

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3303

By: Wright and Nollan of the
House

and

Jech of the Senate

11 COMMITTEE SUBSTITUTE

12 An Act relating to workforce development; creating
13 the Work-based Learning Program; providing authority
14 over program; directing establishment of certain
15 partnerships; designating duty of workforce
16 development office; establishing certain goals for
17 apprenticeship positions by certain date; stating
18 duration and purpose of program; stating participant
19 requirements; setting certain program components;
20 providing requirements for registration as a work-
21 based learning program; stating requirements for
22 annual certificate; directing certain renewal notice
23 by electronic mail; requiring certain summary at time
24 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:

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 5003.10e of Title 74, unless
3 there is created a duplication in numbering, reads as follows:
4 A. There is hereby created the Work-based Learning Program.
5 The Governor's Council on Workforce and Economic Development shall
6 have authority over the program. The Governor's Council shall
7 coordinate the program by establishing partnerships with the State
8 Department of Education, the State Regents for Higher Education, the
9 State Department of Career and Technology Education, the Oklahoma
10 Board of Private Vocational Schools, the Secretary of State and
11 business entities throughout the state. The Oklahoma Office of
12 Workforce Development, serving as the Workforce Innovation and
13 Opportunity Act designee as established by the Governor, shall have
14 the official duty to develop and maintain a Work-based Learning
15 Program within its jurisdiction to be focused on increasing the
16 number of registered apprenticeships and internship programs,
17 defined as paid and unpaid work experience by the United States
18 Department of Labor as contained in 20 CFR 681.600, in this state to
19 at least an aggregate of twenty thousand positions by the end of the
20 calendar year 2020. All partners participating in the Work-based
21 Learning Program shall be required to provide their expertise, time
22 and resources as deemed necessary to advance and sustain the work-
23 based learning goals of Oklahoma Works to assist with publishing an
24 annual progress report showing each state agency's steps and

1 accomplishments toward meeting statewide workforce goals and to
2 network and coordinate with other public and private entities in an
3 effort to align all state agencies, boards and commissions and the
4 private business sector in meeting Oklahoma Works goals.

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

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

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

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

19 4. Promote quality work-based learning experiences which are
20 developmentally appropriate, including an orientation for all
21 parties, identify learning objectives for the term of the
22 experience, explore multiple aspects of an industry, develop
23 workplace skills and competencies, assess performance, provide
24 opportunities for work-based reflection, link appropriate next steps

1 and see that all aspects are documented and reported and comply with
2 state and federal labor laws;

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

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

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

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

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

15 The certificate to be filed shall include:

16 a. the name of the business, nonprofit organization or
17 government organization,

18 b. the street address of the organization,

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

20 d. the electronic mail address for the primary contact of
21 the registered organization,

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

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

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

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

21 E. The Secretary of State shall, at least sixty (60) days
22 before the anniversary date each year of a participating business,
23 cause a notice of renewal of the annual certificate to be sent to
24 such business to its last known electronic mail address of record

1 filed with the Secretary of State. At the time of renewal, the
2 organization shall provide a Work-based Learning Program annual
3 summary, including for each position offered:

- 4 1. The number of opportunities posted;
- 5 2. The number of opportunities hired;
- 6 3. The type of work-based learning opportunities offered (e.g.,
7 internship, apprenticeship);
- 8 4. The Standard Occupational Classification (SOC) code;
- 9 5. The performance evaluation criteria utilized;
- 10 6. The term of the position;
- 11 7. The number of hours per week;
- 12 8. Paid or unpaid status;
- 13 9. Academic credit awarding institution, if applicable;
- 14 10. Academic hours awarded, if applicable; and
- 15 11. The gender, age and ethnicity of hires, if available.

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

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

- 22 1. For filing the original application, a fee of Fifty Dollars
23 (\$50.00) submitted to the Secretary of State; and

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

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

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

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

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

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21 COMMITTEE REPORT BY: COMMITTEE ON BANKING AND BUSINESS, dated
22 02/28/2018 - DO PASS, As Amended and Coauthored.