

JOBS TRAINING

Footnotes

Legislative intent that chapter complement chapter 260E;
85 Acts, ch 235, §9

260F.1 Title.

This chapter shall be known and may be cited as the "*Iowa Jobs Training Act*".

85 Acts, ch 235, §1

CS85, § 280C.1

C93, § 260F.1

96 Acts, ch 1180, §9

260F.2 Definitions.

When used in this chapter, unless the context otherwise requires:

1. "*Agreement*" is the agreement between a business and a community college concerning a project.
2. "*Community college*" means a community college established under chapter 260C.
3. "*Date of commencement of the project*" means the date of the preliminary agreement or the date an application for assistance is received by the department.
4. "*Department*" means the department of economic development.
5. "*Eligible business*" or "*business*" means a business training employees which is engaged in interstate or intrastate commerce for the purpose of manufacturing, processing, or assembling products, conducting research and development, or providing services in interstate commerce, but excludes retail, health, or professional services and which meets the other criteria established by the department. "*Eligible business*" does not include a business whose training costs can be economically funded under chapter 260E, a business which closes or substantially reduces its employment base in order to relocate substantially the same operation to another area of the state, or a business which is involved in a strike, lockout, or other labor dispute in Iowa.
6. "*Employee*" means a person currently employed by a business who is to be trained. However, "*employee*" does not include replacement workers who are hired as a result of a strike, lockout, or other labor dispute in Iowa.
7. "*Jobs training program*" or "*program*" means the project or projects established by a community college for the training of employees.
8. "*Participating business*" means a business training employees which enters into an agreement with the community college.
9. "*Program costs*" means all necessary and incidental costs of providing program services.

10. *"Program services"* includes but is not limited to the following:

- a. Training of employees.
- b. Adult basic education and job-related instruction.
- c. Vocational and skill-assessment services and testing.
- d. Training facilities, equipment, materials, and supplies.
- e. Administrative expenses for the jobs training program.
- f. Subcontracted services with institutions governed by the state board of regents, private colleges or universities, or other federal, state, or local agencies.
- g. Contracted or professional services.

11. *"Project"* means a training arrangement which is the subject of an agreement entered into between the community college and a business to provide program services. *"Project"* also means a department-sponsored training arrangement which is sponsored by the department and administered under sections 260F.6A and 260F.6B.

85 Acts, ch 235, §2

CS85, § 280C.2

90 Acts, ch 1253, § 83; 92 Acts, ch 1042, §1, 2

C93, § 260F.2

96 Acts, ch 1180, §10; 97 Acts, ch 201, §20

260F.3 Agreement.

A community college may enter into an agreement to establish a project. An agreement shall provide for, but is not limited to, the following:

1. Date of agreement.
2. Anticipated number of employees to be trained.
3. Estimated cost of training.
4. Anticipated dates of commencement and termination of training.
5. Other criteria established by the department.

85 Acts, ch 235, §3

CS85, § 280C.3

90 Acts, ch 1253, § 84; 92 Acts, ch 1042, §3, 4

C93, § 260F.3

94 Acts, ch 1182, §3, 4; 96 Acts, ch 1180, § 11; 96 Acts, ch 1186, § 23

260F.4 Incremental property taxes. Repealed by 96 Acts, ch 1180, § 21.

260F.5 New jobs credit from withholding. Repealed by 96 Acts, ch 1180, § 21.

260F.6 Job training fund.

1. There is established for the community colleges a job training fund in the department of economic development in the workforce development fund. The job training fund consists of moneys appropriated for the purposes of this chapter plus the interest and principal from repayment of advances made to businesses for program costs, plus the repayments, including interest, of loans made from that retraining fund, and interest earned from moneys in the job training fund.

2. To provide funds for the present payment of the costs of a training program by the business, the community college may provide to the business an advance of the moneys to be used to pay for the program costs as provided in the agreement. To receive the funds for this advance from the job training fund established in subsection 1, the community college shall submit an application to the department of economic development. The amount of the advance shall not exceed twenty-five thousand dollars for any business site, or fifty thousand dollars within a three- fiscal-year period for any business site. If the project involves a consortium of businesses, the maximum award per project shall not exceed fifty thousand dollars. Participation in a consortium does not affect a business site's eligibility for individual project assistance. Prior to approval a business shall agree to match program amounts in accordance with criteria established by the department.

3. Notwithstanding the requirements of this section, moneys in the job training fund may be used by a community college to conduct entrepreneur development and support activities.

85 Acts, ch 235, §6

CS85, § 280C.6

88 Acts, ch 1131, § 1; 90 Acts, ch 1253, § 86; 90 Acts, ch 1255, § 16; 91 Acts, ch 2, §1, 2; 92 Acts, ch 1042, §7

C93, § 260F.6

93 Acts, ch 180, § 44; 95 Acts, ch 184, §8; 96 Acts, ch 1180, §12; 2001 Acts, ch 188, §24

260F.6A Business network training.

The community colleges and the department are authorized to fund business network training projects which include five or more businesses and are located in two or more community college districts. A business network training project must have a designated organization or lead business to serve as the administrative entity that will coordinate the training program. The businesses must have common training needs and develop a plan to meet those needs. The department shall adopt rules governing this section's operation and participant eligibility.

96 Acts, ch 1180, §13

260F.6B High technology apprenticeship program.

The community colleges and the department of economic development are authorized to fund high technology apprenticeship programs which comply with the requirements specified in section 260C.44 and which may include both new and statewide apprenticeship programs. Notwithstanding the provisions of section 260F.6, subsection 2, relating to maximum award amounts, moneys allocated to the community colleges with high technology apprenticeship programs shall be distributed to the community colleges based upon contact hours under the programs administered during the prior fiscal year as determined by the department of education. The department of economic development shall adopt rules governing this section's operation and participant eligibility.

97 Acts, ch 201, §21

260F.7 Department of economic development to coordinate.

The department of economic development, in consultation with the department of education and the department of workforce development, shall coordinate the jobs training program. A project shall not be funded under this chapter unless the department of economic development approves the project. The department shall adopt rules pursuant to chapter 17A governing the program's operation and eligibility for participation in the program. The department shall establish by rule criteria for determining what constitutes an eligible business.

85 Acts, ch 235, §7

CS85, § 280C.7

88 Acts, ch 1131, § 2; 90 Acts, ch 1253, § 87; 92 Acts, ch 1042, §8

C93, § 260F.7

96 Acts, ch 1180, §14; 96 Acts, ch 1186, §23

260F.8 Allocation.

1. For each fiscal year, the department shall make funds available to the community colleges. The department shall allocate by formula from the moneys in the fund an amount for each community college to be used to provide the financial assistance for proposals of businesses whose applications have been approved by the department. The financial assistance shall be provided by the department from the amount set aside for that community college. If any portion of the moneys set aside for a community college have not been used or committed by May 1 of the fiscal year, that portion is available for use by the department to provide financial assistance to businesses applying to other community colleges. The department shall adopt by rule a formula for this set-aside.

2. Moneys available to the community colleges for this program may be used to provide forgivable loans to train employees.

92 Acts, ch 1042, §9; 93 Acts, ch 180, § 45; 96 Acts, ch 1180, §15; 97 Acts, ch 23, §30

260F.9 Job retention program.

1. The department of economic development shall administer the job retention program. The department shall adopt rules pursuant to chapter 17A necessary for the administration of this section. By January 15 of each year, the department shall submit a written report to the general assembly and the governor regarding the activities of the job retention program during the previous calendar year.

2. A community college and the department may enter into an agreement to establish a job retention project. A job retention project agreement shall include, but not be limited to, the following:

- a. The date of the agreement.
- b. The anticipated number of employees to be trained.
- c. The estimated cost of training.
- d. A statement regarding the number of employees employed by the participating business on the date of the agreement which must equal at least the lesser of one thousand employees or four percent or more of the county's resident labor force based on the most recent annual labor force statistics from the department of workforce development.
- e. A commitment that the participating business shall invest at least fifteen million dollars to retool the workplace and upgrade the facilities of the participating business.
- f. A commitment that the participating business shall not move the business operation out of this state or close the business operation for at least ten years following the date of the agreement.
- g. Other criteria established by the department of economic development.

3. A job retention project agreement entered into pursuant to this section must be approved by the board of trustees of the applicable community college, the department of economic development, and the participating business.

2003 Acts, 1st Ex, ch 2, §77, 209

For future repeal of this section effective June 30, 2010, see 2003 Acts, 1st Ex, ch 2, §93

260F.10 Reporting.

A community college entering into an agreement pursuant to this chapter shall submit an annual written report by the end of each calendar year with the grow Iowa values board created in section 15G.102.* The report shall provide information regarding how the agreement affects the achievement of the goals and performance measures provided in section 15G.107.*

2003 Acts, 1st Ex, ch 2, §78, 209

For future repeal of this section effective June 30, 2010, see 2003 Acts, 1st Ex, ch 2, §93

*Provisions of 2003 Acts, 1st Ex, ch 1, including §15G.102 and 15G.107, stricken pursuant to *Rants v. Vilsack*, 684 N.W.2d 193