



Workforce and Talent Development Board Chartering Statutes¹ *Revised February 2018*

660.321 State Workforce and Talent Development Board.

- (1) A State Workforce and Talent Development Board shall be created under section 3111 of the federal Workforce Innovation and Opportunity Act to assist in the development of the Workforce and Talent Development Plan established under ORS 660.324, to carry out the other functions described by the federal Act and to provide strategic planning and recommendations related to state talent development.
- (2) The membership of the board must be in accordance with the requirements of section 3111(b) of the federal Act.
- (3) Representatives of business described in section 3111(b)(1)(C)(i) of the federal Act who are appointed to the board must be confirmed by the Senate in the manner prescribed under ORS 171.562 and 171.565.
- (4) The Governor shall select a chairperson in accordance with the requirements of section 3111(c) of the federal Act.
- (5) The Governor shall appoint one member who is a representative of a local workforce development board.
- (6) A majority of the board must be representatives of business, as described in section 3111(b)(1)(C)(i) of the federal Act.
- (7) Members of the Legislative Assembly appointed to the board are nonvoting members of the board and may act in an advisory capacity only.
- (8) To transact business at a meeting of the board, a quorum of voting members must participate. A quorum consists of a majority of the voting members. At least 25 percent of the members participating must be representatives of business, as described in section 3111(b)(1)(C)(i) of the federal Act.
- (9) Members of the board are not entitled to compensation, but may be reimbursed for actual and necessary travel and other expenses incurred by them in the performance of their official duties in the manner and amount provided for in ORS 292.495.

[Sources: 2005 c.242 §1; 2011 c.272 §8; 2014 c.49 §5; 2017 c.185 §27; 2017 c.297 §5a]

¹ This document is intended to help orient appointees to the Workforce and Talent Development Board. For an authoritative, comprehensive version of these statutes, users should consult the Oregon Revised Statutes or seek the advice of legal counsel.



660.324 Duties of state board; state plan for workforce development system.

- (1) The State Workforce and Talent Development Board shall identify:
 - (a) Key industries in this state and the workforce skills needed for key industries to grow and thrive;
 - (b) In collaboration with workforce representatives, needs for education, training, work experience, and job preparation to ensure Oregonians access to stable high-wage jobs and employment advancement; and
 - (c) Opportunities for partnerships with key industry sectors to coordinate workforce development, economic development and education in response to industry and workforce needs.
- (2) The board shall assist the Governor in:
 - (a) Developing Oregon's workforce development system;
 - (b) Ensuring timely consultation and collaboration with chief elected officials, local workforce development boards and other workforce stakeholders, including but not limited to business and labor organizations and organizations working with persons with disabilities, persons living at or below 100 percent of the federal poverty guidelines and the chronically unemployed and underemployed;
 - (c) Reviewing and approving local workforce plans;
 - (d) Developing, as required by the federal Act, allocation formulas for the distribution of funds to local workforce development areas for adult employment and training activities and for youth activities that are developed by the local workforce development boards;
 - (e) Working with local workforce development boards to increase efficiencies and align workforce programs and services with local needs;
 - (f) Recommending the duties and responsibilities of state agencies to implement the federal Act, to avoid conflicts of interest and to capitalize on the experience developed by workforce partners that are efficient and effective at meeting the requirements of the federal Act;
 - (g) Participating in the development of a coordinated statewide system of activities and services that includes both mandatory and optional partners of the one-stop delivery system, as provided in the federal Act;
 - (h) Providing for the development, accountability and continuous improvement of comprehensive workforce performance measures to assess the effectiveness of the workforce development activities in this state;



- (i) Developing a statewide employment statistics system, as described in section 15(e) of the Wagner-Peyser Act (29 U.S.C. 49L-2(e)); and
 - (j) Preparing an annual report and submitting it to the United States Department of Labor.
- (3) The State Workforce and Talent Development Board, in partnership with the Governor, shall establish criteria for use by chief elected officials in appointing members to local workforce development boards in accordance with the requirements of section 3122 of the federal Workforce Innovation and Opportunity Act. The State Workforce and Talent Development Board shall establish the following requirements:
- (a) To transact business at a meeting of a local workforce development board, a quorum of members must participate. A quorum shall consist of a majority of the members. At least 25 percent of the members participating must be representatives of business.
 - (b) When appropriate and upon a request from the chief elected official of a county or the City of Portland, the State Workforce and Talent Development Board shall consider the county or the City of Portland to be a candidate for designation as a local workforce development area. The board shall consult with the county or the City of Portland before designating it as a local workforce development area. After considering the criteria in section 3121 of the federal Act for designating local workforce development areas, chief elected officials may submit a request to the board to combine their units of government into a local workforce development area. The board shall make recommendations to the Governor about the designation of local workforce development areas. Only the Governor may designate local workforce development areas. The Governor must show just cause for not designating a requested local workforce development area. A county or the City of Portland may submit an appeal to the board, as provided in section 3121 of the federal Act, if the Governor does not grant the county's or the city's request to designate a local workforce development area.
- (4) The State Workforce and Talent Development Board shall provide guidance and direction to local workforce development boards in the development of local workforce plans. The State Workforce and Talent Development Board shall adopt policies that:
- (a) Require each local workforce development board, in partnership with its chief elected officials and in accordance with section 3123 of the federal Act, to develop and submit to the Governor and the State Workforce and Talent Development Board a strategic local workforce plan that includes, but is not limited to, performance goals; and
 - (b) Permit each local workforce development board, in consultation with its chief elected officials:



- (A) To determine, consistent with the requirements of the federal Act, the appropriate level of services based on the workforce needs in the local workforce development area; and
 - (B) To designate or certify one-stop operators and to terminate for cause the eligibility of such operators.
- (5) The State Workforce and Talent Development Board may charter and enter into performance compacts with local workforce development boards.
- (6) The State Workforce and Talent Development Board shall:
- (a) Function as the primary advisory committee to the Employment Department in conjunction with the Employment Department Advisory Council established under ORS 657.695;
 - (b) Collaborate with other advisory bodies also tasked with workforce development, including but not limited to the Oregon State Rehabilitation Council, the Commission for the Blind, the State Apprenticeship and Training Council and the Higher Education Coordinating Commission;
 - (c) Work with the Chief Education Office and the Oregon Business Development Commission to identify areas of common interest to efficiently align resources, recommend common strategies and provide accountability for reaching statewide goals; and
 - (d) Hold state workforce agencies and local workforce development boards accountable for meeting performance goals and system outcomes.
- (7) The State Workforce and Talent Development Board shall convene, engage and coordinate with senior executives of identified key industries in this state, the Oregon Business Development Commission, the Higher Education Coordinating Commission, the Department of Education, the Bureau of Labor and Industries, the STEM Investment Council, local workforce development boards, the Employment Department, the Department of Human Services, the Commission for the Blind, the Chief Education Office, the Youth Development Council and any other partners from training or workforce development entities in this state to:
- (a) Determine needs across identified key industries in this state, including challenges and opportunities in developing and growing relevant talent pipelines;
 - (b) Ensure that the talent pipeline development infrastructure includes:
 - (A) A listening process to collect workforce needs of employers from identified key industries in this state;
 - (B) Curriculum alignment for high-demand occupation skill needs;
 - (C) Prediction and monitoring of national trends relating to high-demand industries and occupations;



- (D) Occupation-aligned education and training options with a clearly articulated progression;
- (E) Skills assessments; and
- (F) Academic career counseling;
- (c) Utilize sector partnerships to:
 - (A) Advise the development of career pathway programs for critical occupations in identified key industries in this state; and
 - (B) Ensure the coordination of education, economic development, business and workforce initiatives between key partners to develop a strong talent pipeline;
- (d) Leverage and optimize existing measures and data systems to improve systems alignment and interagency communication; and
- (e) Ensure state alignment and coordination between industry sector partnerships and initiatives in the local workforce development areas.
- (8) (a) Every biennium, the State Workforce and Talent Development Board shall coordinate and collaborate with entities listed under subsection (7) of this section to create a single, unified state Workforce and Talent Development Plan.
 - (b) The Workforce and Talent Development Plan must include:
 - (A) A strategy, with quantitative goals, for the statewide workforce development system for the State of Oregon in accordance with section 3111 of the federal Workforce Innovation and Opportunity Act;
 - (B) Quantifiable goals designed to promote Oregonians' self-sufficiency and that will empower Oregonians to gain independence from public assistance and move up the socioeconomic ladder;
 - (C) Expectations for performance and the priorities for delivery of services to local workforce development boards and state workforce agencies;
 - (D) Industry-based information and data from the Employment Department and other agencies and entities listed in subsection (7) of this section related to talent needs and gaps;
 - (E) Analysis of data regarding the skills required for identified key industry jobs;
 - (F) Information regarding the status of career pathway programs targeted at identified key industries in this state;
 - (G) Recommendations related to advancing talent pipeline and career pathways development based on the identified talent issues and trends;
 - (H) Recommendations regarding the alignment and consistency of data nomenclature, collection practices and data sharing;



- (I) Utilization and, as appropriate, expansion of existing data-sharing agreements between agencies and partners;
 - (J) Identification of talent issues and trends related to identified key industries in this state that are in strategic alignment with state and local workforce and economic priorities;
 - (K) Identification and prioritization of the urgent talent gaps of identified key industries in this state;
 - (L) A response to immediate talent needs through the creation of additional opportunities for Oregonians to pursue education and training in disciplines critical to the advancement of identified key industries in this state;
 - (M) Ways to strengthen efforts to enhance student work experience and job preparedness in high-demand and critical occupations;
 - (N) New means of delivering workforce training and proficiency-based education to enhance program efficiency, upgrading and sharing resources and facilities and improving student outcomes and access to typically underrepresented populations while meeting talent needs of traded sector and high growth industries; and
 - (O) Ways to increase the skills of the existing professional and technical workforce, including the issuance of certifications, badges and industry-based credentials.
- (c) The State Workforce and Talent Development Board shall:
- (A) Update the plan every biennium; and
 - (B) Submit a report about the plan every year to:
 - (i) The Governor; and
 - (ii) The Legislative Assembly in the manner provided by ORS 192.245.

[Sources: 2005 c.242 §2; 2014 c.49 §6; 2015 c.774 §35; 2017 c.185 §28; 2017 c.297 §7a]

Note: The amendments to 660.324 by section 65, chapter 774, Oregon Laws 2015, become operative June 30, 2019. See section 72, chapter 774, Oregon Laws 2015, as amended by section 14, chapter 682, Oregon Laws 2015, section 20, chapter 763, Oregon Laws 2015, and section 27, chapter 639, Oregon Laws 2017. The text that is operative on and after June 30, 2019, including amendments by section 29, chapter 185, Oregon Laws 2017, and section 7b, chapter 297, Oregon Laws 2017, is available at www.oregonlegislature.gov/bills_laws/ors/ors660.



660.318 Duties of Higher Education Coordinating Commission; rules.

- (1) To implement and oversee state implementation of the federal Workforce Innovation and Opportunity Act, the Higher Education Coordinating Commission may:
- (a) Receive federal youth activities funds allotted to this state by the Secretary of Labor pursuant to the federal Workforce Innovation and Opportunity Act and allocate those funds that are not reserved according to an allocation formula recommended by the State Workforce and Talent Development Board and approved by the Governor.
 - (b) Receive federal adult employment and training activities funds allotted to this state by the Secretary of Labor pursuant to the federal Workforce Innovation and Opportunity Act and allocate those funds that are not reserved according to an allocation formula recommended by the State Workforce and Talent Development Board and approved by the Governor.
 - (c) Receive federal dislocated worker funds allotted to this state by the Secretary of Labor pursuant to the federal Workforce Innovation and Opportunity Act and allocate those funds that are not reserved according to an allocation formula recommended by the State Workforce and Talent Development Board and approved by the Governor.
 - (d) Establish a procedure for use by local workforce development boards to identify eligible providers of training services according to section 3174 of the federal Act and to maintain the list of providers identified as eligible by the boards in all local workforce development areas in this state.
 - (e) Receive the comprehensive strategic plan developed and implemented by each local workforce development board and review the plan, with input from representatives of state and local workforce programs, to determine if the plan meets the requirements of section 3123 of the federal Act and state policy.
 - (f) Approve the plans, after review by the State Workforce and Talent Development Board, that are found to meet the requirements of the federal Workforce Innovation and Opportunity Act and review and approve any amendments to the plans.
 - (g) Carry out the required and allowable activities described in section 3174 of the federal Act with the advice of the Education and Workforce Policy Advisor.
 - (h) Pursuant to ORS 660.339, establish procedures to maintain the confidentiality of the names and records of participants in workforce programs for which the commission is responsible, including circumstances under which the names and records may be disclosed.



- (i) Establish a method to set performance standards for the Secretary of Labor as required under section 3141 of the federal Act.
- (j) Perform planning functions related to programs and performance reporting under the federal Workforce Innovation and Opportunity Act.
- (2) (a) Subject to the availability of funds from the federal Workforce Innovation and Opportunity Act, the commission shall create and operate a summer youth employment program that reestablishes meaningful summer work experience for persons between the ages of 14 and 24 and that meets the requirements for funding under the federal Act.
 - (b) Programs funded under this subsection:
 - (A) Must include representatives of the business community in the planning, implementation and evaluation of the program.
 - (B) May provide for private and public sector employment opportunities.
 - (C) Shall be managed by local workforce development boards in a manner that coordinates regional state-sponsored youth work experience programs.
 - (c) Local workforce development boards responsible for managing programs created under this subsection shall provide training for business, labor and education leaders in use of best practices that ensure positive summer work experiences for participants.
- (3) The commission shall collaborate with the State Workforce and Talent Development Board and local workforce development boards to collect data on summer work experience programs that identify successful summer work experiences and allow for the identification and dissemination of promising practices.
- (4) The commission, in consultation with the State Workforce and Talent Development Board, may adopt rules pursuant to ORS chapter 183 to implement this section.

[Sources: 2001 c.684 §11; 2009 c.836 §6; 2013 c.747 §171; 2015 c.366 §59; 2017 c.185 §26; 2017 c.297 §4]