MICHIGAN WORKS ONE-STOP SERVICE CENTER SYSTEM ACT

Act 491 of 2006

AN ACT to establish the Michigan works one-stop service center system to deliver workforce development programs and services tailored to local needs; to provide for Michigan works areas; to provide for local workforce development boards; to provide for education advisory groups; to provide for consolidated access to employment and retention programs in one-stop service centers; and to prescribe the powers and duties of the Michigan works one-stop service center system and of certain state and local governmental officers and agencies.

History: 2006, Act 491, Imd. Eff. Dec. 29, 2006

The People of the State of Michigan enact:

CAUTION! This document is from an archive and may contain outdated information.

408.111 Short title.

Sec. 1.

This act shall be known and may be cited as the "Michigan works one-stop service center system act".

History: 2006, Act 491, Imd. Eff. Dec. 29, 2006

408.113 Definitions.

Sec. 3.

As used in this act:

(a) "Chief elected official" means a chief elected official of a unit of general local government.

(b) "Department" means the department of labor and economic growth.

(c) "Education advisory group" means an education advisory group described in section 23.

(d) "Michigan works agency" means an entity designated to be the administrator for workforce development activities in a local Michigan works area under the guidance of the local workforce development board.

(e) "Michigan works area" means a geographic area that the governor designates as a local workforce investment area under section 116 of the workforce investment act, 29 USC 2831, including an area designated and recognized under that act before the effective date of this act.

(f) "Michigan works one-stop service center" means a facility designated to provide access to services delivered under the Michigan works one-stop service center system and certified as meeting standards established by the department.

(g) "Michigan works one-stop service center system" means the integrated and coordinated system of local boards, agencies, service centers, and advisory groups described in section 5 to deliver workforce development services and implement federal and state law.

(h) "Local workforce development board" means a local workforce investment board established as provided in section 9.

(i) "Workforce investment act" means the workforce investment act of 1998, 29 USC 2801 to 2945.

History: 2006, Act 491, Imd. Eff. Dec. 29, 2006

408.115 Michigan works one-stop service center system; creation.

Sec. 5.

(1) The Michigan works one-stop service center system is created to provide an integrated and coordinated system for delivery of workforce development programs and services tailored to local needs, including, but not limited to, portions of services and programs regulated or funded under all of the following state and federal laws:

(a) Title I of the workforce investment act, Public Law 105-220.

(b) The Wagner-Peyser act, 29 USC 49 to 49c and 49d to 49l-2.

(c) Section 221 of the trade act of 1974, 19 USC 2271.

(d) Section 57f of the social welfare act, 1939 PA 280, MCL 400.57f.

(e) Section 6(d)(4) of the food stamp act of 1977, 7 USC 2015.

(f) Reed act transfers under 42 USC 1101 to 1110.

(2) The system consists of the local workforce development board in each Michigan works area, Michigan works agencies, Michigan works one-stop service centers, and education advisory groups.

History: 2006, Act 491, Imd. Eff. Dec. 29, 2006

CAUTION! This document is from an archive and may contain outdated information.

408.117 Designation of Michigan works areas.

Sec. 7.

The governor shall designate Michigan works areas in the state in accordance with section 116 of the workforce investment act, 29 USC 2831.

History: 2006, Act 491, Imd. Eff. Dec. 29, 2006

408.119 Local workforce development board; appointment; certification.

Sec. 9.

The chief elected official in each Michigan works area shall appoint and the governor shall certify a local workforce development board for that Michigan works area in accordance with section 117 of the workforce investment act, 29 USC 2832.

History: 2006, Act 491, Imd. Eff. Dec. 29, 2006

408.121 Local workforce development board; members.

Sec. 11.

All of the following apply to a local workforce development board:

(a) A majority of the members of a local workforce development board shall be representatives of the private sector appointed from a list of individuals nominated by local business organizations and business trade associations.

(b) A local workforce development board shall include representatives of education, the department of human services, the department of labor and economic growth, vocational rehabilitation providers, organized labor, economic development organizations, and

community-based organizations. Representatives of government agencies shall be nominated by the department.

(c) Members of a local workforce development board shall be appointed for fixed and staggered terms.

(d) The chairperson of the local workforce development board shall be an individual from the private sector elected by the board.

History: 2006, Act 491, Imd. Eff. Dec. 29, 2006

408.123 Local workforce development board; duties.

Sec. 13.

A local workforce development board shall do all of the following in cooperation with the chief elected officials in the Michigan works area:

(a) Develop and submit to the governor a plan for coordinating local workforce development services for employers and job seekers in the area. The plan shall provide for access to designated core services with no fees or charges and shall provide services beyond the core services based on eligibility criteria.

(b) Award competitive grants or contracts to eligible providers.

(c) Develop a budget.

(d) Employ staff necessary to carry out the duties of the board.

(e) Solicit and accept grants and donations.

(f) Oversee the operation of the one-stop delivery of services through the Michigan works one-stop service center system.

(g) Establish local performance standards through negotiation with the department for evaluating and improving the Michigan works one-stop service center system.

(h) Coordinate workforce development activities with other economic development activities and strategies in the Michigan works area.

(i) Promote private sector employer participation in the Michigan works one-stop service center system.

(j) Make available connecting, brokering, and coaching activities through intermediaries to help meet employer hiring needs.

(k) Appoint an education advisory group and its chair.

(l) Conduct business at public meetings held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275, and make information available to the public concerning performance of its duties or other information requested under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(m) Any other duties, functions, or responsibilities required of the board to implement the workforce investment act or state or federal law.

History: 2006, Act 491, Imd. Eff. Dec. 29, 2006

408.125 Conflict of interest.

Sec. 15.

(1) A local workforce development board and each member of the board shall avoid a conflict of interest with duties of the board. Except as provided in subsection (2), an individual shall not be appointed to or serve on a local workforce development board if he or she has an ownership interest in or is employed by an organization that receives money under the direct

CAUTION! This document is from an archive and may contain outdated information.

control of the board or if the individual engages in any other activity that creates a conflict of interest or what would appear to a reasonable person to be a conflict of interest.

(2) An individual who has an interest in or is employed by an entity that receives money under the partial or complete control of the local workforce development board may be appointed to or continue to serve on the board if the individual does not hold a policy-making position with the entity and would not receive other than a remote or incidental benefit from the board's decisions.

(3) The exception to the strict conflict of interest policy provided in subsection (2) applies to allow local workforce development board representation from entities such as a school that enrolls students with tuition paid from funds under the control of the board, a government agency from which representation is required, and an employer that accepts compensation for extraordinary costs of providing on-the-job training from funds under the board's control.

History: 2006, Act 491, Imd. Eff. Dec. 29, 2006

CAUTION! This document is from an archive and may contain outdated information.

408.127 Designation of entities to perform administrative functions.

Sec. 17.

The local workforce development board and local officials in each Michigan works area shall designate an entity to perform administrative functions. The entity shall be 1 of the following:

(a) A public office or agency of a local unit of government within the Michigan works area.

(b) A private nonprofit agency servicing 1 or more units of local government within the Michigan works area.

(c) A nonprofit organization exempt from tax under section 501(c)(3) of the internal revenue code, 26 USC 501.

(d) An entity organized under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, or 1967 (Ex Sess) PA 8, MCL 124.531 to 124.536.

History: 2006, Act 491, Imd. Eff. Dec. 29, 2006

408.129 Administrator; service; activities; direct services; approval of governor; pilot or demonstration projects.

Sec. 19.

(1) An administrative entity designated under section 17 shall serve as the administrator for state and federal funding provided to the workforce development board for workforce development services and activities in the Michigan works area. Subject to subsection (2), an administrative entity designated under section 17 may engage in any activity necessary to fulfill the intent of this act, including, but not limited to, the following:

(a) Informing the state, units of local government, private agencies and organizations, and the general public of the nature and extent of the need for workforce development services for businesses and individuals within the Michigan works area.

(b) Developing and administering local workforce development programs within the Michigan works area.

(c) Conducting pilot and demonstration projects to research the effectiveness of innovative approaches to reduce unemployment, improve services, and utilize resources.

(d) Providing and advocating for training and technical assistance to public and private agencies, community groups, and local units of government to better define problems, improve services, and facilitate citizen participation.

(e) Increasing interagency coordination and cooperation in serving businesses and individuals.

(f) Entering into agreements with federal, state, and local public and private agencies and organizations if necessary to carry out the purposes of this act.

(g) Receiving and accepting grants or gifts to support or promote the activities authorized by this act.

(h) Implementing and operating Michigan works one-stop service centers.

(i) Engaging in any other activity necessary to fulfill the intent of this act.

(2) Except for incumbent worker training and business services, an administrative entity designated under section 17 shall not provide workforce development services directly to job seekers and individual trainees without the approval of the governor.

(3) The department shall establish criteria and procedures for approving all pilot or demonstration projects described in subsection (1)(c) that are funded by the department.

History: 2006, Act 491, Imd. Eff. Dec. 29, 2006

CAUTION! This document is from an archive and may contain outdated information.

408.131 Service providers; competitive procurement process; agreement to deliver services.

Sec. 21.

(1) Except as provided in subsection (2), an administrative entity designated under section 17 shall provide state or federally funded workforce development services to program applicants and participants only through service providers selected by a competitive procurement process established in accordance with department policy and applicable state law.

(2) An administrative entity designated under section 17 may provide state or federally funded services directly to program applicants and participants without contracting with a service provider, if the department determines after a competitive procurement process that no other provider is capable of providing the required services within the limits of available funding and cost-to-benefit analysis.

(3) Except as otherwise provided in this section, an administrative entity designated under section 17 may enter into any agreement necessary to deliver services under this act.

History: 2006, Act 491, Imd. Eff. Dec. 29, 2006

408.133 Education advisory group.

Sec. 23.

(1) A local workforce development board shall appoint an education advisory group to operate in the Michigan works area and serve in an advisory capacity to the board on educational issues. The board shall appoint the chairperson of that group.

(2) An education advisory group appointed under this section shall include local workforce development board members and representatives of employers, labor representatives, local school districts, postsecondary institutions, intermediate school districts, career and technical educators, public school parents, and academic educators. An education advisory group member shall be employed in the sector he or she represents.

(3) The conflict of interest provisions in section 15 do not apply to the members of an education advisory group appointed under this section.

History: 2006, Act 491, Imd. Eff. Dec. 29, 2006

408.135 Oversight and evaluation by department; report.

Sec. 25.

The department shall oversee and evaluate the activities of the Michigan works agencies and shall require Michigan works agencies to report information to the department to facilitate the oversight. All the reported information shall be available to the public.

History: 2006, Act 491, Imd. Eff. Dec. 29, 2006

CAUTION!
This document is from an archive and may contain outdated information.