means an occurrence which disrupts the plan to the extent the
6 employability goal is no longer attainable. "Vocational plan
7 interruption" does not include institutionally scheduled breaks in
8 educational programs, occasional absence due to illness, or
9 modifications to the plan which will allow it to be completed within
10 the cost and time provisions of subsection (3)(d) and (e) of this
11 section.

12 (b) When a vocational plan interruption is beyond the control of
13 the worker, the department or self-insurer shall recommence plan
14 development. If necessary to complete vocational services, the cost
15 and duration of the plan may include credit for that expended prior to
16 the interruption. A vocational plan interruption is considered outside
17 the control of the worker when it is due to the closure of the
18 accredited institution, when it is due to a death in the worker's
19 immediate family, or when documented changes in the worker's accepted
20 medical conditions prevent further participation in the vocational
21 plan.

22 (c) When a vocational plan interruption is the result of the
23 worker's actions, the worker's entitlement to benefits shall be
24 suspended in accordance with RCW 51.32.110. If plan development or
25 implementation is recommenced, the cost and duration of the plan shall
26 not include credit for that expended prior to the interruption. A
27 vocational plan interruption is considered a result of the worker's
28 actions when it is due to the failure to meet attendance expectations
29 set by the training or educational institution, failure to achieve
30 passing grades or acceptable performance review, unaccepted or
31 postinjury conditions that prevent further participation in the
32 vocational plan, or the worker's failure to abide by the accountability
33 agreement per subsection (3)(a) of this section.

34 **Sec. 5.** RCW 74.08A.250 and 2006 c 107 s 2 are each amended to read
35 as follows:

36 Unless the context clearly requires otherwise, as used in this
37 chapter, "work activity" means:

- 1 (1) Unsubsidized paid employment in the private or public sector;
- 2 (2) Subsidized paid employment in the private or public sector,
3 including employment through the state or federal work-study program
4 for a period not to exceed twenty-four months;
- 5 (3) Work experience, including:
 - 6 (a) An internship or practicum, that is paid or unpaid and is
7 required to complete a course of vocational training or to obtain a
8 license or certificate in a high demand (~~(field))~~ occupation, as
9 determined by the employment security department. No internship or
10 practicum shall exceed twelve months; or
 - 11 (b) Work associated with the refurbishing of publicly assisted
12 housing, if sufficient paid employment is not available;
- 13 (4) On-the-job training;
- 14 (5) Job search and job readiness assistance;
- 15 (6) Community service programs;
- 16 (7) Vocational educational training, not to exceed twelve months
17 with respect to any individual;
- 18 (8) Job skills training directly related to employment;
- 19 (9) Education directly related to employment, in the case of a
20 recipient who has not received a high school diploma or a GED;
- 21 (10) Satisfactory attendance at secondary school or in a course of
22 study leading to a GED, in the case of a recipient who has not
23 completed secondary school or received such a certificate;
- 24 (11) The provision of child care services to an individual who is
25 participating in a community service program;
- 26 (12) Internships, that shall be paid or unpaid work experience
27 performed by an intern in a business, industry, or government or
28 nongovernmental agency setting;
- 29 (13) Practicums, which include any educational program in which a
30 student is working under the close supervision of a professional in an
31 agency, clinic, or other professional practice setting for purposes of
32 advancing their skills and knowledge;
- 33 (14) Services required by the recipient under RCW 74.08.025(3) and
34 74.08A.010(3) to become employable; and
- 35 (15) Financial literacy activities designed to be effective in
36 assisting a recipient in becoming self-sufficient and financially

1 stable.

2 NEW SECTION. **Sec. 6.** Section 4 of this act expires June 30, 2013.

--- END ---