
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1652 Session of
2023

INTRODUCED BY WENTLING, PICKETT AND M. JONES, AUGUST 30, 2023

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, AUGUST 30, 2023

AN ACT

1 Amending the act of December 18, 2001 (P.L.949, No.114),
2 entitled, as amended, "An act establishing a unified
3 workforce development system; restructuring certain
4 administrative functions, procedures and entities;
5 transferring workforce development functions of Commonwealth
6 agencies; establishing the Pennsylvania Workforce Development
7 Board; providing for critical job training grants, for
8 program quality and performance for workforce development
9 programs, for workforce leadership grants and for industry
10 partnerships; and authorizing local workforce development
11 boards," in preliminary provisions, further providing for
12 definitions; in board, further providing for establishment,
13 for membership, for plan, functions and responsibilities, for
14 Commonwealth fiscal management accountability information
15 system and for performance accountability system; and, in
16 local workforce development areas and regions and local
17 workforce development boards, further providing for
18 establishment, for membership, for plan, functions and
19 responsibilities and for local performance measures.

20 The General Assembly of the Commonwealth of Pennsylvania
21 hereby enacts as follows:

22 Section 1. Section 103 of the act of December 18, 2001
23 (P.L.949, No.114), known as the Workforce Development Act, is
24 amended by adding a definition to read:

25 Section 103. Definitions.

26 The following words and phrases when used in this act shall
27 have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 * * *

3 "Deputy for Workforce Development." The highest ranking
4 individual other than the Secretary of Community and Economic
5 Development who is employed by the Department of Community and
6 Economic Development and is responsible for managing the unified
7 system.

8 * * *

9 Section 2. Sections 301 and 302(a)(3)(v.1), (d) and (i) of
10 the act, amended July 7, 2022 (P.L.399, No.31), are amended to
11 read:

12 Section 301. Establishment.

13 The Pennsylvania Workforce Development Board is established
14 within the Department of Community and Economic Development to
15 advise and assist the Governor, the Deputy for Workforce
16 Development and the General Assembly on the implementation of a
17 unified system to assure a well-educated, highly skilled
18 workforce. The board is responsible for unifying the
19 Commonwealth's existing Federal and State workforce development
20 programs into an integrated system. All recommendations and
21 decisions of the board shall be in compliance with the Workforce
22 Innovation and Opportunity Act.

23 Section 302. Membership.

24 (a) General rule.--The board shall be established as
25 follows:

26 * * *

27 (3) Representatives appointed by the Governor as
28 follows:

29 * * *

30 [(v.1) The chair or a cochair of the Health Careers

1 Leadership Council of the Pennsylvania Center for Health
2 Careers.]

3 * * *

4 (d) Staff.--[The board may employ a limited staff to
5 implement the decisions of the board.] The Deputy for Workforce
6 Development or a designee shall serve as the executive director
7 for the board. The Department of Community and Economic
8 Development shall provide administrative services and the use of
9 staff to the board.

10 * * *

11 (i) Personnel, equipment, resources.--The policy and program
12 offices of the [Department of Aging, the Department of Community
13 and Economic Development, the Department of Education, the
14 Department of Labor and Industry and the Department of Human
15 Services shall] participating agencies shall, upon request of
16 the board or the Deputy for Workforce Development, provide
17 personnel, equipment and resources as required for the
18 functioning of the board.

19 Section 3. Section 304(a) introductory paragraph of the act
20 is amended to read:

21 Section 304. Plan, functions and responsibilities.

22 (a) General rule.--The board, in furtherance of section 102,
23 shall advise and assist the Governor and the Deputy for
24 Workforce Development on all of the following:

25 * * *

26 Section 4. Sections 305.1, 305.2(a) introductory paragraph,
27 501(a) (1), 502(a) (1) introductory paragraph, 504(a) introductory
28 paragraph, (1) and (1.1) and (b) (2), (4) and (6) introductory
29 paragraph and (c) (2) and 505 of the act, amended or added July
30 7, 2022 (P.L.399, No.31), are amended to read:

1 Section 305.1. Commonwealth fiscal management accountability
2 information system.

3 The Governor, in coordination with the board and the Deputy
4 for Workforce Development, Commonwealth agencies administering
5 the core programs, local workforce development boards and chief
6 elected officials shall establish and operate a fiscal
7 management accountability information system based on guidelines
8 established by the United States Secretary of Labor and the
9 United States Secretary of Education. Funds for the
10 establishment and operation of the fiscal management
11 accountability information system shall be money that is
12 authorized under a core program and made available to carry out
13 Title I, Subtitle A, Chapter 4 of the Workforce Innovation and
14 Opportunity Act.

15 Section 305.2. Performance accountability system.

16 (a) Required performance measures.--The board shall assist
17 the Governor and the Deputy for Workforce Development in
18 developing and updating comprehensive State performance
19 accountability measures to assess the effectiveness of the core
20 programs in this Commonwealth. The accountability measures shall
21 consist of the accountability measures specified in section
22 116(b)(1) of the Workforce Innovation and Opportunity Act, which
23 are:

24 * * *

25 Section 501. Establishment.

26 (a) Areas and regions.--

27 (1) Local workforce development areas shall be
28 designated by the Governor through consultation with the
29 board and the Deputy for Workforce Development and after
30 consultation with chief elected officials and local workforce

1 development boards and consideration of comments received
2 through the public comment process. The Governor shall base
3 the designations on considerations specified in section
4 106(b) (1) (B) of the Workforce Innovation and Opportunity Act.

5 * * *

6 Section 502. Membership.

7 (a) Composition.--The following apply:

8 (1) The Governor, in partnership with the board and the
9 Deputy for Workforce Development, shall establish criteria
10 for use by chief elected officials in local workforce
11 development areas for appointment of members to local
12 workforce development boards. The following apply:

13 * * *

14 Section 504. Plan, functions and responsibilities.

15 (a) Local plan.--A local workforce development board, in
16 partnership with the chief elected official, shall submit to the
17 Governor and the Deputy for Workforce Development for approval a
18 local plan. The local plan shall support the strategy described
19 in the State plan in accordance with section 102(b) (1) (E) of the
20 Workforce Innovation and Opportunity Act, and otherwise be
21 consistent with the State plan. If the local area is part of a
22 planning region, the local workforce development board shall
23 comply with this section in the preparation and submission of a
24 regional plan. At the end of the first two-year period of the
25 four-year local plan, each local workforce development board
26 shall review the local plan and, in partnership with the chief
27 elected official, prepare and submit modifications to the local
28 plan to reflect changes in labor market and economic conditions
29 or in other factors affecting the implementation of the local
30 plan. The following apply:

1 (1) The local plan shall be developed through a process
2 which includes the opportunity for participation by current
3 and potential customers, program partners, service providers
4 and other local area stakeholders prior to the date on which
5 the board submits a local plan to the Governor and the Deputy
6 for Workforce Development for approval, the local workforce
7 development board shall:

8 (i) make available copies of a proposed local plan
9 to the public through electronic and other means, which
10 may include public hearings and local news media; and

11 (ii) allow members of the public, including
12 representatives of business, representatives of labor
13 organizations and representatives of education, to submit
14 to the local workforce development board comments on the
15 proposed local plan not later than the end of the 30-day
16 period beginning on the date on which the proposed local
17 plan is made available.

18 (1.1) The local workforce development board shall
19 include with the local plan submitted to the Governor and the
20 Deputy for Workforce Development any comments received under
21 paragraph (1)(ii) that represent public disagreement with the
22 plan.

23 * * *

24 (b) Functions and responsibilities.--A local workforce
25 development board has the following functions and
26 responsibilities:

27 * * *

28 (2) In partnership with the chief elected official for
29 the local workforce development area, to develop and submit a
30 local plan to the Governor and the Deputy for Workforce

1 Development that meets the requirements in this section.

2 * * *

3 (4) To coordinate with the Governor, the Deputy for
4 Workforce Development, the board, Commonwealth agencies
5 administering the core program and chief elected officials in
6 establishing and operating a fiscal management accountability
7 information system under section 305.1.

8 * * *

9 (6) To compile an annual report and to submit the report
10 to the Governor and the Deputy for Workforce Development by a
11 deadline determined by the Governor. This report shall
12 include, at a minimum:

13 * * *

14 (c) Regional planning.--The following apply:

15 * * *

16 (2) The Governor, after consultation with the Deputy for
17 Workforce Development and with local workforce development
18 boards and chief elected officials for the planning regions,
19 shall require local workforce development boards and chief
20 elected officials within a planning region to prepare, submit
21 and obtain approval of a single regional plan as specified in
22 section 106(c)(2) of the Workforce Innovation and Opportunity
23 Act.

24 * * *

25 Section 505. Local performance measures.

26 (a) General rule.--The local workforce development board,
27 the chief elected officials, the Deputy for Workforce
28 Development and the Governor shall negotiate and reach agreement
29 on local levels of performance based on the State-adjusted
30 levels of performance for primary indicators established under

1 section 116(b) (3) (A) of the Workforce Innovation and Opportunity
2 Act.

3 [(c) School-to-Work Opportunities Act of 1994.--No funds
4 made available under the Workforce Innovation and Opportunity
5 Act shall be used to develop or continue programs or activities
6 created under the School-to-Work Opportunities Act of 1994
7 (Public Law 103-239, 108 Stat. 568).]

8 Section 5. This act shall take effect in 60 days.