

Chapter 368 Public Law

PART FFFFF

Sec. FFFFF-1. 26 MRSA c. 39 is enacted to read:

CHAPTER 39

MAINE INDUSTRY PARTNERSHIPS

§3301. Establishment; purpose

A cooperative initiative is established within the Office of the Governor to create Maine industry partnerships pursuant to this chapter. The Industry Partnership Assistance Collaborative is also established in the Office of the Governor and administered by the Commissioner of Labor and consists of representatives from the Department of Labor, the Department of Education, the Department of Economic and Community Development, the University of Maine System and the Maine Community College System. An industry partnership is led by representatives from business and industry with assistance from the Industry Partnership Assistance Collaborative.

The purpose of the industry partnership cooperative initiative is to ensure that employees in this State are directed toward and trained in the high-skill, high-demand, livable-wage jobs of the 21st century economy. Industry partnerships shall align education and training programs with industry needs to produce readily employable workers and bring employers together in a collaborative effort to improve the competitiveness of individual businesses, industry and the State's economy. Industry partnerships shall provide the foundation for the State's demand-driven workforce strategy designed to meet the workforce needs of businesses, the career goals and training needs of workers and the economic development objectives of this State.

The Department of Labor may convene meetings of and coordinate the Industry Partnership Assistance Collaborative, but each member is responsible for that member's contributions to and support of industry partnerships, including financial resources. Business and industry leaders engaging the Industry Partnership Assistance Collaborative shall coordinate their efforts through the Department of Labor but may use any appropriate Industry Partnership Assistance Collaborative member as their managing partner.

§3302. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Career ladder. "Career ladder" means a clear sequence of education course work or training that is aligned with an identified series of positions, work experiences or educational benchmarks or training credentials that offer occupational and financial advancement within a specified career field or related fields over time.

2. Collaborative. "Collaborative" means the Industry Partnership Assistance Collaborative established in section 3301.

3. Educational programs. "Educational programs" means the State's elementary and secondary schools, career and technical education centers, adult education programs, the Maine Community College System, the Maine Maritime Academy and the University of Maine System.

4. High-priority occupations. "High-priority occupations" means occupations that have a significant presence in an industry cluster, are in demand by employers, pay a livable wage or have a documented career ladder.

5. Industry cluster. "Industry cluster" means a group of employers closely linked by a common product or services, workforce needs, similar technologies, supply chains or other industry sector factors.

6. Industry partnership. "Industry partnership" means a workforce collaboration that brings together multiple employers and employees, or employee representatives when appropriate, in the same industry cluster to address common workforce needs.

7. Soft skills. "Soft skills" means those basic skills necessary to obtain and maintain employment, such as interviewing and communications skills.

8. Targeted industry cluster. "Targeted industry cluster" means an industry cluster identified by the collaborative pursuant to section 3303, subsection 2 as having statewide economic impact, immediate or long-term workforce development needs and emerging or competitive career opportunities.

§3303. Industry clusters

1. Specific industry clusters. The collaborative shall work with businesses, industry associations and organizations, workforce and economic development agencies, the State Workforce Investment Board established in section 2006 and the boards of the local workforce investment areas designated pursuant to the federal Workforce Investment Act of 1998, Public Law 105-220 and economic development entities to define specific industry clusters based on the following criteria:

- A. Statistics showing the competitiveness of an industry cluster;
- B. Importance to the State's or a region's economic development;
- C. Identification of supply and distribution chains within an industry;
- D. Research studies on industry clusters; and
- E. Existing industry partnerships such as those of the health care workforce and associations of manufacturers.

2. Targeted industry clusters. The collaborative shall work with state and regional workforce and economic development agencies, with input from regional business and labor leaders, to identify which industry clusters are targeted for workforce and economic development investments based primarily on the following activities:

- A. Economic growth potential;
- B. Competitiveness;
- C. Employment base;
- D. Wages, benefits and career opportunities;
- E. Importance of the industry cluster to the state and regional economies; and
- F. Workforce development needs.

3. Evaluation of clusters. Once during every 3-year period, the collaborative shall contract with an independent research organization to evaluate the industry clusters as to their importance to the State's economy and determine the need for any changes to the targeted industry clusters.

4. Annual report. The collaborative shall issue a report annually that includes information and statistics on the targeted industry clusters, including labor market information highlighting the targeted industry clusters. The report, which must be presented to the joint standing committee of the Legislature having jurisdiction over labor, commerce, research and economic development matters, must include an occupational analysis of employment and wages within the targeted industry clusters.

5. Occupations list. The collaborative shall develop and make available to the public on a yearly basis a list of statewide and regional high-priority occupations critical to the success of the targeted industry clusters.

§3304. Industry partnerships

1. Objectives. The objectives of an industry partnership are to:

A. Organize businesses, employers, workers, labor organizations and industry associations into a collaborative structure that supports the sharing of information, ideas and challenges common to their industry cluster;

B. Identify the training needs of multiple businesses, especially a shortage of skills that are critical to the competitiveness and innovation of the industry cluster;

C. Facilitate economies of scale by aggregating training and education needs of multiple employers;

D. Help educational and training institutions align curricula and programs to industry demand, particularly for high-skill occupations;

E. Foster and strengthen relationships between and among education programs working to address the needs of related industry sectors;

F. Facilitate relationships, remove barriers and leverage and align resources between participating departments and agencies of State Government and employers working to address the needs of related industry sectors;

G. Inform and collaborate with the career and technical education centers, the boards of the local workforce investment areas designated pursuant to the federal Workforce Investment Act of 1998, Public Law 105-220, youth councils, business-education partnerships, secondary and postsecondary educational institutions, parents and career counselors for the purpose of addressing the challenges of connecting disadvantaged adults and youth to careers;

H. Help companies identify and collaborate to address common organizational and human resource challenges, including, but not limited to, recruiting new workers, retraining dislocated workers, hiring foreign-trained professionals, retaining incumbent workers, implementing a high-performance work organization, adopting new technologies and fostering experiential and contextualized on-the-job learning;

I. Develop and strengthen career ladders within and across companies, enabling entry-level workers to improve skills and advance to higher-wage jobs;

J. Help companies in an industry partnership to attract potential employees from a diverse pool of persons seeking jobs, including veterans and individuals with barriers to employment, such as persons who are economically disadvantaged, people with disabilities, youth, older workers, ex-offenders and others; and

K. Strengthen connections among businesses in industry clusters, leading to cooperation beyond workforce issues that would improve competitiveness and job quality, such as joint purchasing, market research or centers for technology and innovation.

2. Responsibilities of the collaborative. The collaborative shall:

A. Provide support and staffing assistance to the industry partnerships established under this chapter;

B. Create an industry partnership to advise the collaborative, the State Workforce Investment Board established in section 2006 and the boards of the local workforce investment areas designated pursuant to the federal Workforce Investment Act of 1998, Public Law 105-220 on aligning state policies and

leveraging resources across systems, including workforce development, education and economic development;

C. Include requirements that support industry partnerships in all relevant programs, grants and new initiatives; and

D. Use industry partnerships as a connective framework across systems and programs when applying for federal and private funds.

3. Agency and educational program roles and responsibilities. The collaborative shall provide staffing assistance to industry partnerships and shall assist the industry partnerships in achieving the objectives described in subsection 1. Other agencies that by statute, rule, funding or other policies affect employers and employees shall cooperate with the collaborative by:

A. Maintaining up-to-date information on jobs, wages, benefits, skills and careers of workers affected by such agency actions;

B. Developing and implementing policies that improve the jobs and careers of workers affected by such agency actions; and

C. Reporting their job creation strategies and workforce needs to the collaborative.

4. Evaluation information. Upon request, all departments and agencies of this State shall provide to the collaborative any information that will assist the collaborative in carrying out the provisions of this chapter, including any performance measurement information necessary to evaluate any program or policy affecting workforce development in the State.

5. Agency cooperation. At a minimum, the following departments and agencies shall work with the collaborative in the following manner.

A. The Department of Labor shall:

(1) Coordinate the collaborative and serve as lead agency in convening collaborative members;

(2) Advise the collaborative of the Department of Labor's workforce and economic development strategies, programs and initiatives; and

(3) Align existing training programs with industry partnerships.

B. The Department of Economic and Community Development shall:

(1) Advise the collaborative of the Department of Economic and Community Development's workforce and economic development strategies, programs and initiatives;

(2) Align existing training programs with industry partnerships;

(3) Make relevant business assistance programs available to industry partnerships;

(4) Coordinate with the collaborative on areas of business retention; and

(5) Advise the collaborative of the Department of Economic and Community Development's programs to improve competitiveness in industry and strategies for forming industry clusters.

C. The Department of Corrections, within existing resources, shall:

(1) Align training for inmates with industry clusters and high-priority occupations and annually review these training programs to ensure that the training programs prepare inmates for high-priority occupations; and

(2) Align reentry programs to take advantage of information and career opportunities provided by industry partnerships.

D. The Department of Education shall:

(1) Develop curricula and build cross-agency and program partnerships to support career pathways;

(2) Support innovative programs to address literacy, including English as a second language, numeracy shortcomings and soft skills training, especially in those occupations critical to targeted industry clusters;

(3) Work with the collaborative to develop programs and strategies to reduce barriers to adult education;

(4) Coordinate career education initiatives in middle and secondary schools, career and technical education programs and adult education;

- (5) Facilitate employer engagement with local adult education and career and technical education programs to align training with employer needs;
- (6) Advise the collaborative in developing industry partnerships and career pathways in cooperation with employers;
- (7) Coordinate educational initiatives with postsecondary education programs;
- (8) Support initiatives to develop industry-recognized credentials and new programs providing academic credits in the State's public and private postsecondary institutions, especially in occupations critical to targeted industry clusters; and
- (9) Work cooperatively with the collaborative and other agencies and education programs to leverage resources and share data regarding statewide workforce needs.

E. The Department of Health and Human Services shall:

- (1) Create and maintain innovative programs that connect qualified clients of the Temporary Assistance for Needy Families program, as defined in Title 22, section 3762, subsection 1, with employment opportunities in the targeted industry clusters;
- (2) Support strategies to prepare those clients for success in postsecondary education and training programs;
- (3) Work with other agencies and education programs to develop career pathways and education initiatives that provide those clients with information to guide their education and training plans; and
- (4) Collect and share aggregate employment information with the relevant industry partnership to the extent allowed by applicable federal and state laws, rules and regulations.

F. The Department of Professional and Financial Regulation shall:

- (1) Advise the collaborative on professional licensing opportunities and criteria;
- (2) Provide the collaborative aggregate information on active professional licenses as needed in analyzing data that will support or sustain industry partnerships; and
- (3) Assist the collaborative in developing strategies that will reduce barriers to obtaining professional licensure within industry clusters where it may be required.

G. The Maine Community College System shall:

- (1) Develop curricula and build cross-postsecondary institution and program partnerships to support career pathways;
- (2) Support innovative programs to address literacy, including English as a second language, numeracy shortcomings and soft skills training, especially in those occupations critical to targeted industry clusters;
- (3) Work with the other members of the collaborative to develop programs and strategies to reduce barriers to adult education;
- (4) Advise the collaborative in developing industry partnerships and career pathways in cooperation with employers;
- (5) Coordinate educational initiatives with adult education and other postsecondary education programs;
- (6) Support initiatives to develop industry-recognized credentials and new programs providing academic credits, especially in occupations critical to targeted industry clusters; and
- (7) Work cooperatively with the collaborative and other agencies and education programs to leverage resources and share data regarding statewide workforce needs.

H. The University of Maine System shall:

- (1) Develop curricula and build cross-postsecondary education institution and program partnerships to support career pathways;
- (2) Support innovative programs to address literacy, including English as a second language, numeracy shortcomings and soft skills training, especially in those occupations critical to targeted industry clusters;
- (3) Work with other members of the collaborative to develop programs and strategies to reduce barriers to adult education;
- (4) Advise the collaborative in developing industry partnerships and career pathways in cooperation with employers;
- (5) Coordinate educational initiatives with adult education and other postsecondary education programs;

- (6) Support initiatives to develop industry-recognized credentials and new programs providing academic credits, especially in occupations critical to targeted industry clusters; and
- (7) Work cooperatively with the collaborative and other agencies and education programs to leverage resources and share data regarding statewide workforce needs.

§3305. Industry partnership grant program

1. Grant program. The collaborative shall establish a competitive grant program that provides support to industry partnerships and eligible applicants pursuant to this section. The grants must be used to provide training or the ability for local, state or regional industry partnerships to meet the objectives listed in section 3304.

2. Applications and guidelines. The collaborative shall establish grant guidelines and develop grant applications and forms and institute any policies and procedures necessary to carry out the provisions of this section. These procedures must include at a minimum:

- A. A competitive application process;
- B. A process to review applications and to make recommendations to the collaborative;
- C. A process for providing applicants with additional information about eligibility requirements and assistance in preparing applications; and
- D. A procedure for establishing eligibility requirements. At a minimum, the process to establish this procedure must include the following:
 - (1) Involvement of the local workforce investment board;
 - (2) Participation of at least 4 employers, with at least 2 employers representing businesses with fewer than 50 employees;
 - (3) Participation of employees and, where applicable, labor representatives;
 - (4) Private sector matching funding of at least 50%; and
 - (5) Commitment to participate in the performance improvement and evaluation system established pursuant to section 3307.

3. Grant period and renewal. The grant period for grants awarded under this section must be not less than 12 months and not more than 24 months. The collaborative may provide opportunities for renewal after the initial grant period ends.

4. Technical assistance. The collaborative shall provide technical assistance to grantees throughout the grant period.

5. Other funding sources. The collaborative shall seek funds from other private and public sources to support and sustain industry partnerships and related activities established in this chapter. Industry partnerships also may seek other sources of funding, both public and private.

§3306. Industry and labor market research

The collaborative may provide any industry and labor market research necessary to support and further develop the work of industry partnerships, including, but not limited to:

1. Employment analysis. Providing the most current available analysis of occupations and skills in the State for the purpose of determining trends in the State that may lead to changes in the targeted industry clusters;

2. High-priority occupations list. Maintaining and updating the annual list of the State's high-priority occupations under section 3303, subsection 5; and

3. List adjustment. Providing the most current available analysis of high-priority occupations for the purpose of determining trends that may lead to adjustments to the list under subsection 2.

§3307. Industry partnership performance improvement and evaluation system

1. Improvement and evaluation system. The collaborative shall create and implement a performance improvement and evaluation system that:

- A. Collects critical industry partnership information on an annual basis, or more frequently as determined by the collaborative;
- B. Describes the benefits of the collaborative and its activities to employers, employees and communities; and
- C. Provides periodic performance information to the Legislature, the public and workforce stakeholders.

2. Cluster partnership reviews. The collaborative shall coordinate year-end reviews of each industry cluster's industry partnerships and produce a comprehensive industry cluster overview report that describes:

- A. The critical experiences of each industry partnership, such as training that was most effective; most common human resource challenges; the impact of changing technology on the industry; and prospective changes that may affect the industry in the near term and long term; and
- B. Practices that industry partnerships consider exemplary, such as effectively engaging adult education programs and postsecondary educational institutions, internships and clinical placements; working with effective training providers; working with career and technical education centers; and other important practices by which industry partnerships can assist each other.

§3308. Rulemaking

The Commissioner of Labor shall adopt rules for the operation of industry partnerships funded in whole or in part under this chapter. Rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.