

STORAGE NAME: h1939.cf

DATE: March 31, 1999

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
CHILDREN & FAMILIES
ANALYSIS**

BILL #: HB 1939

RELATING TO: Prevocational education and job placement

SPONSOR(S): Representative C. Smith

COMPANION BILL(S): None

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) CHILDREN & FAMILIES
 - (2) GOVERNMENTAL RULES & REGULATIONS
 - (3) TRANSPORTATION & ECONOMIC DEVELOPMENT APPROPRIATIONS
 - (4)
 - (5)
-

I. SUMMARY:

This bill creates the Job Preparation and Retention Training Act of 1999 and authorizes the department to provide grants to counties to implement enhanced prevocational training and job placement programs for specified purposes. Program services must improve the likelihood that participants can transition from public assistance to economic self-sufficiency. Counties that receive the grants are required to provide financial assistance to community-based organizations who have provided such services to disadvantaged populations with demonstrable success.

An appropriation would be required to implement the bill, but the bill does not mandate a fiscal impact.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

The federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, requires recipients, unless exempt, of Temporary Assistance for Needy Families (TANF) to participate in work activities necessary to obtain and retain unsubsidized employment. States are required to meet a federal work participation rate to receive TANF funds. Financial penalties are imposed on states that fail to meet the participation rate. Job search and job readiness activities as a countable activity is limited to no more than four consecutive weeks and up to six weeks total in a federal fiscal year. Participation in vocational education and training as a countable activity is limited to a total of 12 months during a consecutive period of receipt of TANF assistance.

Florida's TANF program is called the Work and Gain Economic Self-Sufficiency (WAGES). The WAGES Act, chapter 414, Florida Statute (F.S.), restricts participation in job search, job readiness activities, and vocational education and training to meet the TANF requirements.

Under TANF/WAGES, job readiness activities are designed to improve an individual's job seeking, job obtainment, and job retention skills. Job readiness skills training includes instruction in completing a job application and writing a resume, training in job interview skills and appropriate dress. It also includes access to an employment resource center, which may contain job listings, telephones, facsimile machines, typewriters, and word processors.

Florida has a dual delivery system for adult and vocational education at the postsecondary level. That is, both community colleges and school districts, through their technical centers, may conduct the same types of programs for the same people. If a community college conducts the program, it is funded through the Community College Program Fund (CCPF). If a school district conducts it, it is funded through the Florida Education Finance Program (FEFP).

For many years the state has encouraged coordination and discouraged competition in the delivery of these programs. Section 230.109, F.S., requires the community college president and school superintendent to adopt a formal agreement about which sector will deliver the shared services in each region. In some cases, these agreements have excellent results, especially when they motivate articulation agreements in which students can begin a program with a school district, transfer much of the credit to a community college, and eventually earn an associate in science degree.

Currently 43 school districts and 14 community colleges are "designated area technical centers" with authority to conduct postsecondary vocational education at the certificate level. (Only community colleges may offer college-credit level vocational education.) For adult education, 57 school districts and 14 community colleges are authorized providers. However, all community colleges may provide courses designated as college-preparatory, vocational-preparatory, and GED-preparatory, which are categories within the umbrella of adult general education.

Section 239.213, F.S., establishes vocational-preparatory instruction. This statute requires that each school district and community college that conducts certificate career education programs shall provide vocational-preparatory instruction through which students receive the basic skills instruction. Students who enroll in a certificate career education program are required to complete an entry-level examination within the first 6 weeks of admission into the program. Any student deemed to lack a minimal level of basic skills for such program is referred to vocational-preparatory instruction or adult basic education for a structured program of basic skills instruction. This instruction may include English for speakers of other languages. A student may not receive a certificate of vocational program completion prior to demonstrating the basic skills required in the state curriculum frameworks for the vocational program.

Prevocational training for welfare recipients is currently provided through the TANF/WAGES program's employability skills or job readiness training through contracts with community-based organizations and other entities such as local education agencies. Incarcerated individuals who are eligible for public assistance may be provided services through the WAGES program or Job Training Partnership Act (JTPA). Currently, Local WAGES Coalitions (LWCs) are responsible for the provision of all WAGES services to eligible participants. Implementation of this act would duplicate these activities.

B. EFFECT OF PROPOSED CHANGES:

This bill creates the Job Preparation and Retention Training Act of 1999 and authorizes the department to provide grants to counties to implement enhanced prevocational training and job placement programs for specified purposes. Program services must improve the likelihood that participants can transition from public assistance to economic self-sufficiency. Counties that receive the grants are required to provide financial assistance to community-based organizations who have provided such services to disadvantaged populations with demonstrable success.

The Department of Labor and Employment Security would be responsible for program implementation and oversight. The department is authorized to adopt any administrative rule necessary for program implementation.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

N/A

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

N/A

(3) any entitlement to a government service or benefit?

N/A

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

N/A

b. Does the bill require or authorize an increase in any fees?

N/A

c. Does the bill reduce total taxes, both rates and revenues?

N/A

d. Does the bill reduce total fees, both rates and revenues?

N/A

e. Does the bill authorize any fee or tax increase by any local government?

N/A

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

N/A

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

N/A

4. Individual Freedom:

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

N/A

b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

N/A

5. Family Empowerment:

a. If the bill purports to provide services to families or children:

(1) Who evaluates the family's needs?

N/A

(2) Who makes the decisions?

N/A

(3) Are private alternatives permitted?

N/A

(4) Are families required to participate in a program?

N/A

(5) Are families penalized for not participating in a program?

N/A

- b. Does the bill directly affect the legal rights and obligations between family members?

N/A

- c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

- (1) parents and guardians?

N/A

- (2) service providers?

N/A

- (3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

The bill creates new sections in the Florida Statutes.

E. SECTION-BY-SECTION ANALYSIS:

Section 1 creates the Job Preparation and Retention Training Act of 1999 to provide grants to counties for enhanced prevocational training and job placement programs for public assistance recipients and individuals who have been incarcerated to transition into unsubsidized employment.

Section 2

Subsection (1) provides that the program would be modeled after training programs with a prevocational component carried out under the federal Job Training and Partnership Act (JTPA), 29 United States Code 1501 et seq.

Subsections (2) & (3) recognize that welfare recipients need skills training to transition into unsubsidized employment that provides career potential leading to economic self-sufficiency. States intent to address the negative impact of unfavorable environmental and cultural factors on participants ability to get and retain a job.

Subsection (4) sets forth criteria for the development of enhanced prevocational training programs to improve job readiness and placement/retention in unsubsidized employment.

Subsection (5) recognizes that community-based organizations (CBOs) have had demonstrable success in providing prevocational programs to disadvantaged populations. The section states the intent that CBOs should be provided with state assistance to provide such programs to additional welfare recipients.

Section 3 defines the department to mean the Department of Labor and Employment Security (DLES); welfare recipients to mean an individual receiving public assistance under part A of Title IV of the Social Security Act; and "welfare transition program" to be a vocational training program for public assistance recipients provided by a county.

Section 4

Subsection (1) provides authority for DLES to make grants, for up to one year, to counties to assist CBOs to implement the program for eligible participants.

Subsection (2) requires counties to submit an application to DLES that describes the prevocational training program to be provided, specifies how counties will ascertain that CBOs will meet program requirements, and adds language to expand the eligible population to include incarcerated individuals.

Subsection (3) requires DLES to consider the needs of economically distressed urban and rural areas within a county in awarding funds.

Section 5

Subsection (1) requires a county that receives a grant to use the funds to provide financial assistance to CBOs to enable program implementation.

Subsection (2) sets forth criteria for the use of funds. The section requires CBOs that receive financial assistance to provide both prevocational training and placement services to eligible individuals who are: 1) a welfare recipient who is eligible for enrollment, but has not participated in a welfare transition program; or 2) an incarcerated individual due for release from a state or local program within a reasonable period of time (definition to be established in administrative rule). Requires the CBO to provide services through job training centers. Services for incarcerated individuals are to be provided at the prison site. Prevocational training cannot be for less than two weeks or more than 3 months and cost per participant cannot exceed \$1200. Services must be coordinated with the efforts of the private business sector.

Subsection (3) requires CBOs to submit applications in accordance with departmental program requirements.

Section 6 requires DLES to monitor program effectiveness by collecting data on the percentage of participants placed in employment; percentage retained; and the economic impact of the employed participants. The section requires DLES to adopt any rule necessary for program implementation.

Section 7 provides that the act take effect upon enactment.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

The fiscal impact would depend on the appropriation made to implement the bill.

3. Long Run Effects Other Than Normal Growth:

N/A

4. Total Revenues and Expenditures:

N/A

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

C. **DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

1. Direct Private Sector Costs:

N/A

2. Direct Private Sector Benefits:

N/A

3. Effects on Competition, Private Enterprise and Employment Markets:

N/A

D. **FISCAL COMMENTS:**

Department of Labor and Employment Security staff at both the state and local level have been reduced due to privatization and the shift of all direct WAGES services to the LWCs. If this bill is enacted, additional staff may be needed. The bill does not contain an appropriation.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. **APPLICABILITY OF THE MANDATES PROVISION:**

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds.

B. **REDUCTION OF REVENUE RAISING AUTHORITY:**

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds.

C. **REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:**

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

Prevocational training for welfare recipients is currently provided through the TANF/WAGES program's employability skills or job readiness training through contracts with community-based organizations and other entities such as local education agencies. Incarcerated individuals who are eligible for public assistance may be provided services through the WAGES program or Job Training Partnership Act (JTPA). Currently, Local WAGES Coalitions (LWCs) are responsible for the provision of all WAGES services to eligible participants. Implementation of this act would duplicate these activities and there is no tie into the state's comprehensive workforce development strategy as contained in the Workforce Investment Act of 1996.

STORAGE NAME: h1939.cf

DATE: March 31, 1999

PAGE 8

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON CHILDREN AND FAMILIES:

Prepared by:

Staff Director:

Robert S. Cox

Robert Barrios