

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 191

By: Standridge

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5
6 AS INTRODUCED

7 An Act relating to workforce development; creating
8 the Workforce Development Act; providing short title;
9 creating a division in the Department of Labor;
10 naming division the Oklahoma Office of Workforce
11 Development; setting sunset law date; stating
12 purpose; prohibiting certain state appropriations for
13 the division; defining terms; providing powers,
14 duties and responsibilities; authorizing certain
15 contracts requiring certain reports; allowing
16 investigations; providing for interagency
17 cooperation; directing promulgation of rules;
18 authorizing skill development fund and expenditures
19 by rule; allowing service fees for certain technical
20 support contracts; requiring post-employment plan for
21 certain participants; stating plan requirements;
22 directing electronic tracking of provider
23 performance; requiring financial literacy programs
24 and materials; providing for certain donations be
reported publically; authorizing job retention and
reemployment assistance; providing certain services
for military personnel and their spouses; requiring
services by court order; authorizing transportation
assistance; making transportation subject to funding;
directing the Department of Labor to develop special
need-based formulas for the federal Personal
Responsibility and Work Opportunity Reconciliation
Act of 1996; authorizing the Department of Labor to
development and fund child-care subsidy programs;
requiring the Department of Human Services to
evaluated childcare subsidy programs developed and
funded by the Department of Labor; setting childcare
evaluation criteria; requiring the Department of
Labor to compile certain childcare subsidy data for
certain purpose; stating data to be compiled;
requiring the Oklahoma Employment Security Commission

1 to provide certain data for certain purpose;
2 requiring the Department of Labor to report on
3 effectiveness of childcare subsidy programs by
4 certain date annually; requiring certain TANF
5 recipient reports; directing an electronic system for
6 verification of childcare services; directing certain
7 public information campaign for STEM workforce;
8 creating an advisory committee; naming members,
9 duties and terms of office; naming workforce programs
10 consolidated in the Department of Labor; providing
11 exception; including Carl Perkins program funds and
12 certain rehabilitation funds; authorizing delegation
13 of certain funds; providing for certain training;
14 directing review of recommendation by the governor's
15 Council of Workforce and Economic development;
16 directing certain board development and training;
17 stating components of board training; requiring
18 review of certain plans and recommendations;
19 requiring training before delivery of certain
20 services; requiring certain plan of sanctions;
21 directing plan set time to address sanctions; setting
22 percentage of funding for training; providing
23 exception under federal law; setting date to
24 distribute federal block grants; setting
administration percentage of funding; providing for
federal funding formulas; setting local allocation of
funding; providing exception for noncertified boards;
directing collaboration with local boards on funding;
establishing guidelines on funding; requiring
integration of administration with career development
centers on certain services; defining term; ensuring
performance measure remain; mandating agency staff
resources be used; mandating agency staff funds
become block grant fund when state employee leaves
employment; directing information support; stating
information to be provided; authorizing collection of
wage information for certain purpose; providing for
confidentiality on certain information; authorizing
use of certain information by certain entities;
authorizing evaluation for continuing a program based
on date; amending 74 O.S. 2011, Section 5003.10d, as
amended by Section 1, Chapter 188, O.S.L. 2015 (74
O.S. Supp. 2018, Section 5003.10d), which relates to
the Governor's Council on Workforce and Economic
Development; modifying reference; providing for
coordination of certain activities; amending Section
1, Chapter 138, O.S.L. 2018 (74 O.S. Supp. 2018,

1 Section 5003.10e), which relates to the Work-based
2 Learning Program; setting sunset provision; making
3 program contingent upon federal grant funds;
4 directing assistance from the Department of Labor;
5 recodifying 74 O.S. 2011, Section 5003.10d, as last
6 amended by Section 25 of this act (74 O.S. Supp.
7 2018, Section 5003.10d), which relates to the
8 Governor's Council on Workforce and Economic
9 Development; recodifying Section 1, Chapter 138,
10 O.S.L. 2018, as amended by Section 26 of this act (74
11 O.S. Supp. 2018, Section 5003.10e), which relates to
12 the Work-based Learning Program; providing for
13 codification; and providing an effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 900.1 of Title 40, unless there
17 is created a duplication in numbering, reads as follows:

18 This act shall be known and may be cited as the "Oklahoma
19 Workforce and Economic Development Act.

20 SECTION 2. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 900.2 of Title 40, unless there
22 is created a duplication in numbering, reads as follows:

23 A. Beginning on July 1, 2020, there is hereby created in the
24 Department of Labor a Division to be called the Oklahoma Office of
25 Workforce Development, to continue until July 1, 2026, according to
26 the Oklahoma Sunset Law. The purpose of the Oklahoma Office of
27 Workforce Development is to administer federal grant funding
28 allocations from the federal Workforce Innovation and Opportunity

1 Act and other federal grants and sources of funding relating to this
2 state's workforce development programs, employment and training
3 services to various citizens of this state and those recipients of
4 federal assistance funds, and pursuant to the powers, duties and
5 responsibilities prescribed in this act or authorized by state or
6 federal law.

7 B. The Oklahoma Office of Workforce Development shall operate
8 without direct state appropriated funding and shall be contingent
9 upon federal funding and other sources of monies derived from
10 federal resources and nonappropriated funds, except as otherwise
11 specifically authorized in this act for state interagency
12 agreements, state agency personnel resource sharing agreements,
13 monies earned from office space rental agreements between state
14 agencies, state agency contractual agreements, memorandum of
15 understanding agreements between state agencies, or other state
16 agency resource sharing agreements authorized by this act.

17 C. For purposes of the Oklahoma Office of Workforce
18 Development, any grant funds requiring state matching dollars shall
19 be declared and brought before the Legislature for approval and
20 budgeting before such funding source may be accepted by the
21 Department of Labor for purposes of supporting the Oklahoma Office
22 of Workforce Development. Further, any state budgeted and
23 appropriated dollars to be allocated and used by the Department of
24 Labor in support of the purposes of the Oklahoma Office of Workforce

1 Development shall be declared in a line item on the Department's
2 budget request. Each state agency participating with the Oklahoma
3 Office of Workforce Development shall declare by line item all state
4 appropriated dollars to be allocated and used in support of the
5 purposes of the Office of Workforce Development. Such line items
6 reported in a budget request shall require the documented support of
7 an interagency agreement, memorandum of understanding or other
8 contractual obligation with the division. The Legislature shall
9 monitor and evaluate the financial structure of this division
10 annually in each budget request, or as may be required by the
11 Legislature.

12 D. The Department of Labor may accept and apply for gifts,
13 grants, donations, and funds from public and private sources to
14 support the duties of the Oklahoma Office of Workforce Development
15 under this act. The Department of Labor may use money from job
16 training funds and other money to implement the requirements of this
17 act.

18 SECTION 3. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 900.3 of Title 40, unless there
20 is created a duplication in numbering, reads as follows:

21 DEFINITIONS. For purposes of this act:

22 1. "Director" means the Executive Director of the Division of
23 the Department of Labor known as the Oklahoma Office of Workforce
24 Development;

25

1 2. "Division" means the Oklahoma Office of Workforce
2 Development;

3 3. "Workforce development area" means the local areas described
4 in Section 106 of federal Public Law 113-128, also known as the
5 Workforce Innovation and Opportunity Act of 2014 and has a
6 population of at least two hundred thousand (200,000) persons; and

7 4. "Area of substantial unemployment" means that definition
8 contained in Section 127(b)(2) of the federal Workforce Innovation
9 and Opportunity Act of 2014, and it shall be a contiguous area that
10 has a population of at least sixty-five thousand (65,000) persons.

11 SECTION 4. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 900.4 of Title 40, unless there
13 is created a duplication in numbering, reads as follows:

14 DUTIES OF OKLAHOMA DEPARTMENT OF LABOR.

15 A. The Oklahoma Department of Labor shall be authorized and
16 shall have the power, duties and responsibilities under this act, as
17 follows:

18 1. To the extent feasible under federal law, consolidate the
19 administrative and programmatic functions of the programs authorized
20 and operating under the authority of the federal Workforce
21 Innovation and Opportunity Act to achieve efficient and effective
22 delivery of workforce services in this state;

23 2. Serve as a federal grant recipient of all funds relating to
24 the federal Workforce Innovation and Opportunity Act and other state

1 and federal grants relating to workforce programs and work-based
2 learning initiatives, and in such capacity as grant recipient
3 develop a methodology for the allocation of grant funds to local
4 board areas and work-based programs;

5 3. Develop a unified state plan which ensures the primary focus
6 of meeting the workforce needs of businesses in this state and that
7 supports and encourages the economic growth of Oklahoma;

8 4. Appoint and hire an Executive Director for the Oklahoma
9 Office of Workforce Development, whose duties shall be to assist and
10 work on consolidating all federally funded programs that contain any
11 employment and training functions relating to workforce development
12 and work-based learning that are best offered by local boards or
13 programs;

14 5. Hire and set compensation for support staff. Staff shall be
15 unclassified and entitled to all benefits afforded other
16 unclassified employees of the Department of Labor;

17 6. Implement corresponding federal and state legislation
18 consolidated under the authority of the Department of Labor and
19 recommend state legislation necessary to be cost effective,
20 efficient and convenient to clients using the programs;

21 7. Determine the organization and methods of procedure for the
22 division in accordance with applicable state and federal laws and
23 rules and the requirements of this act;

1 8. Appoint and prescribe the duties of all employees and
2 contract personnel as necessary in the performance of the duties
3 required for the division;

4 9. Delegate authority to the executive director as may be
5 reasonable and proper for the effective administration of the
6 division;

7 10. Require a bond on any person who handles money or signs
8 checks for the division;

9 11. Implement workforce training and service policies and
10 programs, consistent with recommendations from the Governor's
11 Council for Workforce and Economic Development, and as may be
12 approved by the governor;

13 12. Provide for designation of local workforce areas, which
14 must contain a population of at least two hundred thousand (200,000)
15 persons, and certification of local board structure;

16 13. Serve as an advocate at the state and federal levels for
17 local workforce development boards;

18 14. Contract with local workforce development boards for
19 program planning and service delivery of all employment related
20 programs, including the awarding of funds to hire employees or
21 contract personnel to ensure the implementation of the Oklahoma Work
22 Bases Learning Program;

1 15. Provide training and professional development services for
2 division staff, local workforce development boards, and the
3 personnel of such boards;

4 16. Support research and demonstration projects designed to
5 develop new programs and approaches to service delivery of
6 employment, training and workforce development programs;

7 17. Provide technical assistance and support to local workforce
8 development boards;

9 18. Prepare an annual agency division performance report to be
10 submitted to the governor, the Legislature, and the Governor's
11 Council for Workforce and Economic Development;

12 19. Perform other functions and duties as may be required by
13 law or assigned by the Department of Labor;

14 20. Provide a system of record/MIS integration accessible
15 across all state agencies for common intake, client tracking, and
16 performance accountability;

17 21. Establish a compliance unit within the division to provide
18 monitoring and oversight of program delivery, performance and
19 financial management in the local areas;

20 22. Negotiate local performance standards and establish a
21 system that reports on the outcomes of each local area indicating
22 their standing against required performance and comparisons of other
23 local area achievements, including the development and adoption of
24 incentive awards for superior performance; and

1 23. Establish and set the amount by rule for a skills
2 development account within the Workforce Development Revolving Fund
3 to be used to support work-based learning programs in this state.

4 B. The Department of Labor may:

5 1. Make expenditures from the Workforce Development Revolving
6 Fund;

7 2. Enter into contracts with public, private, and nonprofit
8 organizations for necessary services and resource sharing purposes;

9 3. Require reports;

10 4. Conduct investigations; and

11 5. Take other action as either the executive director or
12 Commissioner of Labor considers necessary or suitable to fulfill the
13 duties of the division or local boards.

14 C. The Commissioner of Labor shall seek interagency cooperation
15 and enter into interagency contracts or memoranda of understanding
16 with other state agencies for the performance of administrative
17 functions by that agency.

18 D. The Commissioner of Labor shall promulgate rules, procedures
19 and forms necessary for the proper implementation, administration
20 and enforcement of the duties and responsibilities of the division.

21 E. The Commissioner or the executive director may obligate,
22 assign and expend funds from a skills development account authorized
23 by this act in a manner consistent with the rules adopted by the
24 Department of Labor. The executive director shall report to the

1 governor, the Legislature, the Commissioner of Labor, and the
2 Governor's Council for Workforce and Economic Development on a
3 quarterly basis regarding official actions taken by the division
4 relating to financial support made from the skills development
5 account.

6 F. In addition to the services provided by the division, the
7 Department of Labor may enter into contracts with local workforce
8 development boards or other entities to establish service agreements
9 for technology assistance and other support. The executive director
10 may charge fees for such services provided based on the service
11 level options selected by the local boards. All fees collected
12 under this subsection may be used by Department of Labor to pay
13 costs incurred in providing such services.

14 SECTION 5. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 900.5 of Title 40, unless there
16 is created a duplication in numbering, reads as follows:

17 EMPLOYMENT PLAN AND POSTEMPLOYMENT STRATEGIES.

18 A. The Division shall ensure that an individual employment plan
19 developed for a recipient of financial assistance or an individual
20 participating in an employment program includes specific
21 postemployment strategies to assist the recipient or the participant
22 in making a transition to stable employment at a wage that enables
23 the person and the person's family to maintain self-sufficiency.

24 B. The individual employment plan must:

1 1. Consider the person's individual circumstances and needs in
2 determining the person's initial job placement;

3 2. Identify an occupation or career pathway derived from
4 current local labor market conditions;

5 3. Identify a target wage that enables the person and the
6 person's family to maintain self-sufficiency;

7 4. Provide specific postemployment goals and include methods
8 and time frames by which the person is to achieve those goals; and

9 5. Refer the person to additional educational and training
10 opportunities as needed to support the achievement of the employment
11 goal.

12 SECTION 6. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 900.6 of Title 40, unless there
14 is created a duplication in numbering, reads as follows:

15 EMPLOYMENT SERVICES REFERRAL PROGRAM.

16 The Oklahoma Office of Workforce Development, in cooperation and
17 collaboration with local workforce development boards shall develop
18 an electronic system for tracking employment services and referral
19 programs. The tracking system shall include a database with each
20 provider's performance indicators for services and the success or
21 outcomes of such referrals.

22 SECTION 7. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 900.7 of Title 40, unless there
24 is created a duplication in numbering, reads as follows:

1 FINANCIAL LITERACY TRAINING.

2 A. The division and local workforce development boards shall
3 ensure that each workforce development program offered in this state
4 includes training in financial literacy compliant with federal
5 Workforce Innovation and Opportunity Act of 2014, Section 129 (b)
6 2(D).

7 B. The division shall develop materials and information to be
8 included in the training required by subsection A of this section.

9 C. The Department of Labor may accept a donation of services,
10 money or property that the Commissioner of Labor determines furthers
11 the financial literacy training program. The donation must be
12 reported in the public records of the Department of Labor along with
13 the name of the donor and the purpose of the donation.

14 SECTION 8. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 900.8 of Title 40, unless there
16 is created a duplication in numbering, reads as follows:

17 JOB RETENTION AND REEMPLOYMENT ASSISTANCE.

18 The Oklahoma Office of Workforce Development may provide ongoing
19 job retention and reemployment assistance for a recipient of federal
20 public assistance or an individual who has participated in a job
21 training program.

22 SECTION 9. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 900.9 of Title 40, unless there
24 is created a duplication in numbering, reads as follows:

1 EMPLOYMENT ASSISTANCE PROGRAM FOR CERTAIN FAMILIES OF MILITARY
2 PERSONNEL.

3 A. The Department of Labor shall provide employment assistance
4 services, including job placement and other employment-related
5 services, to the spouses and dependents of military personnel who
6 are assigned to duty in this state by issuing grants to local
7 workforce development boards.

8 B. The Department shall provide the services described by
9 subsection A of this section by contracting with the local workforce
10 development boards in areas of the state having a military base.

11 SECTION 10. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 900.10 of Title 40, unless there
13 is created a duplication in numbering, reads as follows:

14 EMPLOYMENT ASSISTANCE PROGRAM FOR CERTAIN PARENTS.

15 The Department of Labor shall ensure local boards provide
16 employment assistance services, subject to eligibility, including
17 skills training, job placement, and employment-related services to a
18 person referred to the local board by a court of competent
19 jurisdiction.

20 SECTION 11. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 900.11 of Title 40, unless there
22 is created a duplication in numbering, reads as follows:

23 TRANSPORTATION ASSISTANCE.
24
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1 A. To the extent funds are available, the Department of Labor
2 and local workforce development boards shall provide transportation
3 assistance to recipients of financial assistance and participants
4 participating in employment programs that enable the recipients and
5 participants to maintain a stable work history and attain financial
6 stability and self-sufficiency.

7 B. The Department of Labor and local workforce development
8 boards may provide the assistance described by Subsection A of this
9 section by implementing new initiatives or expanding existing
10 initiatives that provide transportation assistance to recipients of
11 financial assistance or participants for whom transportation is a
12 barrier to employment.

13 SECTION 12. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 900.12 of Title 40, unless there
15 is created a duplication in numbering, reads as follows:

16 FUNDS FOR JOB TRAINING, EMPLOYMENT SERVICES, ADULT EDUCATION AND
17 LITERACY ACTIVITIES, AND CHILD CARE.

18 In providing job training, employment services, adult education
19 and literacy services, and child care to eligible persons, the
20 Department of Labor, notwithstanding the provisions in this act or
21 any other provision of law, may establish a need-based formula to
22 allocate funds available under the federal Personal Responsibility
23 and Work Opportunity Reconciliation Act of 1996 (Pub. L. No. 104-
24 193) and the federal Workforce Innovation and Opportunity Act for

1 job training, employment services, adult education and literacy
2 activities, and child care to local workforce development areas to:

- 3 1. Ensure compliance with federal participation rates and
4 requirements;
- 5 2. Ensure full utilization of federal funding; and
- 6 3. Achieve integrated education and training.

7 SECTION 13. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 900.13 of Title 40, unless there
9 is created a duplication in numbering, reads as follows:

10 CHILD-CARE GRANTS.

11 A. The Department of Labor shall make funds available to local
12 workforce development boards to enable the boards to design and
13 implement a child-care subsidy program.

14 EVALUATION OF ALLOCATION FORMULAS FOR CHILD CARE DEVELOPMENT
15 FUNDS.

16 B. The Department of Human Services shall annually evaluate the
17 formulas used by the Department of Labor to distribute federal child
18 care development funds to local workforce development boards in
19 order to ensure that the formulas address the child care needs of
20 each local workforce development board and meet federal standards
21 and requirements.

22 C. The evaluation of the Department of Labor must assess:

- 23 1. The use of current federal child care funds by each local
24 workforce development board;

1 2. The ability of each local workforce development board to
2 meet child care performance measures;

3 3. The average cost of child care in each local workforce
4 development area;

5 4. The poverty rate of each local workforce development area
6 compared to the state's poverty rate;

7 5. The number of children on waiting lists for child care in
8 each local workforce development area; and

9 6. The number of vacant slots available for child care
10 placement in each local workforce development area.

11 D. To evaluate the effectiveness of the Department of Labor's
12 child care program in helping parents who receive subsidized child
13 care to maintain employment, the Department of Labor shall compile,
14 regarding each parent receiving subsidized child care from each
15 local workforce development board's child care program, the
16 following information regarding the wage and employment status of
17 the parent:

18 1. If the parent receives both financial assistance and
19 subsidized child care, whether the parent:

20 a. finds employment, and

21 b. maintains the parent's employment after one year;

22 2. If the parent receives only subsidized child care, whether
23 the parent:

24 a. maintains the parent's employment, and

1 b. experiences a change in the parent's earnings after
2 one year of employment; and

3 3. The parent leaves the child care program:

4 a. the parent's reason for leaving the program, and

5 b. whether the parent returns to financial assistance or
6 becomes a recipient of financial assistance under that
7 chapter for the first time.

8 E. The Oklahoma Employment Security Commission must provide the
9 wage and employment records to the Department of Labor and local
10 workforce boards to determine the employment outcome of the parents.

11 F. The Department of Labor shall periodically analyze the
12 information collected by the Oklahoma Employment Security Commission
13 under subsection E of this section and shall compile its findings
14 regarding the effectiveness of the department's child care program.

15 G. The Department of Labor shall make the information collected
16 by the Oklahoma Employment Security Commission findings available to
17 local workforce development boards.

18 H. Not later than January 15 of each odd-numbered year, the
19 Department of Labor shall report to the Legislature regarding the
20 findings regarding the effectiveness of department's child care
21 program.

22 SECTION 14. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 900.14 of Title 40, unless there
24 is created a duplication in numbering, reads as follows:

1 TRACKING OF TANF PROGRAM RECIPIENTS.

2 A. The Oklahoma Employment Security Commission shall supply
3 wage information as requested by the Department of Labor, and then
4 in consultation with local workforce development boards, shall
5 compile the following information with regard to each recipient of
6 employment services under the Temporary Assistance for Needy
7 Families (TANF) program:

8 1. Whether the recipient is placed in employment paying wages
9 equal to or exceeding two hundred percent (200%) of the federal
10 poverty level for a family that is the size of the recipient's
11 family; and

12 2. If the recipient is placed in employment earning wages equal
13 to or exceeding the amount described by paragraph 1 of this
14 subsection, whether the recipient has earned that amount before the
15 first anniversary of the date of the recipient's initial date of
16 employment.

17 B. Not later than January 15 of each year, the Department of
18 Labor shall report to the Legislature the percentage of recipients
19 of employment services under the Temporary Assistance for Needy
20 Families (TANF) program who meet the wage criteria described by
21 paragraph 1 or 2 of subsection A of this section.

22 SECTION 15. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 900.15 of Title 40, unless there
24 is created a duplication in numbering, reads as follows:

1 ELECTRONIC VALIDATION OF CHILD-CARE SERVICES AND ATTENDANCE.

2 If feasible, the Department of Labor shall develop and use an
3 electronic validation system to ensure that parents verify that a
4 provider is actually providing care and that the child for whom the
5 care is intended is actually in attendance during the period for
6 which the child-care provider is being reimbursed for services.

7 SECTION 16. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 900.16 of Title 40, unless there
9 is created a duplication in numbering, reads as follows:

10 STATEWIDE SCIENCE, TECHNOLOGY, ENGINEERING, MATH (STEM)
11 WORKFORCE CAMPAIGN.

12 The Department of Labor shall develop a public information and
13 outreach campaign designed to encourage residents of the state to
14 enter the science, technology, engineering and mathematics (STEM)
15 workforce. The campaign shall target populations that are
16 traditionally economically disadvantaged and underrepresented in the
17 STEM workforce.

18 SECTION 17. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 900.17 of Title 40, unless there
20 is created a duplication in numbering, reads as follows:

21 LOCAL WORKFORCE DEVELOPMENT BOARD ADVISORY COMMITTEE.

22 A. As used in this section, "advisory committee" means the
23 membership appointed from the local workforce development boards to
24

1 serve as an advisory committee to the Oklahoma Office of Workforce
2 Development.

3 B. Each local workforce development board and its director
4 shall be eligible for membership and appointment to the advisory
5 committee as follows:

6 1. The Council for Workforce Development and Economic
7 Development shall appoint from the state's local workforce
8 development boards three board members then serving on a board to
9 represent all the boards and three staff directors then serving as a
10 staff director to a board to represent all the boards. Of those
11 appointed initially one board member and one staff director shall
12 serve a term of one (1) year; one board member and one staff
13 director shall serve a term of two (2) years, and one board member
14 and one staff director shall serve a term of three (3) years;

15 2. The Governor shall appoint a member of the Council for
16 Workforce and Economic Development to serve on the advisory board to
17 the Department of Labor, Division of the Oklahoma Office of
18 Workforce Development.

19 3. Appointed members shall serve a term of two (2) years after
20 their initial term; however, the Council member shall serve
21 coterminous with his or her position on the Governor's Council for
22 Workforce Development and Economic Development.

23 C. The members of the advisory committee must each represent
24 different geographic areas of the state.

1 D. The advisory committee shall:

2 1. Meet at least quarterly;

3 2. Report to the Department of Labor at least annually; and

4 3. Advise the Governor's Council on Workforce and Economic
5 Development, the Department of Labor and Division of the Oklahoma
6 Office of Workforce Development regarding the programs, policies,
7 and rules that affect the operations of local workforce development
8 boards and the local workforce delivery system and may recommend
9 changes to benefit the statewide program.

10 SECTION 18. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 900.18 of Title 40, unless there
12 is created a duplication in numbering, reads as follows:

13 OKLAHOMA OFFICE OF WORKFORCE DEVELOPMENT.

14 A. The following job-training, employment, and employment-
15 related educational programs and functions are hereby consolidated
16 under the authority of the Department of Labor, Division of the
17 Office of Workforce Development on and after July 1, 2020, or as may
18 be authorized by an interagency or contractual agreement authorized
19 by this act:

20 1. Career school and college programs;

21 2. Apprenticeship programs;

22 3. Postsecondary vocational and technical job-training programs
23 that are not a part of approved courses or programs that lead to
24 licensing, certification, or an associate degree;

1 4. Welfare transition services funded by the Temporary
2 Assistance for Needy Families Program, created under the Personal
3 Responsibility and Work Opportunity Reconciliation Act of 1996, as
4 amended by Public Law No. 104-193 and Title IV of the Social
5 Security Act, as amended;

6 5. The senior citizens employment program;

7 6. The work and family policies program;

8 7. Employment-training programs funded under Title I of the
9 Workforce Innovation and Opportunity Act of 2014;

10 8. The job counseling program for displaced homemakers;

11 9. The reintegration of offenders program;

12 10. The inmate employment counseling program;

13 11. The continuity of care program;

14 12. Literacy programs from state, local, federal, and private
15 funds available to the state for that purpose;

16 13. Programs authorized under the federal Wagner-Peyser Act of
17 1933;

18 14. Federal activities authorized under 38 United States Code,
19 Chapter 41 including job counseling, training, and placement for
20 veterans;

21 15. Federal activities authorized under Title II of the federal
22 Trade Act of 2002, as amended, and the federal Trade Adjustment
23 Assistance Program;

1 16. The federal Food Assistance Employment and Training Program
2 provided under the federal Food and Nutrition Act of 2008, 7 U.S.C.
3 Sections 2011-2032; the federal Food Security Act of 1988, Public
4 Law No. 99-198; and the federal Hunger Prevention Act of 1988,
5 Public Law No. 100-435;

6 17. The federal Work Opportunity Tax Credit, provided under the
7 federal Tax and Trade Relief Extension Act of 1998, Public Law
8 No.105-277, and the federal Taxpayer Relief Act of 1997, Public Law
9 No. 105-34;

10 18. Employment and training activities carried out under funds
11 awarded to this state by the United States Department of Housing and
12 Urban Development;

13 19. Employment and training activities carried out under funds
14 awarded to this state by the United States Department of Commerce;

15 20. Federal authorized child-care services provided and funded
16 for employment, training or workforce development programs; and

17 21. Programs established in this state through federal funding
18 to conduct full service career development centers and school-to-
19 work transition services.

20 B. To the extent permitted under federal law, the Department of
21 Labor shall administer the programs funded through the education
22 coordination funds, including Carl Perkins funds.

23 C. To the extent permitted under federal law, the Department of
24 Labor shall promote and monitor services provided to persons with
25

1 disabilities, including customers of the Oklahoma Department of
2 Rehabilitation Services.

3 D. The executive director shall delegate all or part of the
4 administration of a program listed that is eligible for block grant
5 funding to a local workforce development board in an area in which a
6 board has been certified and a local plan approved by the governor,
7 or to another appropriate state or local entity in an area in which
8 a local workforce development board has not been certified and a
9 local plan approved by the governor.

10 E. The director shall design and implement a state-local
11 planning process for workforce training and services provided
12 through the programs under the jurisdiction of the division.

13 F. The Department of Labor shall review the local plans
14 developed and the recommendations of the Governor's Council for
15 Workforce and Education regarding the implementation of those plans.

16 SECTION 19. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 900.19 of Title 40, unless there
18 is created a duplication in numbering, reads as follows:

19 TRAINING FOR LOCAL WORKFORCE DEVELOPMENT BOARD MEMBERS.

20 A. The division shall provide management and board development
21 training for all members of local workforce development boards that
22 includes information regarding client eligibility determination,
23 early childhood education, vendor management, the importance of
24 high-quality workforces, and the complexity of managing multiple

1 state and federal child-care funding sources and that encourages
2 board members to be advocates in their communities for effective and
3 efficient workforce development programs and for the improvement of
4 child-care quality. If a member of a local workforce development
5 board does not receive training under this section before 121 days
6 after the date on which the member begins service on the board, the
7 person is ineligible to continue serving on the board unless the
8 training required under this subsection was requested by the member
9 but not provided by the division.

10 B. Training may be provided directly by the division or by a
11 third party that has demonstrated experience in providing training
12 to local workforce development or similar boards.

13 C. The division shall ensure that a local workforce development
14 board receives training before the board begins to manage the
15 delivery of child-care services.

16 D. The training under this section must include training for
17 local workforce development board members and board employees
18 regarding the collection and analysis of data in the Department of
19 Labor's reporting and information system for performance reports.

20 SECTION 20. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 900.20 of Title 40, unless there
22 is created a duplication in numbering, reads as follows:

23 SANCTIONS PLAN.
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1 The Department of Labor shall develop, promulgate and adopt a
2 detailed and understandable plan to be used by local workforce
3 development boards in the implementation of the sanction process.

4 The plan must include:

5 1. A requirement that the Oklahoma Office of Workforce
6 Development provide technical assistance to the boards in knowing
7 how to avoid or respond to a sanctions notice or order; and

8 2. Specific provisions regarding the time in which a board must
9 address concerns and improve the board's performance.

10 SECTION 21. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 900.21 of Title 40, unless there
12 is created a duplication in numbering, reads as follows:

13 ALLOCATION OF FUNDS; BLOCK GRANT PROGRAM.

14 The Oklahoma Office of Workforce Development may use an amount
15 not to exceed fifteen percent (15%) of the amount of federal funds
16 available to the Oklahoma Office of Workforce Development for
17 workforce training and services to implement state-level
18 responsibilities, including administration, research and planning,
19 system design and development, and training and technical
20 assistance, unless superseded by federal law.

21 SECTION 22. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 900.22 of Title 40, unless there
23 is created a duplication in numbering, reads as follows:

24 BLOCK GRANTS TO LOCAL WORKFORCE DEVELOPMENT AREAS.

1 A. Effective July 1, 2020, the Oklahoma Office of Workforce
2 Development shall provide to the local workforce development areas
3 in which local workforce development boards have been certified and
4 local plans approved by the governor, through a block grant process,
5 federal funds available to the Oklahoma Office of Workforce
6 Development for workforce training and employment services, unless
7 superseded by federal law. Administrative costs under this
8 subsection may not exceed ten percent (10%) of the total amount of
9 funds available to the Local Workforce Boards for block grants for
10 workforce training and services.

11 B. In the case of federal funds that are allocated to this
12 state or regions of this state through the application of
13 established formulas, the Oklahoma Office of Workforce Development
14 shall allocate amounts across the state using the same formula that
15 was used to provide the funds to the state or that region.

16 C. In the case of federal funds that are not allocated by
17 formula to this state or regions of this state, the Oklahoma Office
18 of Workforce Development shall develop a need-based formula that
19 will equitably allocate federal funds among local workforce
20 development areas throughout this state.

21 D. Contingent on the availability of federal funds, the
22 Oklahoma Office of Workforce Development may not allocate to a local
23 workforce development area less than ninety percent (90%) nor more
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1 than one hundred twenty-five percent (125%) of the federal amount
2 received by that area during the preceding fiscal year.

3 E. In each area of the state not yet designated as a local
4 workforce development area or that has been designated but in which
5 a local workforce development board has not been certified and a
6 local plan approved by the governor, the executive director shall:

7 1. Provide workforce training and services in that area to the
8 extent allowed by federal law; and

9 2. Specify an entity for the performance of employment services
10 in that area.

11 F. At least eighty-five percent (85%) of the funds available to
12 the Oklahoma Office of Workforce Development for workforce training
13 and services in an area shall be provided to the local workforce
14 development board, or, in an area in which a local workforce
15 development board has not been certified and a local plan approved
16 by the governor, the funds shall be provided to the entity specified
17 by the executive director. If a local workforce development board
18 has been certified and a local plan approved by the governor, the
19 funds shall be provided through the block grant process described by
20 this section. Unless superseded by federal law, total
21 administrative costs for local workforce training and services may
22 not exceed fifteen percent (15%) of the funds allocated under this
23 subsection, whether the training and services are provided through a
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1 local workforce development board or other entity specified under
2 this section.

3 G. The Oklahoma Office of Workforce Development shall
4 collaborate with local workforce development boards when determining
5 the use of funds at the local level.

6 H. The Oklahoma Office of Workforce Development shall develop
7 funding guidelines and strategies allowing boards to exercise
8 flexibility in identifying and addressing the needs of persons who
9 live in remote areas or who face other barriers to employment.

10 I. The Oklahoma Office of Workforce Development shall ensure
11 that forty percent (40%) of federal Workforce Innovation and
12 Opportunity Act, Title 1 adult and training program funds be
13 expended on direct client cost which includes the cost of training
14 and/or the cost of supportive services, as well as the cost of any
15 assessments utilized to determine the appropriate career training
16 pathway for an eligible participant.

17 J. The Oklahoma Office of Workforce Development shall ensure
18 that federal funds spent on providing staff business services should
19 be excluded from the forty percent (40%) requirement addressed
20 above.

21 SECTION 23. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 900.23 of Title 40, unless there
23 is created a duplication in numbering, reads as follows:

24 INTEGRATION OF BLOCK GRANT PROGRAMS AND WORKFORCE SERVICES.

1 A. As used in this section, "local career development center"
2 means an Oklahoma Work Center.

3 B. To streamline the delivery of services provided in local
4 career development centers, the Oklahoma Office of Workforce
5 Development and local workforce boards shall integrate the
6 administration of the following federal block grant programs and the
7 caseworker functions associated with those programs as follows:

8 1. Federal Temporary Assistance for Needy Families (TANF)
9 CHOICES training and employment programs;

10 2. Federal child care programs;

11 3. Federal employment and training programs under Title I of
12 the federal Workforce Innovation and Opportunity Act of 2014 or any
13 subsequent applicable federal legislation; and

14 4. Federal food stamp employment and training programs
15 authorized under 7 United States Code, Section 2015(d).

16 C. The Oklahoma Office of Workforce Development, in
17 consultation with local workforce development boards, shall ensure
18 that state-level performance measures, rules, policies, procedures,
19 and organizational structures support the integration of the federal
20 block grant programs and the caseworker functions associated with
21 those programs at the local level.

22 D. Each local career development center that provides services
23 through the federal block grant programs described by subsection B
24 of this section shall provide:

- 1 1. Integrated services across the programs;
- 2 2. Contact for a program; and
- 3 3. An integrated case management for customers receiving
- 4 services under more than one program.

5 E. State agencies shall provide staff resources to assist and
6 aid in the delivery of all programs subject to the provisions of in
7 this section. The Workforce Partner agencies, the Oklahoma
8 Employment Security Commission, the Oklahoma Department of
9 Rehabilitation Services, the Oklahoma Department of Human Services,
10 the Oklahoma Department of Commerce, and the Oklahoma Department of
11 Career Technology Education shall each develop a methodology to
12 distribute resources to each local workforce development area based
13 on work load and population. Resources may be in the form of actual
14 cash disbursement, staff and/or a combination of both.

15 F. If staff are supplied as a resource, then as those staff
16 leave state employment the funds that provided that staffing will be
17 transferred under the block grants to local workforce development
18 boards to hire contracted service providers to replace those state
19 agency employees.

20 SECTION 24. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 900.24 of Title 40, unless there
22 is created a duplication in numbering, reads as follows:

23 INFORMATION AND DATA FOR EVALUATION SYSTEM.
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1 A. Each state agency represented on the Governor's Council for
2 Workforce and Education shall provide information to support the
3 Oklahoma Office on Workforce Development follow-up and evaluation
4 system as requested.

5 B. Evaluation data in the system must include:

- 6 1. Placement rates;
- 7 2. Wages paid;
- 8 3. Retention in employment statistics;
- 9 4. The number of education and training-related placements; and
- 10 5. Other appropriate factors, including public welfare
11 dependency and the pursuit of additional education.

12 C. The Oklahoma Office on Workforce Development may develop a
13 method for collecting occupational information to supplement wage
14 record information collected by the Oklahoma Employment Security
15 Commission. The Oklahoma Office on Workforce Development may
16 request employers, providers, and other appropriate sources to
17 provide placement, employment, and earnings information to the
18 Oklahoma Office on Workforce Development. The Commissioner of Labor
19 together with the Oklahoma Employment and Securities Commission
20 shall develop a confidentiality policy for the protection of certain
21 personal information used and shared for purposes of this act to
22 exempt certain data and information from public distribution or
23 access under the Open Records Act.

1 D. The Governor's Council for Workforce and Economic
2 Development and each local workforce development board shall use the
3 information developed under this subsection and other information to
4 determine whether a specific workforce training and service program
5 administered by or funded by the local board is effective. The
6 Council and Oklahoma Office of Workforce Development shall determine
7 whether to continue to fund the training and services program after
8 evaluation.

9 SECTION 25. AMENDATORY 74 O.S. 2011, Section 5003.10d,
10 as amended by Section 1, Chapter 188, O.S.L. 2015 (74 O.S. Supp.
11 2018, Section 5003.10d), is amended to read as follows:

12 Section 5003.10d. A. The Governor's Council for Workforce and
13 Economic Development established under the authority of Executive
14 Order 2005-27 is hereby recognized by the Legislature as the State's
15 Workforce Investment Board. The Council succeeded and was
16 established in lieu of the Oklahoma Workforce Investment Board.
17 Appointed members of the Council serving under the authority of
18 Executive Order 2005-27 ~~when this act becomes effective~~ on June 6,
19 2006, shall continue to serve until their terms have expired and
20 their successors have been duly appointed.
21 Pursuant to the federal Workforce Innovation and Opportunity Act,
22 the purpose of the Council shall be to:

1 1. Guide the development of a comprehensive and coordinated
2 workforce development system for the state and monitor its
3 operation; and

4 2. Review and make recommendations that will align the
5 workforce system, including education, with the economic development
6 goals of the state for the purpose of creating workforce and
7 economic development systems that are integrated and shall provide
8 Oklahoma a competitive advantage in a global economy.

9 B. Membership of the Council shall include representatives of
10 private employers who reflect Oklahoma's projected and desired
11 business and industry base and public officials from agencies which
12 provide programs and services related to workforce, education and
13 economic development. All Council members shall be in positions to
14 influence policy and hiring decisions within their organizations.
15 Initial appointments to the Council shall conform to the following
16 described schedule:

17 1. The membership of the Council shall comply with the federal
18 requirements of the state investment board;

19 2. A majority of the Council shall come from described private
20 sector employers, including owners of businesses, chief executives
21 or operating officers of businesses or other business executives or
22 employees with optimum policymaking or hiring authority, and who
23 represent businesses, including small businesses, that provide
24 employment opportunities that, at a minimum, include high-quality,

1 work-relevant training and development in in-demand industry sectors
2 or occupations in this state;

3 3. State officials shall include incumbents or designees of the
4 following named offices, or their successors in office or function:

5 a. Governor,

6 b. two members of the Senate, appointed by the President
7 Pro Tempore,

8 c. two members of the House of Representatives, appointed
9 by the Speaker,

10 d. Executive Director of the Oklahoma Department of
11 Commerce, and

12 e. Executive Director of the Oklahoma Employment Security
13 Commission;

14 4. Additional members, at the discretion and pleasure of the
15 Governor, may be appointed representing the needs or interests of
16 the state economy or specific regional needs; and

17 5. Ex-officio members, at the discretion and pleasure of the
18 Governor, may be included to provide expertise and agency
19 information to the Council. These appointments may include, but not
20 be limited to:

21 a. the Secretary of Education,

22 b. the Secretary of Health and Human Services,

23 c. the Secretary of Commerce,
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- d. the Chancellor of the Oklahoma State Regents for Higher Education,
- e. the Director of Career and Technology Education,
- f. the State Superintendent of Public Instruction,
- g. the Director of the State Department of Rehabilitation Services,
- h. the Director of the Oklahoma Department of Corrections,
- i. the Commissioner of the Oklahoma Department of Mental Health and Substance Abuse Services,
- j. the Director of the Oklahoma Health Care Authority, and
- k. the Native American Liaison.

C. Private sector members shall be appointed by and serve at the pleasure of the Governor for a two-year term beginning October 1, 2005, and may be reappointed. However, of the initial private sector members appointed, half shall be appointed for an initial term of one (1) year beginning October 1, 2005. Private members may be removed from office for failure to attend three consecutive Council meetings. The chair of the Council shall be from the private sector and shall be appointed by and serve at the pleasure of the Governor.

D. The Council shall meet at such times and places as it deems appropriate. Members shall serve without compensation. Council

1 members employed by a state agency shall be reimbursed travel
2 expenses related to their service on the Council as authorized by
3 state law by their respective state agency. Legislative members of
4 the Council shall be reimbursed by their respective houses for
5 necessary travel expenses incurred in the performance of their
6 duties as authorized by state law. Remaining Council members shall
7 also be reimbursed travel expenses related to their service on the
8 Council by the Oklahoma Department of Commerce as authorized by
9 state law. No member of the Council shall profit, directly or
10 indirectly, from any transaction with the Council.

11 E. The duties and responsibilities of the Council in the
12 development, monitoring and aligning of the workforce system with
13 economic development shall include, but not be limited to:

14 1. Performing the duties required of the state governance board
15 by the federal Workforce Innovation and Opportunity Act;

16 2. Identifying the human resource investment needs of Oklahoma
17 business and industry, together with those of the citizens of the
18 state, so that each might respond to and meet the needs of the
19 others and thus together build a robust, diversified economy;

20 3. Reviewing and evaluating workforce development programs
21 within the state, formulate recommendations to increase their
22 efficiency and effectiveness, eliminate duplication, and align with
23 economic goals. Recommendations shall be communicated to the
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1 Governor, Legislature, state and federal government agencies and
2 appropriate individuals and entities within the private sector;

3 4. Increasing academic capability and technical skills within
4 the state workforce and foster lifelong learning among Oklahoma's
5 citizens;

6 5. Strengthening collaboration among institutions which provide
7 education and training services, government agencies which
8 coordinate employment and other human resource investment
9 activities, and Oklahoma business and industry to create a seamless
10 system to nurture healthy economic development; and

11 6. Enhancing rural economic development capability and
12 capacity, giving particular attention to regional collaboration and
13 partnering.

14 F. Activities of the Council shall be coordinated by the
15 Secretary of Commerce and directed by the Deputy Secretary of
16 Commerce for Workforce Development, or their successors in office or
17 function. Administrative and staffing support for the Council shall
18 be coordinated by the Office of Workforce Solutions within the
19 Department of Commerce.

20 G. The State Workforce Partners originally established under
21 the authority of Executive Order 2005-27 as the Workforce Solutions
22 Staff Team is hereby recognized by the Legislature. This
23 interagency team shall be comprised of executive level staff from
24 workforce, education and economic development agencies of the state

1 for the purpose of providing staff support to the Council and to
2 create efficiencies, eliminate duplication, and eliminate barriers
3 to jointly providing a service delivery system. Other members may
4 be included on this team as the Governor may deem necessary to
5 accomplish this goal.

6 H. The Council shall be supported by funds available to state
7 agencies pursuant to state and federal laws and regulations. Each
8 member of the Council whose agency qualifies pursuant to state and
9 federal law to receive and use such funds shall assist by providing
10 support and funding of the Council in carrying out the
11 responsibilities of the Council.

12 I. The Council shall form a subcommittee on health workforce
13 whose purpose shall be to inform, coordinate, and facilitate
14 statewide efforts to ensure that a well-trained, adequately
15 distributed, and flexible health workforce is available to meet the
16 needs of an efficient and effective health care system in Oklahoma.
17 Duties of the Health Workforce Subcommittee shall include, but not
18 be limited to, the following:

19 1. Conducting data analysis and preparing reports on health
20 workforce supply and demand;

21 2. Research and analysis of state health professional education
22 and training capacity;

1 3. Recommend recruitment and retention strategies for areas
2 determined by the Oklahoma Primary Care Office or the Oklahoma
3 Office of Rural Health to be areas of high need; and

4 4. Assessment of health workforce policy, evaluation of impact
5 on Oklahoma's health system and health outcomes, and developing
6 health workforce policy recommendations.

7 J. Activities of the Council shall be coordinated with the
8 Executive Director of the Oklahoma Office of Workforce Development
9 created in Section 1 of this act. Administrative and staffing
10 support for the Council may be coordinated by Oklahoma Office of
11 Workforce Development within the Oklahoma Department of Labor.

12 SECTION 26. AMENDATORY Section 1, Chapter 138, O.S.L.
13 2018 (74 O.S. Supp. 2018, Section 5003.10e), is amended to read as
14 follows:

15 Section 5003.10e. A. There is hereby created the Work-based
16 Learning Program to continue until July 1, 2026, according to the
17 Oklahoma Sunset Law. The Governor's Council on Workforce and
18 Economic Development shall have authority over the program with the
19 assistance of the Department of Labor, Oklahoma Office of Workforce
20 Development. This program is contingent on federal funding under
21 the federal Workforce and Economic Opportunity Act allocations to
22 this state. The Governor's Council shall coordinate the program by
23 establishing partnerships with the State Department of Education,
24 the State Regents for Higher Education, the State Department of

1 Career and Technology Education, the Oklahoma Board of Private
2 Vocational Schools, the Secretary of State and business entities
3 throughout the state. The Oklahoma Office of Workforce Development,
4 serving as the Workforce Innovation and Opportunity Act designee as
5 established by the Governor, shall have the official duty to develop
6 and maintain a Work-based Learning Program within its jurisdiction
7 to be focused on increasing the number of registered apprenticeships
8 and internship programs, defined as paid and unpaid work experience
9 by the United States Department of Labor as contained in 20 CFR
10 681.600, in this state to at least an aggregate of twenty thousand
11 positions by the end of the calendar year 2020. All partners
12 participating in the Work-based Learning Program shall be required
13 to provide their expertise, time and resources as deemed necessary
14 to advance and sustain the work-based learning goals of Oklahoma
15 Works to assist with publishing an annual progress report showing
16 each state agency's steps and accomplishments toward meeting
17 statewide workforce goals and to network and coordinate with other
18 public and private entities in an effort to align all state
19 agencies, boards and commissions and the private business sector in
20 meeting Oklahoma Works goals.

21 B. The Work-based Learning Program shall include the following
22 components:
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1 1. Coordinate work-based learning opportunities through the
2 state's labor market and labor exchange systems to connect youth and
3 adults in public and private sectors;

4 2. Work toward increasing the number of youth and adults
5 participating successfully in public and private work-based learning
6 opportunities;

7 3. Set standards for equality and fair access to quality work-
8 based learning experiences for all Oklahomans, including, but not
9 limited to, women, out-of-school youth, adults, African Americans,
10 Hispanics, Native Americans, veterans, individuals with disabilities
11 and other target populations identified in the federal Workforce
12 Innovation and Opportunity Act;

13 4. Promote quality work-based learning experiences which are
14 developmentally appropriate, including an orientation for all
15 parties, identify learning objectives for the term of the
16 experience, explore multiple aspects of an industry, develop
17 workplace skills and competencies, assess performance, provide
18 opportunities for work-based reflection, link appropriate next steps
19 and see that all aspects are documented and reported and comply with
20 state and federal labor laws;

21 5. Convene industry partners to develop industry-specific
22 standards for internships in order to aid employers with the
23 creation of rigorous internship programs; and
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1 6. Prioritize paid work-based learning experiences to ensure
2 equity and access.

3 C. Each organization seeking to be a registered Work-based
4 Learning Program in Oklahoma shall either:

5 1. Be registered as a Work-based Learning Program, such as an
6 apprenticeship, with the United States Department of Labor; or

7 2. File a certificate each year in the Office of the Secretary
8 of State, which shall confirm such an organization is an active
9 participant in Oklahoma's registered Work-based Learning Program.

10 The certificate to be filed shall include:

11 a. the name of the business, nonprofit organization or
12 government organization,

13 b. the street address of the organization,

14 c. the name of the primary contact for the organization,

15 d. the electronic mail address for the primary contact of
16 the registered organization,

17 e. the registered organization's North American Industry
18 Classification System code (NAICS), if applicable,

19 f. the number and type of work-based learning
20 opportunities proposed for the year, the estimated
21 term of each opportunity, the proposed occupations,
22 and estimated number of hours per week of each
23 opportunity, if available,

- 1 g. the number and type of work-based learning
2 opportunities proposed for the year, the estimated
3 term of each opportunity, the proposed occupations,
4 and the estimated number of hours per week of each
5 opportunity, if available,
6 h. signed acknowledgement of the application by the
7 primary contact, and
8 i. the annual renewal shall be due on the anniversary
9 date of filing the registration application.

10 The filing shall be made electronically via the Secretary of
11 State website.

12 D. The annual certificate of participation shall be due on the
13 anniversary date of original registration, as the case may be, until
14 cancellation of the work-based organization in the Work-based
15 Learning Program.

16 E. The Secretary of State shall, at least sixty (60) days
17 before the anniversary date each year of a participating
18 organization, cause a notice of renewal of the annual certificate to
19 be sent to such organization to its last known electronic mail
20 address of record filed with the Secretary of State. At the time of
21 renewal, the organization shall provide a Work-based Learning
22 Program annual summary, including for each position offered:

- 23 1. The number of opportunities posted;
24 2. The number of opportunities hired;

1 3. The type of work-based learning opportunities offered (e.g.,
2 internship, apprenticeship);

3 4. The Standard Occupational Classification (SOC) code;

4 5. The performance evaluation criteria utilized;

5 6. The term of the position;

6 7. The number of hours per week;

7 8. Paid or unpaid status;

8 9. Academic credit awarding institution, if applicable;

9 10. Academic hours awarded, if applicable; and

10 11. The gender, age and ethnicity of hires, if available.

11 F. A registered organization that fails to file the annual
12 renewal and pay the annual renewal fee by the anniversary date of
13 registration shall cease to be a registered organization with the
14 Governor's Council for Workforce and Economic Development.

15 G. The Secretary of State shall charge and collect the
16 following fees:

17 1. For filing the original application, a fee of Fifty Dollars
18 (\$50.00) submitted to the Secretary of State; and

19 2. For filing subsequent annual renewals, a fee of Twenty-five
20 Dollars (\$25.00) submitted to the Secretary of State.

21 H. To coordinate with statewide career pathways efforts,
22 registered organizations under this program shall recruit
23 participants by posting job announcements on the state labor market
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1 exchange system. Job announcements shall include the registered
2 organization number as assigned by the Secretary of State.

3 I. The Secretary of State shall transfer on July 1 of each
4 fiscal year an amount based on the Governor's Council for Workforce
5 Development annual budget not to exceed Eight Hundred Fifty Thousand
6 Dollars (\$850,000.00) annually from the Secretary of State revolving
7 fund to support the administration of the program and business
8 registration to help enable the development of the state's talent
9 pipeline.

10 SECTION 27. RECODIFICATION 74 O.S. 2011, Section
11 5003.10d, as amended by Section 25 of this act, shall be recodified
12 as Section 900.25 of Title 40 of the Oklahoma Statutes, unless there
13 is created a duplication in numbering.

14 SECTION 28. RECODIFICATION Section 1, Chapter 138,
15 O.S.L. 2018, as amended by Section 26 of this act, shall be
16 recodified as Section 900.26 of Title 40 of the Oklahoma Statutes,
17 unless there is created a duplication in numbering.

18 SECTION 29. This act shall become effective November 1, 2019.

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