
SENATE BILL 5783

State of Washington

63rd Legislature

2013 Regular Session

By Senators Shin, Harper, Keiser, Nelson, Conway, King, Sheldon, Holmquist Newbry, Hasegawa, Hobbs, and Eide

Read first time 02/14/13. Referred to Committee on Higher Education.

1 AN ACT Relating to modifying the Washington customized employment
2 training program to include industry cluster associations; amending RCW
3 28B.67.010, 28B.67.020, and 28B.67.030; and providing an expiration
4 date.

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

6 **Sec. 1.** RCW 28B.67.010 and 2006 c 112 s 2 are each amended to read
7 as follows:

8 The definitions in this section apply throughout this chapter
9 unless the context clearly requires otherwise.

10 (1) "Board" means the state board for community and technical
11 colleges.

12 (2) "Costs of training" and "training costs" means the direct costs
13 experienced under a contract with a qualified training institution for
14 formal technical or skill training, including basic skills. "Costs of
15 training" includes amounts in the contract for costs of instruction,
16 materials, equipment, rental of class space, marketing, and overhead.
17 "Costs of training" does not include employee tuition reimbursements
18 unless the tuition reimbursement is specifically included in a
19 contract.

1 (3) "Participant" means:

2 (a) A private employer or an industry cluster association that,
3 under this chapter, undertakes a training program with a qualified
4 training institution; or

5 (b) A private employer that is a member of an industry cluster
6 association and has hired a trainee of such a program.

7 (4) "Qualified training institution" means a public community or
8 technical college or a private vocational school licensed by either the
9 workforce training and education coordinating board or the higher
10 education coordinating board.

11 (5) "Training allowance" and "allowance" means a voucher, credit,
12 or payment from the board to a participant to cover training costs.

13 (6) "Training program" means a program funded under this chapter at
14 a qualified training institution.

15 **Sec. 2.** RCW 28B.67.020 and 2012 c 46 s 1 are each amended to read
16 as follows:

17 (1) The Washington customized employment training program is hereby
18 created to provide training assistance to employers locating or
19 expanding in the state.

20 (2)(a) Application to receive funding under this program must be
21 made to the board by employers or industry cluster associations in a
22 form and manner as specified by the board. Successful applicants must
23 receive a training allowance from the board to cover the costs of
24 training at a qualified training institution. Employers or industry
25 cluster associations may not receive an allowance for training costs
26 (~~which~~) that exceed the maximum annual training cost per employee, as
27 established by the board, and are not eligible to receive an allowance
28 or allowances of over five hundred thousand dollars per calendar year.

29 (b) Allowances must be granted for applicants who meet the
30 following criteria:

31 (i) The employer or industry cluster association must have entered
32 into an agreement with a qualified training institution to engage in
33 customized training and the employer or industry cluster association
34 must agree to: (A) Upon completion of the training, make a payment to
35 the employment training finance account created in RCW 28B.67.030 in an
36 amount equal to one-quarter of the amount of the training allowance;
37 and (B) over the subsequent eighteen months, make monthly or quarterly

1 payments, as specified in the agreement, to the employment training
2 finance account created in RCW 28B.67.030 in an amount equal to three-
3 quarters of the amount of the training allowance. (~~During calendar~~
4 ~~years 2009 and 2010, participants may delay payments due under this~~
5 ~~section for up to eighteen months.~~) The payments into the employment
6 training finance account provided for in this section do not constitute
7 payment to the institution.

8 (ii) When hiring, (~~the employer~~) participants must make good
9 faith efforts, as determined by the board, to hire from trainees in the
10 participant's training program. The agreement with the qualified
11 training institution provided for in (b)(i) of this subsection must
12 specify terms for reimbursement or additional payment to the employment
13 training finance account by the (~~employer~~) participant if (~~the~~
14 ~~participant does not, when hiring, make~~) good faith efforts to hire
15 from trainees in the participant's training program are not made.

16 (iii) The training allowance may not be used to train workers who
17 have been hired as a result of a strike or lockout.

18 (c) Preference is given to employers with fewer than fifty
19 employees.

20 (d) Preference is given to training that leads to transferable
21 skills that are interchangeable among different jobs, employers, or
22 workplaces.

23 (3) Qualified training institutions may enter into agreements with
24 four-year institutions of higher education, as defined in RCW
25 28B.10.016, in accordance with the interlocal cooperation act, chapter
26 39.34 RCW.

27 (4) The board and qualified training institutions may solicit and
28 receive gifts, grants, funds, fees, and endowments, in trust or
29 otherwise, from tribal, local, federal, or other governmental entities,
30 as well as private sources, for the purpose of providing training
31 allowances under chapter 112, Laws of 2006. All revenue thus solicited
32 and received must be deposited into the employment training finance
33 account created in RCW 28B.67.030.

34 (5) Qualified training institutions must make good faith efforts to
35 develop training programs using trainers preferred by participants.

36 (6) For employers who (a) have requested training under the job
37 skills program created under chapter 28C.04 RCW but are not able to
38 participate in the job skills program because the funds have all been

1 committed, and (b) desire to become participants in the Washington
2 customized employment training program, the board shall ensure a
3 seamless process toward participation.

4 (7) The board may adopt rules to implement this section.

5 (8) This section expires July 1, 2017.

6 **Sec. 3.** RCW 28B.67.030 and 2012 c 46 s 2 are each amended to read
7 as follows:

8 (1) All payments received from a participant in the Washington
9 customized employment training program created in RCW 28B.67.020 must
10 be deposited into the employment training finance account, which is
11 hereby created in the custody of the state treasurer. Only the state
12 board for community and technical colleges may authorize expenditures
13 from the account and no appropriation is required for expenditures.
14 The money in the account must be used solely for training allowances
15 under the Washington customized employment training program created in
16 RCW 28B.67.020 and for providing up to seventy-five thousand dollars
17 per year for training, marketing, and facilitation services to increase
18 the use of the program. The deposit of payments under this section
19 from a participant ceases when the board specifies that the participant
20 has met the monetary obligations of the program. (~~During the 2007-~~
21 ~~2009 fiscal biennium, the legislature may transfer from the employment~~
22 ~~training finance account to the state general fund such amounts as~~
23 ~~reflect the excess fund balance in the account.))~~

24 (2) All revenue solicited and received under the provisions of RCW
25 28B.67.020(4) must be deposited into the employment training finance
26 account to provide training allowances.

27 (3) The definitions in RCW 28B.67.010 apply to this section.

28 (4) This section expires July 1, 2017.

29 NEW SECTION. **Sec. 4.** Section 1 of this act expires July 1, 2017.

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