

HOUSE No. 3772

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act establishing a State Workforce Development Board.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to expeditiously bring the commonwealth's workforce development efforts into conformity with federal requirements so as to maintain funding of critical workforce development programs, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 23H of the General Laws, as appearing in the 2014 Official
2 Edition, is hereby amended by striking out section 7, and inserting in place thereof the following
3 section:-

4 Section 7. (a) There shall be in the department, but not subject to the jurisdiction thereof,
5 a state workforce development board, hereinafter called the board.

6 (b) The board shall consist of 33 members, which shall include

7 (1) the governor or a designee;

8 (2) a member of the senate who is appointed by the senate president and a member of the
9 house of representatives who is appointed by the speaker of the house;

(3) 17 members appointed by the governor representing business and industry, who:

(i) are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority;

(ii) represent businesses, including small businesses, or organizations representing businesses that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development for in-demand industry sectors or occupations in the commonwealth; and

(iii) have been nominated for appointment by commonwealth business organizations and business trade associations;

(4) 7 members appointed by the governor who are representatives of the workforce within the commonwealth, which number shall include

(i) 2 representatives of labor organizations, 1 of who have been nominated by commonwealth labor federations and 1 of who shall be a representative of the National Association of Government Employees;

(ii) 1 representative, who shall be a member of a labor organization or a training director, from a joint labor-management apprenticeship program;

(iii) 4 representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of individuals facing barriers to employment, or experience and expertise in addressing the employment, training, or education needs of youth, including representatives of organizations that serve out-of-school youth.

31 (5) the balance of the board shall include –

32 (i) the secretary of the executive office of labor and workforce development or a
33 designee;

34 (ii) the secretary of the executive office of housing and economic development or
35 a designee;

36 (iii) the secretary of the executive office of health and human services or a
37 designee;

38 (iii) the secretary of the executive office of education or a designee; and

39 (iv) 2 chief elected officials from designated local workforce development areas as
40 defined by the Workforce Innovation and Opportunity Act of 2014, appointed by the governor.

41 (c) No person shall serve as a member for more than one category of the board.

42 (d) The members of the board shall represent diverse geographic areas of the
43 commonwealth, including urban, rural, and suburban areas.

44 (e) The members shall each serve two-year terms at the pleasure of the governor and
45 shall serve without compensation.

46 (f) The governor shall select an individual to chair the board from among the members
47 representing business and industry. The chair shall serve at the pleasure of the governor.

48 (g) The board shall adopt by-laws to govern its proceedings and shall carry out the
49 responsibilities required of it under the federal Workforce Innovation and Opportunity Act of
50 2014. The board shall provide assessments and recommendations to the governor, the workforce

skills cabinet, local workforce boards, and other entities as needed regarding the effectiveness of the public workforce development system in the commonwealth, shall assist in measuring the effectiveness of this system and in pursuing its continuous improvement, and shall generally assist in meeting the regional workforce needs of the commonwealth. The board shall seek to promote innovative and performance driven models for workforce development and shall seek to maximize the effectiveness of the local workforce boards.

(h) The administrative staff of the board shall be supervised by and shall report to the director of the department of career services. The board may contract with said department for personnel services and other operating needs. The department of career services may promulgate and carry out operational policies for the benefit of board without requiring express board approval. Notwithstanding any law or special act to the contrary, other departments, agencies, divisions, commissions, boards and bureaus of the commonwealth are authorized to provide such information and support as the board may from time to time require in the course of carrying out its responsibilities.