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SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1994



ENROLLED

Com. Sub. For
HOUSE BILL No. *4019*.....

(By Delegate *Mr. Speaker, Mr. Chambers,*
and Delegate Burk)
[By Request of the Executive]

Passed *March 12,* 1994

In Effect *From* Passage

ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 4019

(By MR. SPEAKER, MR. CHAMBERS, AND DELEGATE BURK)
[By Request of the Executive]

[Passed March 12, 1994; in effect from passage.]

AN ACT to amend chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article twenty-three, relating to creation of a governor's work force development council.

Be it enacted by the Legislature of West Virginia:

That chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article twenty-three, to read as follows:

ARTICLE 23. GOVERNOR'S WORK FORCE DEVELOPMENT COUNCIL.

§5-23-1. Governor's work force development council created; legislative findings; purpose of council; quarterly reports; conclusion of work.

1 (a) The Legislature finds that new technologies,
2 production processes and management structures are
3 redefining skill needs in the work place from narrow,
4 mindless, repetitive duties to knowing how to learn,
5 perform multiple duties, communicate, perform effec-
6 tively as part of a work team, think creatively and solve

7 problems. These changes have profound significance for
8 both our traditional educational systems and our
9 systems for upgrading the skills of the existing work
10 force. An estimated seventy-five percent of the work
11 force in the year two thousand will consist of persons
12 who are already in the work force. However, over one-
13 quarter of West Virginians between the ages of eighteen
14 and sixty-four do not have a high school diploma and
15 nearly two-thirds have less than two years of postsec-
16 ondary education. The association between skills and
17 opportunity for individual Americans is powerful and
18 growing. Individuals with poor skills are faced with low
19 earnings and limited choices. West Virginia must
20 develop an evolving education and job training system
21 that helps West Virginians become economically self-
22 sufficient and competitive through a continued lifelong
23 learning process. West Virginia currently spends a
24 significant amount of state and federal dollars on
25 education and training programs, but such programs
26 are spread over several different agencies in several
27 different departments. The opportunities for slippage,
28 service gaps and mismatch in the educational con-
29 tinuum required for gaining and maintaining compet-
30 itive work force skills are unsatisfactory. West Virginia
31 must look to improvements in its current efforts in
32 developing the needed lifelong learning system.

33 The Legislature further finds that West Virginia
34 lacks a work force development system which is
35 adequately responsive to the needs of employers seeking
36 to start, expand or improve the competitiveness of their
37 enterprises in the state through measures which include
38 appropriate education and training programs to im-
39 prove the competitiveness of their work force.

40 (b) Therefore, the governor's work force development
41 council is hereby created to develop and implement a
42 plan of action to address the findings set forth in this
43 section. At a minimum, such plan of action shall
44 accomplish the following:

45 (1) Common core competencies and competency
46 certificates for all education and training programs
47 which are based on universal and transferable work

48 place skill requirements and will serve as a warranty
49 to employers that the worker possesses the core work
50 place skills needed to be an effective employee;

51 (2) Strong linkages between public education, higher
52 education, and the wide range of state job training
53 programs to ensure that West Virginians receive the
54 maximum benefit from work force development resour-
55 ces and maintain sufficient options to pursue their
56 career goals;

57 (3) Strong coordination with state, local and regional
58 economic development strategies and the work force
59 needs of employers to ensure that work force develop-
60 ment programs lead to viable employment opportuni-
61 ties, including curricular and programmatic flexibility
62 to ensure that instructional programs will be easily and
63 routinely modified, added and eliminated to reflect
64 changing work force skill requirements and job
65 opportunities;

66 (4) Client focused service delivery which provides easy
67 access for individuals and businesses to appropriate,
68 professional, nonstigmatizing work force education and
69 training assistance which helps them achieve their goals
70 as quickly as possible;

71 (5) Modification, consolidation or elimination of
72 conflicting, duplicative and unnecessary work force
73 development programs, delivery systems and adminis-
74 tration, including any areas in which federal program
75 waivers are needed to improve service delivery; and

76 (6) Designation of those communities that have
77 developed integrated workforce development systems as
78 work force ready zones;

79 (7) Easy access to information for individuals and
80 businesses relating to available options and all education
81 and jobs training programs available within a commun-
82 ity or region, and consideration of how and where such
83 information will be made available;

84 (8) Analysis of the relationship between available
85 training and available jobs;

86 (9) For each vocation or job training program
87 receiving state or federal funding, an unduplicated
88 count of the numbers of persons served by each such
89 program, and an unduplicated count of persons success-
90 fully completing training, the cost of training and the
91 numbers of persons entering employment within one
92 year of completing training;

93 (10) Analysis of the geographical distribution of
94 existing programs classified by the type of training
95 offered and by the entity offering the training; and

96 (11) Other initiatives for workforce development,
97 which may include mobile technology training centers.

98 (c) The governor's work force development council
99 shall be composed of the governor, who shall be the
100 chair of the council, or the governor's chief of staff
101 serving as the governor's designee; the secretary of
102 commerce, labor and environmental resources, or the
103 director of the bureau of employment programs serving
104 as the secretary's designee; the secretary of education
105 and the arts, or the assistant director for community
106 colleges in the higher education central office serving as
107 the secretary's designee; the secretary of health and
108 human resources, or the director of the office of work
109 and training serving as the secretary's designee; the
110 state superintendent of schools, or the assistant super-
111 intendent for technical and adult education serving as
112 the superintendent's designee; the chair of the West
113 Virginia development council, or another private sector
114 member of the council serving as the chair's designee;
115 a labor representative who shall be a member of the
116 joint apprenticeship and training council appointed by
117 the governor; a small business representative who shall
118 be from a firm with twenty-five or less employees
119 appointed by the governor; an industry representative
120 appointed by the governor; and the chair of the joint
121 commission for vocational-technical-occupational educa-
122 tion, or the executive director of the joint commission
123 serving as the chair's designee.

124 (d) Beginning in the first quarter of the fiscal year,
125 one thousand nine hundred ninety-four—ninety-five, the

126 governor's work force development council shall make
127 quarterly reports to the Legislature at such time and in
128 such form as the president of the Senate and the speaker
129 of the House of Delegates shall direct. Such quarterly
130 reports shall advise the Legislature of the progress of
131 the council in developing a plan of action, of its
132 accomplishments in implementing such plan and of
133 problem areas or potential problem areas, including
134 recommendations to the Legislature regarding the need
135 for statutory amendments and the appropriate level of
136 budgetary, regulatory and/or administrative authority
137 of the council to improve accountability, coordination
138 and performance throughout the state's work force
139 development system.

140 On or before the thirtieth day of November, one
141 thousand nine hundred ninety-five, the governor's work
142 force development council as created and composed
143 under the provisions of this article shall conclude its
144 work with the issuance of a final report summarizing
145 its accomplishments and its recommendations for
146 ensuring continued progress in the development of work
147 force competitiveness in West Virginia, including
148 continuation of the council in the same or a modified
149 form, or an alternative oversight structure, as it deems
150 appropriate.

151 (e) To achieve greater efficiency in the blending of
152 resources in public and postsecondary education,
153 technical and adult education, job training partnership
154 act, job opportunities and basic skills, employment
155 services and other work force development programs,
156 the governor's work force development council and the
157 state steering committee for development and imple-
158 mentation of a statewide school-to-work opportunities
159 system shall coordinate their work to the extent feasible
160 and desirable. West Virginia's vision that all West
161 Virginians will possess a core of knowledge, skills and
162 personal attributes that enables them to make smooth
163 transitions among the changing career opportunities
164 and job requirements brought about by changing
165 technologies and international competitiveness has
166 implications for both the formal systems of public and

167 higher education and the large variety of education and
168 training programs for students and adults preparing for
169 entry into the work force, retraining for new careers,
170 or updating their work force skills. While the develop-
171 ment of a school-to-work opportunities system is
172 targeted primarily at the formal educational systems,
173 the huge need for maintaining a competitive work force
174 dictates consideration of a melding of resources in the
175 development of these separate initiatives.

176 (f) The West Virginia development office shall,
177 without hiring additional staff, provide staff support to
178 the council to ensure that economic development
179 activities of the development office are integrated into
180 any workforce development strategies recommended by
181 the council.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Handwritten signature]

Chairman Senate Committee

Ernest C. Moore

Chairman House Committee

Originating in the House.

Takes effect from passage.

David R. Albrow

Clerk of the Senate

Donald L. Gapp
Clerk of the House of Delegates

Neal Burdick
President of the Senate

Carl Kohn
Speaker of the House of Delegates

The within is *disapproved* this the *30th* day of *May*, 1994.

Walter D. Bland
Governor

PRESENTED TO THE

GOVERNOR

Date 3/29/9

Time 11:41a