



General Assembly

Amendment

January Session, 2019

LCO No. 11013



Offered by:
REP. ARESIMOWICZ, 30th Dist.

To: House Bill No. 5001

File No. 170

Cal. No. 120

**"AN ACT ESTABLISHING A TASK FORCE TO STUDY
WORKFORCE TRAINING NEEDS IN THE STATE."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 31-11hh of the general statutes is repealed and
4 the following is substituted in lieu thereof (*Effective October 1, 2019*):

5 As used in this section and sections 31-11ii and 31-11jj, as amended
6 by this act:

7 (1) "Administrative costs" means the costs paid or incurred by the
8 administrator, including, but not limited to, peer review costs,
9 professional fees, allocated staff costs and other out-of-pocket costs
10 attributable to the administration and operation of the Workforce
11 Training Authority Fund;

12 (2) "Administrator" means the [Department of] Labor
13 Commissioner;

14 (3) "Board" means the Workforce Training Authority established
15 pursuant to section 31-11ii, as amended by this act; and

16 (4) "Eligible recipient" means a public or private [business] entity [,
17 including, but not limited to, those businesses in the bioscience,
18 insurance, financial services, advanced manufacturing, digital media,
19 green technology and tourism industry sectors] seeking to develop a
20 workforce training program, either to grow an existing business or, in
21 the case of a public entity, as part of partnership with business entities
22 that have made a commitment to hire successful trainees from the
23 workforce training program funded by the authority created by section
24 31-11ii, as amended by this act.

25 Sec. 2. Section 31-11ii of the general statutes is repealed and the
26 following is substituted in lieu thereof (*Effective October 1, 2019*):

27 (a) There is established a Workforce Training Authority [that]
28 within the Labor Department whose purpose is to oversee the grant
29 program described in section 31-11jj, as amended by this act. The
30 Workforce Training Authority shall be composed of a board that:

31 (1) Until September 30, 2019, shall consist of the following members:
32 [(1)] (A) Four appointed by the Governor; [(2)] (B) one appointed by
33 the president pro tempore of the Senate; [(3)] (C) one appointed by the
34 Senate Republican president pro tempore; [(4)] (D) one appointed by
35 the speaker of the House of Representatives; [(5)] (E) one appointed by
36 the majority leader of the Senate; [(6)] (F) one appointed by the
37 majority leader of the House of Representatives; [(7)] (G) one
38 appointed by the minority leader of the Senate; [(8)] (H) one appointed
39 by the minority leader of the House of Representatives; [(9)] (I) the
40 Labor Commissioner, or the commissioner's designee, who shall serve
41 as the chairperson of the board; [(10)] (J) the Commissioner of [the
42 Department of] Economic and Community Development, or the
43 commissioner's designee; [(11)] (K) the president of the Connecticut
44 State Colleges and Universities, or the president's designee; [(12)] (L)
45 the president of The University of Connecticut, or the president's

46 designee; and [(13)] (M) the Commissioner of Correction, or the
47 commissioner's designee; [. Each legislatively appointed member shall
48 have skill, knowledge or experience in industries and sciences related
49 to insurance, financial services, bioscience, advance manufacturing,
50 digital media, green technology, and tourism. All initial appointments
51 to the board pursuant to this subsection shall be made not later than
52 October 1, 2017. Appointed members shall each serve a term that is
53 coterminous with the respective appointing authority. Each member
54 shall hold office until a successor is appointed. Any vacancy occurring
55 on the board, other than by expiration of term, shall be filled in the
56 same manner as the original appointment for the balance of the
57 unexpired term.] The term of any member appointed under this
58 subdivision shall terminate on September 30, 2019.

59 (2) On and after October 1, 2019, the board shall consist of the
60 following members: (A) Four appointed by the Governor, one of
61 whom is a representative of a community college, one of whom is a
62 representative of a state university, one of whom is a representative of
63 The University of Connecticut and one of whom is a representative of
64 the independent colleges; (B) two appointed by the president pro
65 tempore of the Senate, one of whom is a formerly incarcerated
66 individual or someone who helps formerly incarcerated individuals
67 find employment and one of whom is a representative of the
68 Connecticut AFL-CIO; (C) two appointed by the majority leader of the
69 Senate, one of whom is a representative of a workforce investment
70 board and one of whom is a representative of the Connecticut State
71 Building and Construction Trades Council; (D) two appointed by the
72 speaker of the House of Representatives, one of whom is a
73 representative of The University of Connecticut Health Center and one
74 of whom is a representative from a Connecticut affiliate of the National
75 Urban League or the National Association for the Advancement of
76 Colored People; (E) two appointed by the majority leader of the House
77 of Representatives, one of whom is a representative of the Connecticut
78 Center for Advanced Technology and one of whom is a representative
79 of a Connecticut Chamber of the United States Hispanic Chamber of

80 Commerce; (F) two appointed by the minority leader of the Senate, one
81 of whom has skill, knowledge or expertise in the workforce needs of
82 the financial services industry and one of whom is a representative
83 from the Connecticut Business and Industry Association
84 Manufacturers Advisory Council; (G) two appointed by the minority
85 leader of the House of Representatives, one of whom is a
86 representative from the Connecticut Association of Public School
87 Superintendents and one of whom has skill, knowledge and expertise
88 in the workforce needs of the digital media industry; (H) the Labor
89 Commissioner, or the commissioner's designee, who shall serve as
90 chairperson of the board; (I) the Commissioner of Economic and
91 Community Development, or the commissioner's designee; (J) the
92 Commissioner of Correction, or the commissioner's designee; (K) the
93 superintendent of the Technical Education and Career System, or the
94 superintendent's designee; and (L) the Commissioner of Agriculture,
95 or the commissioner's designee.

96 (b) All initial appointments to the board pursuant to subdivision (2)
97 of subsection (a) of this section shall be made not later than October 1,
98 2019. Appointed members shall each serve a term that is coterminous
99 with the respective appointing authority. Each member shall hold
100 office until a successor is appointed. Any vacancy occurring on the
101 board, other than by expiration of term, shall be filled in the same
102 manner as the original appointment for the balance of the unexpired
103 term.

104 [(b)] (c) The chairperson shall call the first meeting of the board
105 appointed under subdivision (2) of subsection (a) of this section not
106 later than December 1, [2017] 2019. The board shall meet at such times
107 as the chairperson deems necessary.

108 [(c)] (d) No member of the board shall receive compensation for
109 such member's services.

110 [(d)] (e) A majority of the members of said board shall constitute a
111 quorum for the transaction of any business or the exercise of any

112 power of the board. The board may act by a majority of the members
113 present at any meeting at which a quorum is in attendance for the
114 transaction of any business or the exercise of any power of the board,
115 except as otherwise provided in this section.

116 [(e)] (f) Notwithstanding any provision of the general statutes, it
117 shall not constitute a conflict of interest for a trustee, director, partner,
118 officer, manager, shareholder, proprietor, counsel, public official acting
119 in his or her official capacity or employee of an eligible recipient, or
120 any individual with a financial interest in an eligible recipient, to serve
121 as a member of the board, provided such trustee, director, partner,
122 officer, manager, shareholder, proprietor, counsel, employee or
123 individual shall abstain from deliberation, action or vote by the board
124 concerning any matter relating to such eligible recipient, except such
125 public official acting in his or her official capacity shall be permitted to
126 engage in such deliberation.

127 [(f)] (g) The board may develop industry-specific advisory councils
128 to provide guidance on job market trends and develop connections
129 with the business community.

130 Sec. 3. Section 31-11jj of the general statutes is repealed and the
131 following is substituted in lieu thereof (*Effective October 1, 2019*):

132 (a) There is established the Workforce Training Authority Fund,
133 which shall be an account [in the Department of] within the Labor
134 Department. The following moneys shall be deposited in the fund: (1)
135 Any moneys received as part of a memorandum of understanding
136 with the Workforce Training Authority; (2) all private contributions,
137 gifts, grants, donations, bequests or devises received by the fund; and
138 (3) to the extent not otherwise prohibited by state or federal law, any
139 local, state or federal funds received by the fund.

140 (b) The Workforce Training Authority Fund shall be used by the
141 administrator: (1) To provide training assistance to eligible recipients
142 as may be approved by the Workforce Training Authority pursuant to
143 subsection (e) of this section, and (2) to pay or reimburse the

144 administrator for administrative costs pursuant to subsection [(c)] (h)
145 of this section. Such training assistance shall be awarded for the
146 purpose of: Developing and implementing training programs for the
147 recruitment of businesses to the state and the training or retraining of
148 persons in the state to achieve the workforce goals established by the
149 Connecticut Employment and Training Commission and the relevant
150 sections of the strategic master plan for higher education developed
151 pursuant to section 10a-11b. Training assistance shall target job growth
152 in the areas of construction, healthcare, early childhood education,
153 insurance, financial services, bioscience, advance manufacturing,
154 digital media, green technology, and tourism.

155 (c) All expenditures from the Workforce Training Authority Fund,
156 except for administrative costs reimbursed to the administrator
157 pursuant to subsection (h) of this section, shall be approved by the
158 board, provided the board may delegate to staff of the administrator
159 the approval of transactions not greater than one hundred thousand
160 dollars. Any such approval by the board shall be (1) specific to an
161 individual expenditure to be made; (2) for budgeted expenditures with
162 such variations as the board may authorize at the time of such budget
163 approval; or (3) for training assistance programs to be administered by
164 staff of the administrator, subject to limits, eligibility requirements and
165 other conditions established by the Workforce Training Authority at
166 the time of such program approval.

167 (d) The administrator shall provide any necessary staff, office space,
168 office systems and administrative support for the operation of the
169 Workforce Training Authority Fund in accordance with this section. In
170 acting as administrator of the fund, the Labor [Department]
171 Commissioner shall have and may exercise all of the powers set forth
172 in the general statutes, provided expenditures from the fund shall be
173 approved by the Workforce Training Authority pursuant to subsection
174 (c) of this section.

175 (e) The Workforce Training Authority shall establish an application
176 and approval process with guidelines and terms for the development

177 and implementation of training programs and training assistance
178 awarded by the administrator from the Workforce Training Authority
179 Fund to any eligible recipient. Such guidelines and terms shall include:
180 (1) A requirement that any applicant for training assistance operate in
181 the state or propose to relocate operations to the state, in whole or in
182 part, as a condition of such training assistance; (2) eligibility
183 requirements for training, including a requirement for applicants to
184 obtain [matching] funds or in-kind services from nonstate sources; (3)
185 a process for preliminary review of applications for strength and
186 eligibility by the administrator before such applications are presented
187 to the board for consideration; (4) return on investment objectives,
188 including, but not limited to, job growth and leveraged investment
189 opportunities; (5) a requirement that any [business] entity that receives
190 assistance [must] first consider applicants who have completed the
191 universal intake form; and (6) such other guidelines and terms as the
192 board determines to be necessary and appropriate in furtherance of the
193 objectives of this section. In developing such guidelines, the board
194 shall include considerations for the size of such businesses and the
195 number of workers employed by such businesses. Additionally, the
196 board shall give consideration to developing training programs and
197 creating career pathways for women, minorities and soon to be
198 released and formerly incarcerated individuals.

199 (f) Training assistance awarded to eligible recipients from the
200 Workforce Training Authority Fund [to eligible recipients] shall be
201 used for costs related to facilities, necessary furniture, fixtures and
202 equipment, development of programs, implementation of training
203 programs, materials and supplies, compensation, apprenticeship and
204 such other costs that the Workforce Training Authority [Board]
205 determines [pursuant to subsection (e) of this section] to be eligible for
206 training assistance within the purposes of this section pursuant to
207 subsection (e) of this section.

208 (g) On July 1, 2018, and prior to [each] the commencement of the
209 next fiscal year thereafter, the administrator shall prepare a plan of
210 operations and an operating and capital budget for the Workforce

211 Training Authority Fund, provided not later than ninety days prior to
212 the start of each fiscal year, the administrator shall submit such plan
213 and budget to the board of the Workforce Training Authority [Board]
214 for its review and approval.

215 (h) Administrative costs shall be paid or reimbursed to the
216 administrator from the Workforce Training Authority Fund, provided
217 the total of such administrative costs in any fiscal year shall not exceed
218 five per cent of the total amount of the allotted funding for such fiscal
219 year, as determined in the operating budget prepared pursuant to
220 subsection (g) of this section. Nothing in this section shall be [deemed]
221 construed to require the administrator to risk or expend the funds of
222 the Labor Department in connection with the administration of the
223 Workforce Training Authority Fund.

224 (i) On January 1, 2019, and annually thereafter, the administrator
225 shall provide a report of the [activities] expenditures of the Workforce
226 Training Authority Fund to the Workforce Training Authority for the
227 board's review and approval. Upon such approval, the board shall
228 provide such report, in accordance with the provisions of section 11-4a,
229 to the joint standing committees of the General Assembly having
230 cognizance of matters relating to labor, commerce and employment
231 advancement. Such report shall contain available information on the
232 status and progress of the operations of the programs funded by and
233 [funding] resources of the Workforce Training Authority Fund and the
234 types, amounts and recipients of financial assistance awarded.

235 (j) The administrator shall consult with the office of apprenticeship
236 training, the Connecticut Employment and Training Commission, the
237 Planning Commission on Higher Education and the administrator of
238 the Connecticut Manufacturing Innovation Fund to ensure
239 coordination and compatibility of the development and
240 implementation of training programs awarded by the Workforce
241 Training Authority. [Fund.]

242 Sec. 4. (*Effective July 1, 2019*) (a) Not later than October 1, 2019, the

243 Labor Department, in collaboration with workforce development
244 boards within the state, shall conduct a study of programs offered to
245 individuals seeking employment within the state. The topics of such
246 study shall include, but not be limited to:

247 (1) The location, ownership and management of workforce
248 development board offices within the state;

249 (2) The number of employees dedicated to assisting individuals
250 seeking employment in each American Job Center office;

251 (3) The number of individuals seeking employment who are served
252 through each American Job Center office and by which program on an
253 annual basis;

254 (4) The number of employers, classified by industry, that utilize
255 workforce development boards throughout the state;

256 (5) The number of individuals who successfully find employment
257 through the American Job Centers and the nature of that employment,
258 classified by industry;

259 (6) The number of individuals who successfully found employment,
260 then lost that employment, who re-enrolled in an American Job Center
261 program;

262 (7) The type of training programs;

263 (8) Whether activities offered by individual workforce development
264 boards are planned in conjunction with the department to maximize
265 efficiency and avoid duplication of resources;

266 (9) The funding sources for each workforce development board and
267 any in-kind contributions offered by the state including, but not
268 limited to, office space, utilities and equipment;

269 (10) Whether an individual seeking employment can simultaneously
270 participate in a state-operated employment program through the

271 department and a workforce development board program;

272 (11) The methods by which the department and workforce
273 development boards coordinate employment programs in each region
274 of the state; and

275 (12) The methods by which workforce development boards report to
276 the department and whether the resources currently allocated to the
277 workforce development boards by the department are adequate for the
278 operation of the programs offered by the workforce development
279 boards.

280 (b) Not later than January 1, 2020, the department shall submit, in
281 accordance with the provisions of section 11-4a of the general statutes,
282 a report to the joint standing committee of the General Assembly
283 having cognizance of matters relating to labor detailing the findings of
284 the study conducted pursuant to subsection (a) of this section.

285 Sec. 5. (NEW) (*Effective from passage*) Not later than December 31,
286 2019, the Labor Commissioner shall post on the eRegulations System a
287 notice of intent to adopt regulations, in accordance with the provisions
288 of chapter 54 of the general statutes, concerning allowances for
289 gratuities permitted or applied as part of the minimum fair wage
290 pursuant to sections 31-58 and 31-60 of the general statutes. The Labor
291 Commissioner shall consult with representatives of the restaurant
292 industry prior to posting such notice and shall consider the provisions
293 of the Fair Labor Standards Act, 29 USC 203(m)(2) and 29 CFR 531.56,
294 and include guidance provided by the United States Department of
295 Labor Wage and Hour Division in Field Assistance Bulletin No. 2019-2,
296 dated February 15, 2019, and in Wage and Hour Division Opinion
297 Letter FLSA 2018-27, dated November 8, 2018, regarding such
298 allowances.

299 Sec. 6. (*Effective from passage*) Not later than October 1, 2019, the
300 Secretary of the State shall update the official compilation of the
301 regulations of Connecticut state agencies posted on the eRegulations
302 System to comply with the provisions of chapter 54 of the general

303 statutes and section 7 of this act.

304 Sec. 7. (*Effective from passage and applicable to actions pending on or filed*
 305 *on or after said date*) Notwithstanding the provisions of chapter 54 of the
 306 general statutes, section 31-62-E4 of the regulations of Connecticut
 307 state agencies is repealed."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	31-11hh
Sec. 2	<i>October 1, 2019</i>	31-11ii
Sec. 3	<i>October 1, 2019</i>	31-11jj
Sec. 4	<i>July 1, 2019</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage and applicable to actions pending on or filed on or after said date</i>	New section