

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

COMMITTEE SUBSTITUTE  
FOR

HOUSE BILL NO. 3303

By: Wright and Nollan

COMMITTEE SUBSTITUTE

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.

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:

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

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

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

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

11 3. Set standards for equality and fair access to quality work-  
12 based learning experiences for all Oklahomans, including, but not  
13 limited to, women, out-of-school youth, adults, African Americans,  
14 Hispanics, Native Americans, veterans, individuals with disabilities  
15 and other target populations identified in the federal Workforce  
16 Innovation and Opportunity Act;

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

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

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

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

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

10      2. File a certificate each year in the Office of the Secretary  
11 of State, which shall confirm such an organization is an active  
12 participant in Oklahoma's registered Work-based Learning Program.

13 The certificate to be filed shall include:

14           a. the name of the business, nonprofit organization or  
15 government organization,

16           b. the street address of the organization,

17           c. the name of the primary contact for the organization,

18           d. the electronic mail address for the primary contact of  
19 the registered organization,

20           e. the registered organization's North American Industry  
21 Classification System code (NAICS), if applicable,

22           f. the number and type of work-based learning  
23 opportunities proposed for the year, the estimated  
24 term of each opportunity, the proposed occupations,

- 1 and estimated number of hours per week of each  
2 opportunity, if available,
- 3 g. the number and type of work-based learning  
4 opportunities proposed for the year, the estimated  
5 term of each opportunity, the proposed occupations,  
6 and the estimated number of hours per week of each  
7 opportunity, if available,
- 8 h. signed acknowledgement of the application by the  
9 primary contact, and
- 10 i. the annual renewal shall be due on the anniversary  
11 date of filing the registration application.

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

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

18 E. The Secretary of State shall, at least sixty (60) days  
19 before the anniversary date each year of a participating business,  
20 cause a notice of renewal of the annual certificate to be sent to  
21 such business to its last known electronic mail address of record  
22 filed with the Secretary of State. At the time of renewal, the  
23 organization shall provide a Work-based Learning Program annual  
24 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

1 participants by posting job announcements on the state labor market  
2 exchange system. Job announcements shall include the registered  
3 organization number as assigned by the Secretary of State.

4 I. The Secretary of State shall transfer on July 1 of each  
5 fiscal year an amount based on the Governor's Council for Workforce  
6 Development annual budget not to exceed Eight Hundred Fifty Thousand  
7 Dollars (\$850,000.00) annually from the Secretary of State revolving  
8 fund to support the administration of the program and business  
9 registration to help enable the development of the state's talent  
10 pipeline.

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

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

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17 56-2-9993 JBH 02/28/18  
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