

# JOINT MEETING MINUTES of the WDC/EDF

## WORKFORCE DEVELOPMENT COUNCIL (WDC) and the ECONOMIC DEVELOPMENT FOUNDATION (EDF) with an extended invite to the EMPOWER ND COMMISSION

December 17, 2019

9:00 a.m – 4:00 p.m.

Bismarck State College, Bismarck ND

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**Workforce Development Council members present:** See Appendix A

**Economic Development Foundation members present:** See Appendix B

**EmPower ND Commission members present:** See Appendix C

**Commerce staff present:** Michelle Kommer, Shawn Kessel, Sara Otte Coleman, James Leiman, Katie Ralston, Sherri Frieze

**Job Service staff present:** Phil Davis

### WELCOME & INTRODUCTIONS

**Michelle Kommer**

Workforce Development Chairman Dave Farnsworth, and Economic Development Foundation Chairwoman Lyn James, called the joint meeting of the WDC and EDF to order at 9:00 a.m. Members and guests were welcomed and introduced.

Michelle gave background information to the creation of the WDC, EDF and the EmPower ND Commission, and explaining the collaborative effort the groups would bring to the joint meeting.

### ADMINISTRATIVE MATTERS

#### Approval of Minutes of the WDC

**MOTION:** It was moved by Randy Burkhard, seconded by Arnie Strebe to approve the minutes from the September 19, 2019 WDC meeting. Motion carried unanimously.

#### Approval of Minutes of the EDF

**MOTION:** It was moved by Mike Seminary, seconded by Bruce Gjovig to approve the minutes from the September 11, 2019 EDF meeting. Motion carried unanimously.

### OPENING REMARKS

**Michelle Kommer**

Since November of 2017, the Council has worked to deeply understand North Dakota's workforce challenges, including but not limited to, commissioning regional economic impact and labor availability studies, partnering with the Greater North Dakota Chamber of Commerce to conduct the first-ever employer survey, and interviewing dozens of stakeholders across the entire state for the purpose of proposing a workforce plan that identifies priorities based on a data-driven understanding of North Dakota's workforce challenges.

## JOINT MEETING MINUTES of the WDC/EDF

All that information was condensed and refined to 32 recommendations of five themes:

- Technical Skills Gap
- Youth engagement
- Nursing Healthcare shortage
- Support for Populations with Barriers to Employment
- Need for Net In-migration (Recruit, Retain and Return)

### LEGACY FUND OVERVIEW

**Bruce Gjovig**

The Legacy Fund Coalition, created as Article X, Section 26, of the state constitution, was mostly inactive from 2011 to 2017. Then the coalition was reorganized in early 2018 with a clearer approach. Bruce gave an overview to establishment of the Legacy fund, the growth potential, the guiding principles, and the recommendations for investing Legacy Fund earnings.

### SUBCOMMITTEE REPORTS

**Michelle Kommer**

Three subcommittees have put forth their time and effort to address the workforce challenges and solutions for future priorities, helping solve the workforce issue. Priorities including; statutory changes, possible appropriations, and laying the groundwork for long term success.

Guiding principles for subcommittee groundwork are:

- Build on work completed to date
- Recommend actionable strategies (both short-and-long term)
- Statewide Impact
- Private Sector Partnership
- Coordinate and Maximize Federal Resources
- Scalable Solutions
- Balance Current & Future Needs
- Consider PRIORITIES vs. PROGRAMS

### WORKING LUNCH with PRESENTATIONS

**Recruit/Retain**

**Pat Bertagnolli – Appendix D**

The subcommittee reported strategies to help address the recommendations that will lead into the next legislative session in 2021.

**Technical Skills Gap/Career Exposure**

**Don Shilling – Appendix E**

The subcommittee reported strategies to help address the recommendations that will lead into the next legislative session in 2021.

## JOINT MEETING MINUTES of the WDC/EDF

### Populations with Barriers

Bryan Klipfel – Appendix F

The subcommittee reported strategies to help address the recommendations that will lead into the next legislative session in 2021.

### CAREER BUILDERS UPDATE

Brenda Zastoupil – Appendix G

HB 1171, passed in 2019 ND Legislative session, creating a skilled workforce scholarship and student loan repayment program to recruit individuals into “high need and emerging occupations” in the state.

### OCCUPATIONAL LICENSING UPDATE

Zach Herman – Appendix H

Discussion points included introduction to occupational licensing, consortium trends, national trends and ND occupational licensing.

### NEXT STEPS

Michelle Kommer

Michelle discussed the move for more continued subcommittee meetings that will connect to more refined recommendations for the 2021 legislative session.

### ADJOURNMENT of the Workforce Development Council

**MOTION:** It was moved by Cyndy Griffin and seconded by Taya Spelhaug to adjourn the WDC meeting. Motion carried unanimously.

### ADJOURNMENT of the Economic Development Foundation

**MOTION:** It was moved by Mike Seminary and seconded by Tommy Kenville to adjourn the EDF meeting. Motion carried unanimously.

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Sherrí Frieze  
Recording Secretary

Date

## JOINT MEETING MINUTES of the WDC/EDF

### INTRO – 3 words for capturing ND Workforce Strategy

Small town retention	Occupational licensing policy
Retain our citizens	Upscaling the workforce
Retain our youth	Work from home
Retention retention retention	Tell our story
Help me now	Promote community partnerships
Opportunities for all	Bridge the gap
Essential to small business	Workforce transition/succession
Growing skilled workers	Create career opportunities
Recruit talented workers	Growth requires people
Attract, educate, reward	Technical skills training – workforce academy
Educate, retain, reward (be competitive)	Work life balance – need the other thing to keep the
Strength in corridors	workers
It's our future	Aging workforce
Severe labor shortage	Success looks different
Educate, retain, youth	Preserve our health
Childcare, recession planning, small town vibrancy	Retain quality workforce
Rural community opportunities	Ample purposeful employees
Care for injured workers	Empower our youth
Meeting workforce need	Training competent workers
Enough labor force?	Attract retain quality
Recruit and retain	Workforce state plan
Untapped population	Youth, rural, medical

**JOINT MEETING MINUTES of the WDC/EDF**

**Table Discussion and Results From**

<b>Workforce questions asked</b>	<b>Legacy fund investment</b>	<b>Legacy name</b>
<p>Chicken or egg – workforce vs business attraction</p> <p>Why do programs have to be so complicated?</p> <p>Pockets of Excellence that exist in ND and why do they and how to support those</p>	<p>Invest in those regional areas and local areas for areas of excellence</p>	<p>Legendary Opportunities in ND</p> <p>Be Legendary</p>
<p>How do we connect all the dots fast for the best practices that are currently happening and get them moving sooner than later</p>		<p>ND Works</p> <p>Living Your Purpose</p>
<p>Chicken or egg – Workforce vs business attraction</p> <p>How do we know we are successful</p>	<p>Invest in a ND ambassador fund to help retain college students</p>	
<p>How do we change the negative perception that exists in small communities, when no option of business expansion or retaining of workforce</p>		<p>Productivity</p>
<p>Why are existing programs or scholarships so difficult to access?</p> <p>Why is class credit not given for career exploration</p>	<p>Seed money for career academies</p> <p>Invest in infrastructure expansion of Natural Gas in SE ND</p>	<p>Workforce Together</p> <p>Workforce works for Everyone</p>
		<p>Wow Works</p> <p>From Level Fields to Peek Opportunities</p>
		<p>ND Grit = Grow Retain Invest in Talent</p>
	<p>Invest in expansion of workforce for ND</p> <p>Advisory Program of the DOCR; advisor that aligns inmates with outside programs to access when released</p> <p>Kelly Inn for housing support</p>	<p>HELP = Harvesting Employment Labor Pool</p>
	<p>Invest cybersecurity, big date and finding those right matches</p>	

# WORKFORCE DEVELOPMENT COUNCIL

December 19, 2019  
ATTENDANCE SHEET

<b>(QUORUM = 50% VOTING MEMBERS +1)</b>		
<b>MEMBER</b>	<b>ENTITY</b>	<b>ATTENDANCE</b>
Governor Burgum		
<b>BUSINESS</b>		
Bertagnolli, Pat	City of Watford	Present
Farnsworth, Dave	GRE	present
Gelinske, Tifanie	Economic Development Fargo	present
Griffin, Cindy	Midwest Ag Energy Group	present
Johnson, Tim	UPS	present
Joraanstad, Nathan	Myriad Mobile	absent
Kamphuis, Jan	Sanford Health	present
Karn, Kurtis	Discovery Benefits	present
Klinke, Janelle	Goldmark	present
Lubbers, Perry	TrailKing	present
Lund, Keith	Economic Development Grand Forks	absent
Moos, Guy	Baker Boy	present
Shilling, Don	General Equipment	present
Spelhaug, Taya	Microsoft	present
Strebe, Arnie	retired	present
<b>LEGISLATIVE</b>		
Burckhard, Randy	Senator	present
Schreiber-Beck, Cndy	State Representative	present
<b>ELECTED</b>		
Grindberg, Tony	Fargo City Councilman	present
James, Lyn	Mayor of Bowman	present

<b>WORKFORCE</b>		
Ehlert, Jason	Labor	absent
Hagerott, Mark	Higher Education	present
Larson, Landis	Labor AFL CIO	present
Kommer, Michelle	Commerce	present
Sick, Wayde	Career & Technical Ed	present
Upgren, James	ND DPI	absent
Ziegler, Kasper	Labor	absent
Thunder, Erica	Labor	absent
<b>WIOA CORE</b>		
Schauer, Stan	Adult Ed	present
Klipfel, Bryan	WSI / Job Service	present
Throlson, Robyn	Vocational Rehabilitation	absent
<b>STAFF</b>		
Phil Davis, Director	Job Service	present
Lacher, Ruth, Staff	Job Service	absent
Barstad, Tammy, Staff	Job Service	absent
Ralston, Katie Staff	Commerce	present
Frieze, Sherri, Staff	Commerce	present

<b>OTHERS INVITED – non voting</b>		
Greuel, Jennifer		no
Gardner, Matt		present
Nowatzki, Mike		no
Sanford, Brent		no
Wenko, Shawn		present

# RECRUIT / RETAIN SUBCOMMITTEE

PAT BERTAGNOLLI

# ND Workforce Council - Recruit & Retain

## PROBLEM:

- Not enough people to fill North Dakota jobs.
- 30,000 open jobs in North Dakota.
- Competition for Labor – strong USA Economy.
- Our Focus: Net In-Migration

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## NORTH DAKOTA

2019 State of the Workforce Report

### LABOR MARKET INFORMATION

(2018, Non-seasonally-adjusted)

Website: [ndworkforceintelligence.com](http://ndworkforceintelligence.com)

#### LABOR FORCE DATA

Year-over Annual Job Growth	<b>9.0%</b> North Dakota	<b>1.7%</b> National
Annual Average Unemployment Rate	<b>2.6%</b> North Dakota	<b>3.9%</b> National
Annual Average Labor Force	<b>404,299</b>	
Annual Labor Force Participation Rate	<b>69.5%</b> North Dakota	<b>62.9%</b> National
Year-over Average Wage Growth	<b>4.1%</b> North Dakota	<b>3.3%</b> National

#### EDUCATION LEVELS\*

(Age 25 and older)

Less than high school:

**7.7% North Dakota** | 12.0% National

High school: **27.1% North Dakota** | 27.1% National

Some college/Associate degree:

**36.2% North Dakota** | 28.9% National

Bachelor's degree +: **28.9% North Dakota** | 32.0% National

\*American Community Survey (ACS) educational attainment data

# ND Workforce Council - Recruit & Retain

## 2018 WFC Summary Report – What We Learned:

- *We need more qualified workers – technical skills & healthcare.*
- *2017 Impact Analysis – military organizations employed 14,000 people and created another 3800 jobs indirectly. Total Military impact to ND - \$1.15 Billion. Preserving military bases beneficial at many levels.*
- *Licensed Occupations – unique barriers and challenges.*
- *Nursing & Healthcare technician shortage – Rural landscape of ND compounds issue. 35% of all North Dakotans live in shortage area with 19 counties having critical numbers of RNs/APRN's in 2016.*

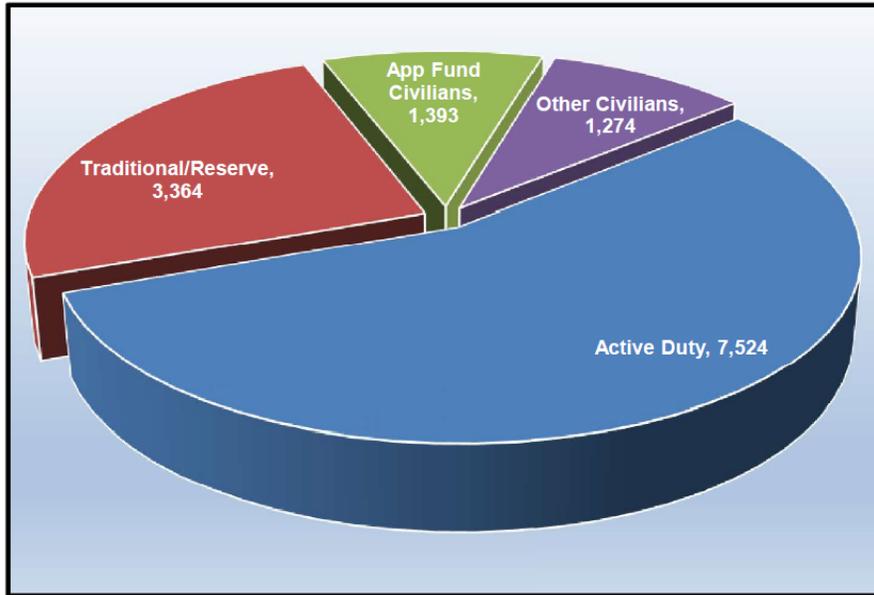
# ND Workforce Council - Recruit & Retain

## **2018 WFC Summary Report – Recommendations:**

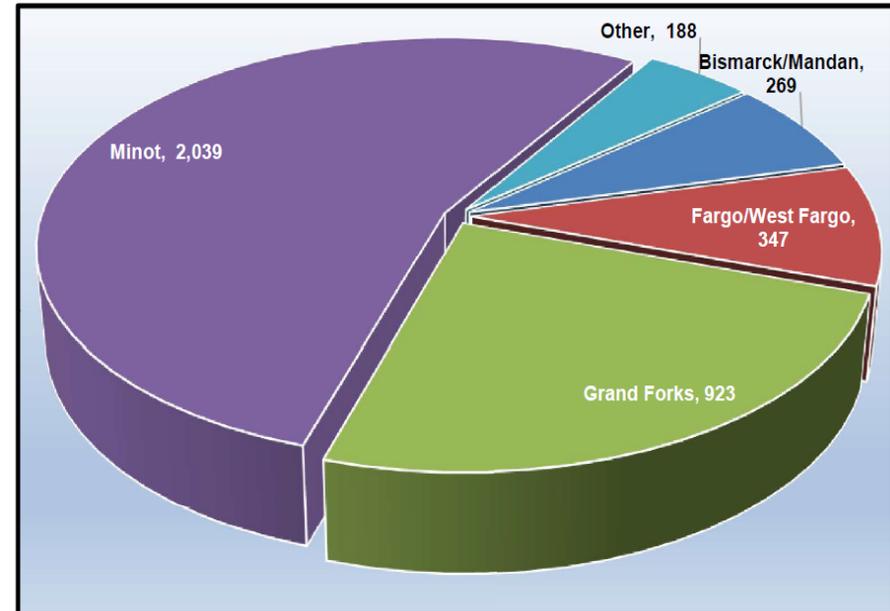
- Retain Youth, recruit former residents to return to ND & recruit new North Dakotans.
- Develop and Launch a North Dakota Marketing Campaign.
- Enhance “Military-Friendly” Status of North Dakota.
- Transferability of military training to civilian-degree credit – ensuring consistency in translation of military training to academic training. (barrier to employment).
- Remove licensing barriers for military spouse/dependent.
- Maximize Entry into Nursing Educational Programs.
- Nursing - evaluate compensation/student loan repayment plan.
- Expand program capacity – insufficient number of qualified nurses to serve as instructors. Little incentive to serve in these positions. Student loan debt accompanies advancement in education.

# Military - Recruit & Retain

FY 18 ND Military Direct Jobs by Type



FY18 Indirect Jobs Created by Location



Opportunities to expand military impact:  
Current Direct Jobs: 13,555 Indirect Jobs – 3,766  
Current WF Impact: 17,321

# Nursing - Recruit & Retain

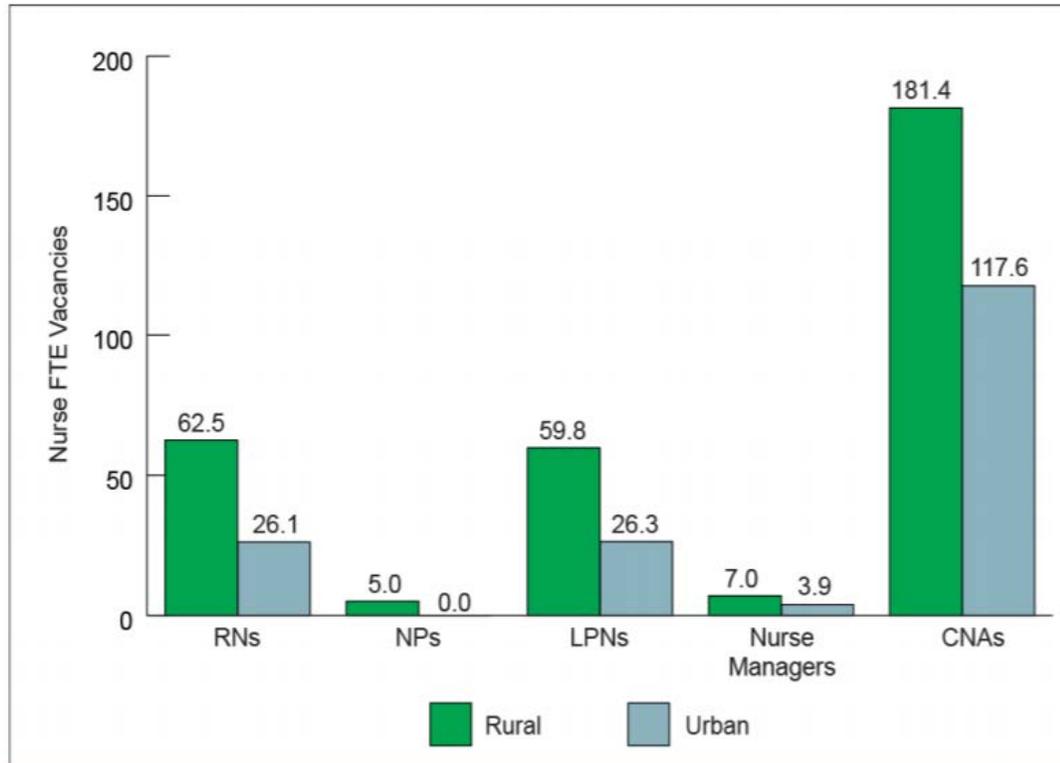


Figure 5.15. Statewide number of nurse FTE vacancies by type.<sup>5</sup>

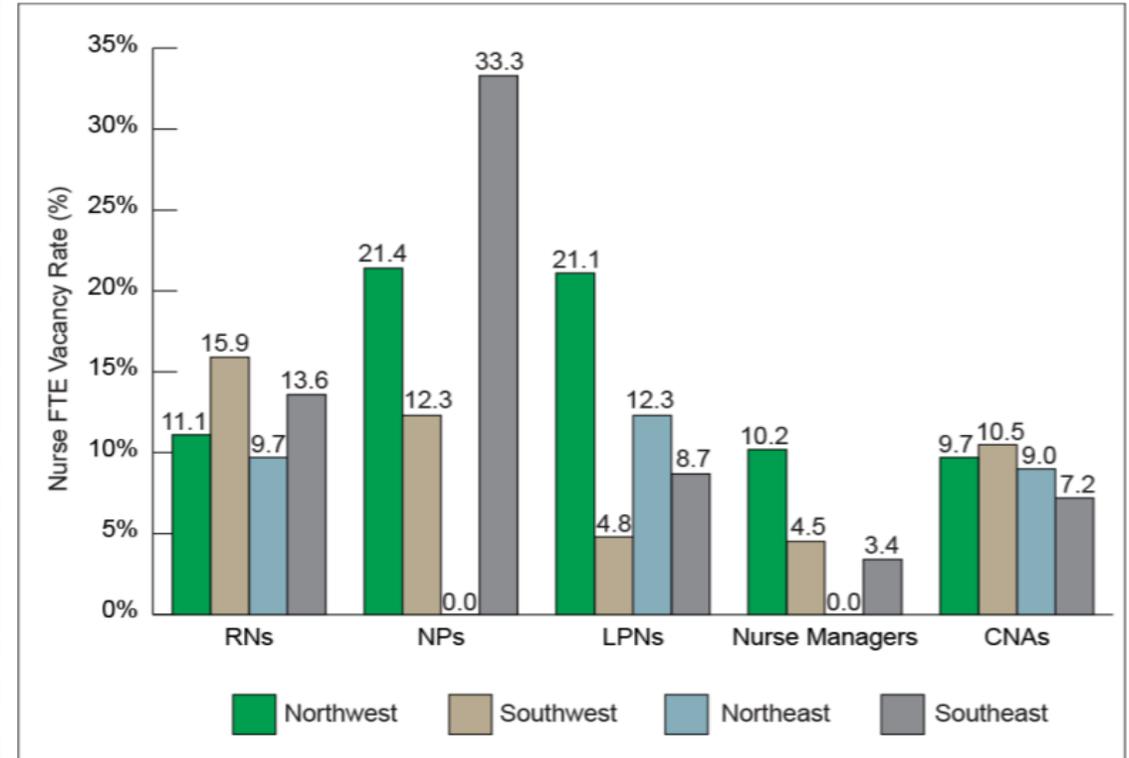


Figure 5.17. Statewide nurse FTE vacancy rates by type.<sup>5</sup>

Solution in part: Retain Nursing Graduates and professionals. 5-7 year post graduation ND retention rate is less than 50%.

Graph Source: 5<sup>th</sup> Biennial Report | 2019 Health Issues for the State of North Dakota

# ND Workforce Council - Recruit & Retain

## WHERE WE ARE TODAY:

- Military
  - Tax incentives
  - Licensing barriers
  - FMCSA – under 21 Pilot Program (Commercial CDL Drivers)
- Nursing
  - Trends
  - Incentives
  - Wages
- Youth Retention
  - Data Discovery

# WFC Recruit & Retain - Subcommittee

Name	Company
Kurtis Karn	WEX & Discover Benefits
Janelle Klinke	Goldmark Property Management
Jan Kamphuis	Sanford Health
Tim Johnson	UPS
Guy Moos	Baker Boy
Katie Ralston	ND Dept. of Commerce – Workforce Projects & Programs

# WFC Recruit & Retain – Contributors

Name	Company
Ann Pollert	General Equipment & Supplies, Inc.
Sara Otte Coleman	ND Dept. of Commerce – Tourism
Patricia Moulton	ND Center for Nursing
Major Jay Sheldon	ND National Guard
Susan Ogurek	Minot Job Service
Mary Urlacher	Dickinson Job Service
Paula Hickle	Williston Job Service
Vawnita Best	Watford City Economic Development
Arik Spencer	ND Chamber
Dale Patton	ND District 39 Senator

# ND Workforce Council - Recruit & Retain

## Committee Discussion Topics:

- Military – additional incentives needed.
- Nursing – loan repayment plans/faculty tuition assistance.
- Housing – lack of inventory/rents on the rise – wages not moving.
- Daycare – common issue across state/barriers to employment/impacts recruiting.
- Schools at capacity/daycare issues/no busing in District 1 (Williston) job vs. getting kids to school.
  - Work for stay at home parents – growing opportunities (Williston) Multi-level/attraction marketing on rise – weekly paychecks/monthly bonuses. (Gig Economy?)
- Entry/mid-level manager leadership training.
- Tourism – data points, “Intent to travel”/exploring WF data points, “Intent to move?”
- Out of state layoffs/bankruptcies – best opportunities to attract those impacted.

# ND Workforce Council - Recruit & Retain

## Emerging Priorities:

- Entry/Mid Level Management – Leadership Training
  - ND Growth – fast track/promotions – effectiveness/training gaps.
    - Training gap - estimate large impact to Workforce Retention and Net In-Migration via poor North Dakota employment experience.
    - Strategic Vision - potential impact to Community/Industry/School strategies – “future workforce” development.
  - 2017 – Workforce Survey only 37% would be willing to contribute to workforce training program, and 75% have no formal training budget.
- Ambassador Program – Assist with Community Integration

# ND Workforce Council - Recruit & Retain



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# CAREER EXPOSURE / TECHNICAL SKILLS GAP SUBCOMMITTEE

DON SHILLING

# CAREER EXPLORATION

In my opinion this is our greatest need:

- Career Exposure and Skills Gap are intertwined
  - Better Career Exploration will equate to Skills Jobs Awareness
- 
- Awareness will lead to more career participation

# TECHNICAL SKILLS GAP

1. CTE programing expansion and align with industry needs
2. Review high school graduation requirements – pathway to technical careers
3. Internships remodeled – designed for small business, hands on, applied learning
4. Competitive funding to launch additional career academies
5. Consistent collaboration between PK-12 and NDUS to encourage technical pathways
6. Dual Credit agreements
7. Stronger strategic and structural alignment of community colleges, CTE and Distance Ed
8. Enhancement of PK-12 career experience curriculum, field experience and applied learning
9. Supplemental Best in Class career exploration / exposure tools
10. Implementation of improved talent assessment and career planning
11. Prioritization of career planning requiring a career plan prior to entering ninth grade
12. Partnerships with industry /community colleges to offer scholarships in high demand degrees
13. Digitization and automation business process credits

# CAREER EXPLORATION

1. Implementing specific career exposure courses
2. Consistent approach to incorporating student / parent / teacher career planning
3. School funding to reinforce support for and require evidence engagement in these practices
4. Increase work-based learning opportunities collaborative (business, labor, associations)
5. Youth Micro Grant encouraging potential of our younger generations

# SUBCOMMITTEE SURVEY - PRIORITIES

1. Career Engagement Tools
2. Engagement of Business / Education Collaboration
3. Industry Internships / Job Shadows
4. Review Current State Funded Workforce Programs
5. Review CTE Programs
6. Apprenticeships
7. Coordinate State-Wide Consistent Career/ Job Fairs Content and Presentation

# SUBCOMMITTEE SURVEY STATISTICS

- **89%** of the Parents want to see more education about Career Choices in High School
- The Average College Student takes **6 Years to Graduate** – meaning they change majors on average of 3 times which increases student debt.
- Current average student debt is \$35,000 and total of \$1.5 trillion currently in student loans
- Over **30,000 unfilled jobs in ND** – majority require two years or less of education beyond high school
- **53%** of businesses unable to grow their business due to lack of skilled workforce
- Over **60%** report 5 to 30 expected vacancies in positions within their companies by 2023
- **70%** of the businesses in ND have 9 employees or less and are not connecting with potential future skilled workers or potential apprentices
- Over **30%** of the businesses are making no attempt to engage the next generation in careers

# SUBCOMMITTEE MEMBERS

## **WDC Committee Members**

- Dave Farnsworth
- Nate Joraanstad
- Taya Spelhaug
- Wade Sick
- Perry Lubbers
- Cindy Griffin
- Jim Upgren
- Jason Ehlert
- Katie Ralston
- Michelle Kommer

## **Non WDC Committee Members**

- Suzie Kenner – Devils Lake Chamber
- Haley Jeannotte – Williston High School
- Tanya Vachal – Williston State College
- Cory Steiner – Northern Cass Schools
- Linda Pitman – Equinor
- Jason Baumgartner – Precision Plumbing
- Kent Ellis – Bismarck Schools

# EMERGING HIGHLIGHTS

- R U Ready Career Exploration Tool not mandated for every school. Cumbersome to use, needs perhaps third-party expertise for better utilization, does not focus truly focus on all skilled career choices, does not create any connection to potential employers
- Career Academies are a must – introduction of many skilled trades to students
- Local business collaboration directly with local schools is not really happening – EDC intervention
- Job Shadow Programs where implemented are working
- Internships are spotty not the norm (potential Child Labor Law issues to overcome)
- Lack of Student / Business engagement – success of ND Career Builder or Apprenticeship dependent on this

# COMMITTEE CONSENSUS

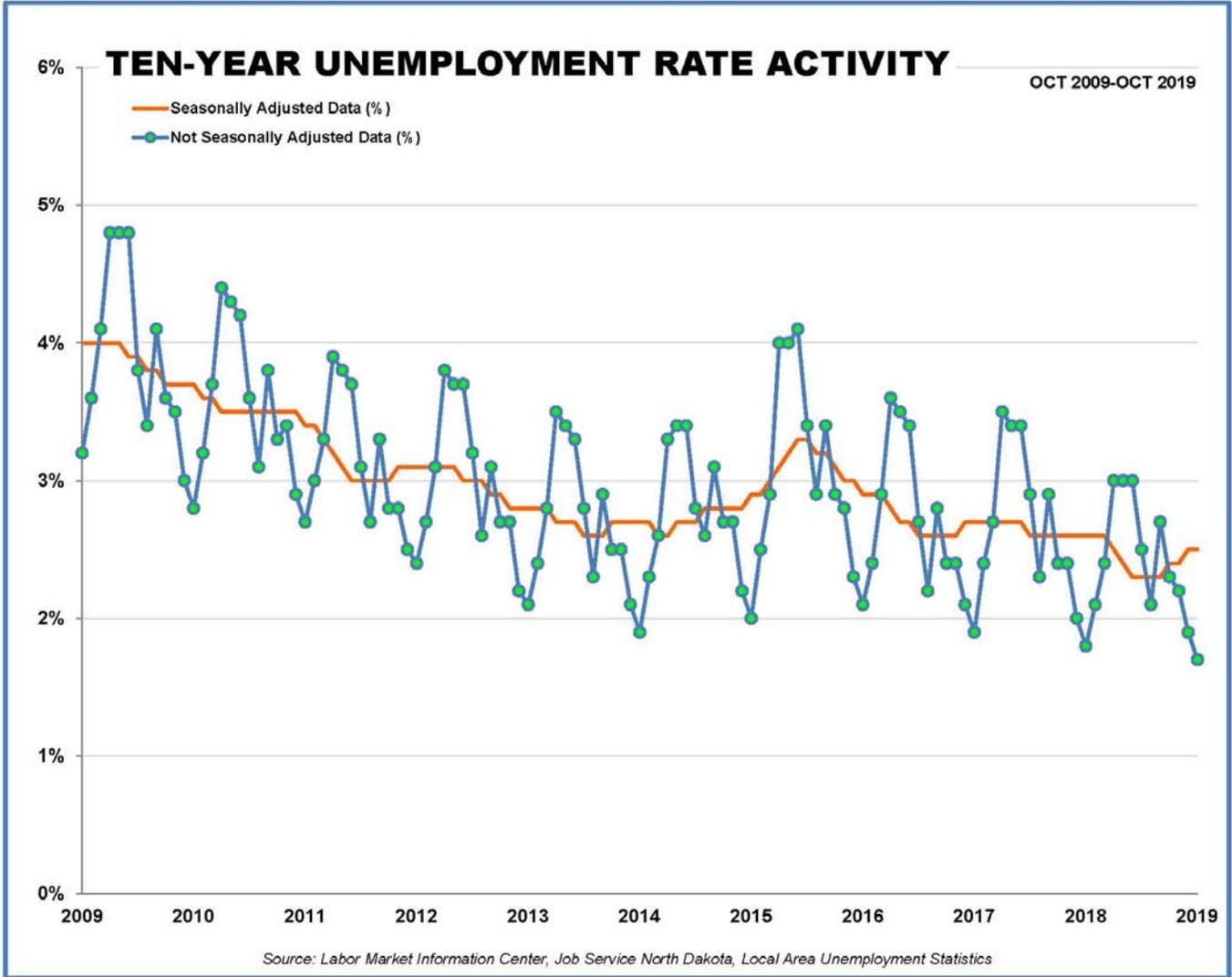
Without a doubt major piece that is missing!!

- The connection of businesses in ND (potential employers) with students
- Whether school field trips to examine careers, job or career fairs, job shadows, internships, skills training, apprenticeships, tuition reimbursement programs
- Clearinghouse for businesses who are interested and have programs and match to students or unemployed who want to be engaged in these types of opportunities

# POPULATIONS WITH BARRIERS SUBCOMMITTEE

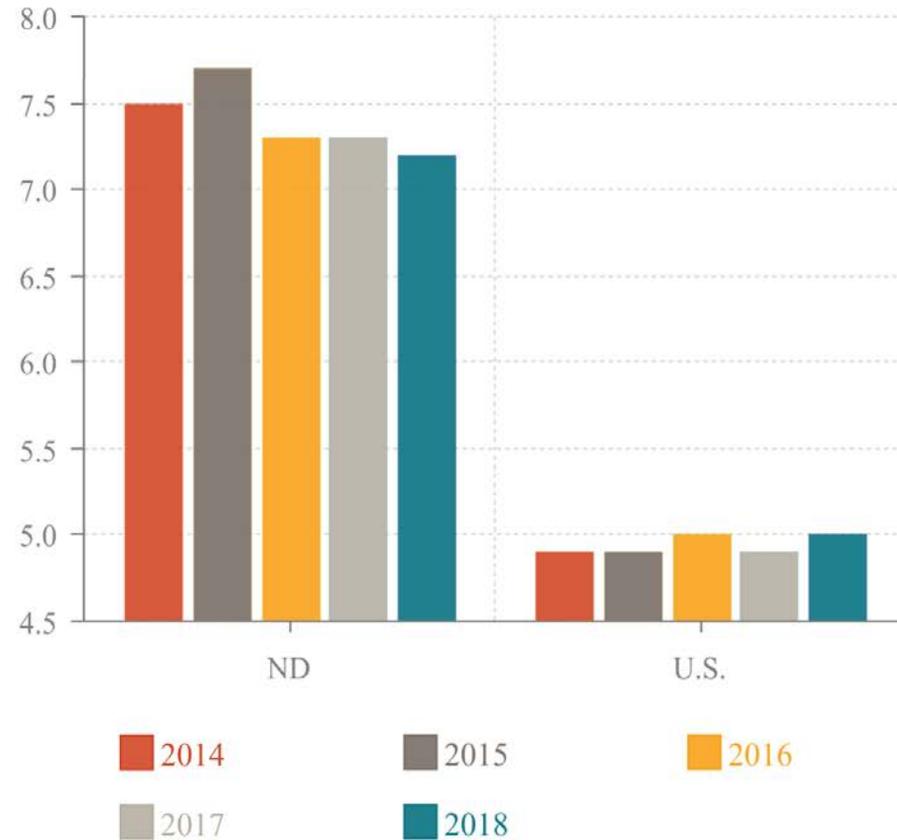
BRYAN KLIPFEL

# UNEMPLOYMENT RATE 2009-2019



# ND/U.S. JOBHOLDING RATE

Multiple Jobholding Rate



# WORKFORCE SHORTAGE

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## 2018 ACS

TOTAL POPULATION 16 & OVER

VETERANS (AGES 18 - 64)

AMERICAN INDIANS (AGES 16 & OVER)

YOUTH (AGES 16-19)

AGES 65+

## TOTAL

601,874

22,750

28,160

38,505

116,433

## LF PARTICIPATION RATE

69.60%

85.20%

61.30%

52.30%

38.50%

# POPULATION WITH BARRIERS SUB-COMMITTEE

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- Robyn Throlson - DHS Voc Rehab
  - Cindy Schreiber-Beck – State Representative
  - Tiffanie Gelinske – Greater Fargo Moorhead EDC
  - Landis Larson – ND AFL-CIO
  - Michelle Kommer – Commerce
  - Sherri Frieze – Commerce
  
  - \* Darcy Severson – Community Options
  - \* Katie Albanese – SEED
  - \* Scott College – F5 Project
- Stan Schauer - DPI
  - Erica Thunder – ND DOL
  - Penny Hetlvedt - DOCR
  - Phil Davis – JSND
  - Katie Ralston – Commerce
  - Bryan Klipfel – JSND & WSI
  
  - \* Kyle Iron Lightning – Indian Affairs
  - \* Melissa Tillman – JSND
  - \* Thomas Hill – Cass Clay United Way

*\* (Denotes non WDC Sub-committee members)*

# DISCUSSION HIGHLIGHTS

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- Population with Barriers that could be included in discussion:
  1. Ex-offenders
  2. Homeless
  3. Urban native populations
  4. Mentally or physically handicapped
  5. English language learners
  6. Addiction barriers
  7. Out of work population
  8. Citizens without high school degrees

# DISCUSSION HIGHLIGHTS

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- Barriers to employment
  1. Affordable housing
  2. Transportation
  3. Reintegration into the family
  4. Substance abuse
  5. Who will hire a sex offender or violent offender
  6. Mental/Spiritual Health

# WHAT IS CURRENTLY BEING DONE

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- Department of Corrections and Rehabilitation re-entry efforts
- Second chance job fairs
- JSND tax incentive and training programs
- Workforce Opportunity Tax Credits (WOTC) and bonding
- Apprenticeships
- Workforce Innovation and Opportunities Act (WIOA)
- Use of social media to spread the word about all the state agency programs to help this population
- FirstLink 2-1-1

# EMERGING PRIORITIES

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- Department of Corrections and Rehabilitation re-entry program
- Homeless population
- Utilization of WOTC and WIOA funding for the population with barriers.

# WORKFORCE SHORTAGE

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	2016	2017	2018
Releases from DOCR	1628	1672	1555
<i>Approximately 120 releases per month</i>			

# HOMELESS POPULATION

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- Find permanent housing first before looking for work is the model that works the best
- On any given night 1075 people can be homeless in the Fargo – Moorhead area!!!!



# QUESTIONS

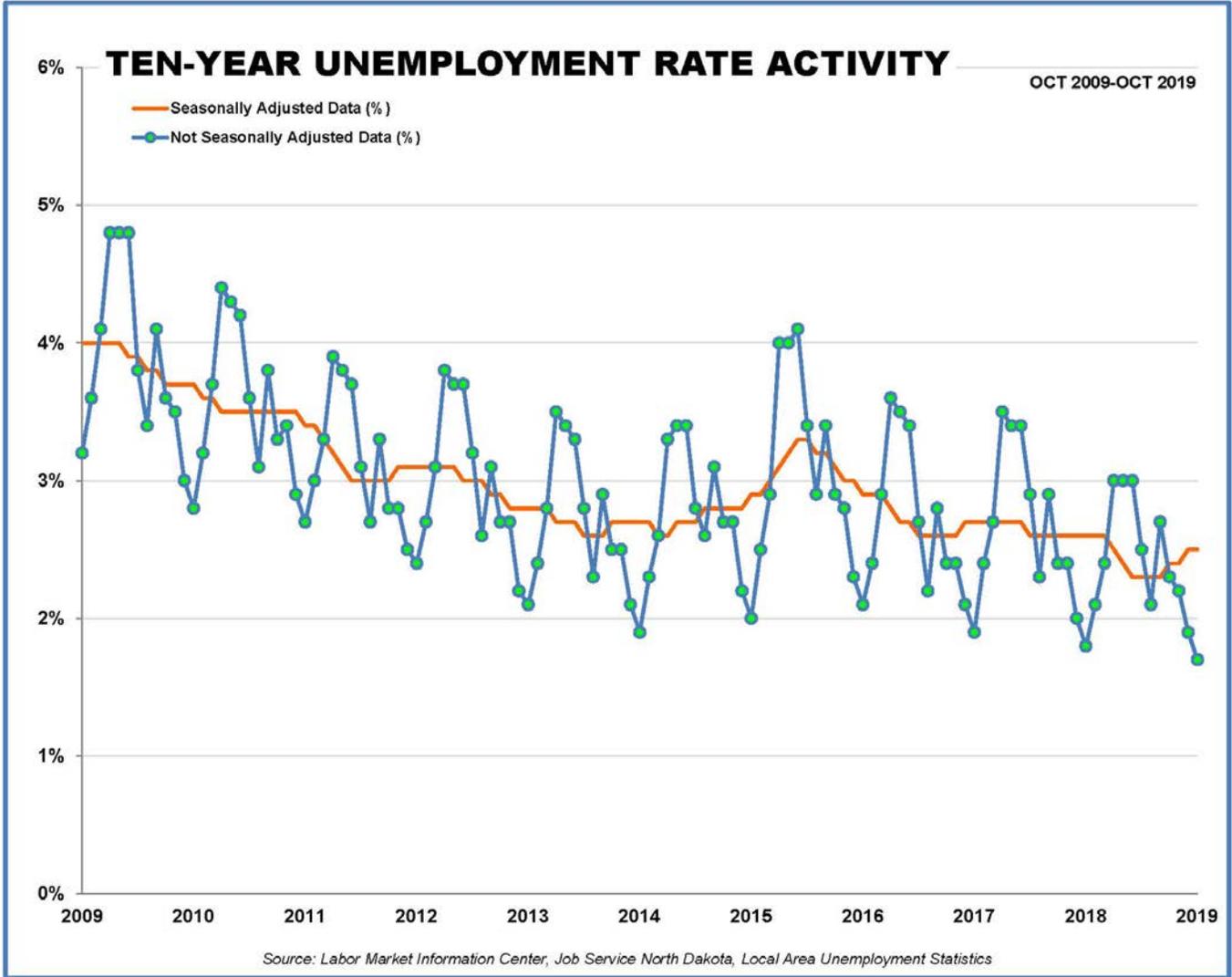
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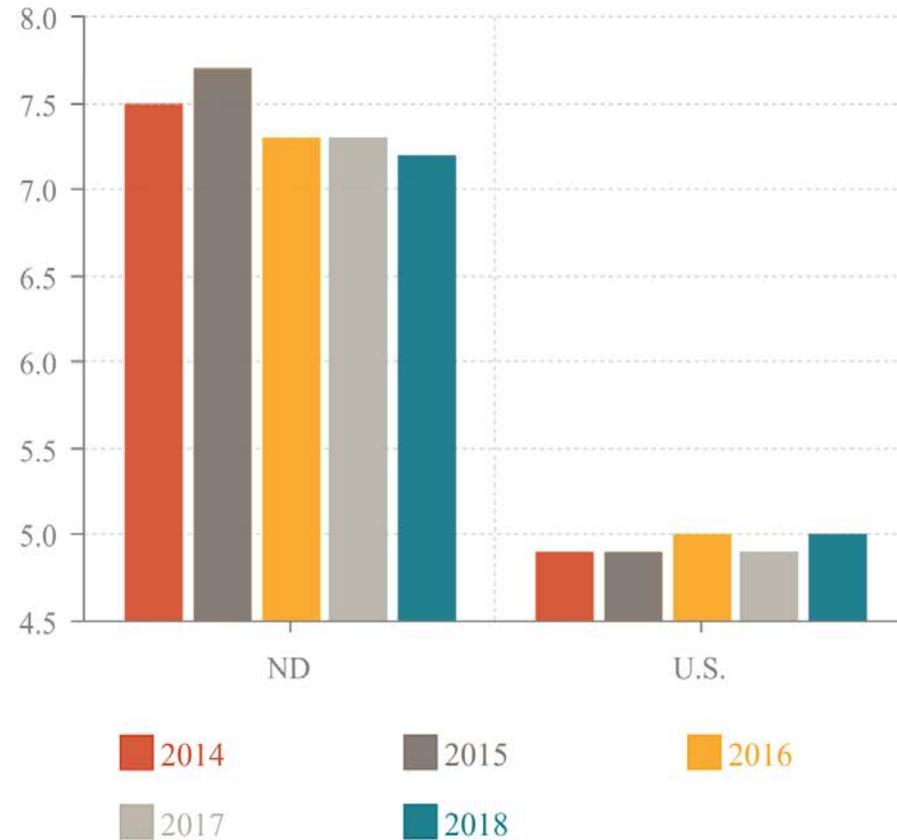
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  7. Out of work population
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# QUESTIONS

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# CAREER BUILDERS UPDATE



BRENDA ZASTOUPIL



# career builders

Scholarship & Loan Repayment

- ▶ High-Need and Emerging Occupations Established - WDC & NDJS (June/July)
  
- ▶ Qualifying Programs Lists Developed - NDUS & WDC (annually & ongoing)
  - ▶ May be certificate or degree programs
  - ▶ May include public/private/tribal colleges in ND
  - ▶ Must relate to the in-demand occupations
  
- ▶ Criteria for Programs
  - ▶ Scholarship List: Programs of 4 semesters/6 quarters or less in length
  - ▶ Loan Repayment List: May be any certificate or degree from a ND college or university.
    - ▶ AG Opinion 10/23/2019



# career builders

Scholarship & Loan Repayment

## ► Action Items for WDC

1. Review and approve the two lists for posting to the ND Career Builders website.
2. Discuss review of program lists going forward.
3. Tools for business: <https://ndus.edu/career-builders/>

# OCCUPATIONAL LICENSING UPDATE

ZACH HERMAN

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# OCCUPATIONAL LICENSING: STATE AND NATIONAL TRENDS

Zach Herman  
Research Analyst II  
National Conference of State Legislatures



# PRESENTATION AGENDA

- Introduction to occupational licensing
- Project overview
- Consortium trends
- National trends
- Occupational licensing in North Dakota



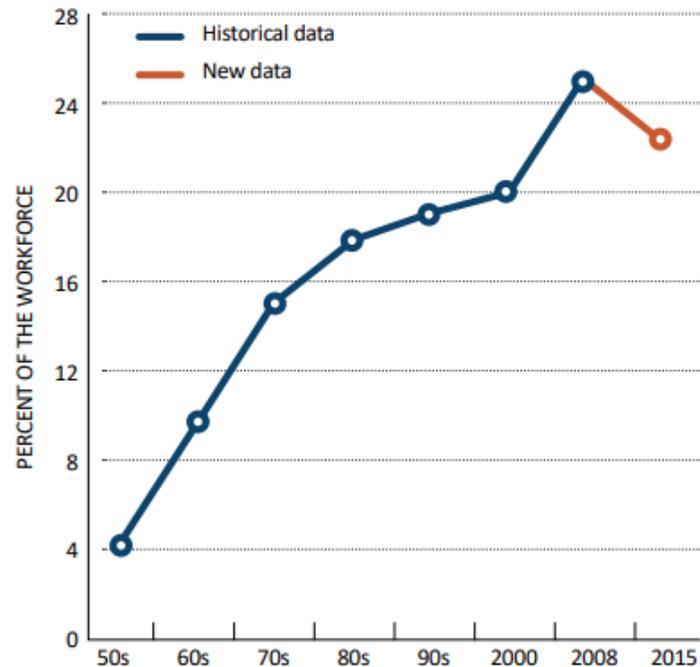
## WHAT IS AN OCCUPATIONAL LICENSE?

An occupational license is a credential that government—most often states—requires a worker to hold in certain occupations.



# WHY OCCUPATIONAL LICENSING MATTERS

**Figure 1. Share of U.S. Workers with an Occupational License**



- Licensing is the single largest labor market institution in the country.
- Roughly 25 percent of the workforce.

Note: Estimates for 1950-2008 are for workers with state licenses; estimates for 2015 include state, federal and local licenses.

Source: *The Council of State Governments (1952); Greene (1969); Kleiner (2006); and Kleiner and Krueger (2013), Westat data; Bureau of Labor Statistics (2015);*



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# BENEFITS OF LICENSURE

## Intent of Licensure:

- Safeguard public health and safety.
- Protect consumers by guaranteeing minimum educational requirements and industry oversight.
- Support career development and pathways, as well as enhanced professionalism for licensed workers.
- Step in when competitive market forces fail to achieve desired outcomes.

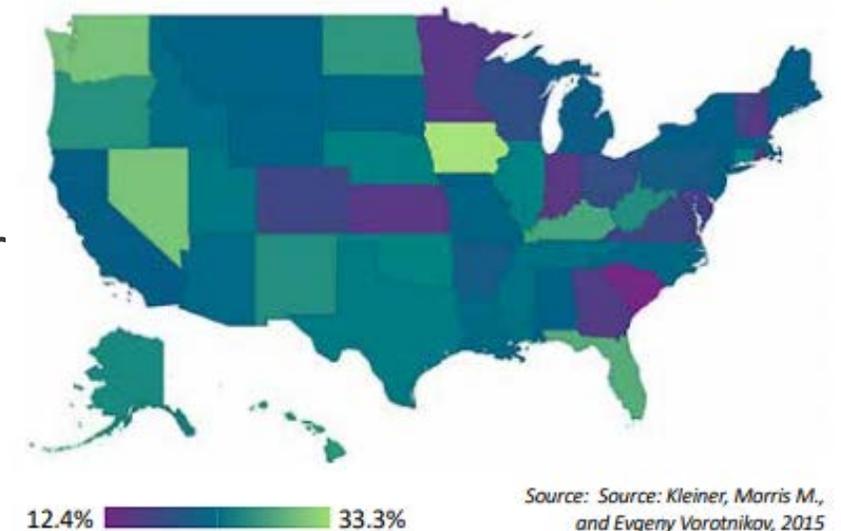


## COSTS OF LICENSURE

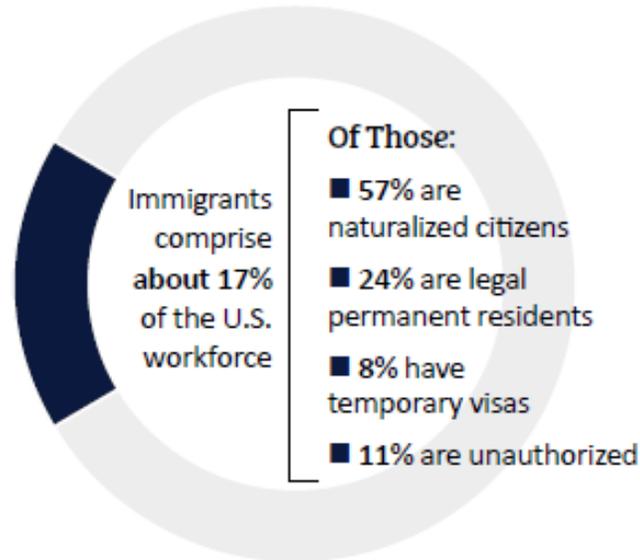
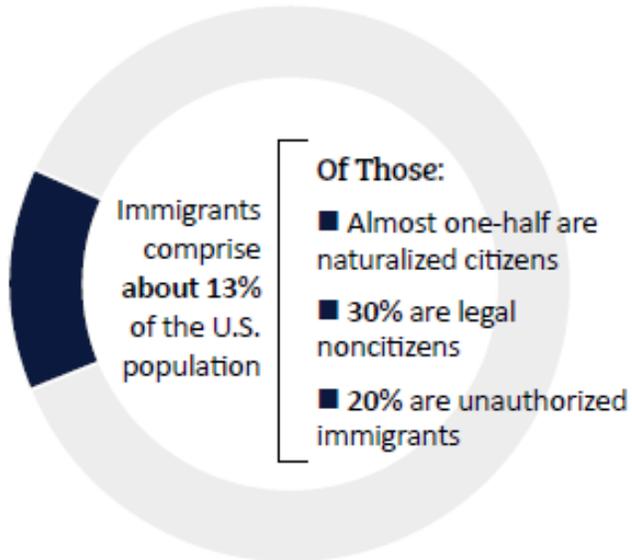
Unnecessary requirements have been found to:

- Reduce employment in licensed occupations.
- Reduce geographic mobility.
- Reduce wages for unlicensed workers relative to their licensed counterparts.
- Reduce market competition and innovation.
- Increase the price of goods and services.
- Disproportionately burden certain populations.

**Figure 2. Percent of Workforce Licensed by State, 2015**



# IMMIGRANTS WITH WORK AUTHORIZATION



Of the 45.6 million college graduates in the U.S. labor force, **7.6 million** are foreign-born. Of those, **25 percent** were in low-skilled jobs or unemployed.

**OCCUPATIONAL LICENSING**  
ASSESSING STATE POLICY AND PRACTICE

## Barriers to Work: Improving Access to Licensed Occupations For Immigrants with Work Authorization

ANN MORSE, NATIONAL CONFERENCE OF STATE LEGISLATURES  
ISHANEE CHANDA, NATIONAL CONFERENCE OF STATE LEGISLATURES

Immigrants make up 13.5 percent of the U.S. population and 17 percent of the U.S. workforce.

Foreign-trained workers and U.S.-trained immigrants are filling key niches in the U.S. labor force, alleviating shortages in certain sectors such as health care, where one in six health care professionals overall is foreign-born. Nearly 28 percent of physicians and surgeons and 24 percent of direct-care workers in areas such as nursing, psychiatry and home health are foreign-born.<sup>1</sup>

Certain occupations are estimated to be growth areas for the U.S. economy, in part due to people retiring from the workforce and requiring more health care and other services. Health care occupations, for example, are estimated to account for nearly one-fourth of newly created jobs in the U.S.



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# BARRIERS FOR IMMIGRANTS WITH WORK AUTHORIZATION

- Lack of knowledge about licensing
- Skill gaps
- cost

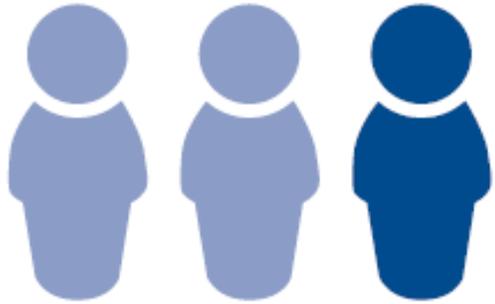
## POLICY TRENDS

- Task forces/offices to develop research and policy recommendations.
- Crosswalking licensing requirements and addressing skill gaps (Vermont H 427).



# EX-OFFENDERS AND PEOPLE WITH CRIMINAL RECORDS

## Criminal records (national data)



**77,000,000**

Approximate number of American adults  
— 1 in 3— with a criminal record

Source: Bureau of Justice Statistics, 2016

**600,000**

Inmates released each year

## Incarceration: Communities of color most affected

■ African-American males ages 18 to 19: 11.8 times more likely be imprisoned than white male same age

**x11.8**

■ African-American females: twice as likely as white females to be imprisoned

**x2**

■ Hispanics: 856 per 100,000

Source: Bureau of Justice Statistics: Prisoners, 2016



## Barriers to Work: Improving Employment in Licensed Occupations for Individuals with Criminal Records



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# BARRIERS FOR EX-OFFENDERS



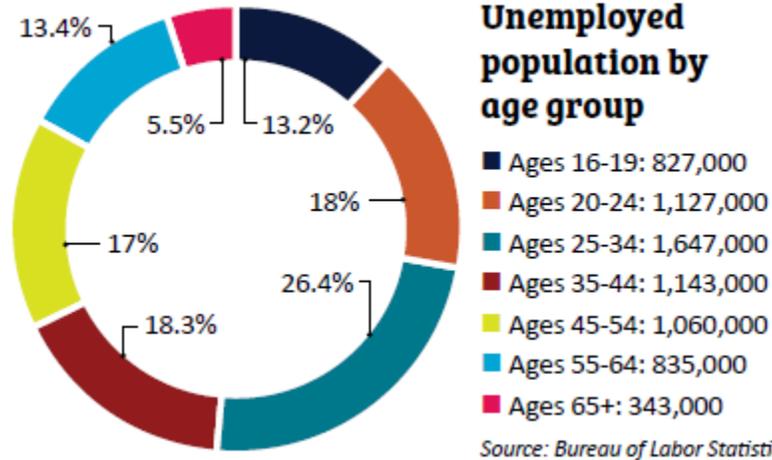
- Blanket bans
- Good moral character clauses
- Cost

## POLICY TRENDS

- **Arkansas SB 451:** Lists convictions that disqualify an applicant from most occupational licenses, allows for individuals to **petition** the board to consider their conviction and potential for a waiver and prohibits licensing authorities from considering arrest records and using vague terms such as **“moral turpitude”** and **“good character.”**
- **Mississippi SB 2781:** Prohibits boards from denying a license unless the offense is **“directly related”** to the duties of the occupation, applicants may **petition** the boards to determine if their criminal record is disqualifying, licensing authorities are prohibited from including vague terminology such as **“moral turpitude”, “any felony”** and **“good character.”**
- **Oklahoma HB1373:** Removes vague terminology such as **“good moral character”** and **“moral turpitude”** from licensing requirements, states disqualifying offenses must **“substantially relate”** to the duties of the occupation and **“pose a reasonable threat to public safety.”**



# DISLOCATED WORKERS



Unemployment rate, 25 years and older <sup>6</sup>	Less than a high school diploma	Some college or an associate degree	Bachelor's degree and higher
Total	6.5	3.8	2.3
Men	6.1	3.6	2.2
Women	7.2	3.9	2.4
White	5.7	3.3	2.1
Black	12.5	5.8	3.6
Asian	4.4	3.2	2.7
Hispanic or Latino ethnicity	5.2	3.9	2.9



## Barriers to Work: Improving Access to Licensed Occupations For Low-Income, Unemployed and Dislocated Workers

GEOFF KING, NATIONAL GOVERNORS ASSOCIATION  
JOELLEN KRALIK, NATIONAL CONFERENCE OF STATE LEGISLATURES

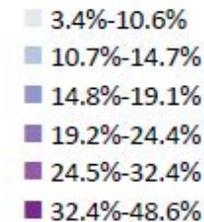


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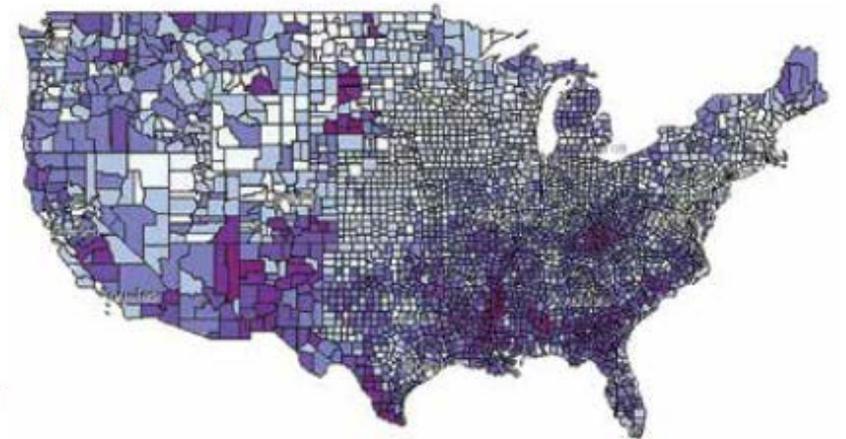
# BARRIERS FOR DISLOCATED WORKERS

- Fees for applications
- Cost of education and training
- High bars for entry through licensure
- Previous job experience
- Uneven mobility of a license
- Uneven requirements for licensure

**Poverty Rates  
by County, 2016**



Source: U.S. Census Bureau



## POLICY TRENDS

- Reduction or elimination of fees (Nebraska LB 112; West Virginia S 396).
- Apprenticeship programs connected to licensed occupations—Colorado, Maryland, Vermont.
- Tiered and stacking credentials for licensed occupations—Vermont.



# VETERANS AND MILITARY SPOUSES

- Veterans have an unemployment rate of 12.1 percent.
- 30 percent of military spouses are unemployed.
- 56 percent of military spouses are underemployed.
- Well educated:
  - 84 percent some college or higher.
  - 25 percent bachelor's degree.
  - 10 percent advanced degree.
- Often in high-demand fields such as health care and education.

## **Barriers to Work: Improving Access to Licensed Occupations for Veterans and Military Spouses**

BY AMANDA WINTERS, NATIONAL GOVERNORS ASSOCIATION  
RACHAEL STEPHENS, NATIONAL GOVERNORS ASSOCIATION  
JENNIFER SCHULTZ, NATIONAL CONFERENCE OF STATE LEGISLATURES

The United States is home to millions of military families, made up of veterans, active-duty service members, spouses and dependents. These individuals offer a unique set of skills, experiences and leadership abilities, yet many struggle to find and maintain employment. For veterans, translating their skills to the civilian workforce and marketing themselves to employers play a role. For military spouses, challenges stem from frequent moves and parenting responsibilities. Both groups face barriers and challenges with state occupational licensing regulations.

The U.S. Department of Labor estimates that the military trains people in skills applicable in at least 962 civilian occupations.<sup>1</sup> Despite being well-prepared for civilian employment, veterans report that finding a job is the top challenge they face as they transition into civilian life.<sup>2</sup> When job markets are regulated through licensing, veterans can be put at a disadvantage when competing for work with a similarly skilled person trained in the private sector. The challenge of finding a



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## BARRIERS FOR MILITARY FAMILIES

- Crosswalking military education and experience.
- Uneven requirements for licensure across states.

## POLICY TRENDS

- Fee waivers (Nebraska LB 112; Oklahoma SB 670).
- Teacher licensure (2018 New Mexico SB 97).
- Expedited licensure (Kentucky HB 18-319).
- Overall process improvements and education/experience crosswalking (Nevada AB 25 ).
- Exemption of military spouse licensure requirements under certain circumstances (Arizona HB 2569; South Dakota HB 1111).





# OCCUPATIONAL LICENSING: ASSESSING STATE POLICY AND PRACTICE PROJECT OVERVIEW

## PROJECT OVERVIEW

- 2017-2019 grant from U.S. Department of Labor's Employment and Training Administration:
  - Additional funding in 2018.
- National Project Partners: NCSL, The Council of State Governments (CSG) and the National Governors Association Center for Best Practices (NGA Center).
- Project Goals:
  1. Reducing barriers to the labor market.
  2. Improving portability of licenses across state lines.
- Focus on four key populations: military families, individuals with criminal records, immigrants and dislocated workers.



## RESEARCH PRODUCTS SO FAR – [WWW.NCSL.ORG/STATESLICENSE](http://WWW.NCSL.ORG/STATESLICENSE)

### Databases

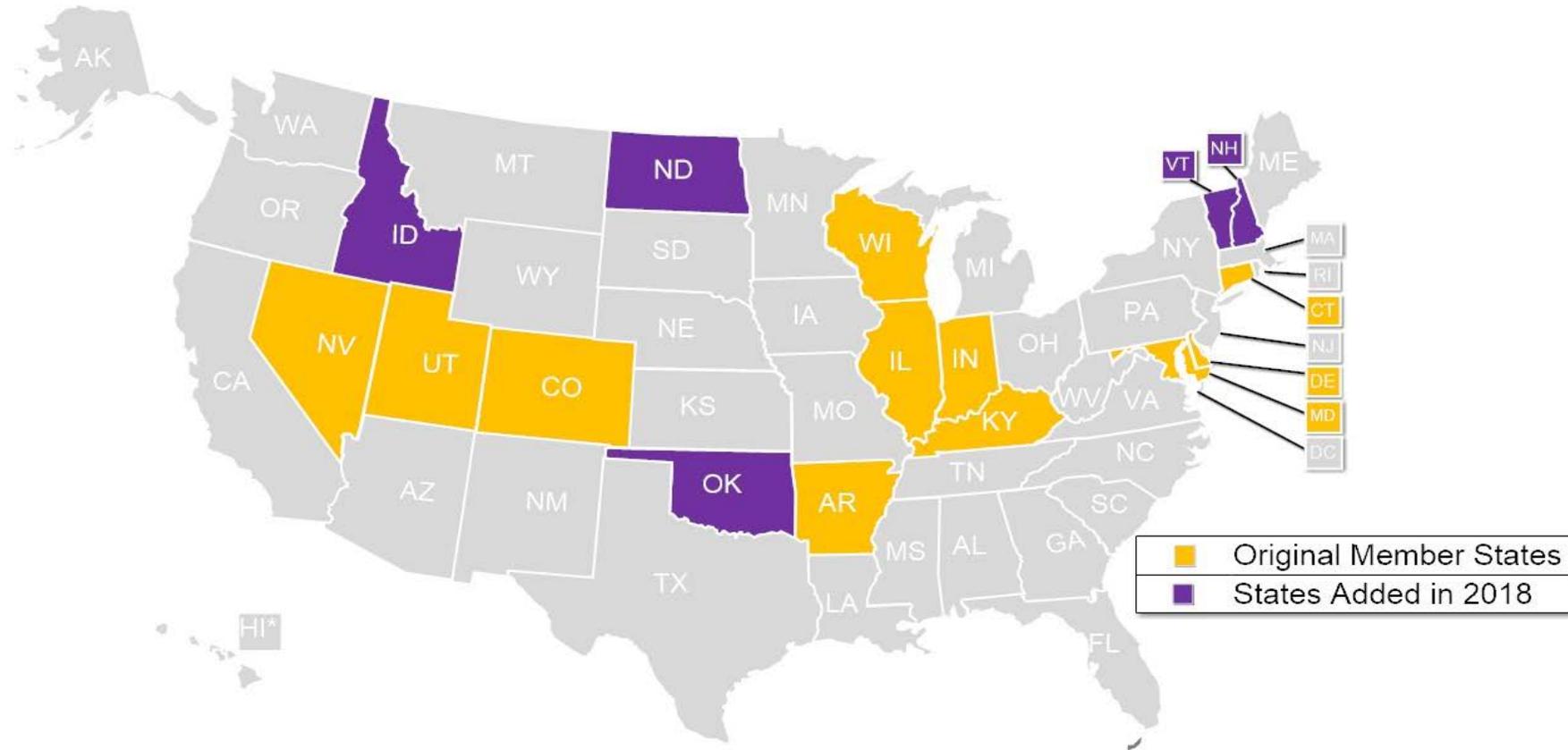
- The National Occupational Licensing Database.
  - Database containing the minimum licensure requirements of 30+ occupations across all 50 states—soon to be expanded to 50+ occupations.
- State Net Legislative Database.
  - Comprehensive 50-state legislative database covering all things occupational licensing and regulation.

### Publications

- The Evolving State of Occupational Licensing, 2019.
  - Literature review of occupational licensing policy up to 2019.
- Barriers to Work Series, 2018.
  - Focused deep-dives on policy challenges and best practices for each of the four population groups.
- Blogs, web resources and LegisBriefs, ongoing.



# OCCUPATIONAL LICENSING LEARNING CONSORTIUM



## ACTION PLANNING

- Individualized, state-driven action planning for all member states.
- Beginning at the 2017 Consortium Meeting, each state team worked with liaisons from NCSL, CSG and NGA to:
  - Develop goals.
  - Identify stakeholders necessary for policy change.
  - Construct timelines.
- After the Consortium Meeting, states host in-state meetings on their own turf where they identify local stakeholders to attend and receive additional technical assistance from NCSL, CSG and NGA.

## EXAMPLES OF ACTION PLANNING FROM CONSORTIUM STATES

- Arkansas - Governor's Red Tape Reduction Task Force, enacted sunrise and sunset provisions, 60+ bills introduced.
- Connecticut - reciprocity for teachers and dentists.
- Colorado - substitution of foreign work experience for hours towards a license.
- Illinois - reduction in continuing education requirements, student loan default protection, sunrise provision.
- Indiana - healthcare compacts (eNLC, IMLC, REPLICA).
- Maryland and Vermont - apprenticeships towards licensure.
- Utah - hour reduction for private investigators, military spouse licensure recognition.
- Wisconsin - aligned licensing requirements with other states.



# TRENDS AMONG CONSORTIUM STATES

## What states are working on in 2019:

- Changes to regulatory structure (i.e., implementing a sunrise process or tweaking board structure)—Arkansas, Illinois, Indiana and Kentucky.
- Connecting licensure to the greater workforce development picture—all states, particularly Maryland, Vermont and Colorado.
- Interest in reciprocity and working across state lines—all states, particularly Connecticut, Indiana, Utah and Nevada.

## Challenges:

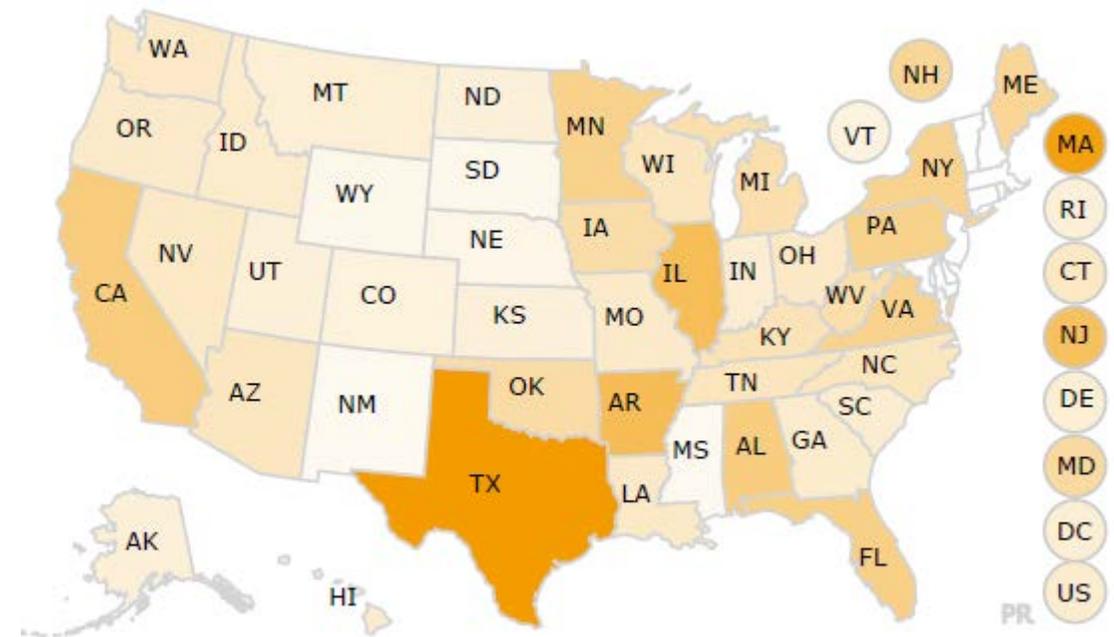
- Both internal and external messaging of the project.
- Political challenges.
- Dealing with administration changes, term limits and other internal team changes.
- Consistency, availability and quality of relevant data.



# 2019 NATIONAL TRENDS IN OCCUPATIONAL LICENSING

- Currently tracking 1,229 pieces of legislation on occupational licensing; 449 pieces of legislation were enacted.
- All 50 states introduced at least one piece of legislation related to occupational licensing.
- United States Congress introduced 14 pieces of legislation.

Heat Map of # of Bill Introduced by State



## FEDERAL LEGISLATION

- Improving licensure mobility for military families – U.S. H 2618.
- Addressing student debt for licensed professionals – U.S. S 609.
- Two bills to require a national review of occupational licensing standards – U.S. H 1629; U.S. S 1015.



## OVERSIGHT TRENDS

- States introduced 397 pieces of legislation related to oversight of occupational regulations; 155 bills were enacted.
- States introduced 225 pieces of legislation related to licensing boards; 208 of those pieces of legislation were enacted.

## REQUIREMENTS TRENDS

- Changes in education requirements saw 125 pieces of legislation; 52 bills were enacted.
- Changes in fees saw 120 pieces of legislation; 48 bills were enacted.

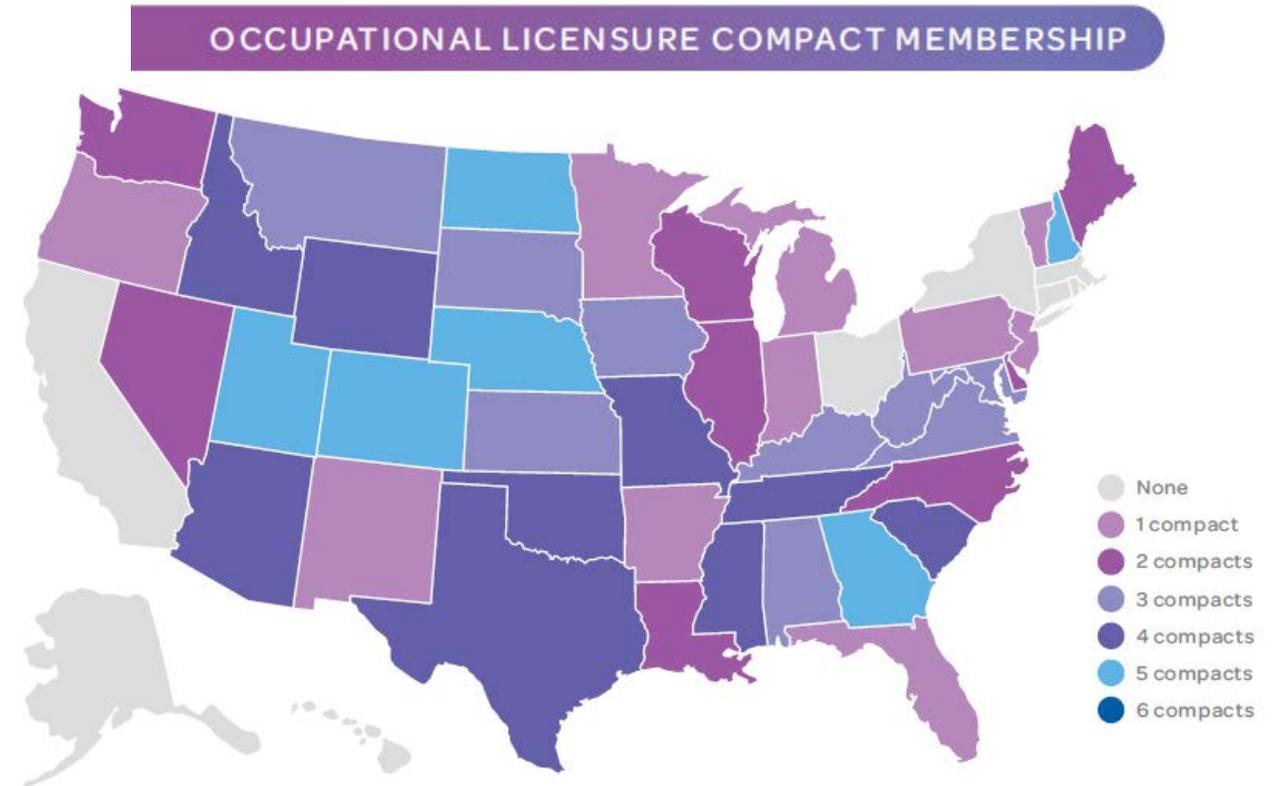


## POPULATIONS

- The four key populations saw 159 pieces of legislation introduced; 76 bills were enacted.
- Ex-offenders had the highest amount of legislation with 94 bills introduced; 43 bills were enacted.
- Military families had 52 bills introduced; 26 bills were enacted.
- Immigrants with work authorization had 12 bills introduced; six bills were enacted.
- Dislocated workers had five bills introduced; three bills were enacted.

# MOBILITY

- Legislation related to licensure mobility saw 74 pieces of legislation; 29 bills were enacted.
- Interstate compacts saw 22 pieces of legislation introduced.



## WORKFORCE DEVELOPMENT

- Connecting apprenticeship programs with occupational regulation requirements is an emerging trend.
- Many states introduced legislation to better align their apprenticeship programs and occupational regulation.

# OVERVIEW OF LICENSING IN NORTH DAKOTA

- North Dakota has 61 licensing boards, commissions and agencies.
- Approximately 28 percent of your workforce works in construction.
- Approximately 66 percent of your workforce works in education or health care.
- We tracked 10 pieces of legislation; six bills were enacted.



## EX-OFFENDERS AND PEOPLE WITH CRIMINAL CONVICTIONS

- Nearly one in every three people have some sort of criminal record nationally.
- Approximately 213,000 people in North Dakota have a criminal record, or approximately 28 percent of the population.

# MILITARY FAMILIES AND VETERANS OVERVIEW

- Two military bases in-state. Seven bases across neighboring states.
- About 8 percent of North Dakota's population are veterans, about 46,507 people.
- North Dakota has 7,300 active-duty and 4,440 National Guard or reserve service members.
- North Dakota has two policies that help remove licensing burdens of military families:
  - Waving renewal fees and continuing education requirements for active military personnel.
  - Allowing for reciprocity or granting case by case expectations.

## IMMIGRANTS WITH WORK AUTHORIZATION

- Approximately 4 percent of North Dakota's population are naturalized immigrants.
- Twenty seven percent of North Dakota's immigrant population have some college education.
- Thirty six percent have a four-year college degree or more.

## DISLOCATED WORKERS

- Unemployment rate of 2.5 percent.
- Underemployment rate of about 4.8 percent.
- Average fees associated with licensure is \$107 and an average 132 days of education or experience for low-income occupations.

## MOBILITY

- Member of five licensure compacts.
- Policies on licensure reciprocity that are not uniformly applied across occupations.

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# Questions?

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