

Workforce Investment Boards

The Act encourages local workforce investment boards to implement pay-for-performance contract strategy incentives for training services as an alternative model to traditional programs. The Act also authorizes local workforce investment boards to allocate funds to the extent permissible under §§ 128(b) and 133(b) of the Workforce Innovation and Opportunity Act of 2014 (P.L. 113-128) for pay-for-performance partnerships.

Submitted as:

Virginia

[SB 1002](#)

Status: Signed into law on March 23, 2015.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Definitions.*]

2 As used in this article:

3 “Local workforce investment board” means a local workforce investment board
4 established under § 117 of the WIA.

5 “One stop” means a conceptual approach to service delivery intended to provide a single
6 point of access for receiving a wide range of workforce development and employment services,
7 either on-site or electronically, through a single system.

8 “One-stop center” means a physical site where core services are provided, either on-site
9 or electronically, and access to intensive services, training services, and other partner program
10 services are available for employers, employees, and job seekers.

11 “One-stop operator” means a single entity or consortium of entities that operate a one-
12 stop center or centers. Operators may be public or private entities competitively selected or
13 designated through an agreement with a local workforce board.

14 “[Virginia] Workforce Network” includes the programs and activities enumerated in
15 subsection G of [Section 2.]

16 “WIA” means the federal Workforce Investment Act of 1998 (P.L. 105-220), as
17 amended.

18 “WIOA” means the federal Workforce Innovation and Opportunity Act of 2014 (P.L.
19 113-128).

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21 Section 2. [*Powers and duties of the Board; [Virginia] Workforce Network created.*]

22 A. The Board shall undertake the following actions to implement and foster workforce training
23 and better align education and workforce programs to meet current and projected skills
24 requirements of an increasingly technological, global workforce:

- 25 1. Provide policy advice to the Governor on workforce and workforce development issues;
- 26 2. Provide policy direction to local workforce investment boards;
- 27 3. Provide recommendations on the policy, plans, and procedures for secondary and
28 postsecondary career and technical education activities authorized under the federal Carl

29 D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. § 2301 et seq.)

- 1 to ensure alignment with the state's plan for coordinating programs authorized under Title
2 I of the WIA and under the federal Wagner-Peyser Act (29 U.S.C. § 49 et seq.);
- 3 4. Provide recommendations on the policy, plans, and procedures for other education and
4 workforce development programs that provide resources and funding for training and
5 employment services as identified by the Governor or Board;
 - 6 5. Identify current and emerging statewide workforce needs of the business community;
 - 7 6. Forecast and identify training requirements for the new workforce;
 - 8 7. Recommend strategies that will match trained workers with available jobs to include
9 strategies for increasing business engagement in education and workforce development;
 - 10 8. Develop WIA incentive grant applications and approve criteria for awarding incentive
11 grants;
 - 12 9. Develop and approve criteria for the reallocation of unexpended WIA funds from local
13 workforce investment boards;
 - 14 10. Conduct a review of budgets, which shall be submitted annually to the Board by each
15 agency conducting federal and state funded career and technical and adult education and
16 workforce development programs, that identify the agency's sources and expenditures of
17 administrative, workforce training, and leadership funds for workforce development
18 programs;
 - 19 11. Administer the [Virginia] Career Readiness Certificate Program and review and
20 recommend industry credentials that align with high demand occupations;
 - 21 12. Define the Board's role in certifying WIA training providers, including those not subject
22 to the authority expressed in Chapter 21.1 (§ 23-276.1 et seq.) of Title 23;
 - 23 13. Provide an annual report to the Governor concerning its actions and determinations under
24 subdivisions 1 through 13;
 - 25 14. Create procedures, guidelines, and directives applicable to local workforce investment
26 boards and the operation of one-stops, as necessary and appropriate to carry out the
27 purposes of this article; and
 - 28 15. Perform any act or function in accordance with the purposes of this article.
- 29 B. The Board may establish such committees as it deems necessary including the following:
- 30 1. A committee to accomplish the federally mandated requirements of the WIA;
 - 31 2. An advanced technology committee to focus on high-technology workforce training
32 needs and skills attainment solutions through sector strategies, career readiness, and
33 career pathways;
 - 34 3. A performance and accountability committee to coordinate with the [Virginia
35 Employment Commission], [State Council of Higher Education for Virginia], and the
36 [Council on Virginia's Future] to develop the metrics and measurements for publishing
37 comprehensive workforce score cards and other longitudinal data that will enable the
38 [Virginia] Workforce Network to measure comprehensive accountability and
39 performance; and
 - 40 4. A military transition assistance committee to focus on military transition assistance,
41 including reforms to (i) improve the integration of the federal Local Veterans
42 Employment Representative Program and the Disabled Veterans Outreach Program into
43 all [Virginia] Workforce Centers and (ii) reduce process and qualification barriers to
44 training and employment services.
- 45 C. The Board and the Governor's cabinet secretaries shall assist the Governor in complying with
46 the provisions of the WIA and ensuring the coordination and effectiveness of all federal and

1 state funded career and technical and adult education and workforce development programs
2 and providers comprising elements of [Virginia's] Career Pathways System and Workforce
3 Network.

- 4 D. The Board shall assist the Governor in the following areas with respect to workforce
5 development: development of the WIA Wagner-Peyser State Plan; development and
6 continuous improvement of a statewide workforce development and career pathways system
7 that ensures career readiness and coordinates and aligns career and technical education, adult
8 education, and federal and state workforce programs; development of linkages to ensure
9 coordination and nonduplication among programs and activities; review of local plans;
10 designation of local areas; development of local discretionary allocation formulas;
11 development and continuous improvement of comprehensive state performance measures
12 including, without limitation, performance measures reflecting the degree to which one-stop
13 centers provide comprehensive services with all mandatory partners and the degree to which
14 local workforce investment boards have obtained funding from sources other than the WIA;
15 preparation of the annual report to the U.S. Secretary of Labor; development of a statewide
16 employment statistics system; and development of a statewide system of one-stop centers
17 that provide comprehensive workforce services to employers, employees, and job seekers.

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19 The Board shall share information regarding its meetings and activities with the public.

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21 E. Each local workforce investment board shall develop and submit to the Governor and the
22 [Virginia] Board of Workforce Development an annual workforce demand plan for its
23 workforce investment board area based on a survey of local and regional businesses that
24 reflects the local employers' needs and requirements and the availability of trained workers to
25 meet those needs and requirements; designate or certify one-stop operators; identify eligible
26 providers of youth activities; identify eligible providers of intensive services if unavailable at
27 one-stop; develop a budget; conduct local oversight of one-stop operators and training
28 providers in partnership with its local chief elected official; negotiate local performance
29 measures, including incentives for good performance and penalties for inadequate
30 performance; assist in developing statewide employment statistics; coordinate workforce
31 investment activities with economic development strategies and the annual demand plan, and
32 develop linkages among them; develop and enter into memoranda of understanding with one-
33 stop partners and implement the terms of such memoranda; promote participation by the
34 private sector; actively seek sources of financing in addition to WIA funds; report
35 performance statistics to the [Virginia] Board of Workforce Development; and certify local
36 training providers in accordance with criteria provided by the [Virginia] Board of Workforce
37 Development. Further, a local training provider certified by any workforce investment board
38 has reciprocal certification for all workforce investment boards.

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40 Each local workforce investment board shall share information regarding its meetings and
41 activities with the public.

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43 F. Each chief local elected official shall consult with the Governor regarding designation of
44 local workforce investment areas; appoint members to the local board in accordance with
45 state criteria; serve as the local grant recipient unless another entity is designated in the local
46 plan; negotiate local performance measures with the Governor; ensure that all mandated

1 partners are active participants in the local workforce investment board and one-stop center;
2 and collaborate with the local workforce investment board on local plans and program
3 oversight.

- 4 G. Local workforce investment boards are encouraged to implement pay-for-performance
5 contract strategy incentives for rapid reemployment services consistent within the WIOA as
6 an alternative model to traditional programs. Such incentives shall focus on (i) partnerships
7 that lead to placements of eligible job seekers in unsubsidized employment and (ii)
8 placement in unsubsidized employment for hard-to-serve job seekers. At the discretion of the
9 local workforce investment board, funds to the extent permissible under §§ 128(b) and
10 133(b) of the WIOA may be allocated for pay-for-performance partnerships.
- 11 H. Each local workforce investment board shall develop and enter into a memorandum of
12 understanding concerning the operation of the one-stop delivery system in the local area with
13 each entity that carries out any of the following programs or activities:
- 14 1. Programs authorized under Title I of the WIA;
 - 15 2. Programs authorized under the Wagner-Peyser Act (29 U.S.C. § 49 et seq.);
 - 16 3. Adult education and literacy activities authorized under Title II of the WIA;
 - 17 4. Programs authorized under Title I of the Rehabilitation Act of 1973 (29 U.S.C. § 720 et
18 seq.);
 - 19 5. Postsecondary career and technical education activities authorized under the Carl D.
20 Perkins Vocational and Applied Technology Education Act (20 U.S.C. § 2301 et seq.);
 - 21 6. Activities authorized under Chapter 2 of Title II of the Trade Act of 1974 (19 U.S.C. §
22 2271 et seq.);
 - 23 7. Activities pertaining to employment and training programs for veterans authorized under
24 38 U.S.C. § 4100 et seq.;
 - 25 8. Programs authorized under [Insert citation], in accordance with applicable federal law;
 - 26 9. Workforce development activities or work requirements of the Temporary Assistance to
27 Needy Families (TANF) program known in [Virginia] as the [Virginia Initiative for
28 Employment, Not Welfare (VIEW)] program established pursuant to [Insert citation.];
 - 29 10. Workforce development activities or work programs authorized under the Food Stamp
30 Act of 1977 (7 U.S.C. § 2011 et seq.); and
 - 31 11. Other programs or activities as required by the WIA.
- 32 I. The Chief Workforce Development Advisor shall be responsible for the coordination of the
33 [Virginia] Workforce Network and the implementation of the WIA