

THE GOVERNOR

Title 4—ADMINISTRATION

GOVERNOR'S OFFICE

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[EXECUTIVE ORDER 2000-2]

Pennsylvania Workforce Investment Board

February 14, 2000

Whereas, a well-educated, highly skilled workforce will enable Pennsylvania to be a leader among states and a competitor among nations; and

Whereas, Pennsylvanians have the work ethic and ability to make Pennsylvania a national leader, a global competitor, and a job creator; and

Whereas, workforce development is a process of education, training, and development activities for increasing the skills and knowledge of individuals so they can maximize their employment opportunities, participate in productive work, and achieve their career potential through employer-based or self-employment; and

Whereas, it is in the interest of the Commonwealth of Pennsylvania to build upon the current strengths of our workforce and to address more effectively the potential of Pennsylvania's citizens, employers, and communities by:

(1) recognizing that the skills and knowledge of Pennsylvania's workforce are the keys to providing enhanced opportunities for individuals and economic competitive advantage for businesses and communities;

(2) expanding and providing for more efficient and coordinated administration of workforce development activities;

(3) effecting the maximum feasible return on investment for the Commonwealth's citizens; and

(4) promoting the integration of workforce development, economic development, and education policy; and

Whereas, the goals of Pennsylvania's workforce development system are:

(1) economic opportunity for all citizens;

(2) economic self-sufficiency and individual responsibility; and

(3) an educated workforce with relevant skills; and

Whereas, the mission of Pennsylvania's workforce development system is to foster a dynamic world-class workforce in which Pennsylvania's citizens and businesses possess the knowledge and skills to succeed and to excel in a highly competitive and rapidly changing world; and

Whereas, the Commonwealth's achievement of a world-class workforce is best accomplished through a workforce development system that is dedicated to and operates in adherence with the following basic philosophy and core values:

(1) Economic competitiveness;

(2) Excellence in education, training, and workplace preparation;

(3) Strong work ethic;

(4) Lifelong learning;

(5) Stewardship of public resources;

(6) The highest quality delivery of market driven services that are readily identifiable and easily accessible, and that consider the abilities and work support needs of a diverse population;

(7) Informed choice regarding education and training opportunities and in career decision-making;

(8) Private-sector solutions to workforce development goals supplemented by appropriate government involvement when necessary;

(9) Cooperation and collaboration among all who participate and are engaged in this endeavor;

(10) Valuing all workers and all work; and

(11) Mutual respect; and

Whereas, an effective workforce development system is agile and flexible in meeting the local workforce and economic development needs of the Commonwealth and its regions and communities; and

Whereas, an effective workforce development system is agile and flexible in meeting the basic skills, career development, and other needs of the system's customers. The customers of the system are employers, job seekers, and incumbent workers; and

Whereas, the Commonwealth will be enabled to achieve an effective workforce development system with the *Workforce Investment Act of 1998* which was passed by the Congress of the United States to consolidate, coordinate, and improve employment, training, literacy, and vocational rehabilitation programs.

Now, Therefore, I, Thomas J. Ridge, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania, the *Workforce Investment Act of 1998* and other laws, do hereby establish, as part of Team Pennsylvania, the Pennsylvania Workforce Investment Board (hereinafter referred to as "Board") and invest it with the necessary powers to perform the duties and functions set forth herein and to advise and counsel me in the formation of a world-class workforce development system which complements the Commonwealth's overall education and economic development strategy and guides Federal, State, and local resources in a customer-focused and user-friendly manner that promotes a high quality, globally competitive workforce.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 5. COUNCILS AND COMMITTEES

Subchapter R. HUMAN RESOURCES COMMITTEE

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§ 5.191. Purpose.

The purpose of the Board is to assist the Governor in:

- (1) Development of a unified plan for workforce development system.
- (2) Development and continuous improvement of a Statewide one-stop delivery system for workforce services.
- (3) Development of linkages to ensure coordination and nonduplication among workforce programs.

- (4) Designation of local workforce investment areas.
- (5) Review and approval of local workforce investment plans.
- (6) Coordinate with other Team Pennsylvania activities to develop a workforce development system that is market-driven and responsive to the needs of this Commonwealth's employers by supporting the primary goals of Team Pennsylvania which are to:
 - (i) Promote this Commonwealth to specific companies considering expansion and relocation.
 - (ii) Assist with business retention efforts.
 - (iii) Ensure that the Commonwealth's economic development strategies continue to be focused and effective.
 - (iv) Improve communication and collaboration among professionals serving businesses in this Commonwealth.
- (7) Establish a rapid response mechanism to mobilize training resources to address the skill requirements for business retention or attraction opportunities created by major job projects of the Governor's Action Team or local economic developers.
- (8) Collaborate and coordinate with State agencies and State boards and commissions that shape economic development and education policies of the Commonwealth, including the Ben Franklin/IRC Partnership Board, the State Board of Education, the State Literacy Council, the Pennsylvania Apprenticeship and Training Council, the State Board of Vocational Rehabilitation, the State System of Higher Education, the State-related universities and the Pennsylvania Higher Education Assistance Agency, to develop Statewide policies that connect workforce development with lifelong learning and economic competitiveness.
- (9) Collaborate with the Department of Community and Economic Development to ensure that the Statewide financing strategy for economic development reported to the General Assembly supports, and is supported by, the goals and objectives of this Commonwealth's workforce development system.
- (10) Collaborate with the Department of Public Welfare to ensure that the Statewide welfare-to-work strategy established to meet the demands of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, the act of August 22, 1996 (Pub. L. No. 104-193, 110 Stat. 2105) supports, and is supported by, the goals and objectives of this Commonwealth's workforce development system.
- (11) Comment at least annually on the measures taken under section 113(b)(14) of the Carl D. Perkins Vocational and Technology Education Act of 1998 (20 U.S.C.A. § 2322(b)(14)).
- (12) Coordinate the provision of services among State agencies consistent with the laws and regulations governing the human resources programs and Pennsylvania's unified plan for workforce investment. For purposes of this order, applicable State and Federal laws include the following:
 - (i) The Workforce Investment Act of 1998, the act of August 7, 1998 (Pub. L. No. 105-220, 112 Stat. 936)
 - (ii) The Job Training Partnership Act, the act of October 13, 1982 (Pub. L. No. 97-300, 96 Stat. 1322)
 - (iii) The Carl D. Perkins Vocational and Applied Technology Education Act, the act of December 18, 1963 (Pub. L. No. 88-210).
 - (iv) The Wagner-Peyser Act (29 U.S.C.A. §§ 49—491-2).

(v) The Adult Education and Family Literacy Act (20 U.S.C.A. §§ 9201—9253).

(vi) The School-to-Work Opportunities Act of 1994 (20 U.S.C.A. §§ 6101—6251).

(vii) The National and Community Service Trust Act of 1993, the act of September 21, 1993 (Pub. L. No. 103-82, 107 Stat. 785).

(viii) Title V of the Older Americans Act of 1965 (42 U.S.C.A. §§ 3056—3056i).

(ix) The Rehabilitation Act Amendments of 1998 (29 U.S.C.A. §§ 701—795n).

(x) The Community Service Block Grant Amendments of 1994, the act of May 18, 1994 (Pub. L. No. 103—252, 108 Stat. 651) (42 U.S.C.A. § 9910c).

(xi) The Food Stamp Act of 1977 (Food Stamp Employment Training Program) (7 U.S.C.A. §§ 2011—2036).

(xii) The Trade Act of 1974 (19 U.S.C.A. §§ 2101—2495).

(xiii) The Customized Job Training Act (24 P. S. §§ 6201—6213).

(xiv) The Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

(xv) Article XIX-A of the Pennsylvania School Code of 1949 (Community Colleges) (24 P. S. §§ 19-1901-A—19-1913-A).

(xvi) The Worker's Compensation Act (77 P. S. §§ 1—1041.4).

(xvii) The Unemployment Compensation Law (43 P. S. §§ 751—914).

(xviii) The New Economy Technology Scholarship Act (24 P. S. §§ 5199.1—5199.9).

(xix) Section 906-B of The Administrative Code of 1929, regarding inmate education programs (71 P. S. § 310-6).

(xx) Other laws that the Governor or Board believes necessary to implement the workforce development system.

(13) Evaluate State and local plans and proposals submitted for the implementation of the Federal and State human resource programs, and approve those plans that are consistent with the laws and regulations governing those programs and with the policies and priorities established by the Board.

(14) Develop strategies to assist local workforce investment boards in providing support services including, child care and transportation to better meet the needs of system customers.

(15) Develop and advance strategies for local workforce investment boards to work collaboratively to create regional networks.

(16) Coordinate the following components of this Commonwealth's workforce development system:

(i) The development and dissemination of appropriate and necessary research and statistical information with the requisite protocols and standards for common data reference.

(ii) The development of common definitions and common and specific performance standards and measures for workforce development programs and activities.

(iii) The establishment and maintenance of a universally accessible information access system which enables the workforce development system to function and to serve its customers effectively.

(iv) The provision of technical assistance to assist local workforce investment boards in meeting any changes associated with a new workforce development system.

(v) The implementation of mechanisms, including the collaborative process outlined in Federal law, to secure appropriate input from system customers and service providers in the development of policies, performance standards or investment strategies.

(17) Examine Federal and State laws and regulations to assess whether they present barriers to achieving the provisions of this subchapter, and recommend to the Governor and to the Federal government changes or waivers in the Federal or State statutes or regulations to eliminate barriers and promote the provisions of this subchapter.

(18) Report to the Governor, the General Assembly and the Commonwealth generally the Board's progress, the return on investment, and the overall effectiveness of the State and Federal human resource programs defined in this section.

§ 5.192. Composition.

(a) The Pennsylvania Workplace Investment Board (Board) is established in accordance with the composition requirements for State workforce investment boards found in section 111 of the Workforce Investment Act (29 U.S.C.A. § 2821) and shall include:

(1) The Governor or a designee.

(2) Two members of each chamber of the Legislature.

(3) Representatives appointed by the Governor, who are:

(i) Representatives of business, which shall include a private sector employer representative from each of the Team Pennsylvania regions and owners of businesses, chief executive officers and other business executives with optimum policymaking or hiring authority, including members of local workforce investment boards, and businesses that reflect the employment opportunities in this Commonwealth.

(ii) Chief elected officials.

(iii) Representatives of labor organizations.

(iv) Representatives of individuals and organizations experienced with respect to youth activities.

(v) Representatives of organizations that have experience and expertise in the delivery of workforce investment activities, including chief executive officers of community colleges and community based organizations in this Commonwealth.

(vi) Lead State agency officials including:

(A) The Secretary of Aging.

(B) The Secretary of Community and Economic Development.

(C) The Secretary of Education.

(D) The Secretary of Labor and Industry.

(E) The Secretary of Public Welfare.

(F) The Director of the Governor's Policy Office.

(vii) Other representatives or State agency officials the Governor deems necessary.

(b) A majority of the members of the Board shall be representatives described in subsection (a)(3)(i). Staggered terms of offices shall be established to allow for continuous operation of the Board.

§ 5.193. Chairperson and vice chairperson.

The Governor will designate, to serve at the Governor's pleasure, one private-sector employer to serve as chairperson and one government representative to serve as vice chairperson of the Board.

§ 5.194. Administration and staff.

(a) A management committee shall be established comprised of Commonwealth government representatives of the Pennsylvania Workplace Investment Board (Board) which are authorized to make determinations relating to the management and administration of workforce development programs.

(b) The management committee shall develop an organizational framework for the conduct of the Board's work and for meeting the Board's staffing and support needs. The organizational framework may utilize existing staff structures or may constitute a new staffing arrangement.

§ 5.195. Cooperation of State agencies.

(a) The Pennsylvania Workplace Investment Board (Board) will develop and adopt applied operating principles to govern the relationships between and among executive State agencies and other governmental and private sector organizations which are participants in the system.

(b) Executive State agencies are instructed to implement the decisions made by the Board regarding the State and Federal human resource programs listed in this subchapter and other decisions directly related to the development, implementation and operation of the Commonwealth's workforce development system.

(c) Executive State agencies are instructed to give to the Board necessary assistance required by the Board in the performance of its duties so far as is compatible with the authority and ability of each State agency.

(d) The policy and program offices of the Departments of Aging, Community and Economic Development, Education, Labor and Industry and Public Welfare shall provide personnel, equipment and resources, as may be required, for the functioning of the Board.

§ 5.196. Designation as the Commonwealth's State Workforce Investment Board.

The Pennsylvania Workplace Investment Board (Board) is designated as the Commonwealth's State Workforce Investment Board in accordance with of the Workforce Investment Act of 1998, the act of August 7, 1998 (Pub. L. No. 105-220, 112 Stat. 936) and, as such, assumes the powers and responsibilities required of a State Workforce Investment Board, previously held by the Human Resources Investment Council.

§ 5.197. Quorum.

A majority of the members shall constitute a quorum of the Pennsylvania Workplace Investment Board (Board) for the purpose of organizing and conducting business, and all action shall be taken by a vote of a majority of the members present. If a member cannot be present, the member may render a vote by proxy to another Board member.

§ 5.198. Meetings.

The Pennsylvania Workplace Investment Board shall meet at such times and places it determines to be necessary.

§ 5.199. Committees.

The Pennsylvania Workplace Investment Board (Board) has the authority to establish and to appoint members and delegate duties to committees, as it deems necessary, to fulfill its responsibilities. The committees will be chaired by a member of the Board.

§ 5.200. Compensation.

Members of the Pennsylvania Workplace Investment Board receive no compensation, but are entitled to receive an allowance for expenses incurred in the performance of their duties.

§ 5.200a. Rescission.

Executive Order 1997-7, Pennsylvania Human Resources Investment Council, is rescinded.

Governor

Fiscal Note: GOV. 00-1. No fiscal impact; (8) recommends adoption.

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