

Chapter 28C.18 RCW
WORKFORCE TRAINING AND EDUCATION

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RCW 28C.18.005 Findings. The legislature finds that the state's system of workforce training and education is inadequate for meeting the needs of the state's workers, employers, and economy. A growing shortage of skilled workers is already hurting the state's economy. There is a shortage of available workers and too often prospective employees lack the skills and training needed by employers. Moreover, with demographic changes in the state's population employers will need to employ a more culturally diverse workforce in the future.

The legislature further finds that the state's current workforce training and education system is fragmented among numerous agencies, councils, boards, and committees, with inadequate overall coordination. No comprehensive strategic plan guides the different parts of the system. There is no single point of leadership and responsibility. There is insufficient guidance from employers and workers built into the system to ensure that the system is responsive to the needs of its customers. Adult workforce education lacks a uniform system of governance, with an inefficient division in governance between community colleges and vocational technical institutes, and inadequate local authority. The parts of the system providing adult basic skills and literacy education are especially uncoordinated and lack sufficient visibility to adequately address the needs of the large number of adults in the state who are functionally illiterate. The workforce training and education system's data and evaluation methods are inconsistent and unable to provide adequate information for determining how well the system is performing on a regular basis so that the system may be held accountable for the outcomes it produces. Much of the workforce training and education system provides inadequate opportunities to meet the needs of people from culturally diverse backgrounds. Finally, our public and private educational institutions are not producing the number of people educated in vocational/technical skills needed by employers.

The legislature recognizes that we must make certain that our public and private institutions of education place appropriate emphasis on the needs of employers and on the needs of the approximately eighty percent of our young people who enter the world of work without completing a four-year program of higher education. We must make our workforce education and training system better coordinated, more efficient, more responsive to the needs of business and workers and local communities, more accountable for its performance, and more open to the needs of a culturally diverse population. [1996 c 99 § 1; 1991 c 238 § 1.]

RCW 28C.18.010 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this title.

(1) "Adult basic education" means instruction designed to achieve mastery of skills in reading, writing, oral communication, and computation at a level sufficient to allow the individual to function effectively as a parent, worker, and citizen in the United States, commensurate with that individual's actual ability level, and includes

English as a second language and preparation and testing services for a high school equivalency certificate as provided in RCW 28B.50.536.

(2) "Board" means the workforce training and education coordinating board.

(3) "Director" means the director of the workforce training and education coordinating board.

(4) "Industry skill panel" means a regional partnership of business, labor, and education leaders that identifies skill gaps in a key economic cluster and enables the industry and public partners to respond to and be proactive in addressing workforce skill needs.

(5) "Training system" means programs and courses of secondary vocational education, technical college programs and courses, community college vocational programs and courses, private career school and college programs and courses, employer-sponsored training, adult basic education programs and courses, programs and courses funded by the federal workforce innovation and opportunity act, programs and courses funded by the federal vocational act, programs and courses funded under the federal adult education act, publicly funded programs and courses for adult literacy education, and apprenticeships, and programs and courses offered by private and public nonprofit organizations that are representative of communities or significant segments of communities and provide job training or adult literacy services.

(6) "Vocational education" means organized educational programs offering a sequence of courses which are directly related to the preparation or retraining of individuals in paid or unpaid employment in current or emerging occupations requiring other than a baccalaureate or advanced degree. Such programs shall include competency-based applied learning which contributes to an individual's academic knowledge, higher-order reasoning, and problem-solving skills, work attitudes, general employability skills, and the occupational-specific skills necessary for economic independence as a productive and contributing member of society. Such term also includes applied technology education.

(7) "Workforce development council" means a local workforce development board as established in P.L. 113-128 Sec. 107.

(8) "Workforce skills" means skills developed through applied learning that strengthen and reinforce an individual's academic knowledge, critical thinking, problem solving, and work ethic and, thereby, develop the employability, occupational skills, and management of home and work responsibilities necessary for economic independence. [2017 c 39 § 3; 2013 c 39 § 16. Prior: 2009 c 151 § 5; 2008 c 103 § 2; 1996 c 99 § 2; 1991 c 238 § 2.]

Findings—Intent—2008 c 103: "(1) The legislature finds that a skilled workforce is essential for employers and job seekers to compete in today's global economy. The engines of economic progress are fueled by education and training. The legislature further finds that industry skill panels are a critical and proven form of public-private partnership that harness the expertise of leaders in business, labor, and education to identify workforce development strategies for industries that drive Washington's regional economies. Industry skill panels foster innovation and enable industry leaders and public partners to be proactive, addressing changing needs for businesses quickly and strategically. Industry skill panels leverage

small state investments with private sector investments to ensure that public resources are better aligned with industry needs.

(2) The legislature further finds that industry skill panels support other valuable initiatives such as the department of community, trade, and economic development's cluster-based economic development grants; the community and technical college centers of excellence, high-demand funds, and the job skills program; and the employment security department's incumbent worker training funds. Industry skill panels provide a framework for coordinating these and other investments in line with economic and workforce development strategies identified by industry leaders. It is the intent of the legislature to support the development and maintenance of industry skill panels in key sectors of the economy as an efficient and effective way to support regional economic development." [2008 c 103 § 1.]

RCW 28C.18.020 Workforce training and education coordinating board.

(1) There is hereby created the workforce training and education coordinating board as a state agency and as the successor agency to the state board for vocational education. Once the coordinating board has convened, all references to the state board for vocational education in the Revised Code of Washington shall be construed to mean the workforce training and education coordinating board, except that reference to the state board for vocational education in RCW 49.04.030 shall mean the state board for community and technical colleges.

(2) (a) The board shall consist of nine voting members appointed by the governor with the consent of the senate, as follows: Three representatives of business, three representatives of labor, and, serving as ex officio members, the superintendent of public instruction, the executive director of the state board for community and technical colleges, and the commissioner of the employment security department. The chair of the board shall be a nonvoting member selected by the governor with the consent of the senate, and shall serve at the pleasure of the governor. In selecting the chair, the governor shall seek a person who understands the future economic needs of the state and nation and the role that the state's training system has in meeting those needs. Each voting member of the board may appoint a designee to function in his or her place with the right to vote. In making appointments to the board, the governor shall seek to ensure geographic, ethnic, and gender diversity and balance. The governor shall also seek to ensure diversity and balance by the appointment of persons with disabilities.

(b) The business representatives shall be selected from among nominations provided by a statewide business organization representing a cross section of industries. However, the governor may request, and the organization shall provide, an additional list or lists from which the governor shall select the business representatives. The nominations and selections shall reflect the cultural diversity of the state, including women, people with disabilities, and racial and ethnic minorities, and diversity in sizes of businesses.

(c) The labor representatives shall be selected from among nominations provided by statewide labor organizations. However, the governor may request, and the organizations shall provide, an additional list or lists from which the governor shall select the labor representatives. The nominations and selections shall reflect

the cultural diversity of the state, including women, people with disabilities, and racial and ethnic minorities.

(d) Each business member may cast a proxy vote or votes for any business member who is not present and who authorizes in writing the present member to cast such vote.

(e) Each labor member may cast a proxy vote for any labor member who is not present and who authorizes in writing the present member to cast such vote.

(f) The chair shall appoint to the board one nonvoting member to represent racial and ethnic minorities, women, and people with disabilities. The nonvoting member appointed by the chair shall serve for a term of four years with the term expiring on June 30th of the fourth year of the term.

(g) The business members of the board shall serve for terms of four years, the terms expiring on June 30th of the fourth year of the term except that in the case of initial members, one shall be appointed to a two-year term and one appointed to a three-year term.

(h) The labor members of the board shall serve for terms of four years, the terms expiring on June 30th of the fourth year of the term except that in the case of initial members, one shall be appointed to a two-year term and one appointed to a three-year term.

(i) Any vacancies among board members representing business or labor shall be filled by the governor with nominations provided by statewide organizations representing business or labor, respectively.

(j) The board shall adopt bylaws and shall meet at least bimonthly and at such other times as determined by the chair who shall give reasonable prior notice to the members or at the request of a majority of the voting members.

(k) Members of the board shall be compensated in accordance with RCW 43.03.040 and shall receive travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(l) The board shall be formed and ready to assume its responsibilities under this chapter by October 1, 1991.

(m) The director of the board shall be appointed by the governor from a list of three names submitted by a committee made up of the business and labor members of the board. However, the governor may request, and the committee shall provide, an additional list or lists from which the governor shall select the director. The governor may dismiss the director only with the approval of a majority vote of the board. The board, by a majority vote, may dismiss the director with the approval of the governor.

(3) The state board for vocational education is hereby abolished and its powers, duties, and functions are hereby transferred to the workforce training and education coordinating board. All references to the director or the state board for vocational education in the Revised Code of Washington shall be construed to mean the director or the workforce training and education coordinating board. [2010 c 128 § 6; 1991 c 238 § 3.]

RCW 28C.18.030 Purpose of the board. The purpose of the board is to provide planning, coordination, evaluation, monitoring, and policy analysis for the state training system as a whole, and advice to the governor and legislature concerning the state training system, in cooperation with the state training system and the student achievement council. [2012 c 229 § 578; 1996 c 99 § 3; 1991 c 238 § 4.]

Effective date—2012 c 229 §§ 101, 117, 401, 402, 501 through 594, 601 through 609, 701 through 708, 801 through 821, 902, and 904: See note following RCW 28B.77.005.

RCW 28C.18.040 Director's duties. (1) The director shall serve as chief executive officer of the board who shall administer the provisions of this chapter, employ such personnel as may be necessary to implement the purposes of this chapter, and utilize staff of existing operating agencies to the fullest extent possible.

(2) The director shall not be the chair of the board.

(3) Subject to the approval of the board, the director shall appoint necessary deputy and assistant directors and other staff who shall be exempt from the provisions of chapter 41.06 RCW. The director's appointees shall serve at the director's pleasure on such terms and conditions as the director determines but subject to chapter 42.52 RCW.

(4) The director shall appoint and employ such other employees as may be required for the proper discharge of the functions of the board.

(5) The director shall, as permissible under P.L. 101-392, as amended, integrate the staff of the council on vocational education, and contract with the state board for community and technical colleges for assistance for adult basic skills and literacy policy development and planning as required by P.L. 100-297, as amended. [1994 c 154 § 307; 1991 c 238 § 5.]

Effective date—1994 c 154: See RCW 42.52.904.

RCW 28C.18.050 Board designation and functions for federal purposes—Monitoring state plans for consistency. (1) The board shall be designated as the state board of vocational education as provided for in P.L. 98-524, as amended, and shall perform such functions as is necessary to comply with federal directives pertaining to the provisions of such law.

(2) The board shall perform the functions of the human resource investment council as provided for in the federal job training partnership act, P.L. 97-300, as amended.

(3) The board shall provide policy advice for any federal act pertaining to workforce development that is not required by state or federal law to be provided by another state body.

(4) Upon enactment of new federal initiatives relating to workforce development, the board shall advise the governor and the legislature on mechanisms for integrating the federal initiatives into the state's workforce development system and make recommendations on the legislative or administrative measures necessary to streamline and coordinate state efforts to meet federal guidelines.

(5) The board shall monitor for consistency with the state comprehensive plan for workforce training and education the policies and plans established by the state job training coordinating council, the advisory council on adult education, and the Washington state plan for adult basic education, and provide guidance for making such policies and plans consistent with the state comprehensive plan for workforce training and education. [1995 c 130 § 3; 1991 c 238 § 6.]

RCW 28C.18.060 Board's duties. The board, in cooperation with the operating agencies of the state training system and private career schools and colleges, shall:

(1) Concentrate its major efforts on planning, coordination evaluation, policy analysis, and recommending improvements to the state's training system;

(2) Advocate for the state training system and for meeting the needs of employers and the workforce for workforce education and training;

(3) Establish and maintain an inventory of the programs of the state training system, and related state programs, and perform a biennial assessment of the vocational education, training, and adult basic education and literacy needs of the state; identify ongoing and strategic education needs; and assess the extent to which employment, training, vocational and basic education, rehabilitation services, and public assistance services represent a consistent, integrated approach to meet such needs;

(4) Develop and maintain a state comprehensive plan for workforce training and education, including but not limited to, goals, objectives, and priorities for the state training system, and review the state training system for consistency with the state comprehensive plan. In developing the state comprehensive plan for workforce training and education, the board shall use, but shall not be limited to: Economic, labor market, and populations trends reports in office of financial management forecasts; joint office of financial management and employment security department labor force, industry employment, and occupational forecasts; the results of scientifically based outcome, net-impact and cost-benefit evaluations; the needs of employers as evidenced in formal employer surveys and other employer input; and the needs of program participants and workers as evidenced in formal surveys and other input from program participants and the labor community;

(5) In consultation with the student achievement council, review and make recommendations to the office of financial management and the legislature on operating and capital facilities budget requests for operating agencies of the state training system for purposes of consistency with the state comprehensive plan for workforce training and education;

(6) Provide for coordination among the different operating agencies and components of the state training system at the state level and at the regional level;

(7) Develop a consistent and reliable database on vocational education enrollments, costs, program activities, and job placements from publicly funded vocational education programs in this state;

(8) (a) Establish standards for data collection and maintenance for the operating agencies of the state training system in a format that is accessible to use by the board. The board shall require a minimum of common core data to be collected by each operating agency of the state training system;

(b) Develop requirements for minimum common core data in consultation with the office of financial management and the operating agencies of the training system;

(9) Establish minimum standards for program evaluation for the operating agencies of the state training system, including, but not limited to, the use of common survey instruments and procedures for measuring perceptions of program participants and employers of program participants, and monitor such program evaluation;

(10) Every two years administer scientifically based outcome evaluations of the state training system, including, but not limited to, surveys of program participants, surveys of employers of program participants, and matches with employment security department payroll and wage files. Every five years administer scientifically based net-impact and cost-benefit evaluations of the state training system;

(11) In cooperation with the employment security department, provide for the improvement and maintenance of quality and utility in occupational information and forecasts for use in training system planning and evaluation. Improvements shall include, but not be limited to, development of state-based occupational change factors involving input by employers and employees, and delineation of skill and training requirements by education level associated with current and forecasted occupations;

(12) Provide for the development of common course description formats, common reporting requirements, and common definitions for operating agencies of the training system;

(13) Provide for effectiveness and efficiency reviews of the state training system;

(14) In cooperation with the student achievement council, facilitate transfer of credit policies and agreements between institutions of the state training system, and encourage articulation agreements for programs encompassing two years of secondary workforce education and two years of postsecondary workforce education;

(15) In cooperation with the student achievement council, facilitate transfer of credit policies and agreements between private training institutions and institutions of the state training system;

(16) Develop policy objectives for the workforce innovation and opportunity act, P.L. 113-128, or its successor; develop coordination criteria for activities under the act with related programs and services provided by state and local education and training agencies; and ensure that entrepreneurial training opportunities are available through programs of each local workforce development board in the state;

(17) Ensure that the expansion of K-12 and postsecondary opportunities for career connected learning and work-integrated learning, as those terms are defined in RCW 28C.30.020, is incorporated into the state plan adopted for the purposes of the Carl D. Perkins career and technical education improvement act, P.L. 109-270;

(18) Make recommendations to the commission of student assessment, the state board of education, and the superintendent of public instruction, concerning basic skill competencies and essential core competencies for K-12 education. Basic skills for this purpose shall be reading, writing, computation, speaking, and critical thinking, essential core competencies for this purpose shall be English, math, science/technology, history, geography, and critical thinking. The board shall monitor the development of and provide advice concerning secondary curriculum which integrates vocational and academic education;

(19) Establish and administer programs for marketing and outreach to businesses and potential program participants;

(20) Facilitate the location of support services, including but not limited to, child care, financial aid, career counseling, and job placement services, for students and trainees at institutions in the state training system, and advocate for support services for trainees and students in the state training system;

(21) Facilitate private sector assistance for the state training system, including but not limited to: Financial assistance, rotation of private and public personnel, and vocational counseling;

(22) Facilitate the development of programs for school-to-work transition that combine classroom education and on-the-job training, including entrepreneurial education and training, in industries and occupations without a significant number of apprenticeship programs;

(23) Include in the planning requirements for local workforce development boards a requirement that the local workforce development boards specify how entrepreneurial training is to be offered through the one-stop system required under the workforce innovation and opportunity act, P.L. 113-128, or its successor;

(24) Encourage and assess progress for the equitable representation of racial and ethnic minorities, women, and people with disabilities among the students, teachers, and administrators of the state training system. Equitable, for this purpose, shall mean substantially proportional to their percentage of the state population in the geographic area served. This function of the board shall in no way lessen more stringent state or federal requirements for representation of racial and ethnic minorities, women, and people with disabilities;

(25) Participate in the planning and policy development of governor set-aside grants under P.L. 97-300, as amended;

(26) Administer veterans' programs, licensure of private vocational schools, the job skills program, and the Washington award for vocational excellence;

(27) Allocate funding from the state job training trust fund;

(28) Work with the director of commerce to ensure coordination among workforce training priorities and economic development and entrepreneurial development efforts, including but not limited to assistance to industry clusters;

(29) Conduct research into workforce development programs designed to reduce the high unemployment rate among young people between approximately eighteen and twenty-four years of age. In consultation with the operating agencies, the board shall advise the governor and legislature on policies and programs to alleviate the high unemployment rate among young people. The research shall include disaggregated demographic information and, to the extent possible, income data for adult youth. The research shall also include a comparison of the effectiveness of programs examined as a part of the research conducted in this subsection in relation to the public investment made in these programs in reducing unemployment of young adults. The board shall report to the appropriate committees of the legislature by November 15, 2008, and every two years thereafter. Where possible, the data reported to the legislative committees should be reported in numbers and in percentages;

(30) Adopt rules as necessary to implement this chapter.

The board may delegate to the director any of the functions of this section. [2019 c 406 § 61; 2017 c 39 § 4; 2014 c 112 § 103; 2012 c 229 § 579; 2009 c 151 § 6; 2008 c 212 § 2; 2007 c 149 § 1; 1996 c 99 § 4; 1993 c 280 § 17; 1991 c 238 § 7.]

Findings—Intent—2019 c 406: See note following RCW 43.79.195.

Findings—Short title—2019 c 406: See notes following RCW 28B.92.200.

Findings—2019 c 406: See note following RCW 28B.94.020.

Findings—Intent—2019 c 406: See note following RCW 28C.30.050.

Findings—Intent—2019 c 406: See note following RCW 43.216.135.

Effective date—2012 c 229 §§ 101, 117, 401, 402, 501 through 594, 601 through 609, 701 through 708, 801 through 821, 902, and 904: See note following RCW 28B.77.005.

Finding—Intent—2008 c 212: "The legislature finds that there is a persistent and unacceptable high rate of unemployment among young people in Washington. The unemployment rate among those between eighteen and twenty-four years of age is seventeen percent, about four times the unemployment rate among the general population. It is the legislature's intent that the workforce training and education coordinating board examine programs to help young people be more successful in the workforce and make recommendations to improve policies and programs in Washington." [2008 c 212 § 1.]

Effective date—1993 c 280: See RCW 43.330.902.

RCW 28C.18.068 Policies to accommodate student absences for reasons of faith or conscience or for activities conducted under the auspices of a religious organization. State-funded workforce training programs must develop policies to accommodate student absences for up to two days per academic year, to allow students to take holidays for reasons of faith or conscience or for organized activities conducted under the auspices of a religious denomination, church, or religious organization, so that students' grades are not adversely impacted by the absences. [2014 c 168 § 5.]

RCW 28C.18.070 Intent—"Program" clarified. (1) The legislature continues to recognize the vital role that workforce development efforts play in equipping the state's workers with the skills they need to succeed in an economy that requires higher levels of skill and knowledge. The legislature also recognizes that businesses are increasingly relying on the state's workforce development programs and expect them to be responsive to their changing skill requirements. The state benefits from a workforce development system that allows firms and workers to be highly competitive in global markets.

(2) The establishment of the workforce training and education coordinating board was an integral step in developing a strategic approach to workforce development. For the coordinating board to carry out its intended role, the board must be able to give unambiguous guidance to operating agencies, the governor, and the legislature. It is the intent of chapter 130, Laws of 1995, to clarify the preeminent role intended for the workforce training and education coordinating board in coordination and policy development of the state's workforce development efforts.

(3) In the event that federal workforce development funds are block granted to the state, it is the intent of the legislature to seek the broadest possible input, from local and statewide

organizations concerned with workforce development, on the allocation of the federal funds.

(4) For purposes of RCW 28C.18.080 through 28C.18.110, the term "program" shall not refer to the activities of individual institutions such as individual community or technical colleges, common schools, service delivery areas, or job service centers; nor shall it refer to individual fields of study or courses. [1995 c 130 § 1.]

RCW 28C.18.080 Comprehensive plan—Contents—Updates—Agency operating plans—Reports to the legislature. (1) The board shall develop a state comprehensive plan for workforce training and education for a ten-year time period. The board shall submit the ten-year state comprehensive plan to the governor and the appropriate legislative policy committees. Every four years by December 1st, beginning December 1, 2012, the board shall submit an update of the ten-year state comprehensive plan for workforce training and education to the governor and the appropriate legislative policy committees. Following public hearings, the legislature shall, by concurrent resolution, approve or recommend changes to the initial plan and the updates. The plan shall then become the state's workforce training policy unless legislation is enacted to alter the policies set forth in the plan.

(2) The comprehensive plan shall include workforce training role and mission statements for the workforce development programs of operating agencies represented on the board and sufficient specificity regarding expected actions by the operating agencies to allow them to carry out actions consistent with the comprehensive plan.

(3) Operating agencies represented on the board shall have operating plans for their workforce development efforts that are consistent with the comprehensive plan and that provide detail on implementation steps they will take to carry out their responsibilities under the plan. Each operating agency represented on the board shall provide an annual progress report to the board.

(4) The comprehensive plan shall include recommendations to the legislature and the governor on the modification, consolidation, initiation, or elimination of workforce training and education programs in the state.

(5) The comprehensive plan shall identify the strategic industry clusters targeted by the workforce development system. In identifying the strategic clusters, the board shall consult with the department of commerce to identify clusters that meet the criteria identified by the working group convened by the department of commerce and the workforce training and education coordinating board under RCW 43.330.280.

(6) The board shall report to the appropriate legislative policy committees by December 1st of each year on its progress in implementing the comprehensive plan and on the progress of the operating agencies in meeting their obligations under the plan. [2014 c 112 § 104. Prior: 2009 c 421 § 6; 2009 c 151 § 7; 2009 c 92 § 1; 1997 c 369 § 5; 1995 c 130 § 2.]

Effective date—2009 c 421: See note following RCW 43.157.005.

Project of statewide significance—Defined: RCW 43.157.010.

RCW 28C.18.090 Additional board duties—Program evaluation by operating agencies. (1) The board shall specify, by December 31, 1995, the common core data to be collected by the operating agencies of the state training system and the standards for data collection and maintenance required in RCW 28C.18.060(8).

(2) The minimum standards for program evaluation by operating agencies required in RCW 28C.18.060(9) shall include biennial program evaluations; the first of such evaluations shall be completed by the operating agencies July 1, 1996. The program evaluation of adult basic skills education shall be provided by the advisory council on adult education.

(3) The board shall complete, by January 1, 1996, its first outcome-based evaluation and, by September 1, 1996, its nonexperimental net-impact and cost-benefit evaluations of the training system. The outcome, net-impact, and cost-benefit evaluations shall for the first evaluations, include evaluations of each of the following programs: Secondary vocational-technical education, work-related adult basic skills education, postsecondary workforce training, job training partnership act titles II and III, as well as of the system as a whole.

(4) The board shall use the results of its outcome, net-impact, and cost-benefit evaluations to develop and make recommendations to the legislature and the governor for the modification, consolidation, initiation, or elimination of workforce training and education programs in the state.

The board shall perform the requirements of this section in cooperation with the operating agencies. [1995 c 130 § 4.]

RCW 28C.18.100 Assessments by board—Biennial report to legislature and governor. The board shall, by January 1, 1996, and biennially thereafter: (1) Assess the total demand for training from the perspective of workers, and from the perspective of employers; (2) assess the available supply of publicly and privately provided training which workers and employers are demanding; (3) assess the costs to the state of meeting the demand; and (4) present the legislature and the governor with a strategy for bridging the gap between the supply and the demand for training services. [1995 c 130 § 5.]

RCW 28C.18.110 Identification of policies and methods to promote efficiency and sharing of resources—Report to governor and legislature. The board shall, in cooperation with the operating agencies, by January 1, 1996:

(1) Identify policies to reduce administrative and other barriers to efficient operation of the state's workforce development system and barriers to improved coordination of workforce development in the state. These policies shall include waivers of statutory requirements and administrative rules, as well as implementation of one-stop access to workforce development services and school-to-work transition;

(2) Identify ways for operating agencies to share resources, instructors, and curricula through collaboration with other public and private entities to increase training opportunities and reduce costs; and

(3) Report to the governor and the appropriate legislative committees its recommendations for any statutory changes necessary to enhance operational efficiencies or improve coordination. The board shall work with the operating agencies of the state's workforce development system to reduce administrative barriers that do not require statutory changes. [1995 c 130 § 6.]

RCW 28C.18.120 State strategic plan for supply of health care personnel—Reports. The board shall:

(1) Facilitate ongoing collaboration among stakeholders in order to address the health care personnel shortage;

(2) In collaboration with stakeholders, establish and maintain a state strategic plan for ensuring an adequate supply of health care personnel that safeguards the ability of the health care delivery system in Washington state to provide quality, accessible health care to residents of Washington; and

(3) Report to the governor and legislature by December 31, 2003, and annually thereafter, on progress on the state plan and make additional recommendations as necessary. [2003 c 278 § 2.]

Findings—2003 c 278: "The legislature finds and declares:

(1) There is a severe shortage of health care personnel in Washington state;

(2) The shortage contributes to increased costs in health care and threatens the ability of the health care system to provide adequate and accessible services;

(3) The current shortage of health care personnel is structural rather than the cyclical shortages of the past, and this is due to demographic changes that will increase demand for health care services;

(4) An increasing proportion of the population will reach retirement age, and an increasing proportion of health care personnel will also reach retirement age; and

(5) There should be continuing collaboration among health care workforce stakeholders to address the shortage of health care personnel." [2003 c 278 § 1.]

RCW 28C.18.130 Industry skill panels—Grants—Role. (1) Subject to funding provided for the purposes of this section, the board, in consultation with the state board for community and technical colleges, the department of commerce, and the employment security department, shall allocate grants on a competitive basis to establish and support industry skill panels.

(2) Eligible applicants for the grants allocated under this section include, but are not limited to, workforce development councils, community and technical colleges, economic development councils, private career schools, chambers of commerce, trade associations, and apprenticeship councils.

(3) Entities applying for a grant under this section shall provide an employer match of at least twenty-five percent to be eligible. The local match may include in-kind services.

(4) It shall be the role of industry skill panels funded under this chapter to enable businesses in the industry to address workforce skill needs. Industry skill panels shall identify workforce strategies

to meet the needs in order to benefit employers and workers across the industry. Examples of strategies include, but are not limited to: Developing career guidance materials; producing or updating skill standards and curricula; designing training programs and courses; developing technical assessments and certifications; arranging employer mentoring, tutoring, and internships; identifying private sector assistance in providing faculty or equipment to training providers; and organizing industry conferences disseminating best practices. The products and services of particular skill panels shall depend upon the needs of the industry. [2023 c 470 § 2010; 2008 c 103 § 3.]

Explanatory statement—2023 c 470: See note following RCW 10.99.030.

Findings—Intent—2008 c 103: See note following RCW 28C.18.010.

RCW 28C.18.140 Industry skill panels—Standards—Report. The board shall establish industry skill panel standards that identify the expectations for industry skill panel products and services. The board shall establish the standards in consultation with labor, the state board for community and technical colleges, the employment security department, the institute of workforce development and economic sustainability, and the department of commerce. Continued funding of particular industry skill panels shall be based on meeting the standards established by the board under this section. Beginning December 1, 2008, the board shall report annually to the governor and the economic development and higher education committees of the legislature on the results of the industry skill panels funded under this chapter in meeting the standards. [2023 c 470 § 2011; 2008 c 103 § 4.]

Explanatory statement—2023 c 470: See note following RCW 10.99.030.

Findings—Intent—2008 c 103: See note following RCW 28C.18.010.

RCW 28C.18.150 Local unified plan for the workforce development system—Strategic plan. (1) Workforce development councils, in partnership with local elected officials, shall develop and maintain a local unified plan for the workforce development system including, but not limited to, the local plan required by P.L. 113-128 Sec. 108. The unified plan shall include a strategic plan that assesses local employment opportunities and skill needs, the present and future workforce, the current workforce development system, information on financial resources, diversity, goals, objectives, and strategies for the local workforce development system, and a systemwide financial strategy for implementing the plan. Local workforce development councils shall submit their strategic plans to the board for review and to the governor for approval.

(2) The strategic plan shall clearly articulate the connection between workforce and economic development efforts in the local area including the area industry clusters and the strategic clusters the

community is targeting for growth. The plan shall include, but is not limited to:

(a) Data on current and projected employment opportunities in the local area;

(b) Identification of workforce investment needs of existing businesses and businesses considering location in the region, with special attention to industry clusters;

(c) Identification of educational, training, employment, and support service needs of job seekers and workers in the local area, including individuals with disabilities and other underrepresented talent sources;

(d) Analysis of the industry demand, potential labor force supply, and educational, employment, and workforce support available to businesses and job seekers in the region; and

(e) Collaboration with associate development organizations in regional planning efforts involving combined strategies around workforce development and economic development policies and programs. Combined planning efforts shall include, but not be limited to, assistance to industry clusters in the area.

(3) The board shall work with workforce development councils to develop implementation and funding strategies for purposes of this section. [2017 c 39 § 5; 2009 c 151 § 8.]

RCW 28C.18.160 Opportunity internship program—Purpose—Program incentives—Rules. (1) The opportunity internship program is created under this section and RCW 28C.18.162 through 28C.18.168. The purpose of the program is to provide incentives for opportunity internship consortia to use existing resources to build educational and employment pipelines to high-demand occupations in targeted industries for low-income high school students. Three types of incentives are provided through the program:

(a) Each opportunity internship graduate shall be eligible for up to one year of financial assistance for postsecondary education as provided in *RCW 28B.92.084;

(b) Each opportunity internship graduate who completes a postsecondary program of study shall receive a job interview with an employer participating in an opportunity internship consortium that has agreed to provide such interviews; and

(c) For each opportunity internship graduate who completes a postsecondary program of study, obtains employment in a high-demand occupation that pays a starting salary or wages of not less than thirty thousand dollars per year, and remains employed for at least six months, the participating opportunity internship consortium shall be eligible to receive an incentive payment as provided in RCW 28C.18.168.

(2) The opportunity internship program shall be administered by the board and the board may adopt rules to implement the program. [2009 c 238 § 2.]

***Reviser's note:** RCW 28B.94.084 was repealed by 2019 c 406 § 79.

Findings—Intent—2009 c 238: "(1) The legislature finds that moving low-income high school students efficiently through a progression of career exploration, internships or preapprenticeships in high-demand occupations, and completion of postsecondary education benefits these students by increasing the relevance of their high

school education, increasing their connection to the working world, accelerating their entry into a high-demand occupation, and increasing their earnings and opportunities.

(2) The legislature further finds that in a difficult economy, youth unemployment rates increase sharply. Providing paid internships and preapprenticeships to high school students creates not only an immediate short-term economic stimulus in local communities, but also creates the potential to sustain that economic recovery by making students better prepared for postsecondary education and employment in the types of occupations that will generate economic growth over the long term.

(3) The legislature further finds that moving students efficiently through secondary and postsecondary education reduces state expenditures by improving on-time graduation and postsecondary retention and increases state revenues by providing for graduates with higher lifelong earnings and taxpaying potential.

(4) Employers and local economies benefit from the development of a long-term relationship with potential employees and a more consistent pipeline of skilled workers into the occupations for which they are having the most trouble finding skilled workers.

(5) Therefore the legislature intends to provide incentives for local consortia of employers, labor organizations, educational institutions, and workforce and economic development councils to use existing funds to build educational and employment pipelines to high-demand occupations for low-income high school students." [2009 c 238 § 1.]

RCW 28C.18.162 Opportunity internship program—Definitions.

Unless the context clearly requires otherwise, the definitions in this section apply throughout this section and RCW 28C.18.160 and 28C.18.164 through 28C.18.168.

(1) "High-demand occupation" means an occupation with a substantial number of current or projected employment opportunities.

(2) "Low-income high school student" means a student who is enrolled in grade 10, 11, or 12 in a public high school and who qualifies for federal free or reduced-price meals. If a student qualifies at the time the student begins participating in the opportunity internship program, the student remains eligible even if the student does not receive free or reduced-price meals thereafter. To participate in the program, the student must remain enrolled in high school until the student receives a high school diploma.

(3) "Opportunity internship consortium" means a local consortium formed for the purpose of participating in the opportunity internship program and which may be composed of a local workforce development council, economic development council, area high schools, community or technical colleges, apprenticeship councils, preapprenticeship programs, private vocational schools licensed under chapter 28C.10 RCW, public and private four-year institutions of higher education, employers in targeted industries, and labor organizations.

(4) "Opportunity internship graduate" means a low-income high school student who successfully completes an opportunity internship program and graduates from high school.

(5) "Postsecondary program of study" means an undergraduate or graduate certificate, apprenticeship, or degree program.

(6) "Preapprenticeship" means a program of at least ninety hours and not more than one hundred eighty hours in length that provides practical experience, education, preparation, and the development of skills that would be beneficial for entry into state-approved apprenticeship programs, including but not limited to construction industry structure and the construction process; orientation to state-approved apprenticeship; tools of the various trades and safe handling of power tools; and industry standards of safety, responsibility, and craft excellence.

(7) "Targeted industry" means a business or industry identified by a local workforce development council as having high-demand occupations that require candidates to have completed a postsecondary program of study. [2022 c 75 § 7; 2009 c 238 § 3.]

Findings—Intent—2009 c 238: See note following RCW 28C.18.160.

RCW 28C.18.164 Opportunity internship program—Opportunity internship consortia—Contracts—Federal funds. (1) Opportunity internship consortia may apply to the board to offer an opportunity internship program.

(a) The board, in consultation with the Washington state apprenticeship and training council, may select those consortia that demonstrate the strongest commitment and readiness to implement a high quality opportunity internship program for low-income high school students. The board shall place a priority on consortia with demonstrated experience working with similar populations of students and demonstrated capacity to assist a large number of students through the progression of internship or preapprenticeship, high school graduation, postsecondary education, and retention in a high-demand occupation. The board shall place a priority on programs that emphasize secondary career and technical education and nonbaccalaureate postsecondary education; however, programs that target four-year postsecondary degrees are eligible to participate.

(b) (i) Except as provided in (b) (ii) of this subsection (1), the board shall enter into a contract with each consortium selected to participate in the program. No more than ten consortia per year shall be selected to participate in the program, and to the extent possible, the board shall assure a geographic distribution of consortia in regions across the state emphasizing a variety of targeted industries. Each consortium may select no more than one hundred low-income high school students per year to participate in the program.

(ii) For fiscal years 2011 through 2013, the board shall enter into a contract with each consortium selected to participate in the program. No more than twelve consortia per year shall be selected to participate in the program, and to the extent possible, the board shall assure a geographic distribution of consortia in regions across the state emphasizing a variety of targeted industries. No more than five thousand low-income high school students per year may be selected to participate in the program.

(2) Under the terms of an opportunity internship program contract, an opportunity internship consortium shall commit to the following activities which shall be conducted using existing federal, state, local, or private funds available to the consortium:

(a) Identify high-demand occupations in targeted industries for which opportunity internships or preapprenticeships shall be developed and provided;

(b) Develop and implement the components of opportunity internships, including paid or unpaid internships or preapprenticeships of at least ninety hours in length in high-demand occupations with employers in the consortium, mentoring and guidance for students who participate in the program, assistance with applications for postsecondary programs and financial aid, and a guarantee of a job interview with a participating employer for all opportunity internship graduates who successfully complete a postsecondary program of study;

(c) Once the internship or preapprenticeship components have been developed, conduct outreach efforts to inform low-income high school students about high-demand occupations, the opportunity internship program, options for postsecondary programs of study, and the incentives and opportunities provided to students who participate in the program;

(d) Obtain appropriate documentation of the low-income status of students who participate in the program;

(e) Maintain communication with opportunity internship graduates of the consortium who enroll in postsecondary programs of study; and

(f) Submit an annual report to the board on the progress of and participation in the opportunity internship program of the consortium.

(3) Opportunity internship consortia are encouraged to:

(a) Provide paid opportunity internships or preapprenticeships, including during the summer months to encourage students to stay enrolled in high school;

(b) Work with high schools to offer opportunity internships as approved worksite learning experiences where students can earn high school credit;

(c) Designate the local workforce development council as fiscal agent for the opportunity internship program contract;

(d) Work with area high schools to incorporate the opportunity internship program into comprehensive guidance and counseling programs such as the navigation 101 program; and

(e) Coordinate the opportunity internship program with other workforce development and postsecondary education programs, including opportunity grants, the college bound scholarship program, federal workforce innovation and opportunity act initiatives, and college access challenge grants.

(4) The board shall seek federal funds that may be used to support the opportunity internship program, including providing the incentive payments under RCW 28C.18.168. [2017 c 39 § 6; 2010 1st sp.s. c 24 § 4; 2009 c 238 § 4.]

Findings—Intent—2010 1st sp.s. c 24: See note following RCW 28C.04.390.

Findings—Intent—2009 c 238: See note following RCW 28C.18.160.

RCW 28C.18.166 Opportunity internship program—List of consortium graduates—Notifying office of student financial assistance of Washington college grant eligibility. On an annual basis, each opportunity internship consortium shall provide the board with a list

of the opportunity internship graduates from the consortium. The board shall compile the lists from all consortia and shall notify the office of student financial assistance of the eligibility of each graduate on the lists to receive a Washington college grant under chapter 28B.92 RCW if the graduate enrolls in a postsecondary program of study within one year of high school graduation. [2019 c 406 § 48; 2011 1st sp.s. c 11 § 242; 2009 c 238 § 5.]

Findings—Intent—2019 c 406: See note following RCW 43.79.195.

Findings—Short title—2019 c 406: See notes following RCW 28B.92.200.

Findings—2019 c 406: See note following RCW 28B.94.020.

Findings—Intent—2019 c 406: See note following RCW 28C.30.050.

Findings—Intent—2019 c 406: See note following RCW 43.216.135.

Effective date—2011 1st sp.s. c 11 §§ 101-103, 106-202, 204-244, and 301: See note following RCW 28B.76.020.

Intent—2011 1st sp.s. c 11: See note following RCW 28B.76.020.

Findings—Intent—2009 c 238: See note following RCW 28C.18.160.

RCW 28C.18.168 Opportunity internship program—List of employed graduates—Verification—Incentive payments. (1) On an annual basis, each opportunity internship consortium shall provide the board with a list of the opportunity internship graduates from the consortium who have completed a postsecondary program of study, obtained employment in a high-demand occupation that pays a starting salary or wages of not less than thirty thousand dollars per year, and remained employed for at least six months.

(2) The board shall verify the information on the lists from each consortium. Subject to funds appropriated or otherwise available for this purpose, the board shall allocate to each consortium an incentive payment of two thousand dollars for each graduate on the consortium's list. In the event that insufficient funds are appropriated to provide a full payment, the board shall prorate payments across all consortia and shall notify the governor and the legislature of the amount of the shortfall.

(3) Opportunity internship consortia shall use the incentive payments to continue operating opportunity internship programs. [2009 c 238 § 6.]

Findings—Intent—2009 c 238: See note following RCW 28C.18.160.

RCW 28C.18.180 Lifelong learning program. (1) A lifelong learning program is established within the workforce training and education coordinating board to provide the opportunity for employees, with the support of their employers, to create educational savings accounts that may be used to fund approved education and training. In operating the program, the board:

(a) May partner with, and coordinate the voluntary alignment of services with, financial institutions and other public, private, and nonprofit organizations in order to enable low-wage workers to attain high-skilled and high-wage jobs in their communities;

(b) Must work with its partners to:

(i) Establish the policies, rules, and procedures, including but not limited to standards for fund management and for approving career development plans and education and training, that support the operation of the program;

(ii) Ensure the program is marketed to various geographic areas and industry sectors of the state, as well as to low-wage workers, their employers, and the communities in which they reside; and

(iii) Help partners coordinate new career counseling services with existing online and other providers, including the state's WorkSource system;

(c) May work with financial institutions to encourage their full engagement in:

(i) The management functions of the program, including managing lifelong learning accounts for individual employers and their respective employees consistent with program requirements and guidelines;

(ii) Adding value to the program through the provision of financial literacy and career counseling; and

(iii) Aligning their activities under a consolidated partnership, which may include the designation of one fund manager to streamline the establishment and management of the program; and

(d) May develop program policies and system options that will lead the program to become self-sustaining.

(2) The definitions in this subsection apply throughout this section.

(a) "Approved career development plan" means an employee's career development plan that is approved by the program managers and contains the necessary information to determine if expenditures are in alignment with program criteria.

(b) "Approved education and training" means education, training, and associated costs aligned with an approved career development plan and thus eligible to be funded from a lifelong learning account.

(c) "Financial institution" means any federally chartered or state chartered bank, savings bank, or savings and loan association, or credit union.

(d) "Lifelong learning accounts" means joint savings accounts that are established by employees and employers to support the education and training of employees and that are aligned with their approved career development plan. [2012 c 33 § 2.]

Finding—Intent—2012 c 33: "The legislature finds that training and education is vitally important in the development of skilled workers and the promotion of an internationally competitive economy. It is the intent of the legislature to promote the opportunity to succeed. It is the further intent of the legislature to build a highly skilled and globally competitive workforce by supporting the movement of low-skilled workers into average-skilled jobs and moving average-skilled workers into high-skilled jobs to achieve a world-class competitive workforce that is sustainable through the coming decades. The legislature intends, through the establishment of a lifelong learning program, to address the challenge of providing low-skilled

workers with postsecondary education and training and ultimately achieving excellence in all sectors of our workforce and economy. The legislature intends that participation in the lifelong learning program is completely voluntary and in no way obligatory for employers or employees. The legislature intends the lifelong learning program to develop partnerships and mechanisms through which:

(1) Workers take responsibility for advancing in their careers and improving their economic future by investing their own funds in their training and education;

(2) Employers voluntarily promote the success of their businesses, workers, and communities by investing in their workers' lifelong learning accounts;

(3) Educational and training institutions promote the establishment of lifelong learning accounts to equip students and their employers with a means to meet the financial demands of higher education tuition costs and the competitive needs of industries;

(4) State and local government institutions provide the infrastructure, incentives, and proactive support for employees, employers, and institutions to invest in lifelong learning accounts; and

(5) Financial institutions and nonprofit organizations invest their resources to provide the initial web of support to establish pilot projects, foster program development, assist in impact evaluation, and assist in migrating the program achievements and best practices across other communities and industries in the United States." [2012 c 33 § 1.]

RCW 28C.18.190 Aerospace and advanced materials manufacturing—Program review—Analysis of training system. (1) By September 1, 2012, and each September 1st thereafter, the workforce training and education coordinating board, working with the state board for community and technical colleges, shall evaluate the programs recommended for review by the aerospace and advanced materials manufacturing pipeline advisory committee under RCW 28B.50.903. This evaluation shall include the outcome results both for the persons receiving the training and the employers.

(2) By September 1, 2016, and every four years thereafter, the workforce training and education coordinating board shall conduct and complete an analysis of the results of the training system for aerospace and advanced materials manufacturing. This analysis shall include but not be limited to a specific net-impact and cost-benefit evaluation of the training system for the aerospace and advanced materials manufacturing industry and the outcome results both for the persons receiving the training and the employers.

(3) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described. [2012 c 50 § 3.]

Finding—Intent—2012 c 50: See note following RCW 28B.50.903.

RCW 28C.18.210 Clean energy technology workforce advisory committee—Duties—Membership. (1) The board shall establish a clean energy technology workforce advisory committee. The goal of the clean energy technology workforce advisory committee is to advise

policymakers on efforts to support the expansion of clean energy technology sectors and jobs by prioritizing transition of the existing skilled workforce to new industry sectors and providing training opportunities where needed to address gaps, as well as mitigating the impact of climate change policy transitions to workers, employers, and communities.

(2) The clean energy technology workforce advisory committee shall:

(a) Review workforce and business issues in direct employment in the energy sector, in its supply chain, and the impacts of the energy transition to dependent sectors; and

(b) Recommend strategies to prevent workforce displacement, to support job creation in clean energy technology sectors, and to provide support for workforce-related changes to businesses and for adversely impacted workers.

(3) Clean energy technology workforce advisory committee membership is open to all interested parties including, but not limited to, business and worker representatives from sectors of the economy affected by the transition to clean energy.

(4) The clean energy technology workforce advisory committee shall select a cochair representing business and a cochair representing workers to lead the committee. Board staff shall coordinate with the cochairs to ensure that input into and deliberations of the committee reflect a balance of employer and worker perspectives. [2023 c 231 § 4.]

Findings—2023 c 231: See note following RCW 43.41.470.

RCW 28C.18.212 Clean energy technology—Evaluation of policies.

(1) Each biennium, in consultation with the clean energy technology workforce advisory committee established in RCW 28C.18.210 and, at minimum, the department of commerce and the employment security department, the board shall evaluate the workforce impact of Washington's climate policies, including:

(a) Labor market trends and current and projected workforce demand in both traditional and clean energy technology professions, and restructuring of jobs and adjusted skillsets associated with climate change mitigation policies;

(b) The wage and benefits range of jobs within the clean energy technology sector;

(c) Demographics of the traditional and clean energy technology sectors;

(d) An inventory of skills needed in clean energy technology jobs, an analysis of how the skills and training of the existing workforce can fill those needs, and identification of additional workforce development needs in this sector; and

(e) Key challenges that could emerge under multiple future decarbonization scenarios based on factors such as rates of adoption of various new energy technologies; growth in demand for clean electricity; and changes in energy production and availability from both in-state and out-of-state sources.

(2) The board shall consult with career connect Washington authorized under chapter 28C.30 RCW, and shall conduct a literature review of the existing models, data, and study findings related to the

evaluation in subsection (1) of this section to ensure a duplication of efforts does not occur. [2023 c 231 § 5.]

Findings—2023 c 231: See note following RCW 43.41.470.

RCW 28C.18.214 Clean energy technology—Workforce training recommendations—Transition to retirement study. (1) Each biennium, the board shall develop recommendations for necessary steps to support workforce training required for clean energy technology occupations. The board shall consult with impacted postsecondary training partners, including higher education providers and apprenticeship programs, and consider the following parameters in the development of their analysis and recommendations, including identifying:

(a) Occupational training and skills already covered in existing training programs;

(b) New skills that can be integrated into existing training programs;

(c) Occupations and skillsets that require new training programs to be developed; and

(d) Resources needed to deliver training programs and support workers in the transition to clean energy technology.

(2) The board shall conduct a study of the feasibility of a transition to retirement program to preserve income, medical, and retirement benefits for workers close to retirement who face job loss or transition because of energy technology sector changes. The board may contract with an organization to complete the study. [2023 c 231 § 6.]

Findings—2023 c 231: See note following RCW 43.41.470.

RCW 28C.18.216 Clean energy technology—Report. Beginning November 1, 2023, and at least once every two years thereafter, the board shall report to the governor and the appropriate committees of the legislature with recommendations on how the state can support worker and employer needs in response to changing workforce requirements for clean energy technology. The report must include the recommendations of the clean energy technology workforce advisory committee established in RCW 28C.18.210, the findings of the board's evaluation in RCW 28C.18.212, and the board's training recommendations in RCW 28C.18.214. [2023 c 231 § 7.]

Findings—2023 c 231: See note following RCW 43.41.470.

RCW 28C.18.220 Nursing professions—Marketing plan. Subject to the availability of amounts appropriated for this specific purpose, the workforce training and education coordinating board shall contract with a firm that has expertise in public relations and marketing to develop and execute a marketing plan about available training opportunities and jobs for certified nursing assistants, personal care aides, licensed practical nurses, licensed vocational nurses, and related nursing professions. The marketing plan must include targeted outreach to serve workforce needs in rural and underserved communities as well as long-term care facilities. Marketing materials containing

information about educational and training opportunities should include both postsecondary degree and credential opportunities as well as apprenticeships and training opportunities provided as partnerships between employers and exclusive bargaining representatives. [2023 c 126 § 5.]

Findings—2023 c 126: See note following RCW 28B.50.800.