

**SB247 ENGROSSED**



1 SB247

2 1PYF3LZ-2

3 By Senators Livingston, Waggoner, Jones, Weaver, Stutts,  
4 Roberts, Shelnutt, Hovey, Singleton, Chesteen, Reed, Elliott,  
5 Sessions, Butler, Barfoot, Williams, Givhan, Price, Allen,  
6 Smitherman, Kitchens, Coleman-Madison, Kelley, Coleman,  
7 Figures, Melson, Hatcher

8 RFD: Fiscal Responsibility and Economic Development

9 First Read: 21-Mar-24



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A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 25-2-2, Section 25-2-3, and Section 25-2-6, Code of Alabama 1975, renaming the Alabama Department of Labor to the Alabama Department of Workforce, and changing the title of the head of the department from Secretary of Labor to Secretary of Workforce.

To add Chapter 15 of Title 25, Code of Alabama 1975, and amend Section 41-29-282, Code of Alabama 1975, establishing the Alabama Workforce Board as the State Workforce Development Board, adding responsibilities of the new Department and further providing for the responsibilities of the Department of Commerce and the Alabama Industrial Development and Training Institute.

To repeal Section 41-29-290, Section 41-29-291, Section 41-29-292, Section 41-29-293, Section 41-29-294, Section 41-29-295, Section 41-29-296, and Section 41-29-29, Code of Alabama 1975, relating to the Alabama Workforce Council, and to specifically repeal Section 41-29-300, Code of Alabama 1975, relating to the Regional Workforce Development Councils.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:



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29           Section 1. This act shall be known and may be cited as  
30 the Alabama Workforce Transformation Act.

31           Section 2. The Alabama Department of Labor is hereby  
32 renamed the Alabama Department of Workforce, and the head of  
33 the department shall be known and designated as the Secretary  
34 of Workforce. Any reference in Alabama law or in any contract,  
35 deed, financial instrument or other legal document to the  
36 Alabama Department of Labor or Secretary of Labor shall be  
37 interpreted to mean the Alabama Department of Workforce or the  
38 Secretary of Workforce as necessary to accomplish the purposes  
39 of this act. The Code Commissioner shall conform references in  
40 the Code of Alabama 1975, to existing departments, offices,  
41 officers, and other state entities or positions to reflect the  
42 changes required by this act. Code changes shall be made at a  
43 time determined to be appropriate by the Code Commissioner.

44           Section 3. Section 25-2-2, Code of Alabama 1975, is  
45 amended to read as follows:

46           "§25-2-2

47           (a) The general functions and duties of the Department  
48 of ~~Labor~~Workforce shall be as follows:

49           (1) To administer all labor laws and all laws relating  
50 to the relationship between employer and employee, including  
51 laws relating to hours of work, and working conditions in  
52 places of employment.

53           (2) To make or cause to be made all necessary  
54 inspections to determine whether or not the laws, the  
55 administration of which is delegated to the Department of  
56 ~~Labor~~Workforce, and rules and regulations issued pursuant



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57 thereto, are being complied with by employers and employees,  
58 and to take such action as may be necessary to enforce  
59 compliance; provided, however, that there shall be no  
60 inspection of boilers which have been inspected, approved, and  
61 insured by an insurance company authorized to do business in  
62 the State of Alabama. Provided, however, that this provision  
63 may not prevent compliance verification by the department.

64 (3) To propose to the board of appeals, provided for in  
65 this chapter, such rules and regulations, or amendments as may  
66 be deemed advisable for the prevention of accidents or the  
67 prevention of sickness and diseases in mines. The Secretary of  
68 ~~Labor~~Workforce may appoint committees composed of employers,  
69 employees, and experts to suggest and assist in the  
70 preparation of rules and regulations or amendments.

71 (4) To administer and perform, by and under the  
72 direction of the Secretary of ~~Labor~~Workforce, all functions  
73 and duties of Chapter 4 of this title, and it shall have power  
74 and authority to adopt and enforce all reasonable rules and  
75 orders necessary or suitable to that end, and to require any  
76 reports, and to take any other action, consistent with Chapter  
77 4 of this title, necessary or suitable to that end.

78 (5) To cooperate with all authorities of the United  
79 States having powers and duties under the Wagner-Peyser Act,  
80 approved June 6, 1933 (48 Stat. 113, United States Code, Title  
81 29, Section 49) entitled "An Act to provide for the  
82 establishment of a national employment system and for  
83 cooperation with the states in the promotion of such system  
84 and for other purposes," and to do and perform all things



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85 necessary to secure for the State of Alabama the benefits of  
86 such act and the promotion and maintenance of a system of  
87 public employment offices. The Department of ~~Labor~~Workforce is  
88 hereby designated as the state agency and vested with all  
89 powers necessary to cooperate with the United States  
90 Employment Service or its successor.

91 (6) To administer and perform, by and under the  
92 direction of the Secretary of ~~Labor~~Workforce, all functions  
93 and duties of Chapter 5 of this title, and it shall have power  
94 and authority to adopt and enforce all reasonable rules and  
95 orders necessary or suitable to that end, and to require any  
96 reports, and to take any other action, consistent with Chapter  
97 5 of this title, necessary or suitable to that end.

98 (7) To make investigations and studies and to collect,  
99 collate, and compile statistical information and to make and  
100 publish reports concerning the state's labor force  
101 participation rate, unemployment rate, barriers to employment,  
102 conditions of labor generally, including living conditions,  
103 hours of work, wages paid, and all matters relating to the  
104 enforcement and effect of the provisions of this title coming  
105 under the jurisdiction of the Department of ~~Labor~~Workforce and  
106 the rules and regulations issued pursuant thereto and other  
107 laws relating to the Department of ~~Labor~~Workforce. The  
108 Secretary of ~~Labor~~Workforce shall deliver a copy of each such  
109 report to every person making application therefor.

110 (8) To make an annual report to the Governor covering  
111 the activities and accomplishments of the Department of  
112 ~~Labor~~Workforce during the preceding fiscal year, accompanied



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113 by the recommendations of the Secretary of ~~Labor~~Workforce. The  
114 report shall be printed and the Secretary of ~~Labor~~Workforce  
115 shall deliver a copy to every person making application  
116 therefor.

117 (9) To make recommendations to the Legislature for the  
118 enactment of laws which, on the basis of information and  
119 statistics compiled by the Department of ~~Labor~~Workforce,  
120 appear to be desirable for the development and training of the  
121 state's labor force, protection of laborers, and for promoting  
122 and fostering amicable relations between employers and  
123 employees.

124 (10) To administer and perform, by and under the  
125 direction of the Secretary of ~~Labor~~Workforce, all functions  
126 and duties of Section 25-2-7, and it shall have power and  
127 authority to adopt and enforce all reasonable rules and orders  
128 necessary or suitable to that end, and to require any reports,  
129 and to take any other action, consistent with Section 25-2-7,  
130 necessary or suitable to that end.

131 (11) To administer and perform, by and under the  
132 direction of the Secretary of ~~Labor~~Workforce, all functions  
133 and duties of Chapter 7 of this title and such other statutes  
134 as may be provided by law and to advise the Governor with  
135 respect to the provisions thereof, and it shall have power and  
136 authority to adopt and enforce all reasonable rules and orders  
137 necessary or suitable to that end, and to require any reports,  
138 and to take any other action, consistent with Chapter 7 of  
139 this title, necessary or suitable to that end.

140 (12) To administer and perform, by and under the



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141 direction of the Secretary of ~~Labor~~Workforce, all functions  
142 and duties of Chapter 8 of this title, and it shall have the  
143 power and authority to adopt and enforce all reasonable rules  
144 and orders necessary or suitable to that end, and to require  
145 any reports, and to take any other action, consistent with  
146 Chapter 8 of this title, necessary or suitable to that end.

147 (13) To administer and perform, by and under the  
148 direction of the Secretary of ~~Labor~~Workforce, all functions  
149 and duties of Chapter 9 of this title, and it shall have power  
150 and authority to adopt and enforce all reasonable rules and  
151 orders necessary or suitable to that end, and to require any  
152 reports, and to take any other action, consistent with Chapter  
153 9 of this title, necessary or suitable to that end.

154 (14) To administer and perform, by and under the  
155 direction of the Secretary of ~~Labor~~Workforce, all functions  
156 and duties of Chapter 10 of this title, and it shall have  
157 power and authority to adopt and enforce all reasonable rules  
158 and orders necessary or suitable to that end, and to require  
159 any reports, and to take any other action, consistent with  
160 Chapter 10 of this title, necessary or suitable to that end.

161 (15) To administer and perform, by and under the  
162 direction of the Secretary of ~~Labor~~Workforce, all functions  
163 and duties of Chapter 11 of this title, and it shall have  
164 power and authority to adopt and enforce all reasonable rules  
165 and orders necessary or suitable to that end, and to require  
166 any reports, and to take any other action, consistent with  
167 Chapter 11 of this title, necessary or suitable to that end.

168 (16) To administer and perform, by and under the



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169 direction of the Secretary of ~~Labor~~Workforce, all functions  
170 and duties of Chapter 12 of this title, and it shall have  
171 power and authority to adopt and enforce all reasonable rules  
172 and orders necessary or suitable to that end, and to require  
173 any reports, and to take any other action, consistent with  
174 Chapter 12 of this title, necessary or suitable to that end.

175 (17) To administer and perform, by and under the  
176 direction of the Secretary of ~~Labor~~Workforce, all functions  
177 and duties of Chapter 13 of this title, and to require any  
178 reports, and to take any other action, consistent with Chapter  
179 13 of this title, necessary or suitable to that end.

180 (18) To administer and perform, by and under the  
181 direction of the Secretary of ~~Labor~~Workforce, all functions  
182 and duties of Chapter 14 of this title, and it shall have  
183 power and authority to adopt and enforce all reasonable rules  
184 and orders necessary or suitable to that end, and to require  
185 any reports, and to take any other action, consistent with  
186 Chapter 14 of this title, necessary or suitable to that end.

187 (19) To perform the duties set forth in subsection  
188 (a) (5) of this chapter related to the administration of Title  
189 III of the Wagner-Peyser Act and the Employment Service and  
190 the Alabama Career Center Systems within the State.

191 (20) To cooperate with all authorities of the United  
192 States concerning the development, management, and delivery of  
193 workforce and labor market information funded through the  
194 Workforce and Labor Market Information Grants to States (WIGS)  
195 implementation of the federal Workforce Information Grant.

196 (21) To cooperate with all authorities of the United



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197 States concerning the management and delivery of the Jobs for  
198 Veterans State Grants Program.

199 (22) To cooperate with all authorities of the United  
200 States concerning the management and delivery of the federal  
201 Work Opportunity Tax Credit.

202 (23) To cooperate with all authorities of the United  
203 States concerning the management and delivery of the Federal  
204 Bonding Program.

205 (24) To administer the Alabama Workforce Board, its  
206 Executive Committee, and the Regional Workforce Boards.

207 (25) To collaborate with the Alabama Workforce Board,  
208 its Executive Committee, and other state agencies,  
209 departments, boards, and commissions to develop cohesive and  
210 coordinated workforce development strategies, programs, and  
211 budget recommendations.

212 (26) To administer all workforce development programs  
213 currently administered by the Department of Commerce, except  
214 for the Alabama Industrial Development Training Institute,  
215 including, but not limited to:

216 a. Programs funded by Title I of the federal Workforce  
217 Innovation and Opportunity Act.

218 b. The Alabama Office of Apprenticeship.

219 c. The Alabama Committee on Credentialing and Career  
220 Pathways established by Act 2019-506.

221 d. The Alabama Committee on Credential Quality and  
222 Transparency established by Act 2023-365.

223 e. The Alabama STEM Council.

224 f. The Office of Education and Workforce Statistics.



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225 ~~(b) The combining of the functions of the Department of~~  
226 ~~Industrial Relations and Department of Labor made by Act~~  
227 ~~2012-496 shall reduce administrative costs and expenses paid~~  
228 ~~from the State General Fund by an amount equal to at least 20~~  
229 ~~percent of the amount appropriated from the State General Fund~~  
230 ~~to the Department of Labor for the fiscal year ending~~  
231 ~~September 30, 2012.~~

232 (b) All state-level staff and state-owned assets  
233 assigned to Regional Workforce Councils at the Department of  
234 Commerce shall be transferred to the Department of Workforce.

235 (c) Any employee who is not subject to the Merit System  
236 and who is transferred to the Department of Workforce to work  
237 for the programs and councils referenced in Section  
238 25-2-2(a)(26) and Section 25-2-2(b) shall serve in the exempt  
239 service of the Merit System and maintain his or her salary,  
240 benefits, and years of service upon the transfer. All other  
241 employees shall remain subject to the Merit System.

242 (d) Any Merit System employee who is transferred to the  
243 Department of Workforce to work for the programs and councils  
244 referenced in Section 25-2-2(a)(26) and Section 25-2-2(b)  
245 shall be transferred with no decrease in compensation or  
246 benefits."

247 Section 4. Section 25-2-3, Code of Alabama 1975, is  
248 amended to read as follows:

249 "§25-2-3

250 (a) The Secretary of Labor~~Workforce~~, with the approval  
251 of the Governor, may establish such division or divisions as  
252 may, in his discretion, be necessary or desirable for the



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253 administration or enforcement of any law or any rule or  
254 regulations with which the Department of ~~Labor~~Workforce is  
255 charged or the performance of any of its functions or duties.  
256 Each division in the Department of ~~Labor~~Workforce shall be  
257 headed by and be under the direction, supervision and control  
258 of an officer who shall be designated as the chief of such  
259 division. All chiefs of divisions shall be appointed by the  
260 Secretary of ~~Labor~~Workforce, subject to the provisions of the  
261 Merit System. Before entering upon the discharge of their  
262 duties, such chiefs of divisions shall take the constitutional  
263 oath of office. Each of such officers shall devote his full  
264 time to his official duties and shall hold no other lucrative  
265 position while serving as such.

266 (b) In addition to any other exempt positions allowed  
267 by law, the department shall have three additional exempt  
268 positions. The division employees serving in the exempt  
269 service shall not be subject to the provisions of the Merit  
270 System or receive Merit System benefits, and their  
271 compensation shall be determined by the Secretary.

272 (c) It is one of the purposes of this chapter to  
273 coordinate in a single Unemployment Compensation Division, in  
274 one division of the Department of Labor, all of the state's  
275 unemployment compensation services and employment service.  
276 Unemployment compensation services and employment service  
277 shall be in one division of the Department of ~~Labor~~Workforce  
278 under the direction of the chief of said division. ~~Within said~~  
279 division, but subordinate to the chief thereof, there shall be  
280 a full-time salaried director of unemployment compensation and



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281 ~~a full-time salaried director of employment service.~~ The  
282 ~~salariessalary~~ of ~~said~~ the division chief and directors  
283 ~~shall~~may be paid ~~solely~~ from federal grants and shall be  
284 comparable to those paid similar officers in comparable  
285 states, notwithstanding any limitation or maximum in any other  
286 law. The Secretary may employ personnel who shall serve in the  
287 classified service of the Merit System to carry out the duties  
288 of this division.

289 (d) It is another purpose of this chapter to coordinate  
290 in a single Workforce Pathways Division, all of the  
291 department's workforce development functions and workforce  
292 funding mechanisms, including the Alabama Workforce Board; the  
293 regional workforce boards; the employment service and Alabama  
294 Career Center System; the Alabama Office of Apprenticeship;  
295 the Alabama STEM Council; the Office of Education and  
296 Workforce Statistics; programs funded by Title I of the  
297 federal Workforce Innovation and Opportunity Act; the Alabama  
298 Committee on Credentialing and Career Pathways; the Alabama  
299 Committee on Credential Quality and Transparency; the  
300 Workforce and Labor Market Information Grants for States Grant  
301 program and the Labor Market Division; the Federal Bonding  
302 Program; the federal Jobs for Veterans State Grants Program;  
303 and the federal Work Opportunity Tax Credit. The Secretary may  
304 employ a division chief of the Workforce Pathways Division who  
305 shall serve in the exempt service. The Secretary may employ  
306 personnel who shall serve in the classified service of the  
307 Merit System to carry out the duties of this division. It is  
308 the intent of the Legislature that the Workforce Pathways



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309 Division of the Department of Workforce serve as the  
310 centralized data and information repository for the workforce  
311 development activities of the state."

312 Section 5. Chapter 15 of Title 25, Code of Alabama  
313 1975, is added to read as follows:

314 § 25-15-1. Alabama Workforce Board; creation; purpose.

315 (a) The Governor shall establish the Alabama Workforce  
316 Board as the State Workforce Development Board for purposes of  
317 Section 101 of the Workforce Innovation and Opportunity Act of  
318 2014 (P.L. 113-128), as amended, and to carry out its purposes  
319 pursuant to state law; provided, that in the event of a  
320 conflict between state law and WIOA, WIOA shall prevail.

321 (b) It is the intent of the Legislature that all state  
322 and local entities that receive state-appropriated funding and  
323 are engaged in workforce development activities will fully  
324 participate in and cooperate with the activities and  
325 recommendations of the Board, but the Board shall not directly  
326 exercise governing control of state and local agencies,  
327 departments, educational institutions, boards, commissions,  
328 and other workforce development entities except as otherwise  
329 prescribed by federal law or regulation.

330 (c) For purposes of this chapter, "WIOA" means the  
331 Workforce Innovation and Opportunity Act of 2014 (P.L.  
332 113-128), as amended.

333 § 25-15-2. Duties of the Board.

334 The duties of the Alabama Workforce Board include:

335 (1) Advising and supporting the Governor, Legislature,  
336 and state agencies concerning the administration, development,



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337 and continual improvement of the state's workforce development  
338 system consistent with the Strategic Workforce Plan, WIOA, and  
339 other federal workforce development programs.

340 (2) Assisting the Governor in performing the functions  
341 set forth in 20 C.F.R. § 679.130 and as contemplated by any  
342 other WIOA provision or regulation.

343 (3) Coordinating the federal WIOA funding component of  
344 the state's workforce development programs.

345 (4) Developing accountability metrics for state and  
346 federal workforce programs, in addition to the metrics already  
347 prescribed by law.

348 (5) Supporting the efforts of the Secretary of  
349 Workforce, who shall serve as the principal point of contact  
350 for state agencies and departments, public officials,  
351 businesses, and the public with respect to all aspects of the  
352 state's workforce development activities.

353 (6) Consulting with officials, leaders, and experts in  
354 workforce development including, but not limited to, federal,  
355 state, and local agencies, departments, educational  
356 institutions, boards, commissions, the private sector, and  
357 other leaders and experts.

358 § 25-15-3. Composition of the Board; chair; bylaws.

359 (a) The Alabama Workforce Board shall consist of no  
360 more than forty (40) members, or their designees, and meet the  
361 membership criteria established by WIOA. All members, unless  
362 otherwise provided in this subsection, shall be appointed by  
363 the Governor, subject to confirmation by the Senate. A  
364 majority of members shall be representatives of business and



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365 industry, at least one of which shall represent small  
366 business. Twenty percent of the members shall be  
367 representatives of workforce, including two (2) labor  
368 representatives and one (1) apprenticeship program  
369 representative. The Board shall also include one  
370 representative of the WIOA Title I-b programs; the State Adult  
371 Education Director; one representative of the Wagner-Peyser  
372 Program; the Commissioner of the Alabama Department of  
373 Rehabilitation Services; the Chancellor of the Alabama  
374 Community College System; the Secretary of Workforce; one  
375 member of the Alabama Senate appointed by the presiding  
376 officer of the Senate; one member of the Alabama House of  
377 Representatives appointed by the Speaker of the House; one  
378 county commissioner appointed by the Governor; one mayor  
379 appointed by the Governor; and the Governor or his or her  
380 designee. The overall membership of the board shall be  
381 inclusive and reflect the racial, gender, geographic,  
382 urban/rural, and economic diversity of the state.

383 (b) The Governor shall appoint a chairperson from the  
384 business representatives on the Board as set forth in WIOA. In  
385 addition, the Governor shall appoint a vice chairperson from  
386 the business representatives on the Board.

387 (c) The Governor shall establish bylaws governing the  
388 membership and activities of the board as required by WIOA and  
389 its implementing regulations, including 20 C.F.R. §679.110(d).

390 (d) Members may serve no more than two four-year terms  
391 as provided in the bylaws established pursuant to subsection  
392 (c) of this section.



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393 § 25-15-4. Board meetings; committees.

394 (a) The Alabama Workforce Board shall meet at least  
395 four times per year but may meet more frequently at the call  
396 of the chairperson or the Governor.

397 (b) Meetings of the Board and any committee established  
398 pursuant to this subsection shall be conducted pursuant to the  
399 Open Meetings Act.

400 (c) The Governor, or the chairperson with the consent  
401 of the Governor, may establish and dissolve standing and ad  
402 hoc committees. The Governor, or the chairperson with the  
403 consent of the Governor, shall appoint the chair and members  
404 of all standing and ad hoc committees.

405 § 25-15-5. Alabama Workforce Board Executive Committee;  
406 creation; purpose.

407 (a) There is hereby established the Executive Committee  
408 of the Alabama Workforce Board that shall be comprised of  
409 seven (7) members, including the Governor or the Governor's  
410 designee, the Chair of the Alabama Workforce Board, and five  
411 (5) executive level business leaders who shall be appointed by  
412 the Governor, and who may or may not be members of the Alabama  
413 Workforce Board. The Secretary of Workforce shall serve as a  
414 non-voting ex officio member of the Executive Committee.

415 (b) (1) The appointed members of the Executive  
416 Committee shall be appointed to serve a five-year term,  
417 provided that the initial appointees' terms shall be  
418 designated by the Governor as follows: one member shall serve  
419 a term of one year, one member shall serve a term of two  
420 years, one member shall serve a term of three years, one



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421 member shall serve a term of four years, and one member shall  
422 serve a term of five years.

423 (2) Any appointed member may be re-appointed, but no  
424 appointed member may serve on the Executive Committee for more  
425 than a total of 10 consecutive years from the date of initial  
426 appointment. Terms shall begin on July 1 of the first year of  
427 the appointed member's term and end on June 30 of the final  
428 year of that member's term.

429 (3) Notwithstanding subsection (b)(2), appointed  
430 members of the Executive Committee may continue to serve after  
431 the expiration of their term until their successors have been  
432 appointed. Vacancies shall be filled by the Governor for the  
433 unexpired term.

434 (c) The Governor shall appoint a chairperson and vice  
435 chairperson of the Executive Committee.

436 (d) The Executive Committee shall meet at least two  
437 times per year but may meet more frequently at the call of the  
438 chairperson or the Governor.

439 (e) The Executive Committee shall be responsible for  
440 reviewing budget requests, making recommendations for the  
441 expenditure of state and federal funds for workforce  
442 development activities, assisting the Secretary of Workforce  
443 in preparing the consolidated workforce development budget  
444 recommendation, working with the Secretary of Workforce to  
445 prepare the Strategic Workforce Plan, developing recommended  
446 performance goals and evaluation metrics related to the  
447 expenditure of state and federal funds for workforce  
448 development activities, and working with the Secretary of



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449 Workforce to provide oversight of the Alabama Workforce Board.

450 (f) Meetings of the Executive Committee shall be  
451 subject to the Open Meetings Act.

452 § 25-15-6. Strategic Workforce Plan and WIOA State  
453 Plan.

454 (a) It is the intent of the Legislature that a single,  
455 unified Strategic Workforce Plan should guide state and  
456 federal workforce development policies and budget priorities  
457 that are administered by the State. The Strategic Workforce  
458 Plan shall be prepared by the Executive Committee, with  
459 support from the Secretary of Workforce, and published by the  
460 Department.

461 (b) The Secretary of Workforce shall submit the  
462 Strategic Workforce Plan to the Governor and the Legislature  
463 on or before February 1 of the first year of each legislative  
464 quadrennium. The four-year Strategic Workforce Plan shall  
465 include, among other things, statewide labor market  
466 projections for the quadrennium and recommendations for  
467 meeting labor market demand. The Plan should also include  
468 recommendations for expenditure of state and federal funds for  
469 workforce development activities; analyze previous  
470 expenditures for workforce development activities and  
471 programs; make recommendations for sunseting existing  
472 programs and developing new programs; and provide  
473 recommendations for performance and accountability metrics for  
474 all state and federal workforce programs.

475 (c) The Plan may be updated through an annual addendum,  
476 which shall be submitted to the Governor on or before November



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477 1 of each year. The annual addendum to the four-year Strategic  
478 Workforce Plan should include recommendations for the next  
479 fiscal year, including the expenditure of state and federal  
480 funds for workforce development activities, and should make  
481 recommendations for sunseting existing programs and  
482 developing new programs.

483 (d) The Board shall assist the Governor and the  
484 Secretary of Workforce in preparing the WIOA State plan, as  
485 required by federal law. The WIOA State Plan shall demonstrate  
486 that the membership of the Alabama Workforce Board satisfies  
487 the WIOA state workforce development board membership  
488 requirements, including the requirements set forth in 20  
489 C.F.R. §679.110(b). The Executive Committee may approve the  
490 WIOA State Plan. The WIOA State Plan shall be included as an  
491 addendum to the four-year Strategic Workforce Plan.

492 (e) When submitting a budget pursuant to section  
493 41-4-82, the Governor shall certify that he or she has  
494 reviewed and considered the WIOA State Plan, the Strategic  
495 Workforce Plan, and the annual addendum to the Strategic  
496 Workforce Plan as approved by the Executive Committee.

497 § 25-15-7. Regional Workforce Boards; establishment;  
498 duties; meetings; objectives.

499 (a) At the direction of the Governor, the Secretary of  
500 Workforce shall establish seven regional workforce boards to  
501 serve as Alabama's local workforce development boards for  
502 purposes of Section 107 of the Workforce Innovation and  
503 Opportunity Act of 2014 (P.L. 113-128), as amended. The  
504 Department of Workforce shall establish bylaws governing the



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505 membership and activities of the regional workforce boards in  
506 compliance with WIOA. Such local workforce development boards  
507 shall be certified by the Governor pursuant to 29 U.S.C.  
508 §3122(a).

509 (b) The Secretary of Workforce shall establish  
510 geographic boundaries of the regional workforce boards and  
511 criteria for the appointment of members to the regional  
512 workforce boards consistent with WIOA, including 29 U.S.C.  
513 §3122 and 20 C.F.R. §679.110. One such criterion shall be a  
514 duty for an appointing official to consult with the Secretary  
515 of Workforce before making an appointment to a regional  
516 workforce board.

517 (c) The Department of Workforce may adopt rules  
518 pursuant to the Alabama Administrative Procedure Act to carry  
519 out this section.

520 (d) A regional workforce board shall perform the  
521 functions set forth in WIOA, including each of the following:

522 (1) Develop a local plan as provided in WIOA,  
523 consistent with the WIOA State Plan and the Strategic  
524 Workforce Plan.

525 (2) Publish, for core and partner agency and public  
526 use, workforce research and regional labor market analysis  
527 using primary state labor market information provided by the  
528 department.

529 (3) Convene local workforce development system  
530 stakeholders to assist in the development of the local plan.

531 (4) Lead local efforts to engage with a diverse range  
532 of employers.



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533 (5) Lead local efforts to develop and implement career  
534 pathways.

535 (6) Lead local efforts to identify and promote  
536 promising workforce development strategies.

537 (7) Lead local efforts to integrate data and technology  
538 systems.

539 (e) A regional workforce board shall submit an annual  
540 budget request to the Secretary of Workforce and the Executive  
541 Committee that is consistent with the Strategic Workforce  
542 Plan. A regional workforce board's annual budget submission  
543 shall demonstrate that the membership of the board satisfies  
544 the relevant WIOA state workforce development board membership  
545 requirements, including the requirements set forth in 29  
546 U.S.C. § 3122 and 20 C.F.R. § 679.320. The membership of any  
547 regional workforce board may not exceed twenty (20) members. A  
548 regional workforce development board may not expend state or  
549 federal workforce development funds except pursuant to a  
550 categorical annual budget approved by the Secretary of  
551 Workforce.

552 § 25-15-8. Reimbursement for expenses.

553 The members of the Alabama Workforce Board, including  
554 members of the Executive Committee, and members of the  
555 regional workforce boards shall not receive a salary or per  
556 diem allowance but shall be entitled to reimbursement for  
557 reasonable expenses incurred in the performance of the duties  
558 of the office at the same rate allowed state employees.

559 Section 6. Section 25-2-6, Code of Alabama 1975, is  
560 amended to read as follows:



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561 "§25-2-6

562 (a) The Department of ~~Labor~~Workforce shall be headed by  
563 and shall be under the direction, supervision, and control of  
564 an officer who shall be known and designated as the Secretary  
565 of ~~Labor~~Workforce. The Secretary of ~~Labor~~Workforce shall be  
566 the advisor of the Governor and the Legislature in matters  
567 relating to workforce development, employer-employee relations  
568 and the welfare of the wage earners of the state. He or she  
569 shall be responsible to the Governor for the administration of  
570 the Department of ~~Labor~~Workforce.

571 (b) The Secretary of ~~Labor~~Workforce shall be appointed  
572 by the Governor and shall hold office at the pleasure of the  
573 Governor. To the extent reasonable, the Governor should  
574 consider an individual's experience in workforce development  
575 matters, human resources, and the private sector. Vacancies  
576 for any reason shall be filled in the same manner as original  
577 appointments are made.

578 (c) Before entering upon the discharge of his or her  
579 duties, the Secretary of ~~Labor~~Workforce shall take the  
580 constitutional oath of office. Before entering upon the duties  
581 of office, the Secretary of ~~Labor~~Workforce shall execute to  
582 the State of Alabama a bond, to be approved by the Governor,  
583 in an amount to be fixed by the Governor, but not less than  
584 \$10,000.00, for the faithful performance of the duties of the  
585 office. The annual salary of the Secretary of ~~Labor~~Workforce  
586 shall be fixed by the Governor at a sum comparable to salaries  
587 paid similar officers in other states, notwithstanding any  
588 limitation or maximum in any other law, ~~\$1,200.00 of which sum~~



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589 ~~shall be paid from moneys of the State of Alabama and the~~  
590 ~~remainder from grants of the United States of America to this~~  
591 ~~state.~~ Such salary shall be payable at the same time and in  
592 the same manner as the salaries of other state officers. The  
593 Secretary of ~~Labor~~Workforce is authorized and empowered to  
594 make such agreements as may be necessary or proper with the  
595 United States of America with respect to the proration of  
596 funds from the State of Alabama and funds from the federal  
597 government for the salary paid to the Secretary of  
598 ~~Labor~~Workforce by virtue of the provisions of this section.

599       (d) The Secretary of ~~Labor~~Workforce shall devote full  
600 time to his or her official duties and shall not hold another  
601 office under the government of the United States, or under any  
602 other state, or of this state or any political subdivision  
603 thereof, during his or her incumbency in such office, and  
604 shall not hold any position of trust or profit, or engage in  
605 any occupation or business the conduct of which shall  
606 interfere or be inconsistent with his or her duties as  
607 Secretary of ~~Labor~~Workforce under the provisions of this  
608 title.

609       (e) The Secretary of Workforce shall be the state's  
610 primary workforce development officer and shall be responsible  
611 for making recommendations to the Governor and the Legislature  
612 on state workforce development strategies, which shall be  
613 consistent with the Strategic Workforce Plan.

614       (f) (1) The Secretary of Workforce shall work with the  
615 Executive Committee to develop consolidated state workforce  
616 development budget recommendations that are consistent with



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617 the Strategic Workforce Plan.

618 (2) When submitting a budget request pursuant to  
619 section 41-4-84, the Secretary of Workforce shall certify that  
620 he or she reviewed the WIOA State Plan approved by the Board,  
621 reviewed the Strategic Workforce Plan developed by the  
622 Executive Committee, solicited feedback from the Executive  
623 Committee at least thirty (30) days prior to submitting the  
624 budget request, and presented the budget request to the  
625 Executive Committee at least five (5) days prior to its  
626 submission.

627 (g) The Secretary of Workforce shall solicit annual  
628 funding and programmatic recommendations and updates from the  
629 Department of Commerce, Alabama Industrial Development  
630 Training (AIDT), the Alabama State Department of Education  
631 Career and Technical Education (CTE) program, the Alabama  
632 Community College System (ACCS), and any other departments or  
633 agencies that the Secretary requests to submit information.

634 (h) When submitting a budget request pursuant to  
635 section 41-4-84, the departments and agencies referenced in  
636 subsection (g) of this section and any other departments or  
637 agencies that request funding for workforce development  
638 activities or programs must certify to the Director of Finance  
639 that any funding requested for workforce development  
640 activities or programs is consistent with the Strategic  
641 Workforce Plan.

642 (i) Within five (5) days of receiving all budget  
643 requests required to be submitted pursuant to section 41-4-84,  
644 the Director of Finance shall forward to the Secretary of



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645 Workforce and the Executive Committee all budget requests  
646 submitted by the departments and agencies referenced in  
647 subsection (g) of this section, along with any other budget  
648 requests that include funding for workforce development  
649 activities or programs."

650           Section 7. The Alabama Department of Commerce Workforce  
651 Development Division, as established by Section 41-29-5, Code  
652 of Alabama 1975, is hereby renamed the Alabama Industrial  
653 Development and Training Institute. The Code Commissioner  
654 shall conform references to the "Workforce Development  
655 Division" in Chapter 29 of Title 41 in the Code of Alabama  
656 1975, accordingly. The Code Commissioner shall also change  
657 references to the Deputy Secretary of Commerce of the  
658 Workforce Development Division in Chapter 29 of Title 41 in  
659 the Code of Alabama 1975, to the Secretary of Commerce. These  
660 Code changes shall be made at a time determined to be  
661 appropriate by the Code Commissioner.

662           Section 8. Section 41-29-5, Code of Alabama 1975, is  
663 amended to read as follows:

664           "§41-29-5

665           ~~On the date determined pursuant to Section 41-29-6,~~  
666 ~~the~~ The Department of Commerce shall be reorganized into two  
667 divisions that shall have the functions prescribed as follows:

668           (1) The Business Development Division shall be  
669 responsible for all of the functions of the Department of  
670 Commerce as it existed before date determined pursuant to  
671 Section 41-29-6, including, but not limited to, small business  
672 advocacy; the functions performed by the Alabama Small



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673 Business Commission, created and functioning pursuant to  
674 Section 41-29-240 and international trade.

675 (2) The Alabama Industrial Development and Training  
676 Institute shall provide, where appropriate, employer-specific,  
677 employer-tailored workforce development programs in connection  
678 with the Department's award of economic development incentives  
679 pursuant to state law.~~The Workforce Development Division shall~~  
680 ~~be comprised of the following entities which shall report to~~  
681 ~~the Deputy Secretary of the division: The Workforce~~  
682 ~~Development Division and Workforce Investment Division of the~~  
683 ~~Department of Economic and Community Affairs, formerly Chapter~~  
684 ~~23 of Title 41, the Alabama Industrial Development and~~  
685 ~~Training Institute, formerly functioning pursuant to Sections~~  
686 ~~41-9-1080 to 41-9-1086, inclusive, and the Alabama Workforce~~  
687 ~~Council and the regional workforce councils of the Department~~  
688 ~~of Postsecondary Education, formerly functioning pursuant to~~  
689 ~~Sections 16-66-1 to 16-66-8, inclusive, and the Legislative~~  
690 ~~Oversight Commission of the Alabama Department of Economic and~~  
691 ~~Community Affairs, formerly functioning pursuant to Section~~  
692 ~~41-23-7.~~

693 ~~Any transfer of personnel, appropriations, funds, or~~  
694 ~~property, real or personal from the Alabama Community College~~  
695 ~~System to the Department of Commerce pursuant to this~~  
696 ~~subdivision, shall be made with the cooperation and approval~~  
697 ~~of the Chancellor and the Board of Trustees of the Alabama~~  
698 ~~Community College System."~~

699 Section 9. Section 41-29-282, Code of Alabama 1975, is  
700 amended to read as follows:



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701           "§41-29-282  
702           AIDT shall operate as a ~~part~~division ~~of the Workforce~~  
703 ~~Development Division~~ of the Department of Commerce. All of the  
704 powers, authority, duties, functions, policies, and funds of,  
705 and appropriations to, AIDT previously conferred upon or  
706 granted to AIDT reporting to the State Board of Education  
707 through the Division of Vocational-Technical Education or by  
708 Alabama Executive Order No. 2012-31 are confirmed, ratified,  
709 continued, transferred to, and vested in AIDT. All contracts,  
710 leases, grants, and agreements previously entered by AIDT  
711 shall continue in full force and effect without modification  
712 or interruption by this restructuring. All property currently  
713 owned by AIDT shall continue to be the property of AIDT. If  
714 AIDT plans to construct any new building, retrofit or renovate  
715 any of its existing buildings, or request or receive any state  
716 or federal funding to construct, retrofit, or renovate any of  
717 its buildings, the AIDT director must first certify to the  
718 Governor that the proposal is consistent with the Strategic  
719 Workforce Plan. AIDT shall continue to be headed by the  
720 director, who shall be appointed by the Secretary of Commerce  
721 and shall serve at his or her pleasure. The powers, duties,  
722 and qualifications required of the director shall be as set  
723 forth in the AIDT Policy Manual, as amended from time to time  
724 and approved by the Secretary of Commerce."

725           Section 10. The Code Commissioner is directed to  
726 recodify Section 298, Division 4, Article 3, Chapter 29, Title  
727 41, Code of Alabama 1975, related to the Alabama College and  
728 Career Readiness Act; Division 7, Article 3, Chapter 29, Title



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729 41, Code of Alabama 1975, relating to the Alabama Industry  
730 Recognized and Registered Apprenticeship Program Act; Division  
731 8, Article 3, Chapter 29, Title 41, Code of Alabama 1975,  
732 related to the Eliminating Legal Barriers to Apprenticeship  
733 (ELBA) Act; Division 9, Article 3, Chapter 29, Title 41, Code  
734 of Alabama 1975, related to the Alabama Credential Quality and  
735 Transparency Act; Division 10, Article 3, Chapter 29, Title  
736 41, Code of Alabama 1975, related to the Alabama Terminal on  
737 Linking and Analyzing Statistics on Career Pathways to a new  
738 chapter within Title 25, Code of Alabama 1975, relating to  
739 Industrial Relations and Labor. The Code Commissioner is  
740 further directed to replace any reference to "Alabama State  
741 Workforce Development Board" or "Alabama Workforce Council"  
742 with "Alabama Workforce Board." The Code Commissioner is  
743 further directed to replace any reference to "regional  
744 workforce development boards" or "regional workforce councils"  
745 with "regional workforce board." Changes to the Code of  
746 Alabama shall be made at a time determined to be appropriate  
747 by the Code Commissioner.

748 Section 11. Section 41-29-290, Section 41-29-291,  
749 Section 41-29-292, Section 41-29-293, Section 41-29-294,  
750 Section 41-29-295, Section 41-29-296, and Section 41-29-297,  
751 Code of Alabama 1975, relating to the Alabama Workforce  
752 Council, are specifically repealed. Section 41-29-300, Code of  
753 Alabama 1975, relating to the Regional Workforce Development  
754 Councils, is specifically repealed.

755 Section 12. The provisions of this act shall be fully  
756 implemented not later than October 1, 2025.



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757                   Section 13. This act shall become effective on October  
758 1, 2024, following its passage and approval by the Governor,  
759 or its otherwise becoming law.

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760  
761  
762 Senate

763 Read for the first time and referred .....21-Mar-24  
764 to the Senate committee on Fiscal  
765 Responsibility and Economic  
766 Development  
767  
768 Read for the second time and placed .....04-Apr-24  
769 on the calendar:  
770 1 amendment  
771  
772 Read for the third time and passed .....09-Apr-24  
773 as amended  
774 Yeas 34  
775 Nays 0  
776 Abstains 0  
777  
778

779 Patrick Harris,  
780 Secretary.  
781