

**RIGL 42-102, Human Resource Investment Council – July 14, 1992  
Composition of the Board:**

**§ 42-102-2 Composition of council. –**

Effective January 1, 2005, the council shall be composed of **fifteen (15)** members, thirteen (13) members appointed by the governor, with the advice and consent of the senate, at least four (4) of whom shall be women, at least three (3) of whom shall be from minority communities, and at least one of whom shall be a person with disabilities, as follows:

(1) One shall be appointed by the governor to serve as chairperson of the council;

(2) **Six (6) shall be appointed by the governor from the employer community, in a manner that is representative of employers of different sizes and sectors, including the nonprofit sector; provided, however, that in the event that there is established a state workforce investment board that is separate and distinct from the council, then one of the six (6) representatives of the employer community shall be the chairperson of the state work force investment board, and if all employer community appointments have been duly made and are filled, then the appointed chairperson of the state workforce investment board shall be made with the next available appointment of a representative of the employer community;**

(3) Four (4) members from organized labor shall be appointed by the governor;

(4) Two (2) members from community-based organizations shall be appointed by the governor;

(5) The president of the senate and the speaker of the house shall appoint one

**Reflecting Amendments to 42-102 Enacted 07/03/07 and 6/10:**

**§ 42-102-6 Duties of the Rhode Island Human Resource Investment**

**Executive Order 05-18, Establishment of State Workforce  
Investment Board – September 22, 2005**

There shall be a State Workforce Investment Board (“Board”), in conformity with the requirements of the Workforce Investment Act of 1998 (“WIA”) and the constitution and laws of the State of Rhode Island.

The membership of the Board shall consist of the following **seventeen (17)** members appointed by and serving at the pleasure of the Governor:

- a. Nine representatives from the employer community, in a manner that is representative of employers of different sizes and sectors, including the nonprofit sector;
- b. Four members representing organized labor;
- c. Two members representing community-based organizations;
- d. One representative of the post-secondary education system; and
- e. The Director of the Department of Labor and Training.

The Board may promulgate bylaws, consistent with law and with this Executive Order, governing its organization and procedure.

**Council** – (a) The council shall meet with other entities involved with vocational education, labor, and training and shall be responsible for the planning of labor and training activities to ensure that a comprehensive and cohesive plan is developed. The council shall take into consideration the needs of all segments of the state's citizenry in establishing goals and training objectives.

(b) The council shall establish policy to ensure the effectiveness and efficiency of programs and activities as they pertain to labor and training.

(c) The council shall provide funding for special projects that will increase and improve the skill base of Rhode Island's workforce. The council shall take into account labor market information from the Rhode Island economic development corporation to help establish training needs. In addition, the council shall have the following responsibilities:

- (1) Prepare and submit by September 1, 1992 and thereafter annually, a proposed budget for the ensuing year for the governor's approval;
- (2) The auditor general shall conduct annual audits of all financial accounts and any other audits that he or she shall deem necessary.
- (3) Ensure that, for those contracts or grants characterized as training or upgrading, the administrative expenses of the private or public entity awarded the contract or grant shall not exceed fifteen percent (15%) of the total contract or grant.
- (4) Receive any gifts, grants, or donations made and to disburse and administer them in accordance with the terms thereof; and
- (5) Allocate moneys from the job development fund for projects to implement the recommendations of the council, including, but not limited to, technology transfers or technical assistance to manufacturers to improve their operations through the use of

appropriate technologies; provided, that for fiscal year 2005, a minimum of three million four hundred thousand dollars (\$3,400,000) from the job development fund shall be allocated for adult literacy programs.

- (6) Within ninety (90) days after the end of each fiscal year, the council shall approve and submit an annual report to the governor, the speaker of the house, the president of the senate, and the secretary of state, of its activities during the fiscal year. The report shall provide: an operating statement summarizing meetings or hearings held, meeting minutes if requested, subjects addressed, decisions rendered, rules and regulations promulgated, studies conducted, policies and plans developed, approved or modified, and programs administered or initiated; a consolidated financial statement of all funds received and expended including the source of funds, a listing of any staff supported by these funds, and a summary of clerical, administrative, professional or technical reports received; a summary of performance during the previous fiscal year including accomplishments, shortcomings and remedies; a synopsis of hearings, complaints, suspensions or other legal matters related to the authority of the council; a summary of any training courses held pursuant to subsection 42-102-2(c); a briefing on anticipated activities in the upcoming fiscal year; and findings and recommendations for improvement. The report, within thirty (30) days of its completion, shall be posted electronically on the general assembly and secretary of state's websites. The director of the department of administration shall be responsible for the enforcement of this provision.

**§ 42-102-9 Powers and duties of the Rhode Island Human Resource Investment Council -- Employment and training systems in the state** – (a) The council shall establish statewide policies, goals, and guidelines for the coordination of all employment and training programs and related services, and employment-related training programs within

the state, including:

(1) The state Department of Labor and Training programs sponsored under the federal Workforce Investment Act of 1998, Wagner-Peyser Act, 29 U.S.C. § 49 et seq., the Trace Act of 2002 and any other employment-related educational program administered by the state department of labor and training;

(2) The state Department of Human Services training programs sponsored under the Temporary Assistance to Needy Families, Title IV of the Social Security Act; the Supplemental Nutrition Assistance Program Employment and Training Program; Vocational Rehabilitation Act of 1973 and any other employment and training and related services and employment-related educational programs administered by the state's department of human services;

(3) Employment and training programs sponsored under the federal Carl D. Perkins Vocational Education Act, 20 U.S.C. § 2301 et seq., the federal Adult Education Act, Title II of the Workforce Investment Act of 1998 and any other employment-related educational programs administered by the board of governors for higher education, or the board of regents for elementary and secondary education; and

(4) All other employment and training and related services and employment-related educational programs either presently existing or hereinafter established which are administered by any state agencies, departments, or councils. Programs included within subdivisions (1) – (5) of this subsection shall be referred herein collectively as "the coordinated programs system". Provided, however, that the responsibilities and duties of the board of governors for higher education or the board of regents for elementary and secondary education, as set forth in the general laws, shall not be abridged.

(b) With respect to plans for employment and training programs sponsored under the federal Carl D. Perkins Vocational Education Act, 20 U.S.C. § 2301 et seq., and any other employment-related educational programs administered by the boards of governors for higher education

**The Board shall assist the Governor in:**

- a. Developing a State Workforce Investment Plan: a strategic plan including goals and strategies for serving the state's existing and emerging workforce utilizing all state and federal workforce development programs.
- b. Promoting and coordinating private sector involvement in the workforce investment system through the development of partnerships among state agencies, the business community and the Board.
- c. Developing a statewide system of activities that are funded under the WIA or carried out through the One-Stop delivery system, including:
  - ☐ Assuring coordination and non-duplication among the programs and activities carried out by One-Stop partners;
  - ☐ Establishing a Workforce Development Interagency Council consisting of the directors of state departments responsible for implementing federal and state workforce investment activities to ensure the coordination of all available programs and initiatives;
  - ☐ Reviewing local workforce investment plans;
  - ☐ Designating local workforce investment areas;
  - ☐ Developing allocation formulas for the distribution of funds for adult employment and training activities and youth activities to local areas;
  - ☐ Developing comprehensive state performance measures, including state adjusted levels of performance, to assess the effectiveness of the workforce investment activities in the state;
  - ☐ Preparing the annual report to the Secretary of Labor described in WIA;
  - ☐ Developing the statewide employment statistics system;
  - ☐ Developing an application for incentive grants;
  - ☐ Determining which workforce investment boards are redundant and recommending which should be eliminated;
  - ☐ Carrying out the responsibilities of the Local Board as outlined in WIA; and

or the board of regents for elementary and secondary education, the council and applicable board shall establish a process for the development and preparation of all these plans; and the applicable board shall approve the plan subject to review and comment by the council.

(c) With respect to plans for the Temporary Assistance to Needy Families Program, SNAP Employment and Training Program, Vocational Rehabilitation Program, and any other employment and training and related programs administered by the state's department of human services, the authority and responsibilities of the department as the single state agency under Titles IV-A, 42 U.S.C. §§ 601 – 617, and IV-F, 42 U.S.C. §§ 681 – 687 [repealed], of the federal Social Security Act shall not be abridged.

(d) The council shall review, comment on, or approve as appropriate all other plans for employment and training within the coordinated programs system. The council shall establish policies and performance goals for the coordinated programs system. These policies and goals shall include, but not be limited to:

- (1) Establishing and communicating uniform policies;
- (2) Gathering and distributing information from and to all agencies, departments, and councils within the coordinated programs system;
- (3) Standardizing and coordinating program planning, budgeting, and funding processes;
- (4) Recommending structural and procedural changes;
- (5) Establishing performance goals and measurements for monitoring the effectiveness of members of the coordinated programs system; and
- (6) Reconciling diverse agency, departmental, or council goals and developing priorities among those goals; and

☐ Addressing any other issue requiring input from the Board under the provisions of WIA.

Board, when acting in concert with the State Human Resource Investment Council, shall conform its activities and procedures to the Rhode Island General Laws Chapter 42-102 and Chapter 28-42, and also shall approve a budget, manage, and otherwise provide oversight of the Rhode Island Job Development Fund to ensure that all programs and expenditures are in compliance with the approved State Plan.

The Department of Labor and Training (“Department”) is hereby designated as the administrative entity responsible for administration and management of the Board. The Department’s One Stop Career Center System is also the primary deliverer of workforce development services. The Department is authorized to act in concert with the Governor’s WIA Liaison in the planning, administration, coordination, and oversight functions of the workforce system assigned to the Governor. The Department shall provide staff support for the Board.

(7) Producing an annual Unified Workforce Development Expenditure and Program Report to be submitted to the General Assembly beginning January 1, 2011 and covering activity having taken place the preceding fiscal year ending June 30<sup>th</sup>. The report shall include, at a minimum, expenditures by agencies for programs included in subdivisions 42-102-9(a)(2)(3)(4) and shall show the number of individuals served by each program, including demographic information by gender, race and ethnicity,; outcome information and such other information as may be determined by the Human Resource Investment Council.

(e) All state and local agencies, departments, or council or similar organizations within the coordinated programs system shall be required to provide the council with the information necessary to produce the Unified Workforce Development Expenditure and Program Report described in subdivision (7) and shall otherwise cooperate with the council in the council's exercise of its authority under subsections (b) – (d).

(f) The council or a sub-committee or adjunct of the council shall assume all duties and responsibilities of the state job training coordination council required to be established pursuant to the federal Job Training Partnership Act, 29 U.S.C. § 1532 [repealed].

(g) In addition to the specific authority provided for herein, the council shall have all other authority necessary for effective coordination and implementation of the coordinated programs system.

(h) The council shall biennially develop an employment and training plan for the state to be submitted to the governor and the general assembly commencing January 1, 1994. The biennial plan shall outline goals and objectives of the coordinated programs system, major priorities needed for the next two (2) year period, and policies and requirements necessary to meet those priorities.

**42-102-10 State Career Pathways System** - - (a) The Human Resource Investment Council shall establish and oversee a State Career Pathways System for the purposes of increasing the skill level of Rhode Island

workers in alignment with industry needs. Towards this purpose, the Council shall establish a Task Force of fifteen (15) members. Nine (9) members of the task force shall be appointed by the Governor from recommendations of the state Industry Partnerships; two (2) of whom shall be representatives of the adult education progression (one of whom shall be a representative of the office of Adult Education Services at the Rhode Island Department of Education; three (3) of whom shall be persons who, because of vocation, employment or affiliation, can be classified as employers; and two (2) of whom shall be persons who, because of employment or affiliation, can be classified as employees. The Commissioner of higher education, the Commissioner of elementary and secondary education, the Director of labor and training, the Executive Director of the economic development corporation, and the Director of the Community College of Rhode Island's Center for Workforce and Community Education shall serve on the task force by virtue of their respective positions. The governor shall also appoint a chair of the task force to be chosen from amongst the membership of the Human Resources Investment Council. The task force shall work in coordination with the adult education committee of the Human Resource Investment Council to develop and oversee the Career Pathways System.