

An Act

ENROLLED SENATE
BILL NO. 1171

By: Jech and Pittman of the
Senate

and

Wright of the House

An Act relating to workforce development; creating the Work-based Learning Program; providing authority over program; directing establishment of certain partnerships; designating duty of workforce development office; establishing certain goals for apprenticeship positions by certain date; stating duration and purpose of program; stating participant requirements; setting certain program components; providing requirements for registration as a work-based learning program; stating requirements for annual certificate; directing certain renewal notice by electronic mail; requiring certain summary at time of renewal; providing for failure to renew certificate; directing charge and collection of certain fees; requiring organizations to post job announcements on certain system; requiring Secretary of State to transfer certain funds each fiscal year; providing for codification; providing an effective date; and declaring an emergency.

SUBJECT: Creating the Work-based Learning Program

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5003.10e of Title 74, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created the Work-based Learning Program. The Governor's Council on Workforce and Economic Development shall have authority over the program. The Governor's Council shall coordinate the program by establishing partnerships with the State Department of Education, the State Regents for Higher Education, the State Department of Career and Technology Education, the Oklahoma Board of Private Vocational Schools, the Secretary of State and business entities throughout the state. The Oklahoma Office of Workforce Development, serving as the Workforce Innovation and Opportunity Act designee as established by the Governor, shall have the official duty to develop and maintain a Work-based Learning Program within its jurisdiction to be focused on increasing the number of registered apprenticeships and internship programs, defined as paid and unpaid work experience by the United States Department of Labor as contained in 20 CFR 681.600, in this state to at least an aggregate of twenty thousand positions by the end of the calendar year 2020. All partners participating in the Work-based Learning Program shall be required to provide their expertise, time and resources as deemed necessary to advance and sustain the work-based learning goals of Oklahoma Works to assist with publishing an annual progress report showing each state agency's steps and accomplishments toward meeting statewide workforce goals and to network and coordinate with other public and private entities in an effort to align all state agencies, boards and commissions and the private business sector in meeting Oklahoma Works goals.

B. The Work-based Learning Program shall include the following components:

1. Coordinate work-based learning opportunities through the state's labor market and labor exchange systems to connect youth and adults in public and private sectors;

2. Work toward increasing the number of youth and adults participating successfully in public and private work-based learning opportunities;

3. Set standards for equality and fair access to quality work-based learning experiences for all Oklahomans, including, but not limited to, women, out-of-school youth, adults, African Americans, Hispanics, Native Americans, veterans, individuals with disabilities

and other target populations identified in the federal Workforce Innovation and Opportunity Act;

4. Promote quality work-based learning experiences which are developmentally appropriate, including an orientation for all parties, identify learning objectives for the term of the experience, explore multiple aspects of an industry, develop workplace skills and competencies, assess performance, provide opportunities for work-based reflection, link appropriate next steps and see that all aspects are documented and reported and comply with state and federal labor laws;

5. Convene industry partners to develop industry-specific standards for internships in order to aid employers with the creation of rigorous internship programs; and

6. Prioritize paid work-based learning experiences to ensure equity and access.

C. Each organization seeking to be a registered Work-based Learning Program in Oklahoma shall either:

1. Be registered as a Work-based Learning Program, such as an apprenticeship, with the United States Department of Labor; or

2. File a certificate each year in the Office of the Secretary of State, which shall confirm such an organization is an active participant in Oklahoma's registered Work-based Learning Program. The certificate to be filed shall include:

- a. the name of the business, nonprofit organization or government organization,
- b. the street address of the organization,
- c. the name of the primary contact for the organization,
- d. the electronic mail address for the primary contact of the registered organization,
- e. the registered organization's North American Industry Classification System code (NAICS), if applicable,

- f. the number and type of work-based learning opportunities proposed for the year, the estimated term of each opportunity, the proposed occupations, and estimated number of hours per week of each opportunity, if available,
- g. the number and type of work-based learning opportunities proposed for the year, the estimated term of each opportunity, the proposed occupations, and the estimated number of hours per week of each opportunity, if available,
- h. signed acknowledgement of the application by the primary contact, and
- i. the annual renewal shall be due on the anniversary date of filing the registration application.

The filing shall be made electronically via the Secretary of State website.

D. The annual certificate of participation shall be due on the anniversary date of original registration, as the case may be, until cancellation of the work-based organization in the Work-based Learning Program.

E. The Secretary of State shall, at least sixty (60) days before the anniversary date each year of a participating organization, cause a notice of renewal of the annual certificate to be sent to such organization to its last known electronic mail address of record filed with the Secretary of State. At the time of renewal, the organization shall provide a Work-based Learning Program annual summary, including for each position offered:

- 1. The number of opportunities posted;
- 2. The number of opportunities hired;
- 3. The type of work-based learning opportunities offered (e.g., internship, apprenticeship);

4. The Standard Occupational Classification (SOC) code;
5. The performance evaluation criteria utilized;
6. The term of the position;
7. The number of hours per week;
8. Paid or unpaid status;
9. Academic credit awarding institution, if applicable;
10. Academic hours awarded, if applicable; and
11. The gender, age and ethnicity of hires, if available.

F. A registered organization that fails to file the annual renewal and pay the annual renewal fee by the anniversary date of registration shall cease to be a registered organization with the Governor's Council for Workforce and Economic Development.

G. The Secretary of State shall charge and collect the following fees:

1. For filing the original application, a fee of Fifty Dollars (\$50.00) submitted to the Secretary of State; and
2. For filing subsequent annual renewals, a fee of Twenty-five Dollars (\$25.00) submitted to the Secretary of State.

H. To coordinate with statewide career pathways efforts, registered organizations under this program shall recruit participants by posting job announcements on the state labor market exchange system. Job announcements shall include the registered organization number as assigned by the Secretary of State.

I. The Secretary of State shall transfer on July 1 of each fiscal year an amount based on the Governor's Council for Workforce Development annual budget not to exceed Eight Hundred Fifty Thousand Dollars (\$850,000.00) annually from the Secretary of State revolving fund to support the administration of the program and business

registration to help enable the development of the state's talent pipeline.

SECTION 2. This act shall become effective July 1, 2018.

SECTION 3. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 13th day of March, 2018.

Presiding Officer of the Senate

Passed the House of Representatives the 19th day of April, 2018.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____