

SB247 ENROLLED



1 SB247

2 1PYF3LZ-3

3 By Senators Livingston, Waggoner, Jones, Weaver, Stutts,
4 Roberts, Shelnutt, Hovey, Singleton, Chesteen, Reed, Elliott,
5 Sessions, Butler, Barfoot, Williams, Givhan, Price, Allen,
6 Smitherman, Kitchens, Coleman-Madison, Kelley, Coleman,
7 Figures, Melson, Hatcher

8 RFD: Fiscal Responsibility and Economic Development

9 First Read: 21-Mar-24



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1 Enrolled, An Act,

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3 To amend Section 25-2-2, Section 25-2-3, and Section 25-2-6,
4 Code of Alabama 1975, renaming the Alabama Department of Labor
5 to the Alabama Department of Workforce, and changing the title
6 of the head of the department from Secretary of Labor to
7 Secretary of Workforce.

8 To add Chapter 15 of Title 25, Code of Alabama 1975,
9 and amend Section 41-29-282, Code of Alabama 1975,
10 establishing the Alabama Workforce Board as the State
11 Workforce Development Board, adding responsibilities of the
12 new Department and further providing for the responsibilities
13 of the Department of Commerce and the Alabama Industrial
14 Development and Training Institute.

15 To repeal Section 41-29-290, Section 41-29-291,
16 Section 41-29-292, Section 41-29-293, Section 41-29-294,
17 Section 41-29-295, Section 41-29-296, and Section 41-29-29,
18 Code of Alabama 1975, relating to the Alabama Workforce
19 Council, and to specifically repeal Section 41-29-300, Code of
20 Alabama 1975, relating to the Regional Workforce Development
21 Councils.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. This act shall be known and may be cited as
24 the Alabama Workforce Transformation Act.

25 Section 2. The Alabama Department of Labor is hereby
26 renamed the Alabama Department of Workforce, and the head of
27 the department shall be known and designated as the Secretary
28 of Workforce. Any reference in Alabama law or in any contract,



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29 deed, financial instrument or other legal document to the
30 Alabama Department of Labor or Secretary of Labor shall be
31 interpreted to mean the Alabama Department of Workforce or the
32 Secretary of Workforce as necessary to accomplish the purposes
33 of this act. The Code Commissioner shall conform references in
34 the Code of Alabama 1975, to existing departments, offices,
35 officers, and other state entities or positions to reflect the
36 changes required by this act. Code changes shall be made at a
37 time determined to be appropriate by the Code Commissioner.

38 Section 3. Section 25-2-2, Code of Alabama 1975, is
39 amended to read as follows:

40 "§25-2-2

41 (a) The general functions and duties of the Department
42 of ~~Labor~~Workforce shall be as follows:

43 (1) To administer all labor laws and all laws relating
44 to the relationship between employer and employee, including
45 laws relating to hours of work, and working conditions in
46 places of employment.

47 (2) To make or cause to be made all necessary
48 inspections to determine whether or not the laws, the
49 administration of which is delegated to the Department of
50 ~~Labor~~Workforce, and rules and regulations issued pursuant
51 thereto, are being complied with by employers and employees,
52 and to take such action as may be necessary to enforce
53 compliance; provided, however, that there shall be no
54 inspection of boilers which have been inspected, approved, and
55 insured by an insurance company authorized to do business in
56 the State of Alabama. Provided, however, that this provision



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57 may not prevent compliance verification by the department.

58 (3) To propose to the board of appeals, provided for in
59 this chapter, such rules and regulations, or amendments as may
60 be deemed advisable for the prevention of accidents or the
61 prevention of sickness and diseases in mines. The Secretary of
62 ~~Labor~~Workforce may appoint committees composed of employers,
63 employees, and experts to suggest and assist in the
64 preparation of rules and regulations or amendments.

65 (4) To administer and perform, by and under the
66 direction of the Secretary of ~~Labor~~Workforce, all functions
67 and duties of Chapter 4 of this title, and it shall have power
68 and authority to adopt and enforce all reasonable rules and
69 orders necessary or suitable to that end, and to require any
70 reports, and to take any other action, consistent with Chapter
71 4 of this title, necessary or suitable to that end.

72 (5) To cooperate with all authorities of the United
73 States having powers and duties under the Wagner-Peyser Act,
74 approved June 6, 1933 (48 Stat. 113, United States Code, Title
75 29, Section 49) entitled "An Act to provide for the
76 establishment of a national employment system and for
77 cooperation with the states in the promotion of such system
78 and for other purposes," and to do and perform all things
79 necessary to secure for the State of Alabama the benefits of
80 such act and the promotion and maintenance of a system of
81 public employment offices. The Department of ~~Labor~~Workforce is
82 hereby designated as the state agency and vested with all
83 powers necessary to cooperate with the United States
84 Employment Service or its successor.



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85 (6) To administer and perform, by and under the
86 direction of the Secretary of ~~Labor~~Workforce, all functions
87 and duties of Chapter 5 of this title, and it shall have power
88 and authority to adopt and enforce all reasonable rules and
89 orders necessary or suitable to that end, and to require any
90 reports, and to take any other action, consistent with Chapter
91 5 of this title, necessary or suitable to that end.

92 (7) To make investigations and studies and to collect,
93 collate, and compile statistical information and to make and
94 publish reports concerning the state's labor force
95 participation rate, unemployment rate, barriers to employment,
96 conditions of labor generally, including living conditions,
97 hours of work, wages paid, and all matters relating to the
98 enforcement and effect of the provisions of this title coming
99 under the jurisdiction of the Department of ~~Labor~~Workforce and
100 the rules and regulations issued pursuant thereto and other
101 laws relating to the Department of ~~Labor~~Workforce. The
102 Secretary of ~~Labor~~Workforce shall deliver a copy of each such
103 report to every person making application therefor.

104 (8) To make an annual report to the Governor covering
105 the activities and accomplishments of the Department of
106 ~~Labor~~Workforce during the preceding fiscal year, accompanied
107 by the recommendations of the Secretary of ~~Labor~~Workforce. The
108 report shall be printed and the Secretary of ~~Labor~~Workforce
109 shall deliver a copy to every person making application
110 therefor.

111 (9) To make recommendations to the Legislature for the
112 enactment of laws which, on the basis of information and



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113 statistics compiled by the Department of ~~Labor~~Workforce,
114 appear to be desirable for the development and training of the
115 state's labor force, protection of laborers, and for promoting
116 and fostering amicable relations between employers and
117 employees.

118 (10) To administer and perform, by and under the
119 direction of the Secretary of ~~Labor~~Workforce, all functions
120 and duties of Section 25-2-7, and it shall have power and
121 authority to adopt and enforce all reasonable rules and orders
122 necessary or suitable to that end, and to require any reports,
123 and to take any other action, consistent with Section 25-2-7,
124 necessary or suitable to that end.

125 (11) To administer and perform, by and under the
126 direction of the Secretary of ~~Labor~~Workforce, all functions
127 and duties of Chapter 7 of this title and such other statutes
128 as may be provided by law and to advise the Governor with
129 respect to the provisions thereof, and it shall have power and
130 authority to adopt and enforce all reasonable rules and orders
131 necessary or suitable to that end, and to require any reports,
132 and to take any other action, consistent with Chapter 7 of
133 this title, necessary or suitable to that end.

134 (12) To administer and perform, by and under the
135 direction of the Secretary of ~~Labor~~Workforce, all functions
136 and duties of Chapter 8 of this title, and it shall have the
137 power and authority to adopt and enforce all reasonable rules
138 and orders necessary or suitable to that end, and to require
139 any reports, and to take any other action, consistent with
140 Chapter 8 of this title, necessary or suitable to that end.



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141 (13) To administer and perform, by and under the
142 direction of the Secretary of ~~Labor~~Workforce, all functions
143 and duties of Chapter 9 of this title, and it shall have power
144 and authority to adopt and enforce all reasonable rules and
145 orders necessary or suitable to that end, and to require any
146 reports, and to take any other action, consistent with Chapter
147 9 of this title, necessary or suitable to that end.

148 (14) To administer and perform, by and under the
149 direction of the Secretary of ~~Labor~~Workforce, all functions
150 and duties of Chapter 10 of this title, and it shall have
151 power and authority to adopt and enforce all reasonable rules
152 and orders necessary or suitable to that end, and to require
153 any reports, and to take any other action, consistent with
154 Chapter 10 of this title, necessary or suitable to that end.

155 (15) To administer and perform, by and under the
156 direction of the Secretary of ~~Labor~~Workforce, all functions
157 and duties of Chapter 11 of this title, and it shall have
158 power and authority to adopt and enforce all reasonable rules
159 and orders necessary or suitable to that end, and to require
160 any reports, and to take any other action, consistent with
161 Chapter 11 of this title, necessary or suitable to that end.

162 (16) To administer and perform, by and under the
163 direction of the Secretary of ~~Labor~~Workforce, all functions
164 and duties of Chapter 12 of this title, and it shall have
165 power and authority to adopt and enforce all reasonable rules
166 and orders necessary or suitable to that end, and to require
167 any reports, and to take any other action, consistent with
168 Chapter 12 of this title, necessary or suitable to that end.



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169 (17) To administer and perform, by and under the
170 direction of the Secretary of ~~Labor~~Workforce, all functions
171 and duties of Chapter 13 of this title, and to require any
172 reports, and to take any other action, consistent with Chapter
173 13 of this title, necessary or suitable to that end.

174 (18) To administer and perform, by and under the
175 direction of the Secretary of ~~Labor~~Workforce, all functions
176 and duties of Chapter 14 of this title, and it shall have
177 power and authority to adopt and enforce all reasonable rules
178 and orders necessary or suitable to that end, and to require
179 any reports, and to take any other action, consistent with
180 Chapter 14 of this title, necessary or suitable to that end.

181 (19) To perform the duties set forth in subsection
182 (a) (5) of this chapter related to the administration of Title
183 III of the Wagner-Peyser Act and the Employment Service and
184 the Alabama Career Center Systems within the State.

185 (20) To cooperate with all authorities of the United
186 States concerning the development, management, and delivery of
187 workforce and labor market information funded through the
188 Workforce and Labor Market Information Grants to States (WIGS)
189 implementation of the federal Workforce Information Grant.

190 (21) To cooperate with all authorities of the United
191 States concerning the management and delivery of the Jobs for
192 Veterans State Grants Program.

193 (22) To cooperate with all authorities of the United
194 States concerning the management and delivery of the federal
195 Work Opportunity Tax Credit.

196 (23) To cooperate with all authorities of the United



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197 States concerning the management and delivery of the Federal
198 Bonding Program.

199 (24) To administer the Alabama Workforce Board, its
200 Executive Committee, and the Regional Workforce Boards.

201 (25) To collaborate with the Alabama Workforce Board,
202 its Executive Committee, and other state agencies,
203 departments, boards, and commissions to develop cohesive and
204 coordinated workforce development strategies, programs, and
205 budget recommendations.

206 (26) To administer all workforce development programs
207 currently administered by the Department of Commerce, except
208 for the Alabama Industrial Development Training Institute,
209 including, but not limited to:

210 a. Programs funded by Title I of the federal Workforce
211 Innovation and Opportunity Act.

212 b. The Alabama Office of Apprenticeship.

213 c. The Alabama Committee on Credentialing and Career
214 Pathways established by Act 2019-506.

215 d. The Alabama Committee on Credential Quality and
216 Transparency established by Act 2023-365.

217 e. The Alabama STEM Council.

218 f. The Office of Education and Workforce Statistics.

219 ~~(b) The combining of the functions of the Department of~~
220 ~~Industrial Relations and Department of Labor made by Act~~
221 ~~2012-496 shall reduce administrative costs and expenses paid~~
222 ~~from the State General Fund by an amount equal to at least 20~~
223 ~~percent of the amount appropriated from the State General Fund~~
224 ~~to the Department of Labor for the fiscal year ending~~



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225 ~~September 30, 2012.~~

226 (b) All state-level staff and state-owned assets
227 assigned to Regional Workforce Councils at the Department of
228 Commerce shall be transferred to the Department of Workforce.

229 (c) Any employee who is not subject to the Merit System
230 and who is transferred to the Department of Workforce to work
231 for the programs and councils referenced in Section
232 25-2-2(a)(26) and Section 25-2-2(b) shall serve in the exempt
233 service of the Merit System and maintain his or her salary,
234 benefits, and years of service upon the transfer. All other
235 employees shall remain subject to the Merit System.

236 (d) Any Merit System employee who is transferred to the
237 Department of Workforce to work for the programs and councils
238 referenced in Section 25-2-2(a)(26) and Section 25-2-2(b)
239 shall be transferred with no decrease in compensation or
240 benefits."

241 Section 4. Section 25-2-3, Code of Alabama 1975, is
242 amended to read as follows:

243 "§25-2-3

244 (a) The Secretary of ~~Labor~~Workforce, with the approval
245 of the Governor, may establish such division or divisions as
246 may, in his discretion, be necessary or desirable for the
247 administration or enforcement of any law or any rule or
248 regulations with which the Department of ~~Labor~~Workforce is
249 charged or the performance of any of its functions or duties.
250 Each division in the Department of ~~Labor~~Workforce shall be
251 headed by and be under the direction, supervision and control
252 of an officer who shall be designated as the chief of such



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253 division. All chiefs of divisions shall be appointed by the
254 Secretary of ~~Labor~~ Workforce, subject to the provisions of the
255 Merit System. Before entering upon the discharge of their
256 duties, such chiefs of divisions shall take the constitutional
257 oath of office. Each of such officers shall devote his full
258 time to his official duties and shall hold no other lucrative
259 position while serving as such.

260 (b) In addition to any other exempt positions allowed
261 by law, the department shall have three additional exempt
262 positions. The division employees serving in the exempt
263 service shall not be subject to the provisions of the Merit
264 System or receive Merit System benefits, and their
265 compensation shall be determined by the Secretary.

266 (c) It is one of the purposes of this chapter to
267 coordinate in a single Unemployment Compensation Division,~~in~~
268 ~~one division of the Department of Labor,~~ all of the state's
269 unemployment compensation services and employment service.
270 Unemployment compensation services and employment service
271 shall be in one division of the Department of ~~Labor~~Workforce
272 under the direction of the chief of said division.~~Within said~~
273 ~~division, but subordinate to the chief thereof, there shall be~~
274 ~~a full-time salaried director of unemployment compensation and~~
275 ~~a full-time salaried director of employment service. The~~
276 ~~salaries~~salary of said the division chief and directors
277 ~~shall~~may be paid solely~~from federal grants and shall be~~
278 comparable to those paid similar officers in comparable
279 states, notwithstanding any limitation or maximum in any other
280 law. The Secretary may employ personnel who shall serve in the



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281 classified service of the Merit System to carry out the duties
282 of this division.

283 (d) It is another purpose of this chapter to coordinate
284 in a single Workforce Pathways Division, all of the
285 department's workforce development functions and workforce
286 funding mechanisms, including the Alabama Workforce Board; the
287 regional workforce boards; the employment service and Alabama
288 Career Center System; the Alabama Office of Apprenticeship;
289 the Alabama STEM Council; the Office of Education and
290 Workforce Statistics; programs funded by Title I of the
291 federal Workforce Innovation and Opportunity Act; the Alabama
292 Committee on Credentialing and Career Pathways; the Alabama
293 Committee on Credential Quality and Transparency; the
294 Workforce and Labor Market Information Grants for States Grant
295 program and the Labor Market Division; the Federal Bonding
296 Program; the federal Jobs for Veterans State Grants Program;
297 and the federal Work Opportunity Tax Credit. The Secretary may
298 employ a division chief of the Workforce Pathways Division who
299 shall serve in the exempt service. The Secretary may employ
300 personnel who shall serve in the classified service of the
301 Merit System to carry out the duties of this division. It is
302 the intent of the Legislature that the Workforce Pathways
303 Division of the Department of Workforce serve as the
304 centralized data and information repository for the workforce
305 development activities of the state."

306 Section 5. Chapter 15 of Title 25, Code of Alabama
307 1975, is added to read as follows:

308 § 25-15-1. Alabama Workforce Board; creation; purpose.



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309 (a) The Governor shall establish the Alabama Workforce
310 Board as the State Workforce Development Board for purposes of
311 Section 101 of the Workforce Innovation and Opportunity Act of
312 2014 (P.L. 113-128), as amended, and to carry out its purposes
313 pursuant to state law; provided, that in the event of a
314 conflict between state law and WIOA, WIOA shall prevail.

315 (b) It is the intent of the Legislature that all state
316 and local entities that receive state-appropriated funding and
317 are engaged in workforce development activities will fully
318 participate in and cooperate with the activities and
319 recommendations of the Board, but the Board shall not directly
320 exercise governing control of state and local agencies,
321 departments, educational institutions, boards, commissions,
322 and other workforce development entities except as otherwise
323 prescribed by federal law or regulation.

324 (c) For purposes of this chapter, "WIOA" means the
325 Workforce Innovation and Opportunity Act of 2014 (P.L.
326 113-128), as amended.

327 § 25-15-2. Duties of the Board.

328 The duties of the Alabama Workforce Board include:

329 (1) Advising and supporting the Governor, Legislature,
330 and state agencies concerning the administration, development,
331 and continual improvement of the state's workforce development
332 system consistent with the Strategic Workforce Plan, WIOA, and
333 other federal workforce development programs.

334 (2) Assisting the Governor in performing the functions
335 set forth in 20 C.F.R. § 679.130 and as contemplated by any
336 other WIOA provision or regulation.



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337 (3) Coordinating the federal WIOA funding component of
338 the state's workforce development programs.

339 (4) Developing accountability metrics for state and
340 federal workforce programs, in addition to the metrics already
341 prescribed by law.

342 (5) Supporting the efforts of the Secretary of
343 Workforce, who shall serve as the principal point of contact
344 for state agencies and departments, public officials,
345 businesses, and the public with respect to all aspects of the
346 state's workforce development activities.

347 (6) Consulting with officials, leaders, and experts in
348 workforce development including, but not limited to, federal,
349 state, and local agencies, departments, educational
350 institutions, boards, commissions, the private sector, and
351 other leaders and experts.

352 § 25-15-3. Composition of the Board; chair; bylaws.

353 (a) The Alabama Workforce Board shall consist of no
354 more than forty (40) members, or their designees, and meet the
355 membership criteria established by WIOA. All members, unless
356 otherwise provided in this subsection, shall be appointed by
357 the Governor, subject to confirmation by the Senate. A
358 majority of members shall be representatives of business and
359 industry, at least one of which shall represent small
360 business. Twenty percent of the members shall be
361 representatives of workforce, including two (2) labor
362 representatives and one (1) apprenticeship program
363 representative. The Board shall also include one
364 representative of the WIOA Title I-b programs; the State Adult



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365 Education Director; one representative of the Wagner-Peyser
366 Program; the Commissioner of the Alabama Department of
367 Rehabilitation Services; the Chancellor of the Alabama
368 Community College System; the Secretary of Workforce; one
369 member of the Alabama Senate appointed by the presiding
370 officer of the Senate; one member of the Alabama House of
371 Representatives appointed by the Speaker of the House; one
372 county commissioner appointed by the Governor; one mayor
373 appointed by the Governor; and the Governor or his or her
374 designee. The overall membership of the board shall be
375 inclusive and reflect the racial, gender, geographic,
376 urban/rural, and economic diversity of the state.

377 (b) The Governor shall appoint a chairperson from the
378 business representatives on the Board as set forth in WIOA. In
379 addition, the Governor shall appoint a vice chairperson from
380 the business representatives on the Board.

381 (c) The Governor shall establish bylaws governing the
382 membership and activities of the board as required by WIOA and
383 its implementing regulations, including 20 C.F.R. §679.110(d).

384 (d) Members may serve no more than two four-year terms
385 as provided in the bylaws established pursuant to subsection
386 (c) of this section.

387 § 25-15-4. Board meetings; committees.

388 (a) The Alabama Workforce Board shall meet at least
389 four times per year but may meet more frequently at the call
390 of the chairperson or the Governor.

391 (b) Meetings of the Board and any committee established
392 pursuant to this subsection shall be conducted pursuant to the



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393 Open Meetings Act.

394 (c) The Governor, or the chairperson with the consent
395 of the Governor, may establish and dissolve standing and ad
396 hoc committees. The Governor, or the chairperson with the
397 consent of the Governor, shall appoint the chair and members
398 of all standing and ad hoc committees.

399 § 25-15-5. Alabama Workforce Board Executive Committee;
400 creation; purpose.

401 (a) There is hereby established the Executive Committee
402 of the Alabama Workforce Board that shall be comprised of
403 seven (7) members, including the Governor or the Governor's
404 designee, the Chair of the Alabama Workforce Board, and five
405 (5) executive level business leaders who shall be appointed by
406 the Governor, and who may or may not be members of the Alabama
407 Workforce Board. The Secretary of Workforce shall serve as a
408 non-voting ex officio member of the Executive Committee.

409 (b) (1) The appointed members of the Executive
410 Committee shall be appointed to serve a five-year term,
411 provided that the initial appointees' terms shall be
412 designated by the Governor as follows: one member shall serve
413 a term of one year, one member shall serve a term of two
414 years, one member shall serve a term of three years, one
415 member shall serve a term of four years, and one member shall
416 serve a term of five years.

417 (2) Any appointed member may be re-appointed, but no
418 appointed member may serve on the Executive Committee for more
419 than a total of 10 consecutive years from the date of initial
420 appointment. Terms shall begin on July 1 of the first year of



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421 the appointed member's term and end on June 30 of the final
422 year of that member's term.

423 (3) Notwithstanding subsection (b)(2), appointed
424 members of the Executive Committee may continue to serve after
425 the expiration of their term until their successors have been
426 appointed. Vacancies shall be filled by the Governor for the
427 unexpired term.

428 (c) The Governor shall appoint a chairperson and vice
429 chairperson of the Executive Committee.

430 (d) The Executive Committee shall meet at least two
431 times per year but may meet more frequently at the call of the
432 chairperson or the Governor.

433 (e) The Executive Committee shall be responsible for
434 reviewing budget requests, making recommendations for the
435 expenditure of state and federal funds for workforce
436 development activities, assisting the Secretary of Workforce
437 in preparing the consolidated workforce development budget
438 recommendation, working with the Secretary of Workforce to
439 prepare the Strategic Workforce Plan, developing recommended
440 performance goals and evaluation metrics related to the
441 expenditure of state and federal funds for workforce
442 development activities, and working with the Secretary of
443 Workforce to provide oversight of the Alabama Workforce Board.

444 (f) Meetings of the Executive Committee shall be
445 subject to the Open Meetings Act.

446 § 25-15-6. Strategic Workforce Plan and WIOA State
447 Plan.

448 (a) It is the intent of the Legislature that a single,



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449 unified Strategic Workforce Plan should guide state and
450 federal workforce development policies and budget priorities
451 that are administered by the State. The Strategic Workforce
452 Plan shall be prepared by the Executive Committee, with
453 support from the Secretary of Workforce, and published by the
454 Department.

455 (b) The Secretary of Workforce shall submit the
456 Strategic Workforce Plan to the Governor and the Legislature
457 on or before February 1 of the first year of each legislative
458 quadrennium. The four-year Strategic Workforce Plan shall
459 include, among other things, statewide labor market
460 projections for the quadrennium and recommendations for
461 meeting labor market demand. The Plan should also include
462 recommendations for expenditure of state and federal funds for
463 workforce development activities; analyze previous
464 expenditures for workforce development activities and
465 programs; make recommendations for sunseting existing
466 programs and developing new programs; and provide
467 recommendations for performance and accountability metrics for
468 all state and federal workforce programs.

469 (c) The Plan may be updated through an annual addendum,
470 which shall be submitted to the Governor on or before November
471 1 of each year. The annual addendum to the four-year Strategic
472 Workforce Plan should include recommendations for the next
473 fiscal year, including the expenditure of state and federal
474 funds for workforce development activities, and should make
475 recommendations for sunseting existing programs and
476 developing new programs.



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477 (d) The Board shall assist the Governor and the
478 Secretary of Workforce in preparing the WIOA State plan, as
479 required by federal law. The WIOA State Plan shall demonstrate
480 that the membership of the Alabama Workforce Board satisfies
481 the WIOA state workforce development board membership
482 requirements, including the requirements set forth in 20
483 C.F.R. §679.110(b). The Executive Committee may approve the
484 WIOA State Plan. The WIOA State Plan shall be included as an
485 addendum to the four-year Strategic Workforce Plan.

486 (e) When submitting a budget pursuant to section
487 41-4-82, the Governor shall certify that he or she has
488 reviewed and considered the WIOA State Plan, the Strategic
489 Workforce Plan, and the annual addendum to the Strategic
490 Workforce Plan as approved by the Executive Committee.

491 § 25-15-7. Regional Workforce Boards; establishment;
492 duties; meetings; objectives.

493 (a) At the direction of the Governor, the Secretary of
494 Workforce shall establish seven regional workforce boards to
495 serve as Alabama's local workforce development boards for
496 purposes of Section 107 of the Workforce Innovation and
497 Opportunity Act of 2014 (P.L. 113-128), as amended. The
498 Department of Workforce shall establish bylaws governing the
499 membership and activities of the regional workforce boards in
500 compliance with WIOA. Such local workforce development boards
501 shall be certified by the Governor pursuant to 29 U.S.C.
502 §3122(a).

503 (b) The Secretary of Workforce shall establish
504 geographic boundaries of the regional workforce boards and



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505 criteria for the appointment of members to the regional
506 workforce boards consistent with WIOA, including 29 U.S.C.
507 §3122 and 20 C.F.R. §679.110. One such criterion shall be a
508 duty for an appointing official to consult with the Secretary
509 of Workforce before making an appointment to a regional
510 workforce board.

511 (c) The Department of Workforce may adopt rules
512 pursuant to the Alabama Administrative Procedure Act to carry
513 out this section.

514 (d) A regional workforce board shall perform the
515 functions set forth in WIOA, including each of the following:

516 (1) Develop a local plan as provided in WIOA,
517 consistent with the WIOA State Plan and the Strategic
518 Workforce Plan.

519 (2) Publish, for core and partner agency and public
520 use, workforce research and regional labor market analysis
521 using primary state labor market information provided by the
522 department.

523 (3) Convene local workforce development system
524 stakeholders to assist in the development of the local plan.

525 (4) Lead local efforts to engage with a diverse range
526 of employers.

527 (5) Lead local efforts to develop and implement career
528 pathways.

529 (6) Lead local efforts to identify and promote
530 promising workforce development strategies.

531 (7) Lead local efforts to integrate data and technology
532 systems.



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533 (e) A regional workforce board shall submit an annual
534 budget request to the Secretary of Workforce and the Executive
535 Committee that is consistent with the Strategic Workforce
536 Plan. A regional workforce board's annual budget submission
537 shall demonstrate that the membership of the board satisfies
538 the relevant WIOA state workforce development board membership
539 requirements, including the requirements set forth in 29
540 U.S.C. § 3122 and 20 C.F.R. § 679.320. The membership of any
541 regional workforce board may not exceed twenty (20) members. A
542 regional workforce development board may not expend state or
543 federal workforce development funds except pursuant to a
544 categorical annual budget approved by the Secretary of
545 Workforce.

546 § 25-15-8. Reimbursement for expenses.

547 The members of the Alabama Workforce Board, including
548 members of the Executive Committee, and members of the
549 regional workforce boards shall not receive a salary or per
550 diem allowance but shall be entitled to reimbursement for
551 reasonable expenses incurred in the performance of the duties
552 of the office at the same rate allowed state employees.

553 Section 6. Section 25-2-6, Code of Alabama 1975, is
554 amended to read as follows:

555 "§25-2-6

556 (a) The Department of ~~Labor~~Workforce shall be headed by
557 and shall be under the direction, supervision, and control of
558 an officer who shall be known and designated as the Secretary
559 of ~~Labor~~Workforce. The Secretary of ~~Labor~~Workforce shall be
560 the advisor of the Governor and the Legislature in matters



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561 relating to workforce development, employer-employee relations
562 and the welfare of the wage earners of the state. He or she
563 shall be responsible to the Governor for the administration of
564 the Department of ~~Labor~~Workforce.

565 (b) The Secretary of ~~Labor~~Workforce shall be appointed
566 by the Governor and shall hold office at the pleasure of the
567 Governor. To the extent reasonable, the Governor should
568 consider an individual's experience in workforce development
569 matters, human resources, and the private sector. Vacancies
570 for any reason shall be filled in the same manner as original
571 appointments are made.

572 (c) Before entering upon the discharge of his or her
573 duties, the Secretary of ~~Labor~~Workforce shall take the
574 constitutional oath of office. Before entering upon the duties
575 of office, the Secretary of ~~Labor~~Workforce shall execute to
576 the State of Alabama a bond, to be approved by the Governor,
577 in an amount to be fixed by the Governor, but not less than
578 \$10,000.00, for the faithful performance of the duties of the
579 office. The annual salary of the Secretary of ~~Labor~~Workforce
580 shall be fixed by the Governor at a sum comparable to salaries
581 paid similar officers in other states, notwithstanding any
582 limitation or maximum in any other law, ~~\$1,200.00 of which sum~~
583 ~~shall be paid from moneys of the State of Alabama and the~~
584 ~~remainder from grants of the United States of America to this~~
585 ~~state.~~ Such salary shall be payable at the same time and in
586 the same manner as the salaries of other state officers. The
587 Secretary of ~~Labor~~Workforce is authorized and empowered to
588 make such agreements as may be necessary or proper with the



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589 United States of America with respect to the proration of
590 funds from the State of Alabama and funds from the federal
591 government for the salary paid to the Secretary of
592 ~~Labor~~Workforce by virtue of the provisions of this section.

593 (d) The Secretary of ~~Labor~~Workforce shall devote full
594 time to his or her official duties and shall not hold another
595 office under the government of the United States, or under any
596 other state, or of this state or any political subdivision
597 thereof, during his or her incumbency in such office, and
598 shall not hold any position of trust or profit, or engage in
599 any occupation or business the conduct of which shall
600 interfere or be inconsistent with his or her duties as
601 Secretary of ~~Labor~~Workforce under the provisions of this
602 title.

603 (e) The Secretary of Workforce shall be the state's
604 primary workforce development officer and shall be responsible
605 for making recommendations to the Governor and the Legislature
606 on state workforce development strategies, which shall be
607 consistent with the Strategic Workforce Plan.

608 (f) (1) The Secretary of Workforce shall work with the
609 Executive Committee to develop consolidated state workforce
610 development budget recommendations that are consistent with
611 the Strategic Workforce Plan.

612 (2) When submitting a budget request pursuant to
613 section 41-4-84, the Secretary of Workforce shall certify that
614 he or she reviewed the WIOA State Plan approved by the Board,
615 reviewed the Strategic Workforce Plan developed by the
616 Executive Committee, solicited feedback from the Executive



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617 Committee at least thirty (30) days prior to submitting the
618 budget request, and presented the budget request to the
619 Executive Committee at least five (5) days prior to its
620 submission.

621 (g) The Secretary of Workforce shall solicit annual
622 funding and programmatic recommendations and updates from the
623 Department of Commerce, Alabama Industrial Development
624 Training (AIDT), the Alabama State Department of Education
625 Career and Technical Education (CTE) program, the Alabama
626 Community College System (ACCS), and any other departments or
627 agencies that the Secretary requests to submit information.

628 (h) When submitting a budget request pursuant to
629 section 41-4-84, the departments and agencies referenced in
630 subsection (g) of this section and any other departments or
631 agencies that request funding for workforce development
632 activities or programs must certify to the Director of Finance
633 that any funding requested for workforce development
634 activities or programs is consistent with the Strategic
635 Workforce Plan.

636 (i) Within five (5) days of receiving all budget
637 requests required to be submitted pursuant to section 41-4-84,
638 the Director of Finance shall forward to the Secretary of
639 Workforce and the Executive Committee all budget requests
640 submitted by the departments and agencies referenced in
641 subsection (g) of this section, along with any other budget
642 requests that include funding for workforce development
643 activities or programs."

644 Section 7. The Alabama Department of Commerce Workforce



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645 Development Division, as established by Section 41-29-5, Code
646 of Alabama 1975, is hereby renamed the Alabama Industrial
647 Development and Training Institute. The Code Commissioner
648 shall conform references to the "Workforce Development
649 Division" in Chapter 29 of Title 41 in the Code of Alabama
650 1975, accordingly. The Code Commissioner shall also change
651 references to the Deputy Secretary of Commerce of the
652 Workforce Development Division in Chapter 29 of Title 41 in
653 the Code of Alabama 1975, to the Secretary of Commerce. These
654 Code changes shall be made at a time determined to be
655 appropriate by the Code Commissioner.

656 Section 8. Section 41-29-5, Code of Alabama 1975, is
657 amended to read as follows:

658 "§41-29-5

659 ~~On the date determined pursuant to Section 41-29-6,~~
660 ~~†~~The Department of Commerce shall be reorganized into two
661 divisions that shall have the functions prescribed as follows:

662 (1) The Business Development Division shall be
663 responsible for all of the functions of the Department of
664 Commerce as it existed before date determined pursuant to
665 Section 41-29-6, including, but not limited to, small business
666 advocacy; the functions performed by the Alabama Small
667 Business Commission, created and functioning pursuant to
668 Section 41-29-240 and international trade.

669 (2) The Alabama Industrial Development and Training
670 Institute shall provide, where appropriate, employer-specific,
671 employer-tailored workforce development programs in connection
672 with the Department's award of economic development incentives



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673 pursuant to state law.~~The Workforce Development Division shall~~
674 ~~be comprised of the following entities which shall report to~~
675 ~~the Deputy Secretary of the division: The Workforce~~
676 ~~Development Division and Workforce Investment Division of the~~
677 ~~Department of Economic and Community Affairs, formerly Chapter~~
678 ~~23 of Title 41, the Alabama Industrial Development and~~
679 ~~Training Institute, formerly functioning pursuant to Sections~~
680 ~~41-9-1080 to 41-9-1086, inclusive, and the Alabama Workforce~~
681 ~~Council and the regional workforce councils of the Department~~
682 ~~of Postsecondary Education, formerly functioning pursuant to~~
683 ~~Sections 16-66-1 to 16-66-8, inclusive, and the Legislative~~
684 ~~Oversight Commission of the Alabama Department of Economic and~~
685 ~~Community Affairs, formerly functioning pursuant to Section~~
686 ~~41-23-7.~~

687 ~~Any transfer of personnel, appropriations, funds, or~~
688 ~~property, real or personal from the Alabama Community College~~
689 ~~System to the Department of Commerce pursuant to this~~
690 ~~subdivision, shall be made with the cooperation and approval~~
691 ~~of the Chancellor and the Board of Trustees of the Alabama~~
692 ~~Community College System."~~

693 Section 9. Section 41-29-282, Code of Alabama 1975, is
694 amended to read as follows:

695 "§41-29-282

696 AIDT shall operate as a part~~division~~ of the ~~Workforce~~
697 ~~Development Division~~ of the Department of Commerce. All of the
698 powers, authority, duties, functions, policies, and funds of,
699 and appropriations to, AIDT previously conferred upon or
700 granted to AIDT reporting to the State Board of Education



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701 through the Division of Vocational-Technical Education or by
702 Alabama Executive Order No. 2012-31 are confirmed, ratified,
703 continued, transferred to, and vested in AIDT. All contracts,
704 leases, grants, and agreements previously entered by AIDT
705 shall continue in full force and effect without modification
706 or interruption by this restructuring. All property currently
707 owned by AIDT shall continue to be the property of AIDT. If
708 AIDT plans to construct any new building, retrofit or renovate
709 any of its existing buildings, or request or receive any state
710 or federal funding to construct, retrofit, or renovate any of
711 its buildings, the AIDT director must first certify to the
712 Governor that the proposal is consistent with the Strategic
713 Workforce Plan. AIDT shall continue to be headed by the
714 director, who shall be appointed by the Secretary of Commerce
715 and shall serve at his or her pleasure. The powers, duties,
716 and qualifications required of the director shall be as set
717 forth in the AIDT Policy Manual, as amended from time to time
718 and approved by the Secretary of Commerce."

719 Section 10. The Code Commissioner is directed to
720 recodify Section 298, Division 4, Article 3, Chapter 29, Title
721 41, Code of Alabama 1975, related to the Alabama College and
722 Career Readiness Act; Division 7, Article 3, Chapter 29, Title
723 41, Code of Alabama 1975, relating to the Alabama Industry
724 Recognized and Registered Apprenticeship Program Act; Division
725 8, Article 3, Chapter 29, Title 41, Code of Alabama 1975,
726 related to the Eliminating Legal Barriers to Apprenticeship
727 (ELBA) Act; Division 9, Article 3, Chapter 29, Title 41, Code
728 of Alabama 1975, related to the Alabama Credential Quality and



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729 Transparency Act; Division 10, Article 3, Chapter 29, Title
730 41, Code of Alabama 1975, related to the Alabama Terminal on
731 Linking and Analyzing Statistics on Career Pathways to a new
732 chapter within Title 25, Code of Alabama 1975, relating to
733 Industrial Relations and Labor. The Code Commissioner is
734 further directed to replace any reference to "Alabama State
735 Workforce Development Board" or "Alabama Workforce Council"
736 with "Alabama Workforce Board." The Code Commissioner is
737 further directed to replace any reference to "regional
738 workforce development boards" or "regional workforce councils"
739 with "regional workforce board." Changes to the Code of
740 Alabama shall be made at a time determined to be appropriate
741 by the Code Commissioner.

742 Section 11. Section 41-29-290, Section 41-29-291,
743 Section 41-29-292, Section 41-29-293, Section 41-29-294,
744 Section 41-29-295, Section 41-29-296, and Section 41-29-297,
745 Code of Alabama 1975, relating to the Alabama Workforce
746 Council, are specifically repealed. Section 41-29-300, Code of
747 Alabama 1975, relating to the Regional Workforce Development
748 Councils, is specifically repealed.

749 Section 12. The provisions of this act shall be fully
750 implemented not later than October 1, 2025.

751 Section 13. This act shall become effective on October
752 1, 2024, following its passage and approval by the Governor,
753 or its otherwise becoming law.



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

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Senate 09-Apr-24

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives

Passed: 18-Apr-24

By: Senator Livingston