

House Bill 897 (AS PASSED HOUSE AND SENATE)

By: Representatives Harden of the 28th, England of the 108th, Coomer of the 14th, Neal of the 1st, Powell of the 29th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial
2 relations, so as to extensively revise the Georgia Workforce Investment Board provisions;
3 to authorize the board to promulgate rules and regulations; to add provisions relating to soft
4 skills programs; to repeal provisions providing for the utilization of the Governor's
5 discretionary funds; to repeal the Georgia Work Ready program; to provide for related
6 matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations,
10 is amended by revising Chapter 14, relating to the Georgia Workforce Investment Board, as
11 follows:

12 "CHAPTER 14

13 34-14-1.

14 As used in this chapter, the term:

15 (1) 'Board' means the Georgia Workforce Investment Board.

16 (2) 'Director' means the executive director of the Governor's Office of Workforce
17 Development.

18 (3) 'Federal law' means the Workforce Investment Act of 1998, Public Law 105-220.

19 ~~(4) 'Georgia Work Ready' or 'program' means the state's branded workforce development~~
20 ~~enterprise administered and implemented by the Governor's Office of Workforce~~
21 ~~Development that:~~

22 ~~(A) Links education and workforce development together and aligns to the economic~~
23 ~~development needs at the local, regional, and state levels, and~~

24 ~~(B) Provides a system of educational and workforce development tools, skills gap~~
25 ~~training, job profiling, and skills assessments based on nationally recognized career and~~
26 ~~workforce readiness evaluations and standards.~~

27 (5)(4) 'Office' means the Governor's Office of Workforce Development.

28 34-14-2.

29 (a) Pursuant to the Workforce Investment Act of 1998, Public Law 105-220, there is
30 created the Georgia Workforce Investment Board.

31 (b) The board shall consist of members to be selected by the Governor consistent with
32 federal law requirements, two members of the House of Representatives, appointed by the
33 Speaker of the House, and two members of the Senate, appointed by the Lieutenant
34 Governor. A majority of the members of the board shall be representatives of businesses
35 in this state. Other members may include, but shall not be limited to, representatives of
36 individuals and organizations that have experience and expertise in education, the
37 economy, the workforce, and labor.

38 (c) The chairperson of the board shall be appointed by the Governor. Other officers shall
39 be elected or otherwise selected as determined by the Governor.

40 (d) The members of the board shall serve such terms as established by the Governor, and
41 the members shall continue at the discretion of the Governor, except for the members of
42 the House of Representatives and the Senate, who shall continue at the discretion of the
43 Speaker of the House and the Lieutenant Governor, respectively.

44 (e) The board shall have such powers and duties as specified by the Governor and as
45 provided by federal law.

46 (f) The board shall adopt bylaws to guide its proceedings.

47 (g) The board shall be funded by federal law as provided in this chapter.

48 (h) The board shall be attached to the Office of Planning and Budget for administrative
49 purposes only.

50 (i) Each member of the board who is not otherwise a state officer or employee shall be
51 authorized to receive reimbursement for reasonably necessary travel expenses incurred in
52 the performance of his or her duties as a member of the board, provided that such funds are
53 available and such reimbursements are allowable under federal law. Should funds not be
54 available or allowable for this purpose, such members shall serve without compensation.
55 Each member of the board who is otherwise a state officer or employee shall be reimbursed
56 by the agency of which he or she is an officer or employee for reasonably necessary travel
57 expenses actually incurred in the performance of his or her duties as a member of the
58 board, provided that such funds are available and such reimbursements are allowable under

59 federal law. Except as otherwise provided in this subsection, members of the board shall
60 receive no compensation for their services.

61 (j) The board shall be authorized to consult with and form committees with members and
62 persons knowledgeable on the subject matter at issue in order to carry out effectively its
63 duties. Such consultants shall serve without compensation but shall be reimbursed for
64 travel and other reasonable and necessary expenses incurred while attending meetings of
65 or on behalf of the board, provided that such travel and other expenses are approved by the
66 director and such reimbursements are allowable under federal law.

67 (k) The Governor's Office of Workforce Development shall be authorized to employ and
68 contract with other individuals and organizations as needed to assist in executing the
69 board's responsibilities, provided that funds are available for such expenditures and such
70 expenditures are allowable under federal law.

71 (l) All state departments, institutions, agencies, commissions, councils, authorities, boards,
72 bureaus, or other entities of the state shall provide all information and support as required
73 by the board to perform its duties.

74 (m) The board is authorized to promulgate rules and regulations for purposes of
75 implementing the provisions of this chapter.

76 34-14-3.

77 (a)(1) The Governor's Office of Workforce Development is hereby established to
78 implement state workforce development policy as directed by the Governor and to serve
79 as staff to the board.

80 ~~(2) In addition, the office is authorized to establish certification in soft skills, which may~~
81 ~~include, but not be limited to, skills relating to punctuality, ability to learn, and ability to~~
82 ~~work in a team, as a discrete and complementary component to the current assessment~~
83 ~~system utilized in Georgia to measure an individual worker's skill and knowledge in the~~
84 ~~areas of applied mathematics, reading for information, and locating information to~~
85 ~~determine and indicate to potential employers such worker's level of work readiness.~~
86 ~~Such certification is intended to assist both the existing workforce as well as the state's~~
87 ~~emerging workforce. The office is authorized to explore local, national, and international~~
88 ~~soft skills programs for the purpose of developing a soft skills certification system.~~

89 ~~(3)~~(2) The office is authorized and encouraged to work with the state's emerging
90 workforce, including rising and graduating high school students, with the goal that, upon
91 graduation, high school students have both a diploma and certification in soft skills and
92 work readiness to enable them to be successful in postsecondary education, a career
93 pathway, or both. The office may collaborate with the Department of Education and the
94 Board of Technical and Adult Education State Board of the Technical College System

95 of Georgia to facilitate coordination with high schools so that high school students can
 96 attain certification in soft skills ~~and work readiness~~. The office is authorized to explore
 97 local, national, and international soft skills programs for the purpose of developing a soft
 98 skills certification system.

99 (b) The Governor's Office of Workforce Development shall have an executive director
 100 appointed by the Governor whose duties are to implement state-wide workforce
 101 development policy as directed by the Governor, to serve as workforce development policy
 102 advisor to the Governor, and to serve as executive director to the board.

103 (c) The Governor's Office of Workforce Development shall be attached to the Office of
 104 Planning and Budget for administrative purposes only.

105 ~~34-14-4:~~

106 ~~(a) The annual allocation reserved by federal law for state-wide workforce activities and~~
 107 ~~administration, known as the 'Governor's discretionary funds,' shall be reserved for use by~~
 108 ~~the Governor to support state-wide workforce activities recommended by the board and~~
 109 ~~within parameters set forth in Section 128 of the Workforce Investment Act of 1998, Public~~
 110 ~~Law 105-220, and may be implemented through the creation of the Georgia Work Ready~~
 111 ~~program.~~

112 ~~(b) Nothing in this chapter shall be construed to require any appropriation of state funds.~~

113 ~~34-14-5:~~

114 ~~(a) The Governor's Office of Workforce Development shall, with the approval of the~~
 115 ~~board, institute the Georgia Work Ready program. The implementation and operation of~~
 116 ~~the program shall be subject to available federal funding as provided for in Code Section~~
 117 ~~34-14-4. The program shall be made available to job seekers free of charge. As a part of~~
 118 ~~the program, the office shall implement and administer a work readiness computer training~~
 119 ~~course that will include an educational component for job seekers on accessing the~~
 120 ~~program, skills gap training, and how to complete an on-line job application. The~~
 121 ~~Technical College System of Georgia shall provide to the office such services and locations~~
 122 ~~needed by the office for delivery of the program to the public.~~

123 ~~(b) Under the Georgia Work Ready program the office shall:~~

124 ~~(1) Develop and make available information regarding the program's workforce~~
 125 ~~development tools and educational materials available to job seekers in Georgia. The~~
 126 ~~office shall also develop and make available information regarding the Georgia Work~~
 127 ~~Ready program related to educating potential employers about the benefits of hiring~~
 128 ~~individuals who have participated in the program or become work ready certified. The~~

129 ~~information described in this paragraph shall be distributed to both the Department of~~
130 ~~Labor and the Department of Economic Development; and~~
131 ~~(2) Collect and disseminate data for purposes of evaluating the effectiveness of the~~
132 ~~program. Beginning July 1, 2012, and annually thereafter, the Department of Labor shall~~
133 ~~collect and provide to the office data regarding the employment status of persons who~~
134 ~~have participated in the program. The Department of Labor shall provide such other~~
135 ~~information that may be reasonably obtained that is determined by the office to be~~
136 ~~necessary for the evaluation of the effectiveness of the program. The office shall~~
137 ~~disseminate its evaluation of the program to the Department of Labor and the Department~~
138 ~~of Economic Development annually beginning January 1, 2013. The office, departments,~~
139 ~~and Technical College System of Georgia shall work cooperatively to provide support for~~
140 ~~the office's annual report.~~

141 ~~(c) Provided that the program is operational, the Department of Labor shall make the~~
142 ~~information provided by the office pursuant to paragraph (1) of subsection (b) of this Code~~
143 ~~section available to persons receiving unemployment benefits. The information shall be~~
144 ~~made available electronically and through the department's career centers or at such other~~
145 ~~locations reasonably likely to make such information available to the greatest number of~~
146 ~~unemployed persons seeking jobs.~~

147 ~~(d) Provided that the Georgia Work Ready program is operational, the Department of~~
148 ~~Economic Development shall make the information provided by the office pursuant to~~
149 ~~paragraph (1) of subsection (b) of this Code section available to businesses and industry.~~
150 ~~Such information shall be made available electronically and by such other means as the~~
151 ~~department shall determine reasonably likely to educate employers regarding the benefits~~
152 ~~of hiring persons who have participated in or become certified under the program.~~

153 ~~(e) The board is authorized to promulgate rules and regulations for purposes of~~
154 ~~implementing the requirements of this Code section."~~

155

SECTION 2.

156 All laws and parts of laws in conflict with this Act are repealed.