

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 1013

Short Title: Workforce Preparedness Act.

(Public)

Sponsors: Senators Hoyle; Plyler, Harris, Carpenter, Cochrane, Albertson, Soles, Martin of Pitt, Jordan, Sherron, Smith, Hunt, and Perdue.

Referred to: Manufacturing and Labor.

May 3, 1993

A BILL TO BE ENTITLED

2 AN ACT TO ENACT THE WORKFORCE PREPAREDNESS ACT, AND TO MAKE
3 CONFORMING CHANGES TO THE GENERAL STATUTES.

Whereas, the United States Congress has granted each state, in accordance with Title VII of the Job Training Reform Amendments of 1992, the option to establish a single state human resource investment council; and

Whereas, the Governor and heads of State agencies responsible for the administration of federal human resource programs jointly agree to include these programs under the jurisdiction of a single State human resource investment council; and

Whereas, the Governor and the North Carolina Advisory Council on Vocational and Applied Technology Education jointly agree to the establishment of a single State human resource investment council; Now, therefore, The General Assembly of North Carolina enacts:

Section 1. Chapter 143 of the General Statutes is amended by adding the following new Article to read:

"ARTICLE 64.

"WORKFORCE PREPAREDNESS ACT."

"§ 143-592. Title; purpose.

20 (a) This Article may be known and shall be cited as the North Carolina
21 Workforce Preparedness Act.

1 (b) The purpose of this act is to develop a comprehensive State policy to guide
2 the use of vocational education, adult basic education, employment, job training, and
3 other resources toward the achievement of State workforce preparedness goals by:

- 4 (1) Articulating and clarifying State policy and goals with regard to
5 vocational education, adult basic education, employment, job training,
6 and other applicable federal programs; and
7 (2) Provide for legislative review and comment on certain reports, plans,
8 and recommendations.

9 "**§ 143-593. State policy on workforce preparedness.**"

10 (a) It is the policy of this State that all federal, State, and local government
11 resources provided for vocational education, adult basic education, employment, and
12 job training programs be coordinated to effect an efficient workforce preparedness
13 system.

14 (b) The goals of the State workforce preparedness programs are:

- 15 (1) To assist North Carolinians in obtaining gainful employment;
16 (2) To reduce dependence upon public assistance and unemployment
17 insurance programs;
18 (3) To develop a well-trained, productive work force that meets the needs
19 of the State's changing economy; and
20 (4) To make maximum use of existing institutions and organizations with
21 demonstrated effectiveness in employment and training service
22 delivery.

23 (c) The State's goals shall be accomplished by:

- 24 (1) Preparing unskilled youth and adults for entry into the work force;
25 (2) Retraining people who are structurally unemployed, who are jobless
26 through no fault of their own, or who must upgrade or retrain for job
27 skills in other fields;
28 (3) Removing barriers to employment and designing programs that will be
29 responsive to the special needs of offenders, handicapped persons,
30 public assistance recipients, school dropouts, single parents, women
31 age 35 years or older, and other appropriate groups;
32 (4) Insuring that timely and accurate statewide labor market data are
33 available;
34 (5) Linking employment and training services with economic development
35 efforts;
36 (6) Providing employment and training opportunities to meet the needs of
37 industries utilizing advanced technology; and
38 (7) Avoiding unnecessary duplication of employment and training services
39 by State agencies.

40 (d) The guidelines for developing a coordinated workforce preparedness system
41 are:

- 42 (1) The system should achieve a level of integration of workforce
43 preparedness programs to provide a continuum of services for eligible
44 recipients;

- 1 (2) The system should give high priority to training the kinds of skilled
2 workers that would both attract and grow high-skilled, high-wage
3 industries;
4 (3) Each program within the system should be accountable and accurately
5 measure desired outcomes to insure that each public dollar yields the
6 greatest return on investment; and
7 (4) The system must provide maximum flexibility at the local level to
8 allow greater freedom for local leaders to shape local plans and
9 objectives according to their labor market needs.

10 **"§ 143-594. Definitions."**

11 As used in this Article, unless the context clearly requires otherwise:

- 12 (1) 'Commission' means the Commission on Workforce Preparedness
13 established under this Article;
14 (2) 'System' means the workforce preparedness system created by the
15 Commission pursuant to this Article;
16 (3) 'Workforce preparedness program' means any of the State or federal
17 resource programs designated as such under G.S. 143-597 or
18 applicable federal law.

19 **"§ 143-595. Commission on Workforce Preparedness."**

20 There is established in the Office of the Governor the Commission on Workforce
21 Preparedness, as permitted by Title VII of the Job Training Reform Amendments of
22 1992.

23 **"§ 143-596. Governor's Coordination and Special Services Plan."**

24 The Governor's Coordination and Special Services Plan shall comply with the
25 provisions of section 121 of the Job Training Partnership Act and shall mandate the
26 coordination of all federal and State employment and training programs that guide the
27 use of employment training, education, economic development, and other resources
28 toward achievement of State economic and employment goals. In addition, the plan
29 shall also include the following:

- 30 (1) Provisions for the design, development, and operation of a statewide
31 uniform labor market information system to effect the timely
32 availability of employment and training information throughout the
33 State;
34 (2) Provisions for the coordination and improvement of a statewide
35 management information system capable of producing periodic
36 financial reports and statistics on participants and program
37 performance for use by service delivery areas; and
38 (3) Provisions that require the utilization of existing institutions and
39 organizations with clearly demonstrated success rates in employment
40 and training.

41 **"§ 143-597. Employment and Training Grant Program."**

42 (a) There is established in the Department of Commerce, Division of
43 Employment and Training, an Employment and Training Grant Program. The purpose
44 of the program is to make grants available to local agencies operating on behalf of the

1 Private Industry Council serving Job Training Partnership Act service delivery areas.
2 Grant funds shall be allocated for the purpose of enabling recipient agencies to
3 implement local employment and training programs in accordance with existing
4 resources, local needs, local goals, and selected training occupations. The Department
5 shall adopt rules in accordance with Chapter 150B of the General Statutes for
6 administering the Employment and Training Grant Program, which rules shall include
7 procedures for review and approval of grant applications by local agencies and for
8 monitoring use of grant funds by recipient agencies. A State-administered program of
9 performance standards shall be used to measure grant program outcomes.

10 (b) Use of Grant Funds. – Local agencies may use funds received under this
11 section only for the purpose of upgrading the foundation of basic skills of the adult
12 population and the existing work force in North Carolina. Services that may be provided
13 include participant programs currently available under the federal Job Training
14 Partnership Act that are appropriate for adults; on-the-job training; work experience;
15 adult basic education; skills training, upgrading, and retraining; counseling and
16 screening for job placement; service corps; and related support services. Local agencies
17 may use grant funds to provide services only to individuals who are 18 years of age or
18 older and who either (i) meet the current federal Job Training Partnership Act definition
19 of 'economically disadvantaged', or (ii) meet the current definition for eligibility under
20 Title III of the federal Job Training Partnership Act.

21 (c) Allocation of Grants. – The Department may reserve and allocate up to
22 twenty percent (20%) of funds available to the Employment and Training Grant
23 Program for State and local administrative costs to implement the program. The
24 Division of Employment and Training shall allocate employment and training grants to
25 local agencies operating on behalf of the Private Industry Council serving Job Training
26 Partnership Act service delivery areas based on the following formula:

27 (1) One-half of the funds shall be allocated on the basis of the relative
28 excess number of unemployed individuals residing in each county as
29 compared to the total excess number of unemployed individuals in all
30 counties in the State.

31 'Excess number of unemployed' is defined as the number of
32 unemployed individuals in excess of four and one-half percent (4.5%)
33 of the civilian labor force in each county or the number of unemployed
34 individuals in excess of four and one-half percent (4.5%) of the
35 civilian labor force in each census tract within the county. The
36 following methodology is used to determine the excess number of
37 unemployed:

38 a. For counties classified as having excess unemployment, the
39 excess number of unemployed is determined by subtracting four
40 and one-half percent (4.5%) of the civilian labor force from the
41 number of unemployed individuals within the county. The
42 difference equals the number of excess unemployed.

43 b. In situations where the entire county is not classified as having
44 excess unemployment, the excess number of unemployed is

1 determined by census tract unemployment within the county.
2 Census tract data is used to determine which subcounty areas
3 qualify as areas of excess unemployment. In those subcounty
4 areas classified as having excess unemployment (census tracts
5 with four and one-half percent (4.5%) or higher unemployment
6 rates), four and one-half percent (4.5%) of the census tract labor
7 force is subtracted from the number of unemployed individuals
8 within the area of excess unemployment. The subcounty figures
9 of excess number of unemployed within the county are then
10 added together to determine the total excess number of
11 unemployed within the county.

12 (2) One-half of the funds shall be allocated on the basis of the relative
13 number of economically disadvantaged individuals within each county
14 compared to the total number of economically disadvantaged
15 individuals in the State. To determine the number of economically
16 disadvantaged individuals within each county, data from the State Data
17 Center in the Office of State Budget and Management, or from the
18 federal decennial census, whichever is most recent, shall be used.

19 (d) Reports, Coordination. – The Department of Commerce shall report quarterly
20 to the Governor and to the Speaker of the House of Representatives and the President
21 Pro Tempore of the Senate on the North Carolina Employment and Training Grant
22 Program. The Department shall also provide a copy of these quarterly reports to the
23 Commission. The Commission shall advise the Department on the merger of the funds
24 provided to implement this section with other employment and training funds to develop
25 comprehensive workforce preparedness initiatives for the State.

26 (e) Funds appropriated to the Department of Commerce for the Employment and
27 Training Grant Program that are not expended at the end of the fiscal year shall not
28 revert but shall remain available to the Department for the purposes established in this
29 section."

30 Sec. 2. Part 3A of Article 10 of Chapter 143B of the General Statutes is
31 repealed.

32 Sec. 3. The phrase "Job Training Coordinating Council" is deleted and
33 replaced by the phrase "Commission on Workforce Preparedness" wherever it occurs in
34 the General Statutes.

35 Sec. 4. This act is effective upon ratification.