

SENATE BILL NO. 383

BY SENATOR BASS

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AN ACT

To amend and reenact R.S. 23:1514(B), (C)(1)(a), and (D)(4) and (11), 1536(E)(3), and 1553(B)(8) and (10), relative to the Incumbent Worker Training Program; to provide relative to the Incumbent Worker Training Account; to provide for the training of incumbent workers; to provide relative to eligibility requirements for businesses; to provide relative to customized training; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 23:1514(B), (C)(1)(a), and (D)(4) and (11), 1536(E)(3), and 1553(B)(8) and (10) are hereby amended and reenacted to read as follows:

§1514. Worker training fund; purpose; training programs; eligibility criteria; program administration

* * *

B. Incumbent Worker Training Account funds shall be used only for the following types of training:

(1) Customized training. Designed to meet the ~~special need and~~ specific skill, technology, or operational needs and requirements of business and industry, including a small business employer or group of small business employers. customized Customized training programs may include specialized, employer-specific curriculums, instructional materials, training delivery methods, on-site or employer-directed training, innovative training projects, and ~~training locations.~~ Customized training may also include standardized courses. Customized training shall address workforce challenges of the employer and be for workforce needs such as process improvements, new equipment, or technology adoption. The administrator shall define "customized training" through rulemaking consistent with this Section.

(2) Small business employee training. This type of training is may be

1 individual standardized (off-the-shelf) training, **customized training, or college or**
2 **university noncredit courses** and shall be available to businesses having fifty or
3 fewer employees.

4 (3) Preemployment training. This type of training shall be provided for
5 nonincumbent workers for **new, existing, and** expanding businesses. This training
6 may include screening, skills assessment, testing, remediation, and occupational and
7 technical training.

8 **(4) Work-based learning. This type of training shall be provided for**
9 **apprenticeship and internship programs.**

10 C. An applicant is eligible to participate in the Incumbent Worker Training
11 Program if it meets the following criteria:

12 (1) Is an individual employer or a consortium made up of two or more
13 eligible employers that meets all of the following requirements:

14 (a) Has been operating in Louisiana **this state** for ~~not less than three years a~~
15 **minimum of two years, unless otherwise exempted by the secretary of Louisiana**
16 **Works or his designee.**

17 * * *

18 D.(1) * * *

19 (4)(a) No more than ten percent of such amounts appropriated to the fund by
20 the state legislature shall be used for the payment of expenses incurred for the
21 administration of this account.

22 **(b) No more than forty percent of such amounts appropriated to the fund**
23 **by the state legislature shall be used for sector-based training, regional**
24 **workforce initiatives, or innovation or pilot projects addressing high-demand**
25 **or shortage occupations.**

26 * * *

27 (11) The administrator shall administer the account and shall promulgate
28 rules and regulations in accordance with the Administrative Procedure Act for the
29 administration of this Section, including the procedures for applying for funds,
30 distribution of funds, monitoring of and auditing of training conducted with funds,

1 reimbursement of costs, the definition and implementation of "customized
2 training", and any additional requirements he deems appropriate and necessary to
3 carry out the provisions of this Section.

4 * * *

5 §1536. Determination of rate; ratio of reserves to payroll as a basis

6 * * *

7 E.(1) * * *

8 (3) If, at the computation date in any year, the fund balance, including all
9 monies in the benefit transfer account, exceeds one billion ~~four~~ one hundred fifty
10 million dollars, a ten percent reduction in contributions due under the rate table
11 provided in Subsection D of this Section shall be granted to each employer with a
12 positive reserve ratio.

13 * * *

14 §1553. Noncharging of benefits; recoupment; social charge account; social charge
15 tax rate

16 * * *

17 B.(1) * * *

18 (8) Amounts not to exceed twenty million dollars to be credited to the
19 Incumbent Worker Training Account to fund the Incumbent Worker Training
20 Program as provided under R.S. 23:1514 shall be charged to this account only in any
21 calendar year in which the applied trust fund balance range as defined in R.S.
22 23:1474 is equal to or greater than seven hundred fifty million dollars, but less than
23 one billion ~~two~~ one hundred fifty million dollars and only in the amount necessary
24 to bring the balance of unobligated funds in such subaccount to twenty million
25 dollars.

26 * * *

27 (10) Amounts not to exceed thirty-five million dollars to be credited to the
28 Incumbent Worker Training Account to fund the Incumbent Worker Training
29 Program as provided under R.S. 23:1514 shall be charged to this account only in any
30 calendar year in which the applied trust fund balance range as defined in R.S.

