Senate Bill 623

Sponsored by Senator FREDERICK, Representative REARDON (at the request of Oregon Workforce Partnership)  
(Preession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Requires local workforce development boards to evaluate programs administered by state workforce agencies through WorkSource Oregon system. Requires agencies to provide boards with information for performance evaluation.

Requires annual report to Legislative Assembly and Governor listing all programs delivered through WorkSource Oregon and identifying program problems and potential solutions.

Requires state workforce agencies to annually provide to each local workforce development board information on amount of fund availability and services provided by agencies in each local workforce development area. Requires agencies to also provide to boards quarterly expenditure and performance information for each workforce program delivered by agency through WorkSource Oregon.

Requires state workforce agencies to implement all recommendations made by local workforce development board during program evaluation, unless recommendation is prohibited by federal or state law.

Requires Governor to collaborate with members of Legislative Assembly to establish funding formula to support WorkSource Oregon evaluation.

Authorizes Higher Education Coordinating Commission to provide grants to local workforce development boards for paid work experiences for youth.

Authorizes commission to establish pilot programs to provide grants to local workforce development boards to work with organizations to enhance adult learning.

Requires State Workforce and Talent Development Board to convene representatives from state workforce agencies and local workforce development boards to identify program and system changes to support individuals and business most impacted by COVID-19 pandemic and 2020 wildfire disasters. Requires report on findings to be submitted to Governor and Legislative Assembly within 45 days of effective date of Act.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Whereas support for people to recognize their full potential is necessary and must be intentional; and

Whereas multiple systems that impact a person's success in training, education and work are disparate and lack coordination; and

Whereas community-based organizations and nonprofit groups have stepped up in unprecedented ways to support people during these unprecedented times; and

Whereas workforce development is economic development; and

Whereas Oregon is experiencing a significant economic downturn as a result of COVID-19, unprecedented wildfires and extensive business closures; and

Whereas Oregonians most impacted by the economic downturn are communities of color, women, younger, less educated and lower-income workers; and

Whereas achieving equitable economic recovery will require changes to services and systems at both the state and local level and a commitment to engage, listen and learn at the community level; and

Whereas WorkSource Oregon is essential to helping those most impacted by the downturn to

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be omitted.

New sections are in boldfaced type.

LC 1275
return to work and support regional economic recovery; and

Whereas Local Workforce Development Boards are uniquely positioned to direct public workforce investments at the state and local level for talent development, job creation, income progression, business competitiveness, integrated service delivery and expanded opportunities for citizen prosperity; and

Whereas Local Workforce Development Boards are uniquely positioned to develop local workforce plans in alignment with state priorities; and

Whereas Local Workforce Development Boards are uniquely positioned to direct and prioritize funding toward workforce development activities and to help shape how services are delivered in the local WorkSource Oregon system; and

Whereas Local Workforce Development Boards are uniquely positioned to use labor market intelligence to better align economic development, education and training, and workforce development investments and services, for job seekers and businesses to efficiently address local labor market needs and statewide priorities; and

Whereas Local Workforce Development Boards are uniquely positioned to lead employer engagement to promote business representation, develop linkages, implement effective strategies and ensure that workforce investments support the needs of employers; and

Whereas Local Workforce Development Boards are uniquely positioned to expand private-public partnerships with an integrated workforce system to better meet the needs of communities and create solutions to address tomorrow’s workforce challenges; and

Whereas Local Workforce Development Boards are uniquely positioned to partner with Regional Solutions Committees to identify and leverage opportunities to expand job creation and incentivize job growth; and

Whereas Local Workforce Development Boards are uniquely positioned to conduct program oversight to ensure appropriate use, management and investment of workforce resources; and

Whereas Local Workforce Development Boards are uniquely positioned to assume accountability for workforce system outcomes; now, therefore,

Be It Enacted by the People of the State of Oregon:

SECTION 1. Sections 2, 3, 4, 5 and 8 of this 2021 Act are added to and made a part of ORS 660.300 to 660.364.

SECTION 2. (1) As used in sections 2, 3 and 4 of this 2021 Act, “one-stop delivery system” has the meaning given that term in ORS 660.334.

(2) In addition to the duties described in ORS 660.327, at least once each year each local workforce development board shall evaluate the workforce programs administered by state workforce agencies under the one-stop delivery system. The evaluation must include:

(a) Monitoring and evaluating the effectiveness of entities created to perform workforce development activities under ORS 660.334, state workforce agencies and other contractors that are involved in programs under the federal Workforce Innovation and Opportunity Act to ensure that performance is consistent with state and local goals and objectives;

(b) Identifying any duplication of, or gaps in, the workforce development provided by the programs, or any other problems in the workforce development provided by the programs, that adversely affect the seamless delivery of workforce development services;

(c) Identifying any specific barriers to integrated service delivery at the federal, state or local levels; and

(d) Developing recommendations and implementation strategies to address any problems
or issues discovered in the evaluation conducted under this section.

(3) Not later than 60 calendar days after receiving a formal request from a local workforce development board for information necessary to allow the board to conduct the evaluation described in subsection (2) of this section, a state workforce agency must provide the board with any requested information regarding fund allocation, expenditures or performance metrics for each local workforce development area. The information provided to the local workforce development board under this subsection must also provide the requested information for all requested workforce programs, including:

(a) Adult and dislocated worker programs authorized by Title I of the federal Workforce Innovation and Opportunity Act;

(b) Youth workforce programs authorized by Title I of the federal Workforce Innovation and Opportunity Act;

(c) Adult Education and Family Literacy Act programs authorized by Title II of the federal Workforce Innovation and Opportunity Act;

(d) Programs authorized by the federal Wagner-Peyser Act (29 U.S.C. 49 et seq.), as amended;

(e) WorkSource Oregon centers funded by the Supplemental Employment Department Administration Fund established under ORS 657.783;

(f) Reemployment and eligibility assessment programs required under ORS 657.156;

(g) Trade Adjustment Assistance programs authorized by Title II of the federal Trade Act of 1974 (19 U.S.C. 2271 et seq.), as amended;

(h) Jobs for Veterans State Grants authorized by 38 U.S.C. 4102A(b)(5);

(i) Employment and training programs authorized by sections 6(d)(4) and 6(o) of the federal Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), as amended;

(j) Employment and training programs under the Temporary Assistance for Needy Families program authorized by Part A of Title IV of the Social Security Act (42 U.S.C. 601 et seq.), as amended;

(k) Vocational rehabilitation programs authorized by the federal Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), as amended; and

(L) Senior Community Service Employment Program authorized by the federal Older Americans Act of 1965 (42 U.S.C. 3001 et seq.), as amended.

(4)(a) Not later than July 1 of each year, each local workforce development board shall provide to the State Workforce and Talent Development Board:

(A) A review of all workforce programs delivered through the local one-stop delivery system, including expenditures and program outcomes;

(B) A list of specific problems identified by the local workforce development board in the evaluation conducted subsection (2) of this section; and

(C) Recommendations to address problems, improve integration, increase efficiency and scale best practices. The recommendations developed by a local workforce development board under this subparagraph must identify the state workforce agency that is responsible for implementing each recommendation and establish a recommended time frame for the implementation of each recommendation.

(b) Not later than October 1 of each year, the State Workforce and Talent Development Board shall submit to the Governor and the interim committees of the Legislative Assembly related to workforce development, in the manner provided in ORS 192.245, a report that
comprehensively sets forth the material provided to the State Workforce and Talent Development Board by all local workforce development boards under paragraph (a) of this subsection.

SECTION 3. (1) Not less than once a year, each state workforce agency shall provide to each local workforce development board information regarding the amount of moneys and services available from the agency to each local workforce development area.

(b) At the end of each fiscal quarter, each state workforce agency shall provide to each local workforce development board expenditure and performance information for each workforce program that is delivered through the one-stop delivery system.

(2) A state workforce agency that is responsible for the administration or delivery of workforce programs through the one-stop delivery system must implement all recommendations that are both made by a local workforce development board under section 2 of this 2021 Act and approved by the Governor, unless a recommendation violates a federal or state law. In implementing recommendations that are both made by a local workforce development board and approved by the Governor, a state workforce agency must:

(a) Provide the local workforce development board with any information relating to implementation in a timely manner;

(b) Report on the implementation of the local workforce development board’s recommendations at the time and in the format requested by the board; and

(c) Notify the relevant board or boards, the interim committees of the Legislative Assembly relating to workforce development and the Governor within 30 days of any state workforce agency determination for why a recommendation cannot be implemented. The notification must include a justification for why the recommendation cannot be implemented.

SECTION 4. The Governor, in consultation with members of the Legislative Assembly with expertise in workforce development, shall establish a funding formula to determine the level of financial support each state workforce agency that administers a workforce program delivered through the one-stop delivery system must provide annually to support the evaluations of workforce programs required by section 2 of this 2021 Act. The funding formula shall ensure that the financial support identified under this section is delivered to local workforce development boards for the purpose of conducting the evaluations required by section 2 of this 2021 Act.

SECTION 5. (1) There is created in the Office of Community Colleges and Workforce Development a program to make grants to local workforce development boards that contract with local community-based and other youth-serving organizations whose mission is consistent with the purposes of the Oregon Youth Employment Program created under ORS 660.353, to provide paid work experiences and workforce training to youth between the ages of 14 and 24.

(2) In order for an organization to be eligible to receive a grant under this section, the local workforce development board that contracts with the organization must ensure and attest that at least 75 percent of the youths who participate in any program funded by the grant are from communities that are historically underrepresented in specific fields and occupations, including communities of color, rural communities and communities facing generational poverty.

(3) The Higher Education Coordinating Commission may adopt rules necessary to implement this section.
SECTION 6. In addition to and not in lieu of any other appropriation, there is appropri-
ated to the Higher Education Coordinating Commission, for the biennium beginning July 1,
2021, out of the General Fund, the amount of $_____, for the purpose of providing grants in
the manner described in section 5 of this 2021 Act.

SECTION 7. In addition to and not in lieu of any other appropriation, there is appropri-
ated to the Higher Education Coordinating Commission, for the biennium beginning July 1,
2021, out of the General Fund, the amount of $_____, for the purpose of allocating moneys
local workforce development boards that:

1. Engage in local competitiveness strategies that effectively manage workforce pro-
grams and business engagement;
2. Establish work experiences including on-the-job training, customized training,
incumbent worker training, apprenticeship-related training and work experience or
internship programs that serve traditionally underserved and vulnerable populations, in-
cluding those most impacted by the COVID-19 pandemic and 2020 wildfire disasters; or
3. Establish industry engagement strategies in which employer-driven and community-
supported strategies enhance the overall economic health of target industry sectors and re-

gions.

SECTION 8. (1) There is created in the Office of Community Colleges and Workforce
Development a program to make grants to pilot projects brought by local workforce de-
velopment boards to promote adult learning.
(2) Pilot projects funded by the program must:
(a) Involve local workforce development boards working with local community-based or-
ganizations, educators and other providers; and
(b) Demonstrate the ability to serve adult learners from underserved and underrepre-
sented communities, including communities of color, rural communities and communities
facing generational poverty.
(3) Local workforce development boards that receive funding for a pilot program under
this section may use the moneys to:
(a) Provide wraparound workforce development services;
(b) Offer tuition and fee assistance for workforce training programs;
(c) Hire career coaches, counselors or case managers;
(d) Provide workforce training and professional development; or
(e) Develop adult-friendly career pathways.
(4) The Higher Education Coordinating Commission may adopt rules necessary to imple-
ment this section.

SECTION 9. In addition to and not in lieu of any other appropriation, there is appropri-
ated to the Higher Education Coordinating Commission, for the biennium beginning July 1,
2021, out of the General Fund, the amount of $_____, for the purpose of providing grants in
the manner described in section 7 of this 2021 Act.

SECTION 10. (1) The State Workforce and Talent Development Board shall convene rep-
resentatives from local workforce development boards and other regional and local partners
and representatives from each state workforce agency to identify changes and improvements
to workforce programs that are immediately necessary in order to better support individuals
and businesses impacted by the COVID-19 pandemic and the 2020 wildfire disasters.
(2) Not later than 45 calendar days after the effective date of this 2021 Act, the State
Workforce and Talent Development Board shall submit to the Governor and the interim committees of the Legislative Assembly related to workforce development, in the manner provided in ORS 192.245, a report setting forth the recommendations arrived at under subsection (1) of this section.

**SECTION 11.** Section 10 of this 2021 Act is repealed on June 30, 2023.

**SECTION 12.** This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect on its passage.