

## **Executive Order**

### **NUMBER THIRTY-FIVE (94)**

#### **JOB TRAINING PARTNERSHIP ACT AND RELATED PROGRAMS**

By virtue of the authority in me as Governor under Article V of the Constitution of Virginia and under the laws of the Commonwealth, including but not limited to Sections 2.1-704, 2.1-707, and 2.1-710 of the *Code of Virginia*, and subject to my continuing and ultimate authority and responsibility to act in such matters, I hereby assign authority for carrying out the State's responsibilities under the federal Job Training Partnership Act, PL 97-300 as amended by PL 102-367 (hereafter referred to as the Act).

The purpose of programs funded under the Act is to prepare youth and adults facing serious barriers to employment for participation in the labor force by providing job training and other services that will result in increased employment and earnings, increased educational and occupational skills, and decreased welfare dependency, thereby improving the quality of the workforce and enhancing the productivity and competitiveness of the nation.

#### **GOVERNOR'S JOB TRAINING COORDINATING COUNCIL**

The Governor's Job Training Coordinating Council is hereby continued as an advisory body in accordance with Section 2.1-704 of the *Code of Virginia* and the provisions of the Act, as hereinafter provided. The Secretary of Health and Human Resources will provide policy guidance and direction for the Council

The Council's primary duty shall be to recommend a coordinated state policy for all job training programs that results in better job opportunities, improved program coordination, and reduced duplication of services and activities. The Council shall have the following specific advisory responsibilities:

1. To recommend to the Governor a coordination and special services plan, as required by the Act;
2. To recommend to the Governor substate service delivery areas, to plan resource allocations not subject to Section 202(b) or 262(b) of the Act, to provide management guidance and review for all programs in the state, to develop appropriate linkages with other employment and training programs, to coordinate activities with private industry councils established under the Act, to develop the Governor's Coordination and Special Services Plan, and to recommend variations in performance standards;
3. To advise the Governor and local entities on job training plans and to certify the consistency of such plans with criteria set forth in the Governor's Coordination and Special Services Plan for coordinating activities under the Act with other federal, state and local employment-related programs, including programs operated in designated urban enterprise zones in accordance with Section 59.1-274 of the *Code of Virginia*;
4. To review the operation of programs conducted in each service delivery area, including the availability, responsiveness, and adequacy of state services, and to recommend to the Governor, state agencies, appropriate chief elected officials, private industry councils, service providers, the General Assembly, and the general public, ways to improve the effectiveness of programs or services provided under the Act;
5. To review the reports made pursuant to paragraphs (D) and (E) of Section 104(b)(12) and to make recommendations for technical assistance and corrective action, based on the results of such reports;

6. To prepare a summary of the reports made pursuant to paragraphs (D) and (E) of Section 104(b)(12) detailing promising service delivery approaches developed in each service delivery area for the training and placement of women in nontraditional occupations, and to disseminate annually such summary to service delivery areas, service providers throughout the state and to the Secretary of Labor;
7. To review the activities of the Governor to train, place and retain women in nontraditional employment, including activities under section 123, to prepare a summary of activities and an analysis of results, and to disseminate annually such summary to service delivery areas, service providers throughout the state and to the Secretary of Labor;
8. To consult with the sex equity coordinator establish under section 111(b) of the Carl D. Perkins Vocational and Applied Technology Education Act of 1990, to obtain from the sex equity coordinator a summary of activities and analysis of results in training women in nontraditional employment under the Carl D. Perkins Vocational and Applied Technology Education Act of 1990, and to disseminate annually such summary to service delivery areas, service providers throughout the state and to the Secretary of Labor;
9. To review and comment on the state plan developed for the state employment service agency;
10. To make an annual report to the Governor, which shall be a public document, and to issue such other studies, reports, or documents as it deems advisable to assist service delivery areas in carrying out the purposes of the Act;

11. To identify, in concert with appropriate state agencies, the Commonwealth's employment and training and vocational education needs, and to assess the extent to which employment and training, vocational education, rehabilitation services, public assistance, economic development, and other federal, state, and local programs and services represent a consistent, integrated, and coordinated approach to meeting those needs; to comment at least once annually on the measures taken pursuant to section 113(b)(14) of the Carl D. Perkins Vocational and Applied Technology Education Act, and
12. To review plans of all state agencies that provide employment, training, and related services, including the state plan developed pursuant to Section 8(a) of the federal Wagner-Peyser Act and the plan required pursuant to Section 114 of the federal Carl D. Perkins Vocational and Applied Technology Education Act of 1990; and to provide comments and recommendations to the Governor, the General Assembly and the appropriate state and federal agencies on the appropriateness and effectiveness of employment and training and related service delivery systems in the Commonwealth.

All reports, recommendations, reviews, and plans prepared by the Council shall be transmitted to the Secretary of Health and Human Resources and the secretary of Commerce and Trade, who jointly will advise the Governor on appropriate actions to be taken with respect to such submissions.

All state agencies, institutions, and collegial bodies are instructed to cooperate and assist the Council in the performance of its duties when requested to do so. The Council may seek advice and assistance from any available source. The Council may establish such ad hoc advisory committees as it deems necessary and appropriate for the performance of its duties. Local government officials and community leaders throughout the Commonwealth are requested and urged to advise and assist the Council in the performance of its duties.

The Council shall consist of thirty members appointed by the Governor and serving at his pleasure. The Governor shall appoint the chairman of the Council, who shall be a nongovernmental member. The Council shall consist of representatives of the groups listed below.

1. Nine members shall be private sector representatives from private for-profit companies or other major nongovernmental employers. One member from this group shall represent agricultural interests. Three of the private sector members shall represent private sector organizations with 500 or fewer employees.
2. Seven state officials shall be appointed as follows:
  - Member of the General Assembly of Virginia,
  - Board Member from the Advisory Council to the Virginia Employment Commission,
  - Board Member from the Board of Rehabilitative Services,
  - Board Member from the Board of Social Services,
  - Board Member from the State Board for Community Colleges,
  - Board Member from the Industrial Development Services Advisory Board, and
  - Board Member from the State Board of Education.
3. One member shall be a representative of a unit of general local government or consortia thereof and shall represent administrative entities or grantees under the Act, and shall be appointed from nominations of the chief elected officials of such units or consortia.

4. One member shall be a superintendent from local educational agencies who shall be appointed from nominations by the Virginia Association of School Administrators.
5. Nine members shall be representatives of organized labor and community-based organizations.
6. Three members shall be appointed from the general public.

Members of the Council shall serve without compensation, but may be reimbursed for reasonable and necessary expenses incurred in the discharge of the official duties.

#### GOVERNOR'S EMPLOYMENT AND TRAINING DEPARTMENT

In accordance with Section 2.1-708 of the *Code of Virginia*, the Governor's Employment and Training Department receives all federal funds allocated under Titles II and III of the Act and is responsible for implementing Titles I, II, and the substate part of Title III.

In accordance with Section 2.1-707 of the *Code of Virginia*, the Department, under the direction of its Executive Director, shall provide assistance with the Council. Such staff support as is deemed necessary by the Executive Director for the conduct of the Council's business is to be furnished by the Governor's Employment and Training Department. Such funding as is deemed necessary by the Executive Director for the Council's operation is to be provided from funds appropriated to the Department.

The Governor's Employment and Training Department and each other state agency that administers employment and training programs shall coordinate their planning and develop means to assure the best quality job training and placement programs for participants in programs funded under the Act.

The administrative entities of the service delivery areas have been designated by the Governor as the substate grantees under the Economic Dislocation and Worker Adjustment Assistance Act (EDWAA). Oversight of the substate grantees and reporting requirements shall be the shared responsibility of the Governor's Employment and Training Department and the Virginia Employment Commission as outlined in a memorandum of understanding between the Department and the Commission.

#### VIRGINIA EMPLOYMENT COMMISSION

In accordance with Section 2.1-710 of the *Code of Virginia*, the Virginia Employment Commission is designated as the agency responsible for administering and managing the following programs authorized by PL 97-300 as amended by PL 102-367:

Dislocated Worker Unit under the Economic Dislocation and Worker Adjustment Assistance Act (EDWAA); and

Labor Market Information (Title IV, Part E).

The Commission is designated as the agency responsible for administering and managing all state Labor Market Information programs provided for under the Job Training partnership Act, including the State Occupational Information Coordinating Committee.

The Commission will receive the state program allocation through the Governor's Employment and Training Department for the purpose of implementing the responsibilities of the Dislocated Worker Unit.

## DEPARTMENT OF EDUCATION

In accordance with Section 2.1-710 of the *Code of Virginia*, the Virginia Department of Education is designated as the agency responsible for administering the state education grants authorized by Section 123 of the Act. The Department of Education will receive appropriate funds granted under the Act through the Governor's Employment and Training Department. In addition to those funds, the Department of Education will arrange for matching funds as required by the Act to provide education and training programs for eligible participants through agreements with administrative entities in service delivery areas in Virginia and, where appropriate, local education agencies. Funds available for program coordination will be used in conformity with the adopted Governor's Coordination and Special Services Plan.

## OLDER WORKER PROGRAM

The Governor's Employment and Training Department is designated as the agency responsible for administering employment and training programs for older individuals authorized under Title V of the Older Americans Act and the Job Training Partnership Act. The agency also may negotiate with national Title V sponsors to administer older worker programs in Virginia.

These programs shall be designed to assure the training and placement of older individuals in employment opportunities with private business concerns. Wherever possible, these programs shall train participants for jobs in growth industries and jobs that reflect the use of new technological skills. Funds available shall be allocated in conformity with the Governor's Coordination and Special Services Plan.

The JTPA older worker program for eligible individuals shall be developed in conjunction with the service delivery areas and shall be consistent with the substate plan goals of the service delivery areas and the Governor's Coordination and Special Services Plan.



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This Executive Order shall be retroactively effective to July 1, 1994, upon its signing, and shall remain in full force and effect until amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia  
this 28<sup>th</sup> day of October, 1994.

George Allen  
Governor

Attest:

Betsy Davis Beamer  
Secretary of the Commonwealth