

SENATE No. 1187

The Commonwealth of Massachusetts

PRESENTED BY:

Patricia D. Jehlen

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to make data on workforce development outcomes public and accessible.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>2/7/2023</i>
<i>John J. Cronin</i>	<i>Worcester and Middlesex</i>	<i>2/7/2023</i>
<i>Paul W. Mark</i>	<i>Berkshire, Hampden, Franklin and Hampshire</i>	<i>2/9/2023</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/9/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>2/23/2023</i>
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	<i>4/18/2023</i>

SENATE No. 1187

By Ms. Jehlen, a petition (accompanied by bill, Senate, No. 1187) of Patricia D. Jehlen, Angelo J. Puppolo, Jr., John J. Cronin, Paul W. Mark and other members of the General Court for legislation to make data on workforce development outcomes public and accessible. Labor and Workforce Development.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to make data on workforce development outcomes public and accessible.

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. Section 14P of chapter 151A of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by striking the last sentence in subsection (f) and inserting
3 the following:-

4 The director shall provide information secured under this section to other entities,
5 including but not be limited to, any federal, state, or local governmental agency, including the 16
6 MassHire workforce development boards, a chief elected official as that term is defined in
7 Section 3102(9) of Title 29 of the United States Code, or the agents or contractors of any
8 governmental agency, where such information is to be used for:

9 (1) evaluation of program performance, including, but not limited to, longitudinal
10 outcome analysis of programs (including programs funded by public or private funds or a
11 combination thereof) to the extent permitted by federal law;

12 (2) financial or other analysis required by federal, state, or local law or regulation;

13 (3) preparation of reports required by federal, state, or local law or regulation;

14 (4) operation of public programs by such agencies, their agents, contractors and
15 subcontractors, whenever the director determines that such information sharing is for the purpose
16 of improving the quality or delivery of program services or to evaluate programs for equitable
17 access and outcomes;

18 (5) establishment of common case management systems between federal, state, or local
19 agencies delivering or supporting workforce development services for a shared customer base,
20 wherever such common case management system is for the purpose of fostering workforce
21 development partnerships, program coordination, inter-agency collaboration, improving program
22 services, or creating operational efficiencies.

23 SECTION 2: Said section 14P of said chapter 151A, as so appearing, is hereby further
24 amended by inserting after subsection (i) the following subsection:-

25 (j) The department shall do the following:

26 (1) Develop the minimum requirements for granting a request for disclosure of
27 information authorized by this section regardless of local, state, or federal funding source.

28 (2) Develop a standard application for submitting a request for disclosure of information
29 authorized by this section.

30 (3) Approve or deny a request for disclosure of information authorized by this subsection,
31 or request additional information, within 30 business days of receiving the standard application.

32 The entity submitting the application shall respond to any request by the department for

33 additional information within 20 business days of receipt of the department's request. Within 30
34 calendar days of receiving any additional information, the department shall provide a final
35 approval or denial of the request for disclosure of information authorized by this subsection. Any
36 approval, denial, or request for additional information shall be in writing. Denials shall identify
37 the reason or category of reasons for the denial.

38 (4) Make publicly available on the department's website: the minimum requirements for
39 granting a request for disclosure of information authorized by this section, the standard
40 application developed, the timeframe for information request determinations by the department,
41 contact information for assistance with requests for disclosures of information authorized by this
42 subdivision. (5) For wage data requests that are approved for the department of career services
43 and the MassHire workforce development boards, on a quarterly basis the director of the
44 department of career services shall report to the department the following information on
45 participants, at a minimum, and to the extent the data are available, in order to be appended to
46 the wage match file: participant demographic information; workforce training program and
47 service participation, geographical location of services, and educational and other credential
48 attainment. The department shall adhere to all applicable state and federal privacy laws, to
49 protect individuals' private information while allowing measurement of aggregate data.

50 SECTION 3. Not later than 30 days after the effective date of this act, the executive
51 office of labor and workforce development, in consultation with division of unemployment
52 assistance, the department of career services, the commonwealth corporation, the Massachusetts
53 workforce association, the workforce solutions group, and any other appropriate agencies or
54 entities, shall convene a task force to develop the action steps required to improve state
55 workforce data infrastructure and promote data use, with the goal of creating data systems that

56 can illustrate how workforce education and training programs are providing opportunity for
57 sustainable employment in the commonwealth. The task force shall develop action steps to
58 accomplish the following:

59 (1) Connect education, workforce development and employment data with such data from
60 other states, to the extent permitted by law and in a manner that protects individuals' private
61 information while allowing measurement of aggregate data; and

62 (2) Ensure adherence to data security and privacy principles, and all applicable state and
63 federal privacy laws, to protect individuals' private information while allowing measurement of
64 aggregate data; and

65 (3) Improve access to and quality of the wage data is shared with the workforce system
66 by working with the department of career services and the department of unemployment
67 assistance to ensure that the wage data files shared between each agency have sufficient
68 information to allow for effective and ongoing workforce program evaluation; and

69 (4) Direct the executive office of labor and workforce development to participate in the
70 Massachusetts education-to-career data system and any other state longitudinal data system
71 efforts; and

72 (5) Review quarterly measures, identifying key trends, analyze equitable access to
73 programs and services, and ensure system partners, stakeholders, and the public have access to
74 data as allowed under state and federal privacy laws; and

75 (6) Develop a two and six-year plan to guide future system improvements.

76 The task force shall submit a report, with its findings and recommendations, together
77 with drafts of legislation necessary to carry those recommendations into effect by filing the same
78 with the clerks of the house of representatives and senate, the house and senate committees on
79 ways and means, the joint committee on economic development and emerging technologies, the
80 joint committee on labor and workforce development, the joint committee on higher education
81 and the office of the governor not later than January 1, 2024.