

## **ECONOMIC DEVELOPMENT ARTICLE**

### **PARTNERSHIP FOR WORKFORCE QUALITY**

#### **§3-401. Definitions**

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Board” means the Partnership for Workforce Quality Advisory Board.
- (c) “Fund” means the Partnership for Workforce Quality Fund.
- (d) “Program” means the Partnership for Workforce Quality Program.

#### **§3-402. Program Created.**

There is a Partnership for Workforce Quality Program in the Department.

#### **§3-403. Purpose**

The purpose of the Program is to provide training services to:

- (1) improve the competitiveness and productivity of the State’s workforce and business community;
- (2) upgrade employee skills for new technologies or production processes; and
- (3) assist employers located in the State in promoting employment stability.

#### **§3-404. Direction of Program.**

- (a) The Secretary or the Secretary’s designee shall direct the Program.
- (b) The Secretary may not provide training assistance under the Program except at the specific request of an employer or group of employers.
- (c) To identify employers that need assistance, the Secretary shall use local advisory groups, including private industry councils and joint apprenticeship committees.
- (d) Subject to §§ 3-405 and 3-412(c) and (d)(1) of this subtitle, the Secretary shall establish eligibility criteria and priorities for assistance under the Program.
- (e) (1) In accordance with § 2.5-109 of this article, the Secretary shall submit a report on the operation and performance of the Program.
  - (2) In addition to the requirements under § 2.5-109(c) of this article, the report required under this subsection shall be submitted to:
    - (i) the Governor’s Workforce Development Board; and
    - (ii) the Maryland Economic Development Commission.

#### **§3-405. Program Eligibility.**

- (a) (1) An employer receiving assistance under the Program shall be located in the State.
  - (2) In order to receive assistance under the Program, an employer shall request training assistance in job-specific skills to upgrade or retain existing Maryland-based employees covered under Title 8 of the Labor and Employment Article.
- (b) The Secretary shall give priority to employers that are:
  - (1) manufacturers; or
  - (2) threatened by the pressure of increased foreign or domestic competition.

**§3–406. Provisions for Business Assistance Services.**

The Program shall provide business assistance services that:

- (1) determine whether the employer's specific needs are best met by training, other types of assistance, or a combination of services;
- (2) identify the availability of existing training programs that may be adapted to meet the employer's needs;
- (3) identify the resources the employer may provide to support the training, including:
  - (i) equipment;
  - (ii) facilities; and
  - (iii) materials;
- (4) identify or develop appropriate curricula; and
- (5) determine the most cost-effective approach to meeting training needs.

**§3–407. Training Assistance.**

- (a) The Secretary may award a grant for job-specific training assistance to an eligible:
  - (1) business;
  - (2) community college;
  - (3) private career school;
  - (4) State-accredited training agency;
  - (5) trade association; or
  - (6) union-sponsored training program.
- (b) Training shall be approved by the employer of those being trained.
- (c) Under the Program, job-specific training may not exceed 1 year.

**§3–408. Partnership for Workforce Quality Advisory Board.**

- (a) There is a Partnership for Workforce Quality Advisory Board in the Department.
- (b) The Board shall advise the Secretary.

**§3–409. Board Composition.**

- (a) The Board consists of the following 15 members:
  - (1) one member of the Senate of Maryland appointed by the President of the Senate;
  - (2) one member of the House of Delegates appointed by the Speaker of the House; and
  - (3) the following members appointed by the Governor with the advice of the Secretary and the chair of the Governor's Workforce Development Board:
    - (i) five representatives of business, of which three shall represent employers with fewer than 100 employees;
    - (ii) three representatives of organized labor;
    - (iii) one representative from the Maryland Higher Education Commission;
    - (iv) one representative from the State Department of Education;
    - (v) one representative from the Governor's Workforce Development Board; and
    - (vi) two representatives of the general public.
- (b)
  - (1) The term of a member appointed under subsection (a)(3) of this section is 3 years.
  - (2) The terms of the members appointed under subsection (a)(3) of this section are staggered as required by the terms provided for members of the Board on October 1, 2008.

- (3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.
  - (4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.
- (c) A member of the Board:
- (1) may not receive compensation as a member of the Board; but
  - (2) is entitled to reimbursement for expenses under the Standard State Travel Regulations.
- (d) The Governor shall designate the chair of the Board.

**§3-410. Board Duties.**

- (a) The Board shall:
- (1) submit recommendations to the Secretary concerning overall policy for the Program;
  - (2) recommend a system to evaluate requests for assistance under the Program, including eligibility criteria and priorities for assistance;
  - (3) develop criteria to assess and evaluate Program performance and advise the Secretary of the criteria;
  - (4) consult regularly with the Governor's Workforce Development Board and the Maryland Economic Development Commission concerning the activities of the Program;
  - (5) submit a quarterly report on the Program to the Governor's Workforce Development Board; and
  - (6) advise the Secretary on coordination of cooperative activities at the State and local level between the Department, employers, labor, and other public and private entities involved with workforce quality.
- (b) In recommending a system for evaluating requests for assistance, the Board shall consider the equal distribution of assistance to all subdivisions of the State.

**§3-411. Fund Established.**

- (a) There is a Partnership for Workforce Quality Fund in the Department.
- (b) The Secretary shall manage and supervise the Fund.
- (c) (1) The Fund is a special, nonlapsing fund that is not subject to reversion under § 7-302 of the State Finance and Procurement Article.
- (2) The Treasurer shall hold the Fund separately and the Comptroller shall account for the Fund.
- (d) The Fund consists of:
- (1) money appropriated by the State to the Fund;
  - (2) money made available to the Fund through federal programs;
  - (3) private contributions to the Fund;
  - (4) an application or other fee paid to the Program in connection with processing a request for financial assistance; and
  - (5) any other money made available to the Fund.
- (e) The Department may use money in the Fund for:
- (1) grants to defray the cost of workforce training; and
  - (2) administrative, actuarial, legal, and technical services for the Program.
- (f) Any investment earnings shall be credited to the Fund.

**§3-412. Program Money.**

- (a) The Program may provide business assistance services under § 3-406 of this subtitle at no cost to the employer.
- (b) Program money may be used for costs associated with the direct delivery of instruction, including:
  - (1) curriculum development;
  - (2) course materials; and
  - (3) instructors' salaries and expenses for training.
- (c)
  - (1) At least 60% of the money available to the Program shall be reserved for employers with 150 or fewer employees based in the State.
  - (2) Up to 20% of the money available to the Program may be provided to an employer with more than 500 employees based in the State, if the employer:
    - (i) is primarily engaged in manufacturing or in a technology-based business;
    - (ii) agrees to increase purchases of goods produced in the State and services from suppliers based in the State; and
    - (iii) agrees to provide the workforce training to the number of employees based in the State, as determined by the Program, of smaller employers located in the State that supply goods or services to the employer receiving the money.
- (d)
  - (1) An employer may not receive more than \$200,000 a year from the Program.
  - (2) The Program may not contribute more than 50% of direct training costs for job-specific training assistance.
  - (3) Program money may not be used for:
    - (i) capital equipment for an employer; or
    - (ii) trainee wages.