

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

H

1

HOUSE BILL 873

Short Title: Workforce Development/CC. (Public)

Sponsors: Representatives Ramsey, Moffitt, Lambeth, and Murry (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Education.

April 15, 2013

A BILL TO BE ENTITLED
AN ACT TO FURTHER ENCOURAGE WORKFORCE DEVELOPMENT REFORM BY
EXPANDING THE ROLE OF THE STATE BOARD OF COMMUNITY COLLEGES
AND INCREASING COLLABORATION AMONG CERTAIN STATE AGENCIES IN
DELIVERING SERVICES TO ASSIST UNEMPLOYED INDIVIDUALS REENTER
THE WORKFORCE.

The General Assembly of North Carolina enacts:

**PART I. ALIGNMENT OF COMMUNITY COLLEGE COURSES WITH
LABORSHED DEMANDS**

SECTION 1.(a) The State Board of Community Colleges (State Board), in collaboration with the Department of Commerce (NCDOC) and the Department of Transportation (DOT), shall align courses offered by community colleges with designated laborsheds to ensure that community colleges are effectively serving students participating in the State's workforce development programs. For the purposes of this act, "laborshed" shall mean the area or region from which an employment center draws its commuting workers. In order to align the community college courses with the needs of the laborshed in which a community college campus is located, the State Board, in collaboration with NCDOC and DOT, shall do at least all of the following:

- (1) Create an inventory of the current courses offered at community colleges aimed at workforce development and training and for noncollege student transfers.
- (2) Conduct a statewide laborshed analysis utilizing current data from the NC Back-to-Work program, Integrated Workforce System (IWS) program, and information regarding commuting patterns in relation to the geographical location of employers with high workforce demands.
- (3) Compare the suitability of current community college course offerings to the existing workforce demand and industries in each laborshed.
- (4) Identify overlapping courses offered at more than one community college within a laborshed and any unmet needs for certain courses within a particular laborshed.
- (5) Consolidate community college campuses, if necessary, to maximize accessibility to the workforce training courses applicable to designated laborsheds.



1 **SECTION 1.(b)** The State Board, in collaboration with NCDOC and DOT, shall
2 modify community college course offerings to align with laborshed areas and consolidate
3 community college campuses, if necessary, to implement the requirements of this section. The
4 measures taken by the State Board to implement this section shall be reported to the Joint
5 Legislative Education Oversight Committee and the Joint Legislative Commission on
6 Governmental Operations on or before January 1, 2014.

7
8 **PART II. INCREASE ACCESS TO A RANGE OF STATE SERVICES FOR**
9 **UNEMPLOYED INDIVIDUALS**

10 **SECTION 2.(a)** The Department of Commerce (NCDOC), in collaboration with
11 the State Board and the Department of Health and Human Services (DHHS), shall streamline
12 access for unemployed individuals to receive information regarding community college course
13 offerings and workforce development training, social services eligibility and benefits, and job
14 and training opportunities, particularly through local workforce development boards, NC
15 JobConnector, and JobLink hosted by the NCDOC, Division of Workforce Solutions, and the
16 development of the online One-Stop Delivery System created by the NC Commission on
17 Workforce Development.

18 **SECTION 2.(b)** NCDOC shall also do at least the following to develop a plan to
19 increase availability of unemployment services and provide guidance to unemployed
20 individuals so that they may reenter the workforce:

- 21 (1) Determine potential physical locations for one-stop centers to serve every
22 county and align with laborsheds designated in accordance with Section 1 of
23 this act.
- 24 (2) Analyze the current alignment of JobLink Career Centers with designated
25 laborsheds.
- 26 (3) Consult with the State Board on locating one-stop centers on or near
27 community college campuses located within designated laborsheds.
- 28 (4) Determine staffing needs to ensure that every one-stop center can provide
29 assistance to unemployed individuals in at least all of the following ways:
 - 30 a. Access to the online One-Stop Delivery System.
 - 31 b. Guidance on applying for unemployment benefits.
 - 32 c. Workforce skills assessments.
 - 33 d. Connection to any available job opportunities in the area.
 - 34 e. Connection to workforce training opportunities.
 - 35 f. Guidance on applying for supportive social services.
 - 36 g. Job coaches or case managers for unemployed individuals to assist in
37 their employment searches.

38 **SECTION 2.(c)** NCDOC, in collaboration with the State Board and DHHS, shall
39 report on the implementation of subsections (a) and (b) of this section to the Joint Legislative
40 Commission on Governmental Operations, the Joint Legislative Education Oversight
41 Committee, and the Joint Legislative Oversight Committee on Health and Human Services on
42 or before January 1, 2014.

43
44 **PART III. INCREASE TUITION TO SUPPORT FINANCIAL ASSISTANCE IN THE**
45 **ENROLLMENT IN PROGRAMS FOR HIGH-DEMAND OCCUPATIONS**

46 **SECTION 3.(a)** Notwithstanding any other provision of law, effective July 1,
47 2013, the State Board of Community Colleges shall increase the rate of in-State and
48 out-of-state tuition at every community college institution by one dollar (\$1.00) from the rate
49 established for the 2012-2013 fiscal year. Notwithstanding G.S. 115D-39(a), the receipts from
50 the increase in tuition shall be used to support financial assistance for students who do not
51 qualify for need-based assistance but who are enrolled in low-enrollment programs that prepare

1 students for high-demand occupations through the Targeted Assistance program as described in
2 G.S. 115D-40.1(b)(1).

3 **SECTION 3.(b)** The State Board of Community Colleges shall study the
4 enrollment of students in low-enrollment programs that prepare students for high-demand
5 occupations. In doing so, the State Board shall consider at least the following issues:

- 6 (1) The definition of "low enrollment, high employment demand" programs by
7 individual colleges and how local labor market needs inform that definition.
- 8 (2) The development of State Board guidelines for individual institutions to
9 make determinations on which programs qualify as "low enrollment, high
10 employment."
- 11 (3) The reporting by individual institutions to the State Board on existing local
12 labor markets to more effectively align community college course offerings.
- 13 (4) Strategies to increase student enrollment in these programs.

14 **SECTION 3.(c)** The State Board of Community Colleges shall report on the study
15 required by subsection (b) of this section and make recommendations to the Joint Legislative
16 Education Oversight Committee on or before January 1, 2014, on strategies to increase student
17 enrollment in "low enrollment, high employment demand" programs.

18 19 **PART IV. TRANSFER OF THE APPRENTICESHIP PROGRAM TO THE** 20 **COMMUNITY COLLEGES SYSTEM OFFICE**

21 **SECTION 4.(a)** The Apprenticeship program currently housed within the North
22 Carolina Department of Labor is transferred to the North Carolina Community Colleges System
23 Office, by a Type I transfer as defined in G.S. 143A-6, with all the elements of such a transfer.
24 Joint delivery of Apprenticeship and Community College workforce training programs shall
25 ensure coordination of program delivery and appropriate classroom training supporting the
26 needs of students and employers.

27 **SECTION 4.(b)** G.S. 143A-71 is repealed.

28 **SECTION 4.(c)** Article 1 of Chapter 115D is amended by adding a new section to
29 read:

30 **"§ 115D-5.2. Apprenticeship Council; transfer.**

31 The Apprenticeship Council, as contained in Chapter 94 of the General Statutes and the
32 laws of this State, is hereby transferred by a Type I transfer to the North Carolina Community
33 Colleges System Office."

34 **SECTION 4.(d)** G.S. 94-1 reads as rewritten:

35 **"§ 94-1. Purpose.**

36 The purposes of this Chapter are: to open to young people the opportunity to obtain training
37 that will equip them for profitable employment and citizenship; to set up, as a means to this
38 end, a program of voluntary apprenticeship under approved apprentice agreements providing
39 facilities for their training and guidance in the arts and crafts of industry and trade, with parallel
40 instruction in related and supplementary education; to promote employment opportunities for
41 young people under conditions providing adequate training and reasonable earnings; to relate
42 the supply of skilled workers to employment demands; to establish standards for apprentice
43 training; to establish an Apprenticeship Council and apprenticeship committees and sponsors to
44 assist in effectuating the purposes of this Chapter; to provide for a Director of Apprenticeship
45 within the ~~Department of Labor;~~ Community Colleges System Office; to provide for reports to
46 the legislature and to the public regarding the status of apprentice training in the State; to
47 establish a procedure for the determination of apprentice agreement controversies; and to
48 accomplish related ends."

49 **SECTION 4.(e)** G.S. 94-2 reads as rewritten:

50 **"§ 94-2. Apprenticeship Council.**

1 The ~~Commissioner of Labor~~State Board of Community Colleges shall appoint an
2 Apprenticeship Council composed of four representatives each from employer and employee
3 organizations respectively and three representatives from the public at large. One State official
4 designated by the Department of Public Instruction and one State official designated by the
5 Department of ~~Community Colleges~~Labor shall be a member ex officio of said council, without
6 vote. The terms of office of the members of the Apprenticeship Council ~~first~~ appointed by the
7 ~~Commissioner of Labor~~State Board of Community Colleges shall expire as designated by the
8 ~~Commissioner~~State Board at the time of making the appointment: two representatives each of
9 employers and employees, being appointed for one year and one representative of the public at
10 large being appointed for two years; and one representative each of employers, employees, and
11 the public at large being appointed for a term of three years. Any member appointed to fill a
12 vacancy occurring prior to the expiration of the term of his predecessor shall be appointed for
13 the remainder of said term. Each member of the Council not otherwise compensated by public
14 moneys, shall be reimbursed for transportation and shall receive such per diem compensation as
15 is provided generally for boards and commissions under the biennial maintenance appropriation
16 acts for each day spent in attendance at meetings of the Apprenticeship Council. The
17 ~~Commissioner of Labor~~State Board of Community Colleges shall annually appoint one
18 member of the Council to act as its chairman.

19 The Apprenticeship Council shall meet at the call of the ~~Commissioner of Labor~~State
20 Board of Community Colleges and shall aid ~~him~~the State Board in formulating policies for the
21 effective administration of this Chapter. Subject to the approval of the ~~Commissioner~~State
22 Board of Community Colleges, the Apprenticeship Council shall establish standards for
23 apprentice agreement which in no case shall be lower than those prescribed by this Chapter,
24 shall issue such rules and regulations as may be necessary to carry out the intent and purposes
25 of said Chapter, and shall perform such other functions as the ~~Commissioner~~State Board may
26 direct. Not less than once a year the Apprenticeship Council shall make a report through the
27 ~~Commissioner of Labor~~State Board of Community Colleges of its activities and findings to the
28 legislature and to the public."

29 **SECTION 4.(f)** G.S. 94-3 reads as rewritten:

30 **"§ 94-3. Director of Apprenticeship.**

31 The ~~Commissioner of Labor~~State Board of Community Colleges is hereby directed to
32 appoint a Director of Apprenticeship which appointment shall be subject to the confirmation of
33 the State Apprenticeship Council by a majority vote. The ~~Commissioner of Labor~~State Board
34 of Community Colleges is further authorized to appoint and employ such clerical, technical,
35 and professional help as shall be necessary to effectuate the purposes of this Chapter."

36 **SECTION 4.(g)** G.S. 94-4 reads as rewritten:

37 **"§ 94-4. Powers and duties of Director of Apprenticeship.**

38 The Director, under the supervision of the ~~Commissioner of Labor~~State Board of
39 Community Colleges and with the advice and guidance of the Apprenticeship Council is
40 authorized to administer the provisions of this Chapter; in cooperation with the Apprenticeship
41 Council and apprenticeship committees and sponsors, to set up conditions and training
42 standards for apprentice agreements, which conditions or standards shall in no case be lower
43 than those prescribed by this Chapter; to act as secretary of the Apprenticeship Council; to
44 approve for the Council if in ~~his~~the Director's opinion approval is for the best interest of the
45 apprenticeship any apprentice agreement which meets the standards established under this
46 Chapter; to terminate or cancel any apprentice agreement in accordance with the provisions of
47 such agreement; to keep a record of apprentice agreements and their disposition; to issue
48 certificates of completion of apprenticeship; and to perform such other duties as are necessary
49 to carry out the intent of this Chapter, including other on-job training necessary for emergency
50 and critical civilian production: Provided, that the administration and supervision of related and
51 supplemental instruction for apprentices, coordination of instruction with job experiences, and

1 the selection and training of teachers and coordinators for such instruction shall be the
2 responsibility of State and local boards responsible for vocational education."

3 **SECTION 4.(h)** G.S. 94-6 reads as rewritten:

4 "**§ 94-6. Definition of an apprentice.**

5 The term "apprentice," as used herein, shall mean a person at least 16 years of age who is
6 covered by a written apprenticeship agreement approved by the Apprenticeship Council, which
7 apprenticeship agreement provides for not less than 2,000 hours of reasonably continuous
8 employment for such person for his or her participation in an approved schedule of work
9 experience and for organized, related supplemental instruction in technical subjects related to
10 the trade. A minimum of 144 hours of related supplemental instruction for each year of
11 apprenticeship is recommended. The required hours for apprenticeship agreements and the
12 recommended hours for related supplemental instruction may be decreased or increased in
13 accordance with standards adopted by the apprenticeship committee or sponsor, subject to
14 approval of the State Board of Community Colleges ~~Commissioner of Labor.~~"

15 **SECTION 4.(i)** G.S. 94-12 reads as rewritten:

16 "**§ 94-12. Fees.**

17 The following fees are imposed on each apprentice who is covered by a written
18 apprenticeship agreement entered into under this Chapter: (i) a new registration fee of fifty
19 dollars (\$50.00); and (ii) an annual fee of fifty dollars (\$50.00). The fees are departmental
20 receipts and must be applied to the costs of administering the apprenticeship program. The
21 ~~Commissioner~~ State Board of Community Colleges may adopt rules pursuant to Chapter 150B
22 of the General Statutes to implement this section."

23 **SECTION 4.(j)** If the transfer required by subsection (a) of this section is subject
24 to approval by the Office of Apprenticeship, United States Department of Labor, this section
25 shall be effective upon the date of such approval. No changes in the organizational structure of
26 the programs transferred under this section, other than those provided by this section, shall take
27 place prior to January 1, 2014.

28 Notwithstanding G.S. 94-2, as amended by this act, the current members serving on
29 the Apprenticeship Council as of the effective date of this act shall serve the remainder of their
30 terms. Thereafter, as terms expire, or when a vacancy occurs prior to the expiration of a term,
31 members on the Apprenticeship Council shall be appointed by the State Board of Community
32 Colleges in accordance with G.S. 94-2, as amended by this act. The State Board of Community
33 Colleges shall present a plan for any organizational changes to the Apprenticeship Program
34 required for implementation of this act to the Joint Legislative Education Oversight Committee
35 no less than 30 days before they are proposed to become effective.

36
37 **PART V. EFFECTIVE DATE**

38 **SECTION 5.** Except as otherwise provided in this act, this act is effective when it
39 becomes law.