

DAVID Y. IGE
GOVERNOR

JOSH GREEN
LIEUTENANT GOVERNOR



LESLIE WILKINS
CHAIRPERSON

ALLICYN C.H. TASAKA
EXECUTIVE DIRECTOR

STATE OF HAWAII
WORKFORCE DEVELOPMENT COUNCIL
830 Punchbowl Street, Suite 417, Honolulu, Hawaii 96813
Phone: (808) 586-8630 Web: <http://labor.hawaii.gov/wdc/>

February 5, 2021

To: The Honorable Brian T. Taniguchi, Chair
The Honorable Ies Ihara, Jr., Vice Chair, and
Members of the Senate Committee on Labor, Culture and the Arts

To: The Honorable Joy A. San Buenaventura, Chair
The Honorable Les Ihara, Jr., Vice Chair and
Members of the Senate Committee on Human Services

Date: Monday, February 8, 2021
Time: 3:00 p.m.
Place: Conference Room 225

From: Allicyn Tasaka, Executive Director
Workforce Development Council

Re: SB 1270 RELATING TO THE WORKFORCE DEVELOPMENT COUNCIL

I. OVERVIEW OF PROPOSED LEGISLATION

This measure amends HRS Chapter 202 by replacing the Director of Human Services with the Administrator of the Division of Vocational Rehabilitation as an ex-officio, voting member on the Workforce Development Council.

The Workforce Development Council (WDC) strongly supports this bill.

II. CURRENT LAW

HRS Chapter 202-1 details the WDC, its appointments of members and tenure.

Chapter 202-1(1) identifies the Directors of the departments of Labor and Industrial Relations, Human Services, and Business, Economic Development, and Tourism, the Superintendent of Education, and the President of the University of Hawaii or their designees, as ex-officio voting members.

The federal regulations in the Workforce Innovation and Opportunity Act of 2014 (WIOA) 34 Code of Federal Regulations (C.F.R.) Section 361.13(c)(1) of the Federal Register specifies certain functions that are the sole responsibility of the vocational rehabilitation agency, including participation in the State workforce development system.

20 C.F.R. Section 679.110(b)(3)(iii)(A)(I)(iii) and C.F.R. Section 679.120(a) mandates a representative from the vocational rehabilitation agency who has optimum policy-making authority serve on the State workforce board.

III. COMMENTS ON SENATE BILL

The WDC strongly supports the measure to amend its statute to comply with federal regulations regarding the composition of the council members. The replacement of the Director of Human Services with the Administrator of the Division of Vocational Rehabilitation merely changes the positions and not the number of participants. There are currently 41 members of the council, of whom 29 are business executives and community and labor leaders, a representative from the House and Senate, and ten ex-officio state and county representatives from the departments, DOE and UH (HRS Chapter 202-1). Failure to amend this chapter would result in federal non-compliance, non-approval of the WIOA Hawaii Unified State Plan, and possible penalties with funding.

DAVID Y. IGE
GOVERNOR



CATHY BETTS
DIRECTOR

JOSEPH CAMPOS II
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

P. O. Box 339
Honolulu, Hawaii 96809-0339

February 7, 2021

TO: The Honorable Brian Taniguchi, Chair
Senate Committee on Labor, Culture and the Arts

The Honorable Senator Joy A. San Buenaventura, Chair
Senate Committee on Human Services

FROM: Cathy Betts, Director
Department of Human Services

SUBJECT: **SB 1270 – RELATING TO THE WORKFORCE DEVELOPMENT COUNCIL.**

Hearing: Monday, February 8, 2021, 3:00 PM
Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this measure to amend the State's statute to bring Hawaii's law into compliance with federal regulations regarding the composition of the Workforce Development Council members.

PURPOSE: Replaces the Director of Human Services with the Administrator of the Division of Vocational Rehabilitation, Department of Human Services, as an ex officio, voting member on the Workforce Development Council.

The proposed amendment is required by the federal Workforce Innovation Opportunity Act (WIOA) of 2014, specifically, 34 Code of Federal Regulations (CFR) 361.13(c)(1), 20 CFR 679.110(b)(3)(iii)(A)(I)(iii), and 20 CFR 679.120(a). These regulations require that a representative from the vocational rehabilitation agency, with the requisite experience and expertise, serve on the State's Workforce Development Council (WDC) as a voting member with

the sole responsibility of the vocational rehabilitation agency, including participation in the State Workforce Development and Local Workforce Development Boards (LWDBs).

The WDC's six core programs, including the Division of Vocational Rehabilitation (DVR) Administrator, together set strategy and policies for an aligned workforce development system that partners with the education continuum, economic development, human services, and businesses. The DVR representative on the WDC must be an individual who has optimum policy making authority for the DVR program, and each LWDB is required to have at least one representative from programs carried out under Title I of the Rehabilitation Act (other than Section 112 or part C of that Title).

Thank you for the opportunity to provide comments on this measure.



STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
1010 RICHARDS STREET, Room 122
HONOLULU, HAWAII 96813
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543
February 8, 2021

The Honorable Senator Brian T. Taniguchi, Chair
Senate Committee on Labor, Culture, and the Arts
The Honorable Senator Joy A. San Buenaventura, Chair
Senate Committee on Human Services
The Thirty-First Legislature
State Capitol
State of Hawai'i
Honolulu, Hawai'i 96813

Dear Senator Taniguchi, Senator Buenaventura, and Committee Members:

SUBJECT: SB1279 Relating to the Workforce Developmental Council

The Hawaii State Council on Developmental Disabilities **SUPPORTS SB1270** which replaces the Director of Human Services with the Administrator of the Division of Vocational Rehabilitation, Department of Human Services, as an ex officio, voting member on the Workforce Development Council.

It is a Federal Regulation which mandates a representative from the vocational rehabilitation agency on the State's Workforce Developmental Council. The representative must have policy making authority for the Division of Vocational Rehabilitation (DVR), the Administrator of DVR is the best fit for this requirement.

The Administrator of DVR has the firsthand knowledge of the vision, mission, and promising practice of their program, they have the authority to make changes and can align the workforce development system with the Rehabilitation Act.

Thank you for the opportunity to submit testimony **supporting SB1270**.

Sincerely,

Daintry Bartoldus
Executive Administrator