

1 Introduced by Committee on Commerce and Economic Development

2 Date:

3 Subject: Commerce and trade; workforce development

4 Statement of purpose of bill as introduced: This bill proposes to adopt
5 miscellaneous provisions relating to workforce development.

6 An act relating to workforce development

7 It is hereby enacted by the General Assembly of the State of Vermont:

8 * * * Workforce Training;

9 Vermont Training Program; Weatherization * * *

10 Sec. 1. VERMONT TRAINING PROGRAM; WORKFORCE TRAINING

11 ALLOCATIONS

12 (a) In an effort to promote access to training opportunities for Vermont
13 small businesses, and to increase the resources available for employees to
14 obtain recognized credentials of value, of the amounts appropriated to the
15 Agency of Commerce and Community Development for the Vermont Training
16 Program in fiscal year 2020:

17 (1) the Agency, working in partnership with the Department of Labor to
18 identify appropriate opportunities, shall employ its best efforts to allocate 25
19 percent of Program funding to provide training that results in an industry-
20 recognized credential; and

1 (2) the Agency shall employ its best efforts to allocated 25 percent of
2 Program funding to provide training for businesses with 50 or fewer
3 employees.

4 (b) In its annual report submitted pursuant to 10 V.S.A. § 531(k) the
5 Agency shall specifically address:

6 (1) whether it was able to achieve the allocations specified in subsection
7 (a) of this section, and if not, the reasons therefor;

8 (2) the distribution of training funds by the number of employees of
9 each business that benefitted from training;

10 (3) the distribution of training funds that resulted in an employee
11 obtaining an industry-recognized credential; and

12 (4) the extent to which the Program benefitted businesses with 50 or
13 fewer employees.

14 Sec. 2. 10 V.S.A. § 531 is amended to read:

15 **§ 531. THE VERMONT TRAINING PROGRAM**

16 (a)(1) The Secretary of Commerce and Community Development, in
17 consultation with the State Workforce Development Board, shall have the
18 authority to design and implement a Vermont Training Program, the purpose
19 of which shall be to issue performance-based grants to employers and to
20 education and training providers to increase employment opportunities in
21 Vermont consistent with this chapter.

1 (2) The Secretary shall structure the Vermont Training Program to serve
2 as a flexible, nimble, and strategic resource for Vermont businesses and
3 workers across all sectors of the economy.

4 (b) Eligibility for grant. The Secretary of Commerce and Community
5 Development may award a grant to an employer if:

6 (1) the training is for preemployment, new employees, or incumbent
7 employees in the methods, either singularly or in combination, relating to
8 preemployment training, on-the-job training, upgrade training, crossover
9 training, or specialized instruction, either on-site or through a training
10 provider;

11 (2) the employer provides its employees with at least three of the
12 following:

13 (A) health care benefits with 50 percent or more of the premium paid
14 by the employer;

15 (B) dental assistance;

16 (C) paid vacation;

17 (D) paid holidays;

18 (E) child care;

19 (F) other extraordinary employee benefits;

20 (G) retirement benefits;

21 (H) other paid time off, excluding paid sick days;

1 (3) the training is directly related to the employment responsibilities of
2 the trainee; and

3 (4) compensation for each trainee at the completion of the training
4 program equals or exceeds the livable wage as defined in 2 V.S.A. § 505,
5 provided that the Secretary shall have the authority to modify this requirement
6 if he or she determines that the employer offers compensation or benefits, the
7 value of which exceeds the compensation and benefit assumptions in the basic
8 needs budget and livable wage calculated pursuant to 2 V.S.A. § 505.

9 (c) In the case of a grant to a training provider, the Secretary shall require as
10 a condition of the grant that the provider shall disclose to the Secretary the
11 name of the employer and the number of employees trained prior to final
12 payment for the training.

13 (d) In order to avoid duplication of programs or services and to provide the
14 greatest return on investment from training provided under this section, the
15 Secretary of Commerce and Community Development shall:

16 (1) consult with the Commissioner of Labor regarding whether the
17 grantee has accessed, or is eligible to access, other workforce education and
18 training resources;

19 (2) disburse grant funds only for training hours that have been
20 successfully completed by employees; ~~provided that,~~ subject to the following:

1 (A) except for an award under an enhanced incentive for workforce
2 training as provided in 32 V.S.A. § 3336, a grant for on-the-job training shall:

3 (i) for a business with 50 or fewer employees, either provide not
4 more than 75 percent of wages for each employee in training or not more than
5 75 percent of trainer expense, but not both;

6 (ii) for all other businesses, either provide not more than 50
7 percent of wages for each employee in training or not more than 50 percent of
8 trainer expense, but not both,~~and further provided that ;~~

9 (B) training shall be performed in accordance with a training plan that
10 defines the subject of the training, the number of training hours, and how the
11 effectiveness of the training will be evaluated; and

12 (3) use funds under this section only to supplement training efforts of
13 employers and not to replace or supplant training efforts of employers.

14 (e) Work-based learning activities.

15 (1) In addition to eligible training authorized in subsection (b) of this
16 section, the Secretary of Commerce and Community Development may
17 annually allocate up to 10 percent of the funding appropriated for the Program
18 to fund work-based learning programs and activities with eligible employers to
19 introduce Vermont students in a middle school, secondary school, career
20 technical education program, or postsecondary school to manufacturers and
21 other regionally significant employers.

1 (2) An employer with a defined work-based learning program or activity
2 developed in partnership with a middle school, secondary school, career
3 technical education program, or postsecondary school may apply to the
4 Program for a grant to offset the costs the employer incurs for the work-based
5 learning program or activity, including the costs of transportation, curriculum
6 development, and materials.

7 (f) Upon completion of the training program for any individual, the
8 Secretary of Commerce and Community Development shall review the records
9 and shall award to the trainee, if appropriate, a certificate of completion for the
10 training.

11 (g)-(j) [Repealed.]

12 (k) Annually on or before January 15, the Secretary shall submit a report to
13 the House Committee on Commerce and Economic Development and the
14 Senate Committee on Economic Development, Housing and General Affairs.

15 In addition to the reporting requirements under section 540 of this title, the
16 report shall identify:

17 (1) all active and completed contracts and grants;

18 (2) from among the following, the category the training addressed:

19 (A) preemployment training or other training for a new employee to
20 begin a newly created position with the employer;

1 (B) preemployment training or other training for a new employee to
2 begin in an existing position with the employer;

3 (C) training for an incumbent employee who, upon completion of
4 training, assumes a newly created position with the employer;

5 (D) training for an incumbent employee who upon completion of
6 training assumes a different position with the employer;

7 (E) training for an incumbent employee to upgrade skills;

8 (3) for the training identified in subdivision (2) of this subsection
9 whether the training is onsite or classroom-based;

10 (4) the number of employees served;

11 (5) the average wage by employer;

12 (6) any waivers granted;

13 (7) the identity of the employer, or, if unknown at the time of the report,
14 the category of employer;

15 (8) the identity of each training provider;

16 (9) whether training results in a wage increase for a trainee, and the
17 amount of increase; and

18 (10) the number, type, and description of grants for work-based learning
19 programs and activities awarded pursuant to subsection (e) of this section.

20 Sec. 3. WORKFORCE TRAINING; WEATHERIZATION

1 (a) In fiscal year 2020 the amount of \$350,000.00 is appropriated from the
2 General Fund to the Office of Economic Opportunity within the Department of
3 Children and Families, which shall provide grant funding to the five Home
4 Weatherization Assistance Programs for the purpose of recruiting and training
5 individuals in the home weatherization industry.

6 (b) Grantees may use the funding for:

7 (1) recruitment efforts of youth, underemployed adults, or other
8 populations;

9 (2) operations for weatherization training programs including training
10 coordinators across the state and

11 (3) stipends and wage subsidies for training participants.

12 (c) The Home Weatherization Assistance Programs are also encouraged to
13 apply for the federal Workforce Innovation Opportunity Act grant funds
14 through the Department of Labor to supplement and enhance the
15 weatherization training programs.

16 (d) On or before January 15, 2020, the Departments of Labor and of
17 Children and Families shall report to the House Committee on Commerce and
18 Economic Development and the Senate Committee on Economic
19 Development, Housing and General Affairs with recommendations on best
20 practices for recruiting, training, and retaining the weatherization workforce in
21 this State.

1 **Sec. 4. VERMONT TALENT PIPELINE MANAGEMENT PROJECT**

2 The Vermont Talent Pipeline Management Project brings value to
3 Vermont’s workforce and economic development initiatives by:

4 (1) convening employers by sector to create industry specific
5 partnerships and employer informed initiatives aimed at addressing skill gaps;

6 (2) engaging post-secondary training and education partners to develop
7 or streamline programs that meet employer and incumbent needs; and

8 (3) highlighting policy, practice, and funding challenges that prevent
9 access to training or that inhibit advancement of workers within high need
10 areas of Vermont’s economy.

11 (b) The Vermont Talent Pipeline Management Project shall have the
12 limited role in the post-secondary workforce and economic development
13 systems of:

14 (1) organizing, convening and maintaining employer collaboratives in
15 key sectors of the economy, identified by available labor market information;

16 (2) broadly sharing competency and credential requirements learned
17 from employer collaboratives, and specifically engaging post-secondary
18 training and post-secondary education partners in the development of new or
19 modification of existing programs; and

20 (3) using a continuous improvement process to ensure employer needs
21 are met.

1 **Sec. 5. 16 V.S.A. § 2846 is amended to read:**

2 § 2846. ~~NONDEGREE~~ ADVANCEMENT GRANTS

3 The Corporation may establish grant programs for residents pursuing
4 nondegree education and training opportunities who do not meet the definition
5 of student in subdivision 2822(3) of this title, and who may not meet the
6 requirements of this subchapter. ~~Nondegree grants~~ Grants may be used at
7 institutions that are not approved postsecondary education institutions. The
8 Corporation may adopt rules or establish policies, procedures, standards, and
9 forms for ~~nondegree~~ grants, including the requirements for applying for and
10 using the grants and the eligibility requirements for the institutions where the
11 grants may be used.

12 Sec. 5a. 10 V.S.A. § 546 is added to read:

13 § 546. STATE POSTSECONDARY ATTAINMENT GOAL

14 (a) To meet workforce and labor market demand, by 2025, 70 percent of
15 working-age Vermonters shall possess a credential of value as defined by the
16 State Workforce Development Board.

17 (b) It is the policy of the state of Vermont to:

18 (1) grow awareness of postsecondary pathways and the individual and
19 public value of continued education after high school;

20 (2) expand postsecondary access so that students of all ages and
21 backgrounds can pursue postsecondary education and training;

1 (3) increase postsecondary success by ensuring that Vermonters have
2 the supports they need to complete a credential of value; and

3 (4) maximize partnerships across and within sectors to achieve State
4 workforce development and education goals.

5 * * * Adult Career and Technical Education; Study * * *

6 **Sec. 6. ADULT CTE STUDY; REPORT**

7 (a) Findings; purpose; creation of committee.

8 (1) Findings. The General Assembly finds:

9 (A) Like many rural states, Vermont faces demographic realities
10 that have resulted in an historically low unemployment rate and created
11 obstacles for employers that seek to hire and retain enough fully-trained
12 employees.

13 (B) Notwithstanding this high employer demand, due to rapidly
14 changing technology and evolving business needs, potential employees may
15 lack the particular skills and training necessary to qualify for available jobs.

16 (C) In order to assist employers and employees in matching demand
17 to requisite skills, Vermont has a broad diversity of adult workforce
18 education and training programs offered by multiple providers, including
19 programs administered or funded by State government, educational
20 institutions, business and industry, and private professionals.

1 (2) Purpose. Consistent with the goals and purposes of H.919 (2018),
2 pursuant to which the State Workforce Development Board and other
3 stakeholders are currently engaged in planning the design and
4 implementation of a fully-integrated workforce development system, it is the
5 purpose of the General Assembly to explore the creation of a fully-integrated
6 adult career and technical education system that:

7 (A) provides Vermonters throughout the State with high quality
8 programs that are standardized and replicable;

9 (B) coordinates, or integrates where appropriate, the many
10 programs and providers to maximize the efficient use of training resources;
11 and

12 (C) features a governance structure that provides consistency across
13 the system whenever appropriate, but also provides the flexibility necessary
14 to respond to local and regional workforce demands.

15 (3) Creation. There is created an Adult Career and Technical
16 Education Study Committee to consider and report to the General Assembly
17 on the design, implementation, and costs of an integrated adult career and
18 technical education system that achieves the results specified in subdivision
19 (2) of this subsection.

20 (b) Membership. The Committee shall be composed of the following
21 members:

1 (1) one current member of the House of Representatives appointed by
2 the Speaker of the House;

3 (2) one current member of the Senate appointed by the Committee on
4 Committees;

5 (3) the Chancellor of the Vermont State Colleges, or designee;

6 (4) the Commissioner of Labor, or designee;

7 (5) the Chair of the State Workforce Development Board, or designee;

8 and

9 (6) a member appointed by the Vermont Adult Technical Education
10 Association.

11 (c) Assistance.

12 (1) The Committee shall have the administrative, legal, and fiscal
13 assistance of the Office of Legislative Council and the Joint Fiscal Office.

14 (2) The Committee may request additional support for subject matter
15 and technical expertise from executive branch agencies and departments as is
16 necessary to complete its work.

17 (d) Report. On or before January 15, 2020 the Committee shall submit a
18 its findings and any recommendations for legislative action to the House and
19 Senate Committees on Education, the House Committee on Commerce and
20 Economic Development, and the Senate Committee on Economic
21 Development, Housing and General Affairs.

1 (e) Meetings.

2 (1) The Office of Legislative Council shall coordinate with the Chair
3 to call the first meeting of the Committee to occur on or before August 15,
4 2019.

5 (2) The first member appointed from the General Assembly shall be
6 the chair.

7 (3) A majority of the membership shall constitute a quorum.

8 (4) The Committee shall cease to exist on January 15, 2020.

9 (f) Compensation and reimbursement.

10 (1) For attendance at meetings during adjournment of the General
11 Assembly, a legislative member of the Committee serving in his or her
12 capacity as a legislator shall be entitled to per diem compensation and
13 reimbursement of expenses pursuant to 2 V.S.A. § 406 for not more than
14 eight meetings. These payments shall be made from monies appropriated to
15 the General Assembly.

16 (2) Other members of the Committee shall be entitled to per diem
17 compensation and reimbursement of expenses as permitted under 32 V.S.A.
18 § 1010 for not more than eight meetings. These payments shall be made
19 from monies appropriated to the General Assembly.

1 (2) The Department of Labor shall coordinate monitoring, information,
2 tracking, and support systems to facilitate the successful connection of these
3 individuals to Vermont employment. Services provided under contracts or
4 grants shall facilitate and expedite the physical transition of any person into the
5 Vermont workforce by providing quick, customized information, resources,
6 referrals, and support.

7 (b) State agencies and State-funded programs shall coordinate with the
8 Department to ensure that services and information that could assist a person in
9 relocating to Vermont are made available through an integrated, employee-
10 centered system. The Department shall pursue working agreements with key
11 employers and nongovernmental organizations to ensure that appropriate
12 expertise is available to program staff and individuals looking to enter
13 Vermont’s job market, through referrals or other information sharing
14 mechanisms.

15 (c) The Department shall coordinate available information for each region
16 that includes labor market information, housing and education information,
17 recreation information, and other relevant resources. The Department shall
18 make the information easily accessible for interested individuals to assist in
19 aspects of preliminary decision making.

20 (d) The Department shall convene regional, multidisciplinary teams to
21 provide community-level knowledge, support, and services to best meet the

1 needs of prospective employees. Partners shall represent expertise from
2 relevant sectors, including housing, transportation, education, health, child
3 care, recreation, and economic development.

4 Sec. 8. ON-BASE RECRUITMENT PILOT PROGRAM

5 (a) The Department of Labor shall work with the Vermont National Guard
6 and public and private employers in health care, construction, manufacturing,
7 business services, transportation, and human services to pilot an on-base
8 recruitment effort that encourages service members separating from military
9 service to relocate to Vermont.

10 (b) The Department shall coordinate with the Agency of Commerce and
11 Community Development to direct available marketing and outreach funds to
12 support targeted recruitment events held on military bases.

13 (c) The Department shall provide limited organizational support to
14 employers interested in participating in private-pay travel to military bases in
15 conjunction with other employers, representatives of the Vermont National
16 Guard, and State officials, for the purpose of promoting employment and
17 relocation to Vermont.

18 (d) Not more than \$25,000 in General Funds may be allocated to the
19 Department to support staff time, supplies, necessary travel, and other related
20 costs.

1 * * * Workforce Training and Credentialing;

2 New Americans; Workers with Barriers to Employment * * *

3 Sec. 9. OFFICE OF PROFESSIONAL REGULATION; REPORT

4 On or before December 15, 2020, the Office of Professional Regulation, in
5 consultation with the Vermont Board of Nursing, shall assess the feasibility of
6 designing and implementing a basic teaching certification program for nurse
7 educators and report its findings to the House Committees on Commerce and
8 Economic Development and on Government Operations and to the Senate
9 Committees on Economic Development, Housing and General Affairs and on
10 Government Operations.

11 **Sec. 10. NEW AMERICANS; BARRIERS TO EMPLOYMENT**

12 (a) The Department of Labor shall preserve and expand apprenticeship as a
13 path to licensure wherever possible and work collaboratively with relevant
14 stakeholders to avoid unnecessary obstacles to participation.

15 (b) The Department shall consider credentialing as a means of making
16 language interpreters available to facilitate interactions with licensing
17 authorities.

18 **Sec. 11. STUDY; WORKFORCE DEVELOPMENT OPPORTUNITIES FOR**
19 **REFUGEES, IMMIGRANTS, AND ASYLYM SEEKERS**

20 (a) Creation. There is created a task force on workforce development
21 opportunities for refugees, immigrants, and asylum seekers living in Vermont.

1 (b) Membership. The task force shall be composed of the following
2 members:

3 (1) The State Refugee Coordinator.

4 (2) A member appointed by the Agency of Human Services Secretary,
5 with expertise in New American workforce development issues.

6 (3) The executive director of AALV, or their designee.

7 (4) The director of Vermont’s Refugee Resettlement/USCRI program.

8 (5) The director of CVOEO’s financial futures program, or designee.

9 (6) A representative of Burlington’s Community and Economic
10 Development Office’s Sustainability, Housing, and Economic Development
11 department.

12 (7) Two Vermont employers with experience hiring and cultivating New
13 American workers.

14 (8) Two members of Vermont’s refugee, immigrant, and immigrant
15 communities, appointed by AALV and VRR.

16 (9) An appointee of the University of Vermont with research expertise
17 in refugee and New American migration in Vermont.

18 (10) **Legislator(s)?**

19 (11) A member appointed by the Vermont Migrant Education Project.

20 (12) A member appointed by the Community Asylum Seekers Project.

21 (13) A member appointed by Rutland Welcomes.

1 (c) Powers and duties. The task force shall study the following:

2 (1) Recommendations identified in the following studies and
3 documents:

4 (A) Occupational Regulation and Migrant Professionals in Vermont:
5 Reducing Barriers for Qualified Immigrants.

6 (B) [Senate Pro Tem Tim Ashe’s memo of February 4, 2019].

7 (C) Vermont New American Community Needs Assessment;
8 Champlain Valley Head Start, 2015.

9 (D) CVOEO’s New American Working Group report.

10 (E) Others as identified by task force membership and/or witnesses.

11 (2) Cultural competency supports needed in Vermont’s employment
12 settings.

13 (3) Training, apprenticeship, and mentorship needs and opportunities.

14 (4) Tools and supports needed for refugees to effectively translate pre-
15 existing educational and professional credentials in Vermont settings.

16 (5) Additional supports needed to ensure employment opportunities,
17 including child care and transportation.

18 (d) Report. On or before December 1, 2019, the task force shall produce a
19 report for House and Senate Economic Development, Gov Ops, and
20 Appropriations committees with recommendations for proposed legislation and
21 investments, in order of priority.

1 **Sec. 12. DEPARTMENT OF LABOR; FIDELITY BONDS**

2 Of the amounts appropriated to the Department of Labor in fiscal year 2020
3 from the Workforce Education and Training Fund, the Department shall
4 allocate not less than \$3,000.00 to purchase fidelity bonds through the Federal
5 Bonding Program to provide insurance against theft or loss for insurers to hire
6 workers with barriers to employment.

7 **Sec. 13. OFFICE OF THE GOVERNOR; REGISTRY OF EMPLOYERS**

8 The Office of the Governor, with support from the Department of Labor,
9 shall create and maintain on its public website a registry of employers who
10 accept applications and are willing to hire workers with barriers to
11 employment, including workers in recovery from addiction and workers with
12 past incarceration.

13 * * * Appropriations * * *

14 **Sec. 14. APPROPRIATIONS**

15 In fiscal year 2020 the amount of \$2,000,000.00 is appropriated from the
16 General Fund to the following recipients for the purposes specified:

17 (1) \$250,000 to the Agency of Commerce and Community Development
18 for economic development marketing pursuant to its authority in 3 V.S.A.
19 § 2476(c) to execute the State's core Economic Development Marketing Plan
20 through paid, owned, and earned media, utilizing technology, data, and
21 analysis tools;

1 (2) \$250,000 to the Agency of Commerce and Community Development
2 to identify, recruit, and provide relocation assistance to workers, including:

3 (A) identifying target audiences;

4 (B) targeting through digital and social media; and

5 (C) implementing strategies that convert visitors to residents and
6 awarding grants for regional partnerships to help recruitment efforts at the
7 local and regional levels;

8 (3) \$500,000 to the Department of Labor to implement a relocation
9 support system pursuant to 10 V.S.A. § 546;

10 (4) \$1,050,000 to the Department of Labor as follows:

11 (A) \$50,000 for a grant to the Community College of Vermont to
12 provide robotics training at its Rutland location; and

13 (B) \$1,000,000 to expand opportunities for apprenticeships, training,
14 and adult career and technical education, which may include funding to
15 replicate in additional locations the robotics training program at the Rutland
16 location of the Community College of Vermont.

17 * * * Effective Date * * *

18 Sec. 15. EFFECTIVE DATE

19 This act shall take effect on July 1, 2019.