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By:  Bettencourt S.B. No. 1622

A BILL TO BE ENTITLED

AN ACT

relating to measures to support workforce development in the state, including the establishment of the Tri-Agency Workforce Initiative and additional employer workforce data reporting.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Subtitle G, Title 10, Government Code, is amended by adding Chapter 2308A to read as follows:

CHAPTER 2308A. TRI-AGENCY WORKFORCE INITIATIVE

Sec. 2308A.001.  DEFINITIONS. In this chapter:

(1)  "Agency," unless the context requires otherwise, means the Texas Education Agency.

(2)  "Career education and training program" means:

(A)  a career and technology education program offered by a public school or an institution of higher education;

(B)  a program administered by the commission relating to jobs training, skills development, or adult education and literacy; and

(C)  a work-based learning program, such as an apprenticeship or internship program, that receives state funding or is administered by the commission.

(3)  "Commission" means the Texas Workforce Commission.

(4)  "Coordinating board" means the Texas Higher Education Coordinating Board.

(5)  "Fund" means the Tri-Agency Workforce Initiative Fund established under Section 2308A.017.

(6)  "Initiative" means the Tri-Agency Workforce Initiative.

(7)  "Institution of higher education" has the meaning assigned by Section 61.003, Education Code.

(8)  "State workforce development goals" means the state workforce development goals adopted under Section 2308A.006.

Sec. 2308A.002.  PURPOSE. The Tri-Agency Workforce Initiative is established to coordinate and optimize information and other resources as necessary to:

(1)  align career education and training programs to workforce demands;

(2)  provide residents of the state with timely and accurate information needed to plan education and workforce pathways; and

(3)  enable local and state policymakers to evaluate the effectiveness of career education and training programs and progress toward the state workforce development goals.

Sec. 2308A.003.  INTERAGENCY AGREEMENT AND STAFFING. (a) The agency, coordinating board, and commission shall enter into an interagency agreement establishing policies and processes for:

(1)  sharing and cooperatively managing education and workforce information collected by each respective agency; and

(2)  sharing staff, including colocation of staff assigned to the initiative on a full-time basis, and other resources necessary to effectuate the state workforce development goals and the strategies for achieving those goals adopted under Section 2308A.006.

(b)  The policies and processes established in the agreement under Subsection (a) must ensure that data collected by the agency, coordinating board, or commission is matched at the student level and made available for use in accordance with this chapter.

(c)  A full-time equivalent employee of the agency, coordinating board, or commission whose time and effort are dedicated exclusively to supporting the work of the initiative is not included in the calculation of the number of full-time equivalent employees allotted to the respective agency under other law.

Sec. 2308A.004.  QUARTERLY MEETINGS. The agency, coordinating board, and commission shall meet at least once each quarter to conduct the business of the initiative.

Sec. 2308A.005.  UNIFIED WORKFORCE DATA REPOSITORY. (a) The agency, coordinating board, and commission shall use the P-20/Workforce Data Repository established under Section 1.005(j-1), Education Code, as the central repository of career and education data. After a comprehensive review of data collected by the respective agency, the agency, coordinating board, and commission shall incorporate into the repository all data determined by the executive officer of that agency to be integral to the state workforce development goals and the strategies for achieving those goals adopted under Section 2308A.006.

(b)  Any data or reports made accessible to the public under the initiative must comply with rules adopted under Section 1.006, Education Code, to ensure the appropriate use of data in the repository, including compliance with applicable state and federal laws governing use of and access to the data.

(c)  The agency, coordinating board, and commission shall ensure that records deposited in the repository are automatically matched at the student level on a timely basis to ensure that the agency, the coordinating board, and the commission and each school district, institution of higher education, and workforce entity authorized to access the repository has timely information to support higher education and workforce application, entry, and success.

Sec. 2308A.006.  STATE WORKFORCE DEVELOPMENT GOALS AND STRATEGIES. (a) The agency, coordinating board, and commission jointly shall adopt and post in a prominent location on the initiative's and each respective agency's Internet website state workforce development goals and coordinated interagency strategies for achieving those goals.

(b)  The goals adopted under Subsection (a) must:

(1)  include goals for the attainment of employment in jobs that pay a living wage for all career education and training programs in the state;

(2)  be disaggregated by race, ethnicity, and gender for each workforce development region; and

(3)  provide for:

(A)  locally determined priorities consistent with state goals; and

(B)  collaborative planning and coordination with public schools, institutions of higher education, and local workforce development boards.

(c)  The strategies adopted under Subsection (a) must:

(1)  include strategies for expanding work-based learning;

(2)  articulate the ways in which the state can best leverage federal funding; and

(3)  be demonstrably guided by:

(A)  education and workforce data sets matched at the student level;

(B)  performance evaluation measures, including return on investment formulas; and

(C)  prioritized occupational classifications, including all target occupations and critical career pathways designated under Subsection (e).

(d)  The agency, coordinating board, and commission jointly shall update the state workforce development goals and strategies adopted under Subsection (a) at least every four years, or more frequently if needed to reflect available data and circumstances.

(e)  The agency, coordinating board, and commission shall designate and update every two years a list of career pathways that includes the following two priority categories:

(1)  target occupations, which include current needs that exist in one or more regions of the state as reflected in regional workforce assessments that:

(A)  use the best available data and local employer requests; and

(B)  satisfy minimum federal standards for designations, such as a foundation for qualified use of federal workforce funding; and

(2)  critical career pathways that reflect the best statewide data and forecasts of attractive skills and careers expected to grow in the state that may:

(A)  be associated with new emerging industries or new specialty occupations within an industry; or

(B)  reflect lateral pathways to better wages for workers with documented skills that provide promotional opportunities within or across occupations with targeted upskill training.

(f)  Not later than June 1, 2022, the agency, coordinating board, and commission jointly shall make recommendations regarding the development of a modernized and expanded job skills inventory for the state that classifies and matches evolving skills in a rapidly changing economy to career education and training programs and career pathways designated under Subsection (e) that are most important to the state. This subsection expires September 1, 2022.

Sec. 2308A.007.  CREDENTIAL LIBRARY. (a) The agency, coordinating board, and commission jointly shall establish a web-based library of credentials issued by any public or private entity that are:

(1)  aligned with recognized skills and industry standards;

(2)  available to residents of the state; and

(3)  used by employers in the state.

(b)  The agency, coordinating board, and commission jointly shall designate a host agency or operating entity for the credential library. The host agency or operating entity shall perform trend and utilization analysis for each credential in the library to determine the credential's value in the state labor force.

Sec. 2308A.008.  ADMINISTRATIVE SUPPORT. The Texas Workforce Investment Council shall provide administrative support, including resources and staff, for the initiative.

Sec. 2308A.009.  INTERNET WEBSITE. (a) The agency, coordinating board, and commission shall cooperatively establish a central Internet website for the initiative that contains publicly accessible career and workforce information. The Internet website must include:

(1)  a unified dashboard, updated on an annual or more frequent basis, that reports progress toward accomplishment of the state workforce development goals, both statewide and disaggregated by public school and public school campus, institution of higher education campus, workforce region, and county;

(2)  data on the outcomes of students who participate in career education and training programs, disaggregated to the extent practicable by income, race, ethnicity, and gender, including data for the first, fifth, and tenth years after completing the program on:

(A)  degree and credential attainment;

(B)  employment status and industry of employment; and

(C)  median earnings;

(3)  analytical tools and guidance supporting the use of data on the dashboard described by Subdivision (1) for greater accessibility for a wide range of public, practitioner, and legislative users;

(4)  tools enabling residents of the state to:

(A)  explore careers that match the resident's education and skills and lead to a living wage;

(B)  identify and evaluate near-term education and training opportunities related to the resident's career interests;

(C)  engage in longer-term career planning; and

(D)  connect to available jobs through existing job matching websites;

(5)  tools enabling the secure interagency sharing of information in order to seamlessly refer a website visitor at the visitor's election to tailored career navigation, support, and training resources;

(6)  tools to support joint program planning, budgeting, and performance evaluation among:

(A)  the agency, coordinating board, and commission; and

(B)  public schools, institutions of higher education, local workforce development boards, and partnering entities; and

(7)  data necessary to demonstrate return on investment for each career education and training program, including:

(A)  state and local costs;

(B)  costs to the student; and

(C)  student salary at the first, fifth, and tenth years after completing the program.

(b)  The agency, coordinating board, and commission jointly shall:

(1)  in September of each year, solicit public comment on the usefulness of the initiative's Internet website; and

(2)  in December of each year, publish:

(A)  a summary of actions taken to address comments received under Subdivision (1); and

(B)  trend data regarding the use of the initiative's Internet website.

Sec. 2308A.010.  PERFORMANCE REPORTING. (a) The agency, coordinating board, and commission shall coordinate data collection and matching necessary to evaluate career education and training programs, in accordance with progress measures jointly adopted by the agency, coordinating board, and commission, with respect to:

(1)  the aggregate impact of the programs on the state workforce development goals; and

(2)  return on investment for each program with respect to the program's discrete impact on the state workforce development goals, including a comparison of employment status, occupation, and salary for each student before participating in the program and at the first, fifth, and tenth years after completing the program.

(b)  Not later than September 1 of each even-numbered year, the agency, coordinating board, and commission jointly shall prepare, submit to the legislature, and post on the initiative's and each respective agency's Internet website a report evaluating the impact of career and education training programs on the state workforce development goals with respect to the progress measures described by Subsection (a).

Sec. 2308A.011.  PUBLIC COMMENT. At least 30 days before adopting state workforce development goals, strategies for meeting those goals under Section 2308A.006, or a performance report under Section 2308A.010, the agency, coordinating board, and commission jointly shall post on the initiative's and each respective agency's Internet website the proposed goals, strategies, or performance report and instructions for submitting public comment on those items.

Sec. 2308A.012.  SECURE PORTAL. (a) For purposes of state and local planning, program evaluation, and continuous improvement of local and regional education and workforce practices, the agency, coordinating board, and commission jointly shall establish and support a secure portal through which authorized personnel of approved entities can view and analyze comprehensive longitudinal and the most currently available matched data related to the progression toward living-wage employment for residents of the state.

(b)  The agency, coordinating board, and commission jointly shall adopt role-based security protocols that ensure the privacy and confidentiality of information made accessible through the secure portal in a manner that complies with any applicable state or federal law.

Sec. 2308A.013.  EMPLOYER RECOGNITION. (a) The governor may award a Talent for Texas Champions Governor's Award to recognize leading employers in the state who are contributing to workforce improvement by supporting priority job training, reskilling, and upskilling programs and whose contributions align with strategic priorities for the state, including helping to meet regional workforce demands and enabling more residents of the state to attain jobs that pay a living wage.

(b)  The agency, coordinating board, and commission jointly shall nominate employers for the award under this section.

Sec. 2308A.014.  STATEWIDE CAREER INTERMEDIARY COUNCIL. (a) In this section, "council" means the statewide career intermediary council established under this section.

(b)  The agency, coordinating board, and commission jointly shall establish a statewide career intermediary council to assist the initiative in achieving the purposes of this chapter.

(c)  The council consists of three members, with one member appointed by the commissioner of education, one member appointed by the commissioner of higher education, and one member appointed by the chair of the commission.

(d)  In making appointments to the council, the appointing officers shall coordinate as necessary to ensure that at least one member is a representative of a nonprofit organization that provides support services to students transitioning from secondary to postsecondary education or to participants in job training programs.

(e)  A vacancy on the council is filled in the same manner as the initial appointment.

(f)  Chapters 2110 and 2254, Government Code, do not apply to the appointment of members to the council.

(g)  The council shall:

(1)  identify ways in which career education and training program providers and employers in the state can communicate more effectively with students, trainees, and employees, using common terminology and definitions of skills sets that match credentials required for attractive jobs;

(2)  interpret how effectively labor market demand information is being used to help:

(A)  employers in the state to identify hire-ready credentials; and

(B)  job applicants to understand what skills they already have;

(3)  suggest improvements to the state workforce development goals and the progress measures adopted under Section 2308A.010; and

(4)  examine existing regional workforce intermediaries for the purpose of recognizing successful efforts and scaling best practices of those intermediaries to regions across the state, using the following measures:

(A)  identifying and expanding lower-cost, shorter-term training opportunities;

(B)  providing simpler pathways for residents of the state to attain jobs that pay a living wage, with a focus on advising, apprenticeships, and internships; and

(C)  successfully recruiting and coordinating partners such as employers, workforce training programs, community-based organizations, postsecondary educational institutions, and public schools, to expand and align work-based learning efforts.

(h)  Not later than September 1, 2022, the council shall submit to the legislature a report summarizing the additional value provided by the initiative's Internet website, including the dashboard, tools, secure portal, and guidance described by Section 2308A.009, and any recommendations for legislative or other action to improve the usefulness of those resources. This subsection expires September 1, 2023.

Sec. 2308A.015.  TARGETED FUNDING TO ADDRESS STATE GOALS. (a) A state agency that receives funding through the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. Section 2301 et seq.) or the Workforce Innovation and Opportunity Act (Pub. L. No. 113-128) or any other federal funding for career education and training may combine with, transfer to, or delegate to another state agency that receives such funding the agency's management of workforce-related funding as necessary to implement the state workforce development goals.

(b)  The agency, coordinating board, and commission jointly shall submit to the governor and the standing legislative committees with jurisdiction over state financial alignment efforts a biennial report on how federal and state funding for career education and training programs are being spent in accordance with the state workforce development goals.

(c)  A state agency that receives federal or state funding for career education and training programs shall include in the agency's legislative appropriations request a description of how the agency's career education and training programs and expenditures align with the state workforce development goals.

Sec. 2308A.016.  LIVING WAGE. The agency, coordinating board, and commission jointly shall determine for each county the wage that constitutes a living wage for purposes of this chapter. The determination must be based on a common standard that reflects the regionally adjusted minimum employment earnings necessary to meet a family's basic needs while also maintaining self-sufficiency.

Sec. 2308A.017.  TRI-AGENCY WORKFORCE INITIATIVE FUND. (a) The Tri-Agency Workforce Initiative fund is a special fund in the state treasury outside the general revenue fund.

(b)  The fund consists of:

(1)  money appropriated by the legislature for deposit to the credit of the fund;

(2)  gifts to the state for the purposes of the fund; and

(3)  money directed by law for deposit to the credit of the fund.

(c)  Money in the fund may be appropriated only for the purposes of:

(1)  modernizing state data for the initiative;

(2)  planning, staff, or organizational activities of the initiative; or

(3)  any activities required or allowed under this chapter to implement the state workforce development goals.

SECTION 2.  Subchapter A, Chapter 204, Labor Code, is amended by adding Section 204.0025 to read as follows:

Sec. 204.0025.  ADDITIONAL WORKFORCE DATA REPORTING. (a) The commission shall request that each employer provide to the commission as part of the employer's routine wage filings under this subtitle or commission rule and consistent with federal law and regulations the following workforce data for each employee:

(1)  the standard six-digit occupational classification code;

(2)  the employee's status as full time or part time or the hours worked for the job;

(3)  the start date of the employee's current role;

(4)  remote work status;

(5)  job title; and

(6)  end date for an internal role change.

(b)  The commission shall provide a public report on employer participation in the data reporting requested under Subsection (a) and a cost-benefit analysis on the data to the workforce planning process in the state.

SECTION 3.  Not later than October 1, 2021, the Texas Education Agency, Texas Higher Education Coordinating Board, and Texas Workforce Commission shall hold the initial meeting required under Section 2308A.004, Government Code, as added by this Act.

SECTION 4.  (a) Not later than January 31, 2022, the Texas Education Agency, Texas Higher Education Coordinating Board, and Texas Workforce Commission shall approve the initial state workforce development goals required under Section 2308A.006, Government Code, as added by this Act.

(b)  Not later than April 30, 2022, the Texas Education Agency, Texas Higher Education Coordinating Board, and Texas Workforce Commission shall adopt the initial strategies required under Section 2308A.006, Government Code, as added by this Act.

SECTION 5.  This Act takes effect September 1, 2021.