

Workforce Task Force

1. Introduction

The Executive Office of Labor and Workforce Development (EOLWD) has been tasked by the Governor with planning to mobilize both the state and the private workforce, including strategies to accelerate hiring and inclusion of underrepresented communities in preparation for federal funding under the anticipated Federal Act. The Workforce Task Force includes members of EOLWD who are working on workforce readiness planning along with members of other government agencies, labor, business, and civic actors to discuss ways to ensure timely provision of workforce responses to the seven Project Delivery Task Forces. The Workforce Task Force is one of three cross-cutting task forces (Permitting and Procurement are the other two) that aim to support all the areas of potential Federal Act investment.

The Task Force met five times between December 23, 2008 and January 20, 2009. Additional meetings are anticipated over the next several months. Several working groups have been established and will meet to propose detailed recommendations and implementation plans.

The work of the Task Force has been complicated by a lack of information of how much federal workforce training dollars will be available and how flexibly they can be spent. Since the beginning of December of 2008, EOLWD has been engaged with the Governor's Office in Washington, D.C, to propose language to Congress that will allow the Commonwealth enough discretionary money to adequately implement needed statewide initiatives and for movement around the state to address regional urgencies that the current allotment formulas do not allow.

A number of state agencies have actively participated in the Task Force, including the EOLWD, Housing and Economic Development (HED), Administration and Finance (ANF), and the Department of Labor (DOL). Workforce Development (DWD) and the Human Resources Division (HRD) have actively participated as well. Workforce agencies, both public and private, include the Massachusetts Workforce Investment Board, several Career Centers workforce investment boards (WIBs), and the Massachusetts Workforce Board Association. There were also representatives from Labor and the Construction industry.

The Workforce Task Force is committed to ensuring that Massachusetts residents who are unemployed are put back to work on Federal Act projects. Additionally, the Task Force supports the Governor's call for using this historic occasion to extend employment opportunities to chronically under- and unemployed communities and populations. By using the opportunities provided the Commonwealth in the economic recovery funding, we can hire and train new workers as well as get our unemployed off the bench and back to work.

2. Members

Name	Title	Agency / Organization
Bump, Suzanne (Chair)	Secretary	EOLWD
Anderson, Don	Career Center Director	Workforce Central Career Centers
Bower, Bob	Political Director	Massachusetts AFL-CIO
Corr, Jane	Chief of Staff	EOEEA
Correia, Tamika	Executive Director	Massachusetts Workforce Investment Board
D'Angelo, Mark	Director	Office of Employee Relations, Human Resource Division

Name	Title	Agency / Organization
Finfer, Lewis	Executive Director	Massachusetts Communities Action Network
Gillis, Don	Executive Director	Massachusetts Workforce Board Association
Gunning, Thomas	Executive Director	Building Trades Employers Association
James, Jennifer	Undersecretary of Workforce Development	EOLWD
Kelleher, Hugh	Executive Director	Plumbing, Heating & Cooling Contractors Association of Greater Boston
Langan, John	Assistant Director of Employee Relations	Human Resources Division
Lawton, Monica	CEO	Associated Subcontractors of Massachusetts
Marlow, Ron	Assistant Secretary	EOA&F
Marra, John	General Counsel	Human Resources Division
McGee, Thomas M.	State Senator	3rd Essex and Middlesex District
Mooney, Bill	Training Director	International Union of Operating Engineers Local 4, Joint Apprenticeship Training Council
Nakajima, Eric	Senior Policy Advisor	EOHED
Noel, George	Director	Department of Labor
O'Malley, Bernadette	Chief of Staff	EOLWD
Sarris, Mary	Executive Director	North Shore Workforce Investment Board
Scibak, John W.	State Representative	2nd Hampshire District
Selesnick, Judy	Executive Director	Workforce Investment Association of Massachusetts
Smith, Robb	Director of Policy and Planning	EOLWD
Snyder, Nancy	President	Commonwealth Corporation
Taylor, Michael	Director	Department of Workforce Development
Vogel, Mary	Executive Director	The Construction Institute
Wallace, David	Director	Division of Apprentice Training, Department of Workforce Development
Wright, Ellen	Director of Human Resources	Information Technology Division

3. Task Force Findings and Recommendations

There are three areas of concern for the Workforce Task Force: (1) Labor Demand; (2) Labor Supply; (3) Labor Policies and Standards; and (4) Public Workforce Hiring. Labor Demand relates to the need for workers and training. Labor Supply refers to the available labor pool, both those individuals skilled and ready to work and those needing some degree of training. Labor Policies and Standards refer to the mechanisms we need to put into place to accomplish the Governor's workforce priorities. Public Workforce Hiring refers to the hiring of various public workforce needs.

It is important to note that the work of the Workforce Task Force is far from over. Four Working Groups have been created to address the four main areas of concern in which issues still need to be resolved and specific details and procedures need to be articulated: Labor; Statewide Training; DWD Operations; and Public Workforce Staffing. These Working Groups will be meeting over the next several weeks to complete the specific recommendations, procedures, and other details still unresolved. Once these Working Groups complete their work, we anticipate that they will transition into implementation oversight committees, such as Monitoring & Tracking of data and outcomes and Outreach & Recruitment of chronically under- and unemployed workers. The descriptions of the Working Groups are laid out below in the "Actions Needed" section.

Labor Demand

1.A. Labor Demand Findings

The Commonwealth Corporation began researching the labor demand for potentially-targeted industries shortly before the economic recovery task forces were formally created by the Governor. Their staff conducted interviews with industry leaders in four of the five targeted industries as well as potential training providers in the five primary sectors that are being discussed as targeted for stimulus funding: Infrastructure Projects, School Building Construction, Electronic Medical Records, Energy Efficiency, and Broadband Access.

For each industry sector identified in the Federal Act, they asked four questions (for a full list of the questions and the answers received, please see *Appendix 6 – Workforce*).

- 1) If Federal Act money becomes available for this industry what will be your initial/short-term workforce needs?
- 2) Is there a ready supply of workers or are there specific areas in which you anticipate shortages?
- 3) Kinds of occupations and skills needed, including certification and licenses?
- 4) Are there existing training vendors who you hire from or use to upgrade skills?

For four of the five industry sectors discussed as targets of the Federal Act – infrastructure, school building improvements, energy efficiency of public buildings and broadband access- a significant share of the demand is going to be in the construction trades. As we narrow down the potential projects we will need to project demand by trade or occupation by region across all of the Federal Act projects in order to develop a comprehensive picture of workforce needs.

The two occupational areas in which there may be shortages in the short-term include energy efficiency contractors to do installation and in the information technology field to implement stimulus projects in electronic medical records. In the area of electronic medical records, the demand is for more high-end programmers, sales and technical support staff and trainers. The strong tendency is to hire people with experience. There is evidence of a downturn in the technology area in the economy.

In the area of construction, as we are able to project potential shortages over the two-year period covered by the Federal Act with more precision by trade and by region, the Commonwealth should invest in Pre-Apprenticeship programs that reach out to unemployed and underemployed communities to provide the basic skills and knowledge necessary to be accepted into an apprenticeship program.

For each of the occupational areas in which there are projected shortages, developing an apprenticeship program is a proven vehicle for ensuring on the job training opportunities and classroom training for the mastery of skills necessary to earn the credentials, licenses, skills and experience. Particularly in fields that value experience and applied knowledge, apprenticeship is an effective vehicle to transition career changers and new workers into construction, energy efficiency or information technology.

There were a few themes that seemed to emerge consistently:

- In terms of school buildings, infrastructure, energy efficiency and even broadband access, much of the demand is going to be in the construction trades.
- Until there is some certainty the actual projects and can estimate demand it is difficult to know if we need to train large numbers of new workers in the building trades. There is significant unemployment among construction workers given the nature of this economic downturn, so it is possible that at least in the short-term we may be able to meet the demand for workers through putting unemployed construction workers back to work. In the energy efficiency field, some training may be needed to prepare skilled trades people with new skills to install new technologies.
- As more accuracy in estimates for additional workers is provided, will need to move quickly to create a pipeline in the trades. It seems that apprenticeship programs, vocational technical schools and other union-sponsored programs are willing and able to move quickly to expand their training programs.
- There may also be opportunities to use some of the youth employment money to support young people in training for building trades jobs either through formal apprenticeship training or opening up the vocational technical schools in the Summer of 2009 to provide intensive training with some on-the-job elements that prepare them for apprenticeship programs or less skilled trades jobs in open shop construction sites in the Fall and Winter of 2009.
- In the area of electronic medical records, the demand is for more high-end programmers, sales and technical support staff and trainers. The strong tendency is to hire people with experience. This may also present an opportunity to do some retraining specific to the health field for technical workers who have been or may be laid off in the financial services field. We need to be able to reach out quickly to workers who have been laid off with these skill sets to provide some training in the health field to meet new demand. We may need to turn to community colleges, continuing education departments of four-year colleges or proprietary schools to be able to respond quickly to specific occupational demand with a modular and customized training for IT and sales professionals from other industry sectors that is open entry/open exit.

1.B. Labor Demand Recommendations

Addressing Statewide Training and Hiring Needs

- Energy Efficiency Training Program: In the area of energy efficiency there are two approaches to preparing a workforce (in either case the training should be done through a partnership with two or more employers to ensure hiring, appropriate curriculum, and on the job training opportunities):
 - Upgrade the skills of seasoned trades workers (such as electricians and plumbers) to install energy efficiency products, technologies through apprenticeship programs or vocational technical schools/community colleges.
 - Prepare workers new to the energy efficiency field to install technologies that do not require licenses or high level skills (i.e. installing insulation) through vocational technical schools, community colleges or community-based organizations.

- **Energy Efficiency Retraining Program:** This may also present an opportunity to do some retraining for workers who have been or may be laid off in the financial services field. We need to be able to reach out quickly to workers who have been laid off with these skill sets to provide some training to meet new demand. We may need to turn to community colleges, continuing education departments of four-year colleges or proprietary schools to be able to respond quickly to specific occupational demand with a modular and customized training for professionals from other industry sectors that is open entry/open exit.
- **Hiring Through Career Centers:** Businesses receiving contracts to perform public works or related projects will have a goal to hire a significant percentage of the employees to work on such projects from the unemployed labor pool through the local One Stop Career Centers. The unemployed candidates would be screened, trained and processed by the One Stop Career Centers and hired by the successful contractors on the public works and related projects.

Labor Supply

2.A. Labor Supply Findings

In order to respond to the Governor’s calls for (1) ensuring that projects are “shovel-ready” within the 180-day “use it or lose it” period and (2) getting unemployed workers back to work as soon as possible, our first “labor supply” task was to determine how many Massachusetts residents are unemployed and in what occupations were they last employed. Although the numbers of actually unemployed persons in Massachusetts is larger than the universe of those collecting unemployment benefits, it is the latter population for whom we have data. The Task Force concluded that the most important data that is needed for matching the unemployed to new jobs are occupation and residence. The Department of Workforce Development (DWD) has information on unemployment claimants that will allow us to know how many persons are unemployed in a given occupation (down to the 6-digit Standard Occupational Code [SOC]) for each of our sixteen workforce investment areas.

DWD is working to change the normal monthly 2-digit SOC reporting on unemployment claimants to a 6-digit reporting, so that it has a more exact tool for the Career Centers to use for job matching. The Task Force envisions that this tool can be overlaid onto a map of economic recovery projects to match specific occupational demand with supply. Below is a list of frequently identified job types from the project delivery task forces.

Job Type	% Un-employment	# of Un-employed	Region of Highest Incidence
Management Occupations (11)	11.1%	17,454	Metro SW
Project Estimator (13-1051)		115	Metro SW, Bristol
Computer Software Engineers, Applications		959	Metro SW, Metro North, Lower Merrimack
Computer Software Engineers, Systems Software		328	Metro SW, Metro North, Lower Merrimack
Architecture & Engineering	2.1%	3,349	Metro SW, Metro North, Lower Merrimack, Bristol
Electrical		236	Metro SW, Metro North, Lower Merrimack, South Coastal
Civil		96	Metro SW, Metro North, Lower Merrimack
Office & Admin Support	14.9%	23,452	Boston, Bristol, Metro North

Job Type	% Un-employment	# of Un-employed	Region of Highest Incidence
Construction & Extraction	16.9%	26,682	Bristol, South Coastal, Lower Merrimack Hampden
Construction Laborers		8,563	Bristol, New Bedford
Operating Engineers & Other Construction Equipment Operators		1,203	Bristol, Lower Merrimack
Electrician		2,037	South Coastal, Lower Merrimack, Brockton, Bristol, Boston
Plumbers		1,691	Lower Merrimack, South Coastal
Roofers		587	Hampton, Bristol

The most recent data we have on unemployment from December, 2008, shows nearly 27,000 construction workers collecting unemployment benefits. Using the Project Delivery Task Force job estimation methodology, we can expect about 14,000 jobs per billion dollars of horizontal construction and 9,000 jobs per billion dollars of vertical construction. Given the high level of unemployment in the construction trades, at this point in time it appears that the immediate (180-day) demand for skilled trades can completely or largely be met by unemployed construction workers.

Given the need to analyze and act on demand and supply data to address potential shortages by trade and by region, EOLWD needs to act as the clearinghouse and broker to maintain and report on the demand and supply data by region across all of the stimulus projects in the Commonwealth.

Our next "labor supply" task is look ahead to preparing workers over the two-year timeframe of the economic recovery program. It is in this time-frame that we may be able to best address the needs of those individuals who are chronically under- and unemployed. (We can address some of this need through apprentice training programs within the 180-day period. However, a large number of these individuals are not qualified to enter apprentice training programs and remedial education and other training is necessary.) The Task Force identified needs for investment in adult literacy, (Graduation Equivalency Degree (GED) and English for Speakers of Other Languages (ESOL) programs. The Commonwealth should consider investing any new training funds in computer-based literacy and ESOL that could be provided at career centers, public libraries and other community settings. Volunteers through the Commonwealth Corps or other community service programs could provide tutoring to support and enhance computer-based programs.

If there are additional funds through the Workforce Investment Act for training dislocated workers, the Commonwealth should consider investing those resources into training programs that integrate basic skills, GED preparation, pre-college and ESOL with occupational skills training for direct and indirect jobs that are created through the Federal Act. Any new training programs should be required to accelerate, integrate and intensify learning to ensure that students complete the training and are able to attain employment in their field in as short a time period as possible.

2.B. Labor Supply Recommendations

Bolstering the Commonwealth's Workforce System

- EOLWD Clearinghouse: EOLWD will develop an efficient and effective system through career centers (and working with building trades hiring halls) to identify, contact and connect unemployed construction workers to hiring opportunities created through the Federal Act in a

timely manner. This will require having some ability to do matching of job postings with job seekers in the career centers and UI claimant data base, having accurate contact and occupation information and having staff capacity to dedicate to this brokering function.

- Regional Network: EOLWD will work with the 16 workforce investment boards to facilitate the collection and dissemination of employment data to the regions. The boards will work with local apprentice training programs, labor unions, community colleges, businesses, municipal leaders, and other stakeholders to ensure efficient and effective matching of job openings and training opportunities to under- and unemployed Massachusetts residents.
- Network of Regional Apprentice Preparedness Programs (APPs): A number of APPs should be developed across the state in partnership with the building trades training directors and apprenticeship programs to ensure that the curriculum reflects the entry requirements for the apprenticeship program and that there are actual apprenticeship opportunities upon completion of the Pre-Apprenticeship program. The Building Trades Apprenticeship Training Programs and the vocational technical schools have indicated a willingness and ability to move quickly to add apprentices in response to demand.
- Basic Skills, GED, ESOL, and related programs: Continue to support and expand upon these programs, where resources are available. Many of these programs will receive additional funding in the Federal Act.
- IT Needs: The Task Force wants to stress the importance of four IT projects that have been submitted through the IT Task Force by EOLWD. These projects are important to efficiently and effectively implementing our workforce capacity plan.
 - Workforce Development Application Upgrade and Data Warehouse
 - Network Infrastructure Upgrade
 - DWD Data Center Backup Replacement / Business Continuity Operations
 - Oracle Technology Upgrade Project
- Expedited Public Workforce Staffing Plan: Establish an expedited and flexible hiring process to identify and hire appropriately skilled employees to help stimulate a broad based economic recovery through the Federal Act. Leverage the opportunity presented by the Federal Act program to achieve:
 - Increase diversity by establishing diversity goals for women, minorities and persons with disabilities consistent with federal census data on available workforce by job type.
 - Reach out and target chronically unemployed and underemployed citizens for job training apprenticeship opportunities.

Our challenge will be to create the right balance of compliance and reporting requirements to insure transparency and accountability without jeopardizing the primary goal. One option to minimize duplicative and burdensome administrative oversight would be to establish one point of entry for all job applicants. This could streamline, standardize and quality control the applicant data at the time of application. While this option has many positives, it could prove time-consuming and complicated to implement across agencies, different branches of government and possibly even across municipalities.

Labor Policies and Standards

The Workforce Task Force was especially interested in the use of apprentice training programs to implement the Governor's economic recovery priorities. Apprenticeship is a career training program that combines paid on-the-job training with classroom instruction. Apprentice programs can be established by an individual employer, a group of employers, or a labor union. Despite popular conception, apprentice training programs are not limited to building trades occupations. According to the Department of Apprentice Training there are over 850 occupations that utilize apprentice training

programs throughout the country. There are over 400 employers that have registered apprentice programs, and several thousand employers who have apprentices through collective bargaining agreements with labor unions. Apprenticeship training is one of the best routes to the middle class, one of the most cost-efficient workforce development tools, and the most affordable option available to both workers and employers.

Employers with registered apprentice programs are more likely to be Massachusetts employers. In order to have a registered apprentice program in the Commonwealth, an employer must have an office here, or, if an out-of-state contractor, its state must have a reciprocal agreement with Massachusetts. If the purpose of the Federal Act is not just to create jobs, but to create jobs that will have a long-term benefit to our economy and to include all citizens, the long-term unemployed and otherwise disadvantaged populations, an apprentice training requirement is essential. And there are thousands of unemployed apprentices who are ready, willing, and able to work. But such a requirement cannot interfere with the objectives of getting projects started quickly and making projects available to a wide population.

In recognition of these benefits of apprentice training, and mindful of the concerns, a Labor Working Group from the Procurement Task Force, comprised of representatives from non-union and union contractors associations, the building trades union, and state and local governments that procure public works projects, reached the following consensus on an apprentice training requirement for public works projects under the Federal Act, where the amount of construction costs under any contract awarded is likely to exceed \$1 million. The Workforce Task Force endorses this consensus:

- 1) The specifications set forth in the Request for Responses shall require that, on a per project basis, no less than twenty percent (20%) of the total hours of employees receiving an hourly wage who are directly employed on the site of the project, employed by the contractor or any subcontractor, and subject to the prevailing wage, shall be performed by apprentices in a bona fide apprentice training program, as defined by M.G.L. c. 23, sections 11H & 11I that is approved by the Division of Apprentice Training of the Department of Labor & Workforce Development of the Commonwealth.
 - The Labor Working Group recognizes that this proposal may pose challenges for the filed sub-bid requirements of Section 44F of Chapter 149 of the General Laws, and that additional steps may be necessary to reconcile the proposal with those requirements.
 - During the performance of the contract, the contractor shall submit periodic reports to the awarding authority with records indicating the total hours worked by all journeymen and apprentices in positions subject to the apprentice requirement. In any instance in which the apprentice hours do not constitute twenty percent of the total hours of employees subject to the apprentice requirement, the contractor shall submit a plan to the awarding authority describing how the contractor shall comply with the apprentice requirement.
- 2) An awarding authority or a contractor may adjust these requirements if the assigned federal oversight body determines that, despite a good faith effort, and due to unavoidable circumstances, such as a demonstrated lack of apprentices in a specific geographic area, compliance with these requirements is not feasible.
- 3) An awarding authority serving a low-income population may require additional specifications that address the needs of its clients, such as preferential hiring for residents of public housing authorities for available apprenticeship positions.
- 4) Providing additional financial resources are available, the Division of Apprentice Training shall enhance its outreach efforts to underserved populations to increase and diversify the number of apprentices in the Commonwealth.

The Procurement Task Force takes no position on apprentice training programs for non-publicly bid construction projects because it is beyond the scope of their jurisdiction. The Workforce Task Force recommends the use of apprentice training programs in all occupations that can utilize them. To that end the Workforce Task Force Labor Working Group will be addressing ways to operationalize and implement this recommendation over the next few weeks.

Among the other recommendations of the Task Force are:

- Project Labor Agreements: The Task Force recommends that the Commonwealth require or encourage (depending on legality) the use of PLAs on large construction projects, which would additionally include hiring requirements, dedicated training money for a fund such as the Workforce Training Fund, and a process to link APPs with Apprentice Training Programs and building trades unions and contractors.
- Staffing Needs for Division of Apprentice Training: To provide adequate support and service regarding the increased use of apprentice training programs, DAT has calculated that it will need, at a minimum, the following staff:
 - 2 Field Staff (total compensation of \$120,000)
 - 1 Assistant (total compensation of \$70,000)
 - 1 Office support (total compensation of \$50,000)
 - Total staffing request is \$240,000
- Staffing Needs for Division of Occupational Safety: The infrastructure projects (building and transportation projects) associated with the Federal Act will all be subject to the Massachusetts prevailing wage law. The Division of Occupational Safety (DOS) administers that law (G.L. c. 149, §§ 26 and 27, *et. Seq.*). (Please see *Appendix 4 – Procurement* for relevant details on this law).

A recent amendment to the law also requires awarding authorities to request, and DOS to furnish annual updates to the prevailing wage rate sheets. DOS issues an average of 750 prevailing wage rate sheets per month,⁹ except during the months of March through June, when it issues between 900 and 1,000 sheets per month due to increased procurement in advance of the construction season. During these busy months, DOS's staff, which consists of one attorney and one administrative assistant, is working at full capacity, and often delaying other work in order to keep up with the demand. In addition to issuing prevailing wage rate sheets upon request by the awarding authorities, DOS answers hundreds of telephone inquiries every month from procurement officers, contractors and others related to their obligations under the prevailing wage law, the proper classification of specific work on a project, etc. Additionally DOS issues official determinations of the proper classification of work on construction projects for prevailing wage purposes.

Depending upon the number of projects ultimately funded through the stimulus, it is expected that there will be a significant increase in requests for prevailing wage rate sheets, in telephone inquiries and formal determination requests. The inquiries are likely to increase more dramatically because of the plan to delegate procurement authority to agencies that do not routinely procure public construction projects (see *Section 4, Procurement Task Force Report*). At current staffing levels DOS could not process the additional requests for prevailing wage rate sheets in a timely manner, which would result in delays to the procurement process as the rate sheets must be included in the bid documents.

⁹ Without the inclusion of annual updates under the recent amendment, the first of which will be issued in August 2009. This amendment did not include any additional staff, and the impact on our ability to furnish prevailing wage rates in a timely manner is unknown at this time.

Further, the one attorney who handles all prevailing wage inquiries, in addition to his responsibilities for administering the minimum wage program, would be unable to provide timely advice to procurement officers and contractors who call with questions about their obligations, or the proper classification of work on a particular job.¹⁰ Additionally, this attorney regularly participates in the Inspector General's training program for procurement officers. The IG has indicated the intention to increase the number of training opportunities available in order to ensure that new or inexperienced procurement officers will understand their obligations. This will place an addition burden on the same one attorney.

If DOS were unable to fulfill its responsibilities for administering prevailing wage rate sheets, providing guidance and making determinations in a timely manner, the result would be a delay in the procurement process. DOS has estimated that it will need one additional attorney and one additional administrative assistant to supplement our staff during the stimulus period to handle the increased volume. The estimated annual costs are as follows:

- Counsel (total compensation of \$51,000)
- Administrative Assistant (total compensation of \$36,000)
- PC and Printer (total cost of \$1,600)
- Total staffing and equipment request is \$88,600

Public Workforce Hiring

HRD/ANF ACTION PLAN for Internal Staffing:

When an agency is impacted by the Federal Act, the Human Resources Division (HRD) along with the Executive Office for Administration and Finance (ANF) and the Office of Diversity and Equal Opportunity (ODEO) will work with the impacted agency to:

- 1) Develop and support an expedited recruitment and staffing plan at the agency level.
- 2) Establish a flexible mix of agency staffing options.
- 3) Further streamline and delegate HRD internal controls to expedite the hiring process.

1) HRD/ANF will immediately begin work with Agencies to prepare for resourcing Federal Act projects

HRD and ANF will reach out and work with state agencies to:

- Develop recruitment and outreach programs to staff potential projects (we will coordinate with DET and ELWD career centers).
- Establish appropriate agency staffing levels to facilitate an expedited recruitment, selection and hiring process.
- Identify appropriate diversity goals.
- Develop streamlined and delegated internal hiring controls at the agency and Secretariat level.

2) HRD/ANF will help agencies utilize a flexible staffing plan where appropriate:

¹⁰ As one of the goals of the stimulus is to provide opportunities to small, minority and women-owned business who have not historically performed public work, DOS anticipates that there will be an even greater demand for guidance from our staff as these contractors move through the process and work through issues related to which rate applies.

Hiring regular employees:

- By working with organized labor, the Commonwealth will pursue certain measures to establish more flexible hiring guidelines for employing regular state employees on time bound or temporary projects. In addition to potentially speeding up the hiring process and attracting a wider talent pool, allowing agencies to hire regular employees allows the Commonwealth to develop some “bench strength” to address our succession planning needs as the boomer generation retires, the economy improves and the demand for talent increases.

Use of Post-retirees:

- Agencies can also deploy post-retirees to 120-day appointments as part of their staffing. These post-retirees can bring many years of direct experience to a project and could dramatically reduce the training and ramp-up time for stimulus projects. Post-retirees are only available to work a finite amount of time based on retirement law, usually about half-time or full-time for six months.

Use of Vendors/Consultants:

- In some cases vendors can provide a ready source of both personnel and equipment to perform the required work. If vendors are known entities and have been pre-approved from a procurement standpoint, resources can be acquired quickly. However, it is important to note that if the vendor employees are performing bargaining unit work (work which is normally performed by union employees), issues may arise where the unions contest an illegal transfer of bargaining unit work. In these cases, it will be important to work closely with agencies to ensure that all applicable laws are followed.

Use of Contract Employees:

- The advantage of contract employees is that they can be hired quickly and let go at the conclusion of a project without impacting other agency operations through the bumping process. However, it is necessary to be careful to abide by existing collective bargaining obligations not to transfer bargaining unit work. There are occasions, however, where there is language specifying that the federal funds cannot be used to pay for regular state employees or that regular employees are not qualified for the specific work. HRD would lift all hiring control flags on relevant contract positions.

3) HRD/ANF will streamline many internal hiring controls and increase agency delegation and oversight for stimulus projects.

In the event that an agency is impacted by a particular stipulation in the Federal Act, the HRD along with the ANF would meet with the agency(s) review their hiring proposal. As 95% of the time it takes to fill a position is controlled by the Secretariat and agency, HRD would work with and strongly encourage secretariats to streamline and delegate their hiring controls as well, in order to expedite the hiring process. Based on the agency's business needs HRD and ANF would choose from the following options to expedite the hiring process.

Hiring of Bargaining Unit Employees:

- *Classification* – Delegated to agencies (current policy).
- *Compensation* – HRD would allow for maximum flexibility that is allowed under the collective bargaining rules (most significantly HRD would allow agencies to hire above 15% increases without HRD approval, agencies would still base salary increases on the number of years of comparable service).
- Posting process:
 - Agencies can waive the CEO posting process where they had a ready defined pool of qualified candidates.

- Postings could also be continuously posted in order to facilitate a steady stream of applicants for the jobs needing to be filled.
- Gain agreement from unions to waive 10 day internal promotional requirements under current collective bargaining agreements.
- *Minimum Entrance Requirements (MER)* – In cases where the MERS prove to inhibit effective recruitment, we will work to adjust them as necessary. The Chief Human Resources Officer would waive MER's as needed on a case by case basis.

Hiring of Managers:

- *Classification* – Would be delegated to the agencies that have trained Hay evaluators subject to post audit by HRD. This would include benchmark titles as well agency heads and their direct reports. Questionable classifications would be class flagged by HRD but allowed to proceed in order to expedite the hiring process. For agencies who do not have trained evaluators, HRD would expedite approval of submissions within 24 to 48 hours. HRD could train agency evaluators as needed.
- *Compensation* – HRD would continue to allow the application of comparable years of service for the purpose of quartile placement and the setting of salaries. Additionally, HRD would allow agencies to hire above 15% increase without HRD approval, assuming the years of comparable service
- Posting process:
 - Agencies could waive the CEO posting process.
 - Postings could also be continuously posted in order to facilitate a steady stream of applicants for the jobs needing to be filled.
- *Minimum Entrance Requirements (MER)* – The Chief Human Resources Officer would waive MER's as needed on a case by case basis.
- *CORI Check* – Will work with the Executive Office of Public Safety (EOPS) to expedite the Criminal Offender Record Information (CORI) check process where appropriate.

4. Actions Needed

Key Steps

The Task Force has created several working groups that are charged with compiling a menu of specific recommendations to implement its policy recommendations. The working groups are:

1. **Labor Working Group:** This group will recommend specifics on the use of apprentice training programs in non-construction occupations (and construction occupations, if the issue is not already settled) and the feasibility of using PLAs to address hiring and training goals as well the timely performance of projects.

Workforce Task Force Policy Positions relevant to this Working Group:

- Apprentice Training Program Requirements: The Task Force recommends the establishment of a requirement for projects to utilize bona fide apprentice training programs. We are generally in agreement with the Labor Working Group for the Procurement Task Force of a 20%/\$1 million threshold for construction occupations. The Workforce Labor Working Group will recommend options for apprentice requirements for non-construction occupations.
- Project Labor Agreements: The Task Force recommends that the Commonwealth require or encourage (depending on legality) the use of PLAs on large construction projects, which would additionally include hiring requirements, dedicated training money for a fund such as the Workforce Training Fund, and a process to link APPs with Apprentice Training Programs and building trades unions and contractors.

- Hiring Through Career Centers: Businesses receiving contacts to perform public works or related projects will have a goal to hire a significant percentage of the employees to work on such projects from the unemployed labor pool through the local One Stop Career Centers.
- The unemployed candidates would be screened, trained and processed by the One Stop Career Centers and hired by the successful contractors on the public works and related projects.

2. Statewide Training Working Group: This group will recommend specifics on our statewide training initiatives and the use of EOLWD as a clearinghouse of workforce information.

Workforce Task Force Policy Positions relevant to this Working Group:

- Energy Efficiency Training Program: In the area of energy efficiency there are two approaches to preparing a workforce (in either case the training should be done through a partnership with two or more employers to ensure hiring, appropriate curriculum and on the job training opportunities):
 - Upgrade the skills of seasoned trades workers (such as electricians and plumbers) to install energy efficiency products, technologies through apprenticeship programs or vocational technical schools/community colleges; and,
 - Prepare workers new to the energy efficiency field to install technologies that do not require licenses or high level skills (i.e. installing insulation) through vocational technical schools, community colleges or community-based organizations.
- Health Care Retraining Program: This may also present an opportunity to do some retraining specific to the health field for technical workers who have been or may be laid off in the financial services field. We need to be able to reach out quickly to workers who have been laid off with these skill sets to provide some training in the health field to meet new demand. We may need to turn to community colleges, continuing education departments of four-year colleges or proprietary schools to be able to respond quickly to specific occupational demand with a modular and customized training for IT and sales professionals from other industry sectors that is open entry/open exit.
- Network of Regional Apprentice Preparedness Programs: A number of APPs should be developed across the state in partnership with the building trades training directors and apprenticeship programs to ensure that the curriculum reflects the entry requirements for the apprenticeship program and that there are actual apprenticeship opportunities upon completion of the Pre-Apprenticeship program. The Building Trades Apprenticeship Training Programs and the vocational technical schools have indicated a willingness and ability to move quickly to add apprentices in response to demand.

3. DWD Planning Working Group: This is an internal DWD effort, which other Task Force members have been invited to join, which has pre-existed the establishment of the Task Force and is considering operational issues across the workforce systems to efficiently and effectively deliver workforce data and programs under the economic recovery act.

Workforce Task Force Policy Position relevant to this Working Group:

- EOLWD Clearinghouse Recommendation: EOLWD will develop an efficient and effective system through career centers (and working with building trades hiring halls) to identify, contact and connect unemployed construction workers to hiring opportunities created through the stimulus package in a timely manner. This will require having some ability to do matching of job postings with job seekers in the career centers and Unemployment Compensation claimant data base, having accurate contact and occupation information and having staff capacity to dedicate to this brokering function.

4. Public Workforce Working Group: HRD is coordinating this in-house and will use this group to further hone its proposal on hiring of public workforce positions. (This is an internal HRD working group).

Metrics for Measuring Success

It is expected that metric guidelines will be distributed by as part of the Federal Act. The Workforce Task Force will collect and report these metrics. Additionally, working groups are engaged in creating metrics for the specific recommendations that are being developed. Once metrics are identified, working groups will undertake planning for monitoring and measurement.