

**As Introduced**

**130th General Assembly  
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**S. B. No. 2**

**Senators Lehner, Beagle**

**Cosponsors: Senators Bacon, Eklund, Hite, LaRose, Uecker, Seitz,  
Oelslager, Balderson, Jones, Patton, Manning, Widener, Faber, Peterson,  
Obhof**

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**A B I L L**

To amend sections 6301.01, 6301.02, 6301.03, 6301.04, 1  
6301.06, 6301.07, 6301.08, 6301.09, 6301.10, and 2  
6301.12 of the Revised Code to require a local 3  
workforce investment area to use OhioMeansJobs as 4  
the local workforce investment area's job 5  
placement system, to rename county one-stop 6  
systems, and to make other changes to Ohio's 7  
Workforce Development Law. 8

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 6301.01, 6301.02, 6301.03, 6301.04, 9  
6301.06, 6301.07, 6301.08, 6301.09, 6301.10, and 6301.12 of the 10  
Revised Code be amended to read as follows: 11

**Sec. 6301.01.** As used in this chapter: 12

(A) "Local area" means any of the following: 13

(1) A municipal corporation that is authorized to administer 14  
and enforce the "Workforce Investment Act of 1998," 112 Stat. 936, 15  
29 U.S.C.A. 2801, as amended, under this chapter and is not 16

joining in partnership with any other political subdivisions in	17
order to do so;	18
(2) A single county;	19
(3) A consortium of any of the following political	20
subdivisions:	21
(a) A group of two or more counties in the state;	22
(b) One or more counties and one municipal corporation in the	23
state;	24
(c) One or more counties with or without one municipal	25
corporation in the state and one or more counties with or without	26
one municipal corporation in another state, on the condition that	27
those in another state share a labor market area with those in the	28
state.	29
"Local area" does not mean a region for purposes of	30
determinations concerning administrative incentives.	31
(B) "Municipal corporation" means a municipal corporation	32
that is eligible for automatic or temporary designation as a local	33
workforce investment area pursuant to section 116(a)(2) or (3) of	34
the "Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A.	35
2831(a)(2) or (3), but that does not request that the governor	36
grant such automatic or temporary designation, and that instead	37
elects to administer and enforce workforce development activities	38
pursuant to this chapter.	39
(C) "County" means a county that is eligible to be designated	40
as a local workforce investment area pursuant to the "Workforce	41
Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A. 2801, as	42
amended, but that does not request such designation, and instead	43
elects to administer and enforce workforce development activities	44
pursuant to this chapter.	45
(D) "Workforce development agency" means the entity given	46

responsibility for workforce development activities that is 47  
designated by the board of county commissioners in accordance with 48  
section 330.04 of the Revised Code, the chief elected official of 49  
a municipal corporation in accordance with section 763.05 of the 50  
Revised Code, or the chief elected officials of a local area 51  
defined in division (A)(3) of this section. 52

(E) "Workforce development activity" means a program, grant, 53  
or other function, the primary goal of which is to do one or more 54  
of the following: 55

(1) Help individuals maximize their employment opportunities; 56

(2) Help employers gain access to skilled workers; 57

(3) Help employers retain skilled workers; 58

(4) Help develop or enhance the skills of incumbent workers; 59

(5) Improve the quality of the state's workforce; 60

(6) Enhance the productivity and competitiveness of the 61  
state's economy. 62

(F) "Chief elected officials," when used in reference to a 63  
local area, means the board of county commissioners of the county 64  
or of each county in the local area or, if the county has adopted 65  
a charter under Section 3 of Article X, Ohio Constitution, the 66  
chief governing body of that county, and the chief elected 67  
official of the municipal corporation, if the local area includes 68  
a municipal corporation, except that when the local area is the 69  
type defined in division (A)(1) of this section, "chief elected 70  
officials" means the chief elected official of the municipal 71  
corporation. 72

(G) "State board" means the ~~state~~ governor's executive 73  
workforce ~~policy~~ board established by section 6301.04 of the 74  
Revised Code. 75

(H) "Local board" means a local workforce ~~policy~~ investment 76

board created pursuant to section 6301.06 of the Revised Code 77  
established in each local area of the state and certified by the 78  
governor to set policy for the portion of the statewide workforce 79  
investment system within the local area and implement the 80  
"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C. 2801. 81

(I) "OhioMeansJobs" means the electronic job placement system 82  
operated by the state. 83

**Sec. 6301.02.** The director of job and family services shall 84  
administer the "Workforce Investment Act of 1998," 112 Stat. 936, 85  
29 U.S.C.A. 2801, as amended, the "Wagner-Peyser Act," 48 Stat. 86  
113 (1933), 29 U.S.C.A. 49, as amended, and the funds received 87  
pursuant to those acts. In administering those acts and funds 88  
received pursuant to those acts, the director shall assist the 89  
state ~~workforce policy~~ board in establishing and administering a 90  
workforce development system that is designed to provide 91  
leadership, support, and oversight to locally designed workforce 92  
development systems. The director shall conduct investigations and 93  
hold hearings as necessary for the administration of this chapter. 94

To the extent permitted by state and federal law, the 95  
director may adopt rules pursuant to Chapter 119. of the Revised 96  
Code to establish any program or pilot program for the purposes of 97  
providing workforce development activities or family services to 98  
individuals who do not meet eligibility criteria for those 99  
activities or services under applicable federal law. Prior to the 100  
initiation of any program of that nature, the director of budget 101  
and management shall certify to the governor that sufficient funds 102  
are available to administer a program of that nature. The state 103  
board shall have final approval of any such program. 104

Unless otherwise prohibited by state or federal law, every 105  
state agency, board, or commission shall provide to the state 106  
board and the director all information and assistance requested by 107

the state board and the director in furtherance of workforce 108  
development activities. 109

**Sec. 6301.03.** (A) In administering the "Workforce Investment 110  
Act of 1998," 112 Stat. 936, 29 U.S.C.A. 2801, as amended, the 111  
"Wagner-Peyser Act," 48 Stat. 113 (1933), 29 U.S.C.A. 49, as 112  
amended, the funds received pursuant to those acts, and the 113  
workforce development system, the director of job and family 114  
services may, at the direction of the state board, make 115  
allocations and payment of funds for the local administration of 116  
the workforce development activities established under this 117  
chapter. 118

(B) The director shall allocate to local areas all funds 119  
required to be allocated to local areas pursuant to the "Workforce 120  
Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A. 2801, as 121  
amended. The director shall make allocations only with funds 122  
available. Local areas, as defined by either section 101 of the 123  
"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A. 124  
2801, as amended, or section 6301.01 of the Revised Code, and 125  
subrecipients of a local area shall establish a workforce 126  
development fund and the entity receiving funds shall deposit all 127  
funds received under this section into the workforce development 128  
fund. All expenditures for activities funded under this section 129  
shall be made from the workforce development fund, including 130  
reimbursements to a county public assistance fund for expenditures 131  
made for activities funded under this section. 132

(C) The use of funds, reporting requirements, and other 133  
administrative and operational requirements governing the use of 134  
funds received by the director pursuant to this section shall be 135  
governed by internal management rules adopted by and approved by 136  
the state board pursuant to section 111.15 of the Revised Code. 137

(1) A local area described in division (B) of this section 138

shall use OhioMeansJobs as the job placement system for the area. 139

(2) No additional workforce funds shall be used to build or 140  
maintain any job placement system that is duplicative to 141  
OhioMeansJobs. 142

(D) To the extent permitted by state or federal law, the 143  
~~state board~~, director, local areas, counties, and municipal 144  
corporations authorized to administer workforce development 145  
activities may assess a fee for specialized services requested by 146  
an employer. The director shall adopt rules pursuant to Chapter 147  
119. of the Revised Code governing the nature and amount of those 148  
types of fees. 149

**Sec. 6301.04.** The governor shall establish a state ~~workforce~~ 150  
~~policy~~ board and appoint members to the board, who serve at the 151  
governor's pleasure, to perform duties under the "Workforce 152  
Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A. 2801, as 153  
amended, as authorized by the governor. The board is not subject 154  
to sections 101.82 to 101.87 of the Revised Code. All state 155  
agencies engaged in workforce development activities shall assist 156  
the board in the performance of its duties. 157

~~(A)(1) The governor shall designate nine members of the board~~ 158  
~~to be voting members. All other members shall be ex officio,~~ 159  
~~nonvoting members.~~ 160

~~(2) The governor shall choose the voting members in a way~~ 161  
~~that a majority of the voting board members represent business~~ 162  
~~interests.~~ 163

~~(B)~~ The board shall have the power and authority to do all of 164  
the following: 165

~~(1)~~(A) Provide oversight and policy direction to ensure that 166  
the state workforce development activities are aligned and serving 167  
the needs of the state's employers, incumbent workers, and job 168

seekers;	169
+2)+(B) Adopt rules necessary to administer state workforce development activities;	170 171
+3)+(C) Adopt rules necessary for the auditing and monitoring of subrecipients of the workforce development system grant funds;	172 173
+4)+(D) Designate local workforce investment areas in accordance with 29 U.S.C. 2831;	174 175
+5)+(E) Develop a unified budget for all state and federal workforce funds;	176 177
+6)+(F) Establish a statewide employment and data collection system;	178 179
+7)+(G) Develop statewide performance measures for workforce development and investment;	180 181
+8)+(H) Develop a state workforce development plan;	182
+9)+(I) Prepare the annual report to the United States secretary of labor, pursuant to section 136(d) of the "Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C. 2871, as amended;	183 184 185 186
+10)+(J) Carry out any additional functions, duties, or responsibilities assigned to the board by the governor.	187 188
<b>Sec. 6301.06.</b> (A) The chief elected officials of a local area shall create a <del>workforce policy</del> <u>local</u> board, which shall consist of the following individuals:	189 190 191
(1) The chief elected official from the municipal corporation with the largest population in the local area, except that if the municipal corporation is a local area as defined in division (A)(1) of section 6301.01 of the Revised Code, the chief elected official of that municipal corporation may determine whether to be a member of the board. Notwithstanding division (B) of section	192 193 194 195 196 197

6301.01 of the Revised Code, as used in division (A)(1) of this section, "municipal corporation" means any municipal corporation.

(2) The following individuals appointed to the board by the chief elected officials of the local area, who shall make those appointments according to all of the following specifications:

(a) At least five members of the board shall be representatives of private sector businesses in the general labor market area that includes that local area, and shall be appointed from among individuals nominated by local business organizations and business trade associations. Among these members, at least one shall represent small businesses, at least one shall represent medium-sized businesses, and at least one shall represent large businesses. When determining what constitutes small, medium-sized, and large businesses for purposes of this division, the chief elected officials of the local area shall define those sizes as those sizes are generally understood within the labor market area that includes that local area. A majority of the members of the board shall be representatives of private sector businesses.

(b) At least two members of the board shall represent organized labor and shall be appointed from nominations submitted by local federations of labor representing workers employed in the local area.

(c) At least two members of the board shall be representatives of local educational entities. For purposes of this division, "local educational entities" includes local educational agencies, school district boards of education, entities providing educational and literacy activities, and post-secondary educational institutions.

(d) At least one member of the board shall be a representative of consumers of workforce development activities.

(e) Any other individuals the chief elected officials of the



local area determine are necessary. 229

(B) Members of the board serve at the pleasure of the chief 230  
elected officials of the local area. Members shall not be 231  
compensated but may be reimbursed for actual, reasonable, and 232  
necessary expenses incurred in the performance of their duties as 233  
board members. Those expenses shall be paid from funds allocated 234  
pursuant to section 6301.03 of the Revised Code. 235

The chief elected officials of a local area may provide 236  
office space, staff, or other administrative support as needed to 237  
the board. For purposes of section 102.02 of the Revised Code, 238  
members of the board are not public officials or employees. 239

(C) The chief elected officials of a local area other than a 240  
local area as defined in division (A)(1) of section 6301.01 of the 241  
Revised Code, shall coordinate the workforce development 242  
activities of the county family services planning committees and 243  
the ~~workforce policy~~ local boards in the local area in any manner 244  
that is efficient and effective to meet the needs of the local 245  
area. The chief elected officials of the local area may, but are 246  
not required to, consolidate all boards and committees as they 247  
determine appropriate into a single board for purposes of 248  
workforce development activities. A majority of the members of 249  
that consolidated board shall represent private sector businesses. 250  
The membership of that consolidated board shall include a 251  
representative from each group granted representation as described 252  
in division (A) of this section and also a member who represents 253  
consumers of family services and a member who represents the 254  
county department of job and family services. The membership of 255  
that consolidated board may include a representative of one or 256  
more groups and entities that may be represented on a county 257  
family services planning committee, as specified in section 329.06 258  
of the Revised Code. 259

Sec. 6301.07. (A) For purposes of this section, "performance character" means the career-essential relational attributes that build trust with others, including respect, honesty, integrity, task-excellence, responsibility, and resilience.

(B) Every local ~~workforce policy~~ board, under the direction and approval of the state ~~workforce policy~~ board and with the agreement of the chief elected officials of the local area, and after holding public hearings that allow public comment and testimony, shall prepare a workforce development plan. The plan shall accomplish all of the following:

(1) Identify the workforce investment needs of businesses in the local area, identify projected employment opportunities, and identify the job skills and performance character necessary to obtain and succeed in those opportunities;

(2) Identify the local area's workforce development needs for youth, dislocated workers, adults, displaced homemakers, incumbent workers, and any other group of workers identified by the local ~~workforce policy~~ board;

(3) Determine the distribution of workforce development resources and funding to be distributed for each workforce development activity to meet the identified needs, utilizing the funds allocated pursuant to the "Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A. 2801, as amended;

(4) Give priority to youth receiving independent living services pursuant to sections 2151.81 to 2151.84 of the Revised Code when determining distribution of workforce development resources and workforce development activity funding;

(5) Review the minimum curriculum required by the state ~~workforce policy~~ board for certifying training providers and identify any additional curriculum requirements to include in

contracts between the training providers and the chief elected officials of the local area;	290 291
(6) Establish performance standards for service providers that reflect local workforce development needs;	292 293
(7) Describe any other information the chief elected officials of the local area require.	294 295
(C) A local <del>workforce-policy</del> board may provide policy guidance and recommendations to the chief elected officials of a local area for any workforce development activities.	296 297 298
(D) Nothing in this section prohibits the chief elected officials of a local area from assigning, through a partnership agreement, any duties in addition to the duties under this section to a local <del>workforce-policy</del> board, except that a local <del>workforce-policy</del> board cannot contract with itself for the direct provision of services in its local area. A local <del>workforce-policy</del> board may consult with the chief elected officials of its local area and make recommendations regarding the workforce development activities provided in its local area at any time.	299 300 301 302 303 304 305 306 307
<b>Sec. 6301.08.</b> Every local area shall participate in a one-stop system for workforce development activities. Each board of county commissioners and the chief elected official of a municipal corporation shall ensure that at least one delivery method is available in the local area, either through a physical location, or by electronic means approved by the state board, for the provision of workforce development activities.	308 309 310 311 312 313 314
<u>Within six months after the effective date of this amendment, every local area shall name its one-stop system as "OhioMeansJobs (name of county) County."</u>	315 316 317
A one-stop system may be operated by a private entity or a public agency, including a workforce development agency, any	318 319

existing facility or organization that is established to 320  
administer workforce development activities in the local area, and 321  
a county family services agency. 322

A one-stop system shall include representatives of all the 323  
partners required under the "Workforce Investment Act of 1998," 324  
112 Stat. 936, 29 U.S.C.A. 2801, as amended. 325

**Sec. 6301.09.** The provision under division (g) of section 111 326  
of the "Workforce Investment Act of 1998," 112 Stat. 936, 29 327  
U.S.C.A. 2801, as amended, applies to the state ~~workforce policy~~ 328  
board created under section 6301.04 of the Revised Code. The 329  
provision under division (e) of section 117 of the "Workforce 330  
Investment Act of 1998" applies to the ~~workforce policy~~ local 331  
boards established pursuant to section ~~6301.04~~ 6301.06 of the 332  
Revised Code. 333

**Sec. 6301.10.** Beginning January 1, 2013, and each calendar 334  
year thereafter, the state board, with the assistance of all state 335  
agencies engaged in workforce development activities, shall 336  
prepare a report concerning the state of Ohio's workforce. ~~The~~ 337  
Upon completion of the annual workforce report, the state board 338  
shall distribute provide an electronic copy of the report to the 339  
president and minority leader of the senate, the speaker and 340  
minority leader of the house of representatives, the governor's 341  
office of Appalachian Ohio, the commission on Hispanic-Latino 342  
affairs, and the commission on African-American males, and shall 343  
post the report on the state board's internet web site. 344

**Sec. 6301.12.** (A) The office of workforce development within 345  
the department of job and family services shall comprehensively 346  
review the direct and indirect economic impact of businesses 347  
engaged in the production of horizontal wells in this state and, 348  
based on its findings, prepare an annual Ohio workforce report. 349

The report shall include at least all of the following with respect to the industry:	350 351
(1) The total number of jobs created or retained during the previous year;	352 353
(2) The total number of Ohio-based contractors that employ skilled construction trades;	354 355
(3) The number of employees who are residents of this state;	356
(4) The total economic impact;	357
(5) A review of the state's regional workforce development plans required by the "Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A. 2801, as amended, that outline workforce development efforts including goals and benchmarks toward maximizing job training, education, and job creation opportunities in the state.	358 359 360 361 362 363
(B) <del>The</del> <u>Upon the completion of the office's annual Ohio workforce report, the office shall submit its annual Ohio workforce provide an electronic copy of the report to the members of the general assembly president and minority leader of the senate and the speaker and minority leader of the house of representatives</u> and post it on the office's internet web site.	364 365 366 367 368 369
<b>Section 2.</b> That existing sections 6301.01, 6301.02, 6301.03, 6301.04, 6301.06, 6301.07, 6301.08, 6301.09, 6301.10, and 6301.12 of the Revised Code are hereby repealed.	370 371 372