

## CHAPTER 267

OFFICE OF FULL PRODUCTIVITY AND  
OPPORTUNITY

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**267.01 PURPOSE.**

The legislature finds that changes in the state economy and the structure of federal support have altered the role of state government in the planning, development, and delivery of employment, job training, job creation, income maintenance, and human services programs; that the proliferation of these programs, coupled with the changing characteristics and requirements of people seeking employment, has produced a need for the state to coordinate the delivery of services and programs; that there exists no office with interagency and intergovernmental focus sufficient to develop a plan to achieve full economic productivity and opportunity in Minnesota and effectively coordinate the delivery of services and programs for the purpose of simultaneously reducing unemployment rates and welfare caseloads.

**History:** *1Sp1985 c 14 art 9 s 32*

**267.02 DEFINITIONS.**

Subdivision 1. **Applicability.** For purposes of sections 267.02 to 267.06, the following terms have the meanings given them.

Subd. 2. **Coordinator.** "Coordinator" means the full productivity and opportunity coordinator.

Subd. 3. **Employment and training services.** "Employment and training services" means programs, activities, and services related to job training, job placement, and job creation including job service programs, job training partnership act programs, wage subsidies, work incentive programs, work readiness programs, employment search, counseling, community work experience programs, displaced homemaker programs, disadvantaged job training programs, grant diversion, employment experience programs, youth employment programs, conservation corps, apprenticeship programs, community investment programs, supported work programs, community development corporations, economic development programs, and opportunities industrialization centers.

Subd. 4. **Income maintenance and support services.** "Income maintenance and support services" means programs through which the state or its subdivisions provide direct financial or in-kind support to unemployed or underemployed persons, including unemployment compensation, aid to families with dependent children, general assistance, work readiness assistance, food stamps, energy assistance, disability determinations, and child care. "Income maintenance and support services" does not include medical assistance, aging services, social services, community social services, mental health services, or services for the emotionally disturbed, the mentally retarded, or residents of nursing homes.

Subd. 5. **Local service unit.** "Local service unit" means a county, counties operating under a joint powers agreement, one or more counties and one or more cities of the first class operating under a joint powers agreement, or a city of the first class.

Subd. 6. **Public assistance.** "Public assistance" means aid to families with dependent children, general assistance, and work readiness.

Subd. 7. **Service provider.** "Service provider" means a public, private, or nonprofit agency that is capable of providing one or more of the services or administering one or more of the programs for which the full productivity and opportunity coordinator has responsibility under this section.

Subd. 8. **Wage subsidies.** "Wage subsidies" means the issuing of payments to employers to offset the costs of wages, fringe benefits, and training for eligible employees under the limitations in sections 268.672 to 268.682, and may be referred to as Minnesota employment and economic development (MEED) wage subsidies.

**History:** *1Sp1985 c 14 art 9 s 33*

### **267.03 OFFICE OF FULL PRODUCTIVITY AND OPPORTUNITY; COORDINATOR.**

Subdivision 1. **Full productivity and opportunity coordinator.** The governor, with the advice and consent of the senate, shall appoint a full productivity and opportunity coordinator to serve at the pleasure of the governor in the unclassified service. The salary of the coordinator is set under section 15A.081. The coordinator is head of the office of full productivity and opportunity and chairs the full productivity and opportunity council. In addition to the powers granted by this chapter, the coordinator has the powers listed in section 15.06, subdivision 6. The coordinator shall administer sections 267.03 to 267.06.

Subd. 2. **Powers.** The coordinator of full productivity and opportunity may:

(1) appoint a deputy, a confidential secretary, and up to two additional employees, in the unclassified service;

(2) appoint other employees under chapter 43A;

(3) make rules under chapter 14;

(4) enter into contracts;

(5) further the objectives of the biennial plan by recommending to the governor interdepartmental transfer of employment and training services or income maintenance and support services, which the commissioner of administration, if so ordered by the governor, shall carry out as provided in section 16B.37, subdivisions 1, 2, and 3, and implement so as not to lead to a reduction of federal money to the state or its political subdivisions;

(6) further the objectives of the biennial plan by recommending to the governor transfer of one or more employment and training services or income maintenance and support services to a certified service provider other than a state agency;

(7) initiate emergency wage subsidies, consider the recommendations of the commissioner of jobs and training for the use of the discretionary portion of wage subsidy appropriations, and allocate the discretionary portion of wage subsidy appropriations;

(8) require the commissioners of jobs and training, human services, energy and economic development, and administration, and the state planning director, to furnish technical, administrative, and financial services to the coordinator upon request;

(9) require agencies to submit to the coordinator for approval or disapproval within 20 days any rule that relates to employment and training services or income maintenance and support services before the publication of the notice of intent required by section 14.22 or 14.30, and, if it is disapproved, require that the rule be amended and resubmitted to the coordinator;

(10) establish the standards by which the commissioner of jobs and training shall certify service providers;

(11) decertify service providers after consultation with the commissioner;

(12) contract with another local service unit or certified service provider for employment and training services in that local service unit if the coordinator, after consultation with the commissioner of jobs and training, finds that a local service unit consistently fails to provide service of sufficient quantity and quality to satisfy criteria established for the receipt of state money; and

(13) ratify or disapprove the commissioner of jobs and training's decisions regarding the approval or disapproval of local service unit plans and community investment program plans.

**History:** *1Sp1985 c 14 art 9 s 34*

#### **267.04 DUTIES AND RESPONSIBILITIES.**

Subdivision 1. **Duties.** The coordinator shall:

(1) coordinate the policies and administration of employment and training programs and income maintenance and support services among state agencies;

(2) review the delivery, operating performance, effectiveness, and degree of integration of income maintenance and support services and employment and training services;

(3) consult with the governor on income maintenance, employment, and training; provide assistance to the governor related to income maintenance and employment and training; and recommend to the governor and the legislature improvements in delivery of employment and training services and income maintenance and support services;

(4) confer with and advise state agencies and local service units that are responsible for income maintenance and support services and employment and training services;

(5) ensure coordination and cooperation among state and federal agencies, county and local governments, and private service providers serving on a contract basis;

(6) prepare and oversee the implementation of the biennial plan;

(7) review criteria established by state agencies for receipt of state money designated for employment and training services and income maintenance and support services;

(8) monitor and evaluate the performance and effectiveness of local service units' income maintenance and support services and their employment and training services;

(9) report to the legislature regarding changes needed to more adequately serve the needs of those who are unemployed, underemployed, or untrained;

(10) design and monitor the development and administration of the intake, referral, and inventory system;

(11) enhance the delivery of employment and training services and income maintenance and support services by working with the commissioner of administration to coordinate data bases and information systems among state agencies, including the departments of energy and economic development, jobs and training, human services, transportation, natural resources, and public safety, and the state planning agency;

(12) review and make recommendations concerning plans of the commissioner of jobs and training and the commissioner of human services for federally sponsored programs and demonstration projects;

(13) develop standards for plans required of state agencies;

(14) review and approve standards for the local service unit plans established by the commissioner of jobs and training;

(15) recommend to individual service units annual performance objectives that include realistic goals for reducing or managing unemployment rates and welfare caseloads, for use in preparing their local service unit plans;

(16) seek input from representatives of local service units, business, and labor on the delivery and development of employment and training services and income maintenance and support services;

(17) monitor the administration of wage subsidies; and

(18) develop a method to identify the county that has financial responsibility for a client's public assistance.

**Subd. 2. Biennial plan.** (a) The coordinator shall submit a biennial plan to the governor by July 1 of each even-numbered year. Upon approval by the governor, the plan serves as a basis for the development of the governor's budget proposal for employment and training services, income maintenance and support services. After the legislature has acted, and before July 1 of each odd-numbered year, the coordinator shall revise the biennial plan to incorporate legislative action. Upon approval by the governor, the revised plan governs the administration and delivery of all employment and training services and income maintenance and support services.

(b) The plan must provide at least the following:

(1) a strategy for achieving full productivity and opportunity in Minnesota that specifies priorities among employment and training services, income maintenance and support services, and economic development programs;

(2) unemployment reduction goals;

(3) income maintenance caseload reduction goals;

(4) a review and comment on the state's post-secondary vocational programs as administered by the vocational technical education system and the community colleges;

(5) a strategy for efficient integration of federal, state, local, and private resources;

(6) a strategy to encourage local and private involvement in the full productivity and opportunity program; and

(7) recommendations to maximize the effectiveness of appropriated money.

**Subd. 3. Intake, referral, and inventory system.** Within 90 days of appointment, the coordinator shall develop guidelines and a timetable for the development of an intake, referral, and inventory system and determine which state agency is responsible for the administration of the system. The goal of the system must be to provide localized, single-point client intake with direct access to a statewide data base. The system must include information on all available public and private programs for employment and training services and income maintenance and support services. The system must be designed to match client needs with employment opportunities, appropriate services, programs, providers, funding sources, and other sources of assistance and to provide for client tracking. The system must be coordinated with other state data bases. Access to the system, within federal and state data practices requirements, must be available in each public income maintenance

nance and employment and training office. The system is not subject to sections 16B.40 to 16B.45. In developing the system, the coordinator shall consult with local service units, service providers, employers, and clients.

**Subd. 4. Duties with respect to community investment programs.** The coordinator shall:

(1) confer with the commissioners of jobs and training, energy and economic development, human services, education, agriculture, public safety, natural resources, and health, the directors of the state planning agency and of vocational technical education, and representatives of local governments to determine the kinds of activities valuable to the state and local communities and the kinds of jobs that would provide valuable training, skills, and work experience to part-time program employees;

(2) review and approve standards governing community investment programs;

(3) monitor the administration and results of community investment programs; and

(4) arbitrate disputes among local service units, employers, exclusive representatives, or state agencies regarding community investment programs.

**Subd. 5. Job displacement disputes.** Disputes involving the displacement of jobs because individuals are placed in subsidized employment, including community investment programs, summer youth employment, the youth conservation corps, community work experience programs, employment experience programs, and wage subsidies, must be resolved, within ten days of the filing of a complaint with the coordinator, by a review panel consisting of the coordinator, a statewide public employee representative appointed by the governor, and a representative of the counties appointed by the governor.

**History:** *1Sp1985 c 14 art 9 s 35*

## **267.05 FULL PRODUCTIVITY AND OPPORTUNITY COUNCIL.**

**Subdivision 1. Membership.** The full productivity and opportunity council consists of the coordinator; the commissioners of education, jobs and training, finance, energy and economic development, and human services; the chancellors of the community college and state university systems; the directors of the state planning agency, the job skills partnership, and the vocational technical education system; the president of the University of Minnesota or the president's designee; a representative of organized labor; and a representative of business. The coordinator shall appoint the representatives of organized labor and business.

**Subd. 2. Duties.** The council shall provide information to and advise the coordinator in the preparation of the biennial plan and regarding employment and training services and income maintenance and support services.

**History:** *1Sp1985 c 14 art 9 s 36*

## **267.06 COOPERATION OF STATE AGENCIES AND COUNTY AND LOCAL GOVERNMENTS.**

All state agencies, counties, and units of local government shall cooperate fully with the full productivity and opportunity coordinator to achieve the goals of the biennial plan.

**History:** *1Sp1985 c 14 art 9 s 37*