

# **WEST VIRGINIA LEGISLATURE**

**2019 REGULAR SESSION**

**Introduced**

## **Senate Bill 133**

BY SENATOR OJEDA

[Introduced January 9, 2019; Referred  
to the Committee on the Workforce; and then to the  
Committee on Government Organization]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,  
2 designated §5B-2J-1, §5B-2J-2, §5B-2J-3, and §5B-2J-4, all relating to creating the  
3 Returning Veterans and Displaced Miners Jobs Act; providing a short title and legislative  
4 findings and declaration; establishing a Veterans Job Coordinating Team and composition  
5 of the team; setting forth the team's powers and duties, including reporting a plan to the  
6 Legislature; and providing for termination of the Veterans Job Coordinating Team unless  
7 the Legislature determines otherwise.

*Be it enacted by the Legislature of West Virginia:*

## **ARTICLE 2J. RETURNING VETERANS AND DISPLACED MINERS JOBS ACT.**

### **§5B-2J-1. Short title.**

1 This article may be cited as the "Returning Veterans and Displaced Miners Jobs Act."

### **§5B-2J-2. Legislative findings and declaration.**

1 The Legislature finds that our United States Military has increasingly focused on promoting  
2 skilled apprenticeships to help veterans transitioning to the civilian world, and now provides over  
3 20 percent of the registered apprenticeships in the country. The teambuilding, problem solving  
4 and project management skills honed on the battlefield translate well to occupations in the  
5 construction industry. Nationally, veterans account for five and eight-tenths percent of the overall  
6 workforce but comprise six and nine-tenths percent of all blue-collar construction workers.  
7 Programs such as Helmets to Hardhats and the military's new emphasis on the United States  
8 Military Apprenticeship Program (USMAP) have made construction employment more and more  
9 attractive to military veterans. They are about four times more likely to be enrolled in a registered  
10 apprenticeship program than civilian workers.

11 The Legislature further finds that similarly, West Virginia's coal miners are proven to be  
12 highly skilled and productive workers. For those who are unable to find employment in the mines  
13 there may be opportunities in the construction industry that require some related training. West  
14 Virginia could improve placement rates of veterans, displaced coal miners and others in existing

15 registered apprenticeship programs by promoting apprenticeship opportunities, providing  
16 accurate and up-to-date information about applications, times, locations, required documentation  
17 and aptitude tests.

18 The Legislature further finds that apprenticeship is a proven method of training that  
19 produces highly skilled workers in many technical occupations. However, there is no statewide  
20 focus on apprenticeship opportunities, and no focus on moving veterans, displaced coal miners  
21 and other workers in need of skilled training into apprenticeship programs. There is a perception  
22 that nonuniversity education paths are "second best" in part because our educational and  
23 governmental institutions lack information about the apprenticeship method and available  
24 opportunities.

25 The Legislature declares that in order to correct this problem, the Returning Veterans and  
26 Displaced Coal Miners Jobs Act established by this article creates the Veterans Job Coordinating  
27 Team (team) comprised of representatives from existing state government entities and citizens  
28 active in apprenticeship that shall provide assistance that will lead to the development and  
29 promotion of an apprenticeship model of training and recruitment.

**§5B-2J-3. Veterans Job Coordinating Team.**

1 (a) The Veterans Job Coordinating Team is hereby established.

2 (b) The team shall draw on government administrative resources to ensure a focus on  
3 services for apprenticeship training and certification within the state and local education and  
4 governmental agencies. The team shall consist, at the minimum, of the following state agencies:

5 (1) Secretary of the West Virginia Department of Veterans Assistance, or designee;

6 (2) Commissioner of the Bureau of Employment Programs, Division of Work Force  
7 Development, or designee;

8 (3) Secretary of the Department of Education, or designee;

9 (4) Commissioner of Division of Labor, or designee;

10 (5) Chairperson of the Higher Education Policy Commission, or designee; and

11 (6) Four citizen representative who are familiar with apprenticeship and represent an equal  
12 number of labor and management positions in current apprenticeship programs. In addition,  
13 representatives from the U.S. Department of Labor responsible for regulating apprenticeship in  
14 West Virginia shall be invited to participate.

**§5B-2J-4. Powers, duties, information and reports of Veterans Job Coordinating Team.**

1 (a) The Governor shall designate the lead agency to coordinate and preside over  
2 meetings, research and the development of promotion and recruitment for the apprenticeship  
3 model of training. The team shall meet regularly during the year at times designated by the lead  
4 agency.

5 (b) The team shall focus on informing returning veterans of existing apprenticeship  
6 opportunities. There shall also be a focus on informing unemployed coal miners and other  
7 unemployed or underemployed workers, disadvantaged youth, women and minorities so that they  
8 are aware of apprenticeship opportunities.

9 (c) Information regarding the number of existing registered apprenticeship programs, the  
10 skills each program focus on, the requirements for acceptance, the time and location applications  
11 are received, required documentation, required aptitude test, the cost to apprentices, the average  
12 number of apprentices currently in the program, the average number of new apprentices in the  
13 program and other pertinent information shall be gathered and made available electronically for  
14 public access.

15 (d) A plan for disseminating the above information to returning veterans, displaced coal  
16 miners, Work Force placement offices, secondary schools, vocational schools, community  
17 colleges and other locations where employment and training is needed shall be developed.

18 (e) The team shall also devise a plan to carry out the following:

19 (1) Conducting apprenticeship training needs assessments with industry, communities,  
20 training providers and intergovernmental agencies;

21 (2) Promoting apprenticeship opportunities to diverse audiences, and

22 (3) Creating and delivering presentations and participating in the development and  
23 promotion of the apprenticeship model of training and recruitment.

24 (f) A report shall be submitted to the Legislature by December 1, 2019, outlining suggested  
25 plans, methods and procedures designed to implement the purposes for which the team was  
26 established.

27 (g) The functions of Veterans Job Coordinating Team terminate following the submission  
28 of its report to the Legislature, unless the Legislature determines otherwise.

NOTE: The purpose of this bill is to assist returning veterans and displaced coal miners to find meaningful employment through quality skills training using the apprenticeship model. The bill creates the "Returning Veterans and Displaced Miners Jobs Act," and provides a short title, legislative findings and declaration. The bill establishes a Veterans Job Coordinating Team and provides for the composition of the team, together with its powers and duties. The bill requires the team to report a plan to the Legislature by December 1, 2019, outlining suggested plans, methods and procedures designed to implement the purposes for which the team was established. The bill provides for termination of the Veterans Job Coordinating Team unless the Legislature determines otherwise.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.