

THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 2018-04 AMENDED]

Pennsylvania Workforce Development Board

August 2, 2018

Whereas, the Commonwealth of Pennsylvania is a national leader in workforce development; and

Whereas, the Commonwealth's economic success depends on a well-educated, highly-skilled workforce trained for the jobs of the future; and

Whereas, the Commonwealth's workforce development system is made up of workforce, education, economic development, human services, and other partners all working together to serve job seekers and employers; and

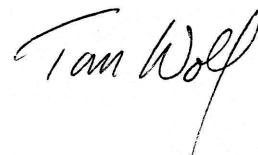
Whereas, a successful workforce development system is built on a foundation of collaboration, alignment, innovation, customer engagement, performance accountability, and labor market information; and

Whereas, the Workforce Innovation and Opportunity Act (WIOA) requires state workforce development partners to work in a coordinated way to help job seekers advance their careers, and help employers build their workforce; and

Whereas, WIOA also outlines workforce development priorities for states including serving individuals with barriers to employment, creating career pathways, advancing sector-based strategies, and using data to drive decision-making; and

Whereas, the Commonwealth has an opportunity to work in a coordinated effort across agencies to address the entire workforce continuum, implement WIOA, and achieve the goals and strategies for workforce development in its WIOA Combined State Plan.

Now, Therefore, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania, the Workforce Innovation and Opportunity Act and other laws, do hereby designate the Pennsylvania Workforce Development Board as the Commonwealth's state workforce development board in accordance with Section 101 of the Workforce Investment and Opportunity Act and invest it with the necessary powers to perform the duties and responsibilities set forth herein.



Governor

Fiscal Note: GOV-2018-04. No fiscal impact; (8) recommends adoption.

Annex A
TITLE 4. ADMINISTRATION
PART I. GOVERNOR'S OFFICE
CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES
Subchapter EEE. PENNSYLVANIA WORKFORCE DEVELOPMENT BOARD

§ 6.681. Purpose.

The purpose of the Pennsylvania Workforce Development Board (Board) is to assist the Governor in:

(1) Reviewing and coordinating State workforce development policies, initiatives, strategies and programs.

(2) Recommending actions to create an aligned, streamlined and improved workforce development system, including the one-stop service delivery system.

(3) Ensuring and facilitating coordination among the following Commonwealth agencies in the development and evaluation of policies, initiatives, strategies and programs to address current and emerging workforce needs:

- (i) Department of Aging.
- (ii) Department of Agriculture.
- (iii) Department of Community and Economic Development.
- (iv) Department of Corrections.
- (v) Department of Education.
- (vi) Department of Human Services.
- (vii) Department of Labor and Industry.

(4) Developing, implementing and modifying the State's workforce development plan.

(5) Reviewing and approving regional and local workforce development plans consistent with the State workforce development plan.

(6) Designating local workforce development areas and developing workforce development funding allocation formulas.

(7) Developing and updating State performance accountability measures and tracking progress toward implementation of the State's workforce development plan.

(8) Collaborating and coordinating with State boards and commissions that shape the economic development and education systems of the Commonwealth to develop Statewide policies that improve workforce development alignment and outcomes across those systems, which may include the following:

- (i) State Board of Education.
- (ii) Ben Franklin Technology Development Authority.
- (iii) Pennsylvania Apprenticeship and Training Council.
- (iv) State Board of Vocational Rehabilitation.
- (v) Pennsylvania Commission for Community Colleges.
- (vi) Pennsylvania State System of Higher Education.
- (vii) State-related universities.
- (viii) Pennsylvania Higher Education Assistance Agency.
- (ix) Pennsylvania Early Learning Council.
- (x) Early Learning Investment Commission.
- (xi) Pennsylvania Reentry Council.
- (xii) Governor's Advisory Council on Library Development.

- (xiii) Pennsylvania Council on Aging.
- (xiv) Pennsylvania Commission for Agriculture Education Excellence.

(9) Ensuring that the policies, performance measures, goals and resource strategies implemented by the Board are developed with appropriate and meaningful engagement of individuals and entities impacted and served by the Commonwealth's workforce development system.

(10) Developing accessible workforce and labor market information.

(11) Coordinating the provision of services among State agencies consistent with the laws and regulations governing workforce development programs and the State's workforce development plan.

§ 6.682. Membership.

The membership of the Pennsylvania Workforce Development Board (Board) shall be in accordance with the requirements for State workforce development boards found in section 101 of the Workforce Innovation and Opportunity Act (29 U.S.C.A. § 3111). Board members shall serve or be appointed as follows:

- (1) The Governor or a designee.
- (2) Two members of each chamber of the General Assembly or a designee.
- (3) The following representatives appointed by the Governor:

(i) A majority of appointees to the Board shall be representatives of the private sector business community in this Commonwealth, including small business owners, chief executive or operating officers, or other business executives with optimum policymaking or hiring authority, including members of local workforce development boards and employers that reflect the current and emerging workforce needs of this Commonwealth.

(ii) At least 20% of appointees to the Board shall be representatives of workforce and community organizations in this Commonwealth.

(A) Membership shall include representatives of labor organizations, who have been nominated by State labor federations.

(B) Membership shall include a representative, who shall be a member of a labor organization or a training director, from a joint labor-management apprenticeship program, or if a joint program does not exist in this Commonwealth, a representative of an apprenticeship program in this Commonwealth.

(C) Membership may include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training or education needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive, integrated employment for individuals with disabilities.

(D) Membership may include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.

(iii) The remaining appointees to the Board shall be representatives of government, including:

- (A) Chief local elected officials.
- (B) Members of the Governor's cabinet as follows:

1 The Secretary of Aging or designee who oversees workforce development within the Department of Aging and serves as a member of the Secretary of Aging's executive team.

2 The Secretary of Agriculture or designee who oversees workforce development within the Department of Agriculture and serves as a member of the Secretary of Agriculture's executive team.

3 The Secretary of Community and Economic Development or designee who oversees workforce development within the Department of Community

and Economic Development and serves as a member of the Secretary of Community and Economic Development's executive team.

4 The Secretary of Corrections or designee who oversees workforce development within the Department of Corrections and serves as a member of the Secretary of Corrections' executive team.

5 The Secretary of Education or designee who oversees workforce development within the Department of Education and serves as a member of the Secretary of Education's executive team.

6 The Secretary of Human Services or designee who oversees workforce development within the Department of Human Services and serves as a member of the Secretary of Human Services' executive team.

7 The Secretary of Labor and Industry or designee who oversees workforce development within the Department of Labor and Industry and serves as a member of the Secretary of Labor and Industry's executive team.

(C) The Secretary of Policy and Planning, Office of the Governor or a designee.

(D) Any other representative or State official the Governor may designate.

(4) Board members appointed by the Governor shall serve at the pleasure of the Governor.

(5) The Board's membership shall reflect the diversity of this Commonwealth.

§ 6.683. Terms.

The Pennsylvania Workforce Development Board shall establish staggered terms for members.

§ 6.684. Chair.

The Governor will designate one private-sector business member to serve as chair. The chair shall serve at the pleasure of the Governor.

§ 6.685. Executive Director and staff.

(a) The Governor will appoint an Executive Director to oversee the Pennsylvania Workforce Development Board's (Board) operations.

(b) The Executive Director shall have the authority to hire staff to carry out the Board's duties and responsibilities.

(c) The Executive Director shall report directly to the Secretary of Labor and Industry and the Secretary of Policy and Planning on the work of the Board.

(d) The Executive Director shall regularly convene meetings with the agency secretaries or designees who oversee workforce development within the agencies and serve as members of the secretaries' executive teams listed in § 6.682(3)(iii)(B) (relating to membership) to ensure the Board is meeting its purpose as set out in § 6.681 (relating to purpose).

§ 6.686. Responsibilities of State Agencies.

(a) Executive State agencies listed in § 6.681(3) (relating to purpose) shall identify:

1) A designated workforce development representative who oversees or coordinates workforce development within the agency and serves as a member of the secretary's executive team.

2) An agency policy director or designee, to provide support and participate in activities coordinated by the Pennsylvania Workforce Development Board (Board).

(b) All executive State agencies shall respond to recommendations made by the Board regarding the State and Federal workforce development policies and other recommendations of the Board directly related to the development, implementation, improvement and operation of the Commonwealth's workforce development system.

(c) All executive State agencies shall give to the Board any necessary staffing, equipment, data and any other resources or assistance required by the Board in the performance of its operations, duties and responsibilities so far as is compatible with the authority and ability of each State agency.

(d) All executive State agencies shall work in cooperation with the Board to develop and drive one coordinated State workforce development policy.

§ 6.687. Reporting.

(a) The Pennsylvania Workforce Development Board (Board) shall report to the Secretary of Policy and Planning on a quarterly basis on the progress it is making toward responsibilities included in § 6.681 (relating to purpose).

(b) The Board shall report annually to the Governor and the General Assembly on the Board's progress, including key performance metrics tied to the effectiveness of Statewide and regional workforce development systems and the impact of the Board's work in achieving goals articulated in the State's workforce development plan. The report shall be made available to the public on the Department of Labor and Industry's web site.

§ 6.688. Bylaws.

The Pennsylvania Workforce Development Board shall recommend bylaws governing its operations to the Governor for approval.

§ 6.689. Meetings.

The Pennsylvania Workforce Development Board shall meet as it deems necessary to fulfill its responsibilities.

§ 6.690. Committees.

The Pennsylvania Workforce Development Board (Board) shall have the authority to establish, appoint members and delegate duties to committees as it deems necessary to fulfill its duties and responsibilities. All committees shall be chaired by a member of the Board.

§ 6.691. Compensation.

Members of the Pennsylvania Workforce Development Board (Board) shall not receive compensation for their service on the Board. Members shall receive reimbursement for reasonable travel costs and expenditures incurred while performing Board business.

§ 6.692. Effective Date.

This subchapter takes effect immediately.

§ 6.693. Termination Date.

This subchapter shall remain in effect unless revised or rescinded by the Governor.

[Pa.B. Doc. No. 18-1851. Filed for public inspection November 30, 2018, 9:00 a.m.]