

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 490

By Senators Rucker, Roberts, and Rose

[Introduced January 19, 2026; referred
to the Committee on the Workforce]

1 A BILL to amend and reenact §5B-2B-4 of the Code of West Virginia, 1931, as amended; and to
2 amend the code by adding a new article, designated §5B-12-1, §5B-12-2, §5B-12-3, §5B-
3 12-4, and §5B-12-5, relating to the West Virginia Workforce Development Board; and
4 approving short-term training programs for eligibility for federal Workforce Pell Grants.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2B. WEST VIRGINIA WORKFORCE INVESTMENT ACT.

§5B-2B-4. Duties of the Workforce Development Board.

1 (a) The board shall provide information and guidance to local boards and staff, to enable
2 them to better educate both women and men about higher paying jobs and careers including jobs
3 traditionally dominated by men or women. Such guidance shall promote services provided by the
4 local boards for job seekers that includes:

5 (1) Current information about compensation for jobs and careers that offer high earning
6 potential including jobs that are traditionally dominated by men or women;

7 (2) Counseling, skills development and training opportunities that encourage both women
8 and men to seek employment in such jobs;

9 (3) Referral information to employers offering such jobs; or

10 (4) Information regarding the long-term consequences, including lower social security
11 benefits or pensions, of choosing jobs that offer lower earnings potential and are traditionally
12 dominated by women or men.

13 (b) Under WIOA §101(d), the board shall assist the Governor in the:

14 (1) Development, implementation and modification of the four-year state plan;

15 (2) Review of statewide policies, programs and recommendations on actions that should
16 be taken by the state to align workforce development programs to support a comprehensive and
17 streamlined workforce development system. Such review of policies, programs and
18 recommendations shall include a review and provision of comments on the state plans, if any, for
19 programs and activities of one-stop partners that are not core programs;

(3) Development and continuous improvement of the workforce development system, including:

(A) Identification of barriers and means for removing barriers to better coordinate, align and avoid duplication among programs and activities;

(B) Development of strategies to support career pathways for the purpose of providing individuals, including low-skilled adults, youth and individuals with barriers to employment, including individuals with disabilities, with workforce investment activities, education and supportive services to enter or retain employment;

(C) Development of strategies to provide effective outreach to, and improved access for, individuals and employers who could benefit from workforce development system;

(D) Development and expansion of strategies to meet the needs of employers, workers and jobseekers, particularly through industry or sector partnerships related to in-demand industry sectors and occupations;

(E) Identification of regions, including planning regions for the purpose of WIOA §106(a), and the designation of local areas under WIOA §106 after consultation with local boards and chief elected officials;

(F) Development and continuous improvement of the one-stop delivery system in local areas, including providing assistance to local boards, one-stop operators, one-stop partners and providers. Such assistance includes assistance with planning and delivering services, including training and supportive services, to support effective delivery of services to workers, jobseekers and employers; and

(G) Development of strategies to support staff training and awareness across the workforce development system and its programs;

(4) Development and updating of comprehensive state performance and accountability measures to assess core program effectiveness under WIOA §116(b);

(5) Identification and dissemination of information on best practices, including best

46 practices for:

47 (A) The effective operation of one-stop centers, relating to the use of business outreach,
48 partnerships and service delivery strategies, including strategies for serving individuals with
49 barriers to employment;

50 (B) The development of effective local boards, which may include information on factors
51 that contribute to enabling local boards to exceed negotiated local levels of performance, sustain
52 fiscal integrity and achieve other measures of effectiveness; and

53 (C) Effective training programs that response to real-time labor market analysis, that
54 effectively use direct assessment and prior learning assessment to measure an individual's prior
55 knowledge, skills, competencies and experiences for adaptability, to support efficient placement
56 into employment or career pathways;

57 (6) Development and review of statewide policies affecting the coordinated provision of
58 services through the state's one-stop delivery system described in WIOA §121(e), including the
59 development of:

60 (A) Objective criteria and procedures for use by local boards in assessing the
61 effectiveness, physical and programmatic accessibility and continuous improvement of one-stop
62 centers. Where a local board serves as the one-stop operator, the board shall use such criteria to
63 assess and certify the one-stop center;

64 (B) Guidance for the allocation of one-stop center infrastructure funds under WIOA
65 §121(h); and

66 (C) Policies relating to the appropriate roles and contributions of entities carrying out one-
67 stop partner programs within the one-stop delivery system, including approaches to facilitating
68 equitable and efficient cost allocation in the system;

69 (7) Development of strategies for technological improvements to facilitate access to, and
70 improve the quality of services and activities provided through, the one-stop delivery system,
71 including such improvements to:

(A) Enhance digital literacy skills (as defined in §202 of the Museum and Library Service Act, 20 U. S. C. §9101);

(B) Accelerate acquisition of skills and recognized post-secondary credentials by participants;

(C) Strengthen professional development of providers and workforce professionals; and

(D) Ensure technology is accessible to individuals with disabilities and individuals residing in remote areas;

(8) Development of strategies for aligning technology and data systems across one-stop partner programs to enhance service delivery and improve efficiencies in reporting on performance accountability measures, including design implementation of common intake, data collection, case management information, and performance accountability measurement and reporting processes and the incorporation of local input into such design and implementation to improve coordination of services across one-stop partner programs;

(9) Development of allocation formulas for the distribution of funds for employment and training activities for adults and youth workforce investment activities, to local areas as permitted under WIOA §128(b)(3) and §133(b)(3);

(10) Preparation of the annual reports described in paragraphs (1) and (2) of WIOA §116(d);

(11) Development of the statewide workforce and labor market information system described in §15(e) of the Wagner-Peyser Act, 29 U. S. C. §49, et seq.; and

(12) Development of other policies as may promote statewide objectives for and enhance the performance of the workforce development system in the state.

(13) Establish by rule a process for institutions and programs to apply for approval for Workforce Pell Grants and to appeal denials.

(14) Coordinate approval of eligible workforce training programs with other state and federal workforce programs, including the Workforce Innovation and Opportunity Act under 29

98 U.S.C. § 3101 *et seq.*, the Carl D. Perkins Career and Technical Education Act under 20 U.S.C. §
 99 2301 *et seq.*, and state programs established in this chapter.

100 (15) Require eligible workforce training programs to provide verifiable data, as determined
 101 by Workforce West Virginia, demonstrating program outcomes, including completion rates, job
 102 placement rates, and earnings.

ARTICLE 12. WORKFORCE PELL GRANTS.

§5B-12-1. Definitions.

1 For the purposes of this article:

2 (1) "Eligible workforce training programs" are programs that meet applicable requirements
 3 in section 83002 of Public Law No. 119-21.

4 (2) "High-skill industry sectors or occupations" are sectors or occupations requiring
 5 postsecondary education, experience, or training beyond a high school diploma.

6 (3) "High-wage industry sectors or occupations" are sectors or occupations with earnings
 7 above 150% of the Federal Poverty Level for individual earners.

8 (4) "In-demand industry sectors or occupations" are sectors or occupations identified in
 9 state, regional, or local workforce development or labor market projections as growing, emerging,
 10 or having projected shortages or hiring demand.

§5B-12-2. Duty and authority of the Governor to approve programs.

1 The governor shall, in consultation with the West Virginia Workforce Development Board,
 2 approve eligible workforce training programs for eligibility for federal Workforce Pell Grants if they
 3 satisfy at least one of the following criteria:

4 (1) The program prepares students for a high-skill industry sector or occupation;

5 (2) The program prepares students for a high-wage industry sector or occupation; or

6 (3) The program prepares students for an in-demand industry sector or occupation.

§5B-12-3. Rulemaking.

1 The West Virginia Workforce Development Board shall propose rules for Legislative

2 approval pursuant to §29A-3-1 et seq. of this code.

§5B-12-4. Compliance with federal rules.

1 All provisions under this Act shall be consistent with applicable federal rules governing the
2 Workforce Pell Grant program. If any provision of this Act is found to conflict with federal law or
3 regulation, the federal requirement shall govern.

§5B-12-5. Effective date.

1 This act shall take effect January 1, 2027.

NOTE: The purpose of this bill is to codify federal law and give the Governor, via the West Virginia Workforce Development Board, approval of short-term training programs for eligibility for federal Workforce Pell Grants.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.