

CHAPTER 116L

MINNESOTA JOB SKILLS PARTNERSHIP

	JOB SKILLS PARTNERSHIP		
116L 01	Definitions	116L 11	Definitions
116L 02	Job skills partnership program	116L 12	Funding mechanism
116L 03	Board	116L 13	Program requirements
116L 04	Partnership power	116L 14	Career enhancement requirements
116L 05	Funding	116L 15	Small employer protection
116L 06	Hire education loan program	116L 16	Distance work grants
	HEALTH CARE AND HUMAN SERVICES WORKER TRAINING PROGRAM		
116L 10	Program established		

JOB SKILLS PARTNERSHIP

116L 01 DEFINITIONS

Subdivision 1 **Generally** For the purposes of sections 116L 01 to 116L 05 the terms defined in this section have the meanings given them

Subd 2 **Partnership** "Partnership" means the Minnesota job skills partnership created by section 116L 02

Subd 3 **Board** "Board" means the partnership board created by section 116L 03

History 1983 c 334 s 1,7, 1987 c 384 art 13 s 27, 1987 c 386 art 10 s 8, 1987 c 401 s 36, 1989 c 335 art 1 s 270

116L 02 JOB SKILLS PARTNERSHIP PROGRAM

(a) The Minnesota job skills partnership program is created to act as a catalyst to bring together employers with specific training needs with educational or other nonprofit institutions which can design programs to fill those needs. The partnership shall work closely with employers to train and place workers in identifiable positions as well as assisting educational or other nonprofit institutions in developing training programs that coincide with current and future employer requirements. The partnership shall provide grants to educational or other nonprofit institutions for the purpose of training displaced workers. A participating business must match the grant in-aid made by the Minnesota job skills partnership. The match may be in the form of funding, equipment, or faculty.

(b) The partnership program shall administer the health care and human services worker training and retention program under sections 116L 10 to 116L 15

History 1983 c 334 s 2,7, 1987 c 384 art 3 s 27, 1987 c 386 art 10 s 1,8, 1987 c 401 s 36, 1989 c 335 art 1 s 164,270, 1999 c 245 art 10 s 2

116L 03 BOARD

Subdivision 1 **Members** The partnership shall be governed by a board of 12 directors

Subd 2 **Appointment** The Minnesota job skills partnership board consists of nine members appointed by the governor, the commissioner of trade and economic development, the commissioner of economic security, and the chancellor, or the chancellor's designee, of the Minnesota state colleges and universities. If the chancellor makes a designation under this subdivision, the designee must have experience in technical education. Two of the appointed members must be representatives from organized labor.

Subd 3 **Qualifications** Members must have expertise in, and be representative of the following fields of education, job skills training, labor, business, and government

Subd 4 **Chair** The chair shall be appointed by the governor

Subd 5 **Terms** The terms of appointed members shall be for four years except for the initial appointments. The initial appointments of the governor shall have the following terms: two members each for one, two, three, and four years. Compensation for board members is as provided in section 15.0575, subdivision 3.

Subd 6 [Repealed, 1987 c 386 art 10 s 7, 1987 c 401 s 39]

Subd 7 **Offices** The department of trade and economic development shall provide staff and administrative services for the board.

History 1983 c 289 s 115 subd 1, 1983 c 334 s 3,7, 1984 c 544 s 84, 1984 c 642 s 3, 1Sp1985 c 14 art 9 s 5,7,5, 1986 c 444, 1987 c 312 art 1 s 26 subd 2, 1987 c 384 art 3 s 27, 1987 c 386 art 10 s 2 5,8, 1987 c 401 s 36, 1989 c 335 art 1 s 165,166,270, 1991 c 345 art 1 s 74, 1993 c 363 s 1,2, 1994 c 483 s 1, 1995 c 212 art 4 s 64, 1996 c 395 s 6,7, 1999 c 223 art 2 s 29, art 3 s 1,2

116L 04 PARTNERSHIP POWER

Subdivision 1 **Partnership program** (a) The partnership program may provide grants in aid to educational or other nonprofit educational institutions using the following guidelines:

- (1) the educational or other nonprofit educational institution is a provider of training within the state in either the public or private sector,
- (2) the program involves skills training that is an area of employment need, and
- (3) preference will be given to educational or other nonprofit training institutions which serve economically disadvantaged people, minorities, or those who are victims of economic dislocation and to businesses located in rural areas.

(b) A single grant to any one institution shall not exceed \$400,000.

Subd 1a **Pathways program** The pathways program may provide grants in aid for developing programs which assist in the transition of persons from welfare to work. The program is to be operated by the board. The board shall consult and coordinate with program administrators at the department of economic security to design and provide services for temporary assistance for needy families recipients.

Pathways grants in aid may be awarded to educational or other nonprofit training institutions for education and training programs that serve public assistance recipients transitioning from public assistance to employment.

Preference shall be given to projects that:

- (1) provide employment with benefits paid to employees,
- (2) provide employment where there are defined career paths for trainees,
- (3) pilot the development of an educational pathway that can be used on a continuing basis for transitioning persons from public assistance directly to work, and
- (4) demonstrate the active participation of department of economic security workforce centers, Minnesota state college and university institutions and other educational institutions, and local welfare agencies.

Pathways projects must demonstrate the active involvement and financial commitment of private business. Pathways projects must be matched with cash or in kind contributions on at least a one-to-one ratio by participating private business.

A single grant to any one institution shall not exceed \$400,000.

The board shall annually, by March 31, report to the commissioners of economic security and trade and economic development on pathways programs, including the number of public assistance recipients participating in the program, the number of participants placed in employment, the salary and benefits they receive, and the state program costs per participant.

Subd 2 **Information** The board may collect and disseminate information concerning areas of projected employment need. The board may also prepare and publish studies, organize conferences, and conduct special projects which will increase knowl-

MINNESOTA STATUTES 2000

edge and communication in the areas of employment need, skills training, and education

Subd 3 [Repealed, 1987 c 403 art 2 s 164]

History 1983 c 334 s 4,7, 1Sp1985 c 14 art 9 s 6, 1987 c 384 art 3 s 27, 1987 c 386 art 10 s 8, 1987 c 401 s 36, 1989 c 335 art 1 s 167,270, 1997 c 200 art 1 s 58,59, 1999 c 223 art 2 s 30, 2000 c 488 art 2 s 6

116L 05 FUNDING

Subdivision 1 **Federal job training funds** The board may use federal job training program moneys and is authorized to receive those funds

Subd 2 **Grants, gifts** The board may accept gifts and grants of any type from any source

Subd 3 **Use of funds** The job skills partnership board may use up to six percent of any funds it receives, regardless of the source, for activities authorized under section 116L 04, subdivision 2

History 1983 c 334 s 5,7, 1987 c 384 art 3 s 27, 1987 c 386 art 10 s 8, 1987 c 401 s 36, 1989 c 335 art 1 s 270, 1993 c 363 s 3

116L 06 HIRE EDUCATION LOAN PROGRAM

Subdivision 1 **Fund uses** The job skills partnership board may make loans to Minnesota employers to train persons for jobs in Minnesota. The loans must be used to train current and prospective employees of an employer for specific jobs with the employer

Subd 2 **Loan process** The board shall establish a schedule and competitive process for accepting loan applications. The board shall evaluate loan applications

Subd 3 **Loan priority** The board shall give priority to loans that provide training for jobs that are permanent, provide health coverage and other fringe benefits, and have a career or job path with prospects for wage increases

Subd 4 **Loan terms** Loans may be secured or unsecured, shall be for a term of no more than five years, and shall bear no interest. The maximum amount of a loan is \$250,000. A loan origination fee of up to two percent of the principal of the loan may be charged. An employer may have only one outstanding loan. The loans shall contain such other standard commercial loan terms as the board deems appropriate

Subd 5 **Loan uses** Loans must be used by an employer to obtain the most cost-effective training available from public or private training institutions. An employer must document to the board the process the employer has utilized to ensure that the proposed loan is used to acquire the most cost effective training and provide a training plan

Subd 6 **Packaging loans** The board may package a grant it makes under section 116L 04 with a loan under this section

Subd 7 **Loan repayments** Loan repayments and loan origination fees shall be retained by the board for board programs

History 1997 c 200 art 1 s 60, 1999 c 223 art 2 s 31

HEALTH CARE AND HUMAN SERVICES WORKER TRAINING PROGRAM

116L 10 PROGRAM ESTABLISHED

A health care and human services worker training and retention program is established to

(1) alleviate critical worker shortages confronting specific geographical areas of the state, specific health care and human services industries, or specific providers when employers are not currently offering sufficient worker training and retention options and are unable to do so because of the limited size of the employer, economic

circumstances, or other limiting factors described in the grant application and verified by the board, and

(2) increase opportunities for current and potential direct care employees to qualify for advanced employment in the health care or human services fields through experience, training, and education

History 1999 c 245 art 10 s 3

116L 11 DEFINITIONS

Subdivision 1 **Scope** For the purposes of sections 116L 10 to 116L 15, the terms defined in this section have the meanings given them unless the context clearly indicates otherwise

Subd 2 **Eligible employer** "Eligible employer" means a nursing facility, small rural hospital, intermediate care facility for persons with mental retardation or related conditions, waived services provider, home health services provider, personal care assistant services provider, semi independent living services provider, day training and habilitation services provider, or similar provider of health care or human services

Subd 3 **Potential employee target groups** "Potential employee target groups" means high school students, past and present recipients of Minnesota family investment program benefits, immigrants, senior citizens, current health care and human services workers, and persons who are underemployed or unemployed

Subd 4 **Qualifying consortium** "Qualifying consortium" means an entity that may include a public or private institution of higher education, work force center, county, and one or more eligible employers, but must include a public or private institution of higher education and one or more eligible employers

History 1999 c 245 art 10 s 4

116L 12 FUNDING MECHANISM

Subdivision 1 **Applications** A qualifying consortium shall apply to the board in the manner specified by the board

Subd 2 **Fiscal requirements** The application must specify how the consortium will make maximum use of available federal and state training, education, and employment funds to minimize the need for training and retention grants. A consortium must designate a lead agency as the fiscal agent for reporting, claiming, and receiving payments. An institution of higher learning may be designated as a lead agency, but the governing board of a multicampus higher education system may not be given that designation

Subd 3 **Program targets** Applications for grants must describe targeted employers or types of employers and must describe the specific critical work force shortage the program is designed to alleviate. Programs may be limited geographically or be statewide. The application must include verification that in the process of determining that a critical work force shortage exists in the target area, the applicant has

(1) consulted available data on worker shortages,

(2) conferred with other employers in the target area, and

(3) compared shortages in the target area with shortages at the regional or statewide level

Subd 4 **Grants** Within the limits of available appropriations, the board shall make grants to qualifying consortia to operate local, regional, or statewide training and retention programs. Grant awards must establish specific, measurable outcomes and timelines for achieving those outcomes

Subd 5 **Local match requirements** A consortium must provide at least a 50 percent match from local resources for money appropriated under this section. The local match requirement must be satisfied on an overall program basis but need not be satisfied for each particular client. The local match requirement may be reduced for consortia that include a relatively large number of small employers whose financial

contribution has been reduced in accordance with section 116L 15. In-kind services and expenditures under section 116L 13, subdivision 2, may be used to meet this local match requirement. The grant application must specify the financial contribution from each member of the consortium.

Subd 6 Ineligible worker categories Grants shall not be made to alleviate shortages of physicians, physician assistants, or advanced practice nurses.

Subd 7 Evaluation The board shall evaluate the success of consortia that receive grants in achieving expected outcomes and shall report to the legislature annually. The report must compare consortia in terms of overall program costs, costs per client, retention rates, advancement rates, and other outcome measurements established in the grantmaking process. The first report shall be due on March 15, 2000, and on January 15 annually in succeeding years. The report shall include any recommendations from the board to modify the grant program.

History 1999 c 245 art 10 s 5

116L 13 PROGRAM REQUIREMENTS

Subdivision 1 Marketing and recruitment A qualifying consortium must implement a marketing and outreach strategy to recruit into the health care and human services fields persons from one or more of the potential employee target groups. Recruitment strategies must include a screening process to evaluate whether potential employees may be disqualified as the result of a required background check or are otherwise unlikely to succeed in the position for which they are being recruited.

Subd 2 Recruitment and retention incentives Employer members of a consortium must provide incentives to train and retain employees. These incentives may include, but are not limited to:

(1) paid salary during initial training periods, but only if specifically approved by the board, which must certify that the employer has not formerly paid employees during the initial training period and is unable to do so because of the employer's limited size, financial condition, or other factors,

(2) scholarship programs under which a specified amount is deposited into an educational account for the employee for each hour worked, which may include contributions on behalf of an employee to an Edvest account under Minnesota Statutes, sections 136A 241 to 136A 245,

(3) the provision of advanced education to employees so that they may qualify for advanced positions in the health care or human services fields. This education may be provided at the employer's site, at the site of a nearby employer, or at a local educational institution or other site. Preference shall be given to grantees that offer flexible advanced training to employees at convenient sites, allow workers time off with pay during the work day to participate, and provide education at no cost to students or through employer-based scholarships that pay expenses prior to the start of classes rather than upon completion,

(4) work maturity or soft skills training, adult basic education, English as a second language instruction, and basic computer orientation for persons with limited previous attachment to the work force due to a lack of these skills,

(5) child care subsidies during training or educational activities,

(6) transportation to training and education programs, and

(7) programs to coordinate efforts by employer members of the consortium to share staff among employers where feasible, to pool employee and employer benefit contributions in order to enhance benefit packages, and to coordinate education and training opportunities for staff in order to increase the availability and flexibility of education and training programs.

Subd 3 Work hour limits High school students participating in a training and retention program shall not be permitted to work more than 20 hours per week when school is in session.

Subd 4 **Collective bargaining agreements** This section shall be implemented consistent with existing collective bargaining agreements covering health care and human services employees

History 1999 c 245 art 10 s 6

116L 14 CAREER ENHANCEMENT REQUIREMENTS

All consortium members must work cooperatively to establish and maintain a career ladder program under which direct care staff have the opportunity to advance along a career development path that includes regular educational opportunities, coordination between job duties and educational opportunities, and a planned series of promotions for which qualified employees will be eligible This section shall be implemented consistent with existing collective bargaining agreements covering direct care staff

History 1999 c 245 art 10 s 7

116L 15 SMALL EMPLOYER PROTECTION

Grantees must guarantee that small employers, including licensed personal care assistant organizations, be allowed to participate in consortium programs The financial contribution required from a small employer must be adjusted to reflect the employer's financial circumstances

History 1999 c 245 art 10 s 8

116L 16 DISTANCE WORK GRANTS

The job skills partnership board may make grants in aid for distance work projects The purpose of the grants is to promote distance work projects involving technology in rural areas and may include a consortium of organizations partnering in the development of rural technology industry Grants may be used to identify and train rural workers in technology and provide rural workers with physical connections to telecommunications infrastructure, where necessary, in order to be self employed or employed from their homes or satellite offices Grants must be made according to sections 116L 02 and 116L 04, except that

(1) the business match may include, but is not limited to, additional management or technology staff costs, start-up equipment costs such as telecommunications infrastructure, additional software, or computer upgrades, consulting fees for implementation of distance work policies or identification and skill assessment of potential employees, and the joint financial contribution of two or more businesses acting as a consortium,

(2) cash or in kind contributions by partnering organizations may be used as a match,

(3) eligible grantees may be educational or nonprofit educational training organizations, and

(4) grants in-aid may be packaged with loans under section 116L 06, subdivision 6

The board shall, to the extent there are sufficient applications, make grant awards to as many parts of the state as possible Subject to the requirement for geographic distribution of grants, preference shall be given to grant applications that provide the most cost effective training proposals, that provide the best prospects for high paying jobs with high retention rates, or that are from more economically distressed rural areas or communities

Grantees must meet reporting and evaluation requirements established by the board

History 2000 c 488 art 2 s 7