

House Bill 898

By: Representatives Thomas of the 65<sup>th</sup>, Boddie of the 62<sup>nd</sup>, Mainor of the 56<sup>th</sup>, McClain of the 100<sup>th</sup>, Buckner of the 137<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 2 of Title 34 of the Official Code of Georgia Annotated, relating to the  
2 Department of Labor, so as to create a program with the Department of Labor for the  
3 temporary employment of qualified individuals in fellowships with participating state  
4 agencies; to provide for procedures, conditions, and limitations; to provide for a short title;  
5 to provide for definitions; to provide for related matters; to repeal conflicting laws; and for  
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 2 of Title 34 of the Official Code of Georgia Annotated, relating to the Department  
10 of Labor, is amended by adding a new Code section to read as follows:

11 "34-2-4.1.

12 (a) This Code section shall be known and may be cited as the 'Georgia COVID-19 State  
13 Agency Fellowship Act.'

14 (b) As used in this Code section, the term:

15 (1) 'Commissioner' means the Commissioner of Labor.

16 (2) 'Department' means the Department of Labor.

17 (3) 'Fellow' means a qualified applicant who has been selected to participate in the  
18 program and has accepted a fellowship with a participating state agency.

19 (4) 'Fellowship' means a period of temporary employment of a fellow pursuant to the  
20 program.

21 (5) 'Participating state agency' means any department, board, bureau, commission,  
22 authority, or other agency of the State of Georgia that has been approved to provide one  
23 or more fellowships pursuant to the program.

24 (6) 'Program' means the Georgia COVID-19 State Agency Fellowship Program provided  
25 for in this Code section.

26 (7) 'Program coordinator' means the individual appointed by the Commissioner who shall  
27 be responsible for the administration of the program.

28 (8) 'Qualified applicant' means an individual who has applied to participate in the  
29 program and meets the qualifications for selection for a fellowship. A qualified applicant  
30 may not be deemed a fellow unless he or she is selected for and accepts a fellowship.

31 (9) 'State agency' means any department, board, bureau, commission, authority, or other  
32 agency of the State of Georgia.

33 (c) There is established the Georgia COVID-19 State Agency Fellowship Program to  
34 provide for temporary employment through fellowships with participating state agencies.  
35 The program shall be administered by the Department of Labor. The purpose of the  
36 program is to provide employment opportunities for experienced workers whose  
37 employment has been adversely affected by the COVID-19 pandemic and to enhance  
38 recruitment and training of qualified personnel for participating state agencies.

39 (d)(1) Subject to the provisions of subsection (b) of Code Section 34-2-4, the  
40 Commissioner is authorized and empowered to appoint the program coordinator and to  
41 fix the annual salary of the program coordinator in an amount that is within the current  
42 range of salaries for program coordinators employed by the department and is

43 commensurate with the credentials, education, and experience of the program  
44 coordinator.

45 (2) Upon the recommendation of the program coordinator, the Commissioner shall  
46 approve state agencies to participate in the program.

47 (e)(1) The department is authorized and directed to cooperate with and seek the  
48 cooperation of all appropriate state and federal agencies in administering the program.

49 (2) The department is authorized and directed to take all steps reasonably necessary to  
50 ascertain whether any federal funds are or may become available to carry out the  
51 purposes of the program and, in the event that such funds are or become available, is  
52 authorized and directed to take all reasonable steps necessary to obtain and accept such  
53 funds.

54 (3) The department may adopt rules and regulations necessary to carry out the purposes  
55 of this Code section.

56 (4) When fellowship opportunities with participating state agencies are available through  
57 the program, the department shall publish an announcement regarding the program on the  
58 department's public website.

59 (f) The program coordinator shall provide administrative services for the program,  
60 including, but not limited to, the following:

61 (1) Provide notice and information to all state agencies regarding the program and the  
62 requirements that must be met by state agencies to be approved for participation in the  
63 program;

64 (2) Work collaboratively with state agencies seeking approval to participate in the  
65 program and with participating state agencies in all aspects of program administration;

66 (3) Prepare public announcements, notices, and communications regarding the program,  
67 including, but not limited to, announcements reasonably calculated to reach potential  
68 qualified applicants;

- 69 (4) Facilitate the application process for individuals seeking fellowships and for  
70 participating state agencies;
- 71 (5) Facilitate the onboarding of fellows with participating state agencies;
- 72 (6) Provide timely and sufficient communications with applicants and potential  
73 applicants, fellows, and state agencies;
- 74 (7) Make recommendations to the Commissioner for approval of state agencies seeking  
75 to participate in the program. If a state agency seeking to participate in the program is  
76 not recommended for such approval, the reason for not recommending approval must be  
77 provided to the Commissioner;
- 78 (8) Monitor all aspects of the program, including, but not limited to, how many fellows  
79 and state agencies are participating in the program, how many fellows completed a  
80 three-month fellowship, how many fellowships were renewed, and how many fellows  
81 received offers of employment with a participating state agency during their fellowship  
82 or within 60 days of the conclusion of the fellowship;
- 83 (9) In the event that the priority selection provisions of subsection (j) of this Code section  
84 must be applied, objectively apply such provisions in accordance with any applicable  
85 rules and regulations adopted by the department pursuant to paragraph (3) of  
86 subsection (e) of this Code section; and
- 87 (10) Maintain records of the program, including, but not limited to, fellowship  
88 application records and fellow employment and compensation records.
- 89 (g) To participate in the program, a state agency shall meet the following requirements:
- 90 (1) Notify the program coordinator that the state agency is seeking to participate in the  
91 program;
- 92 (2) Provide detailed descriptions of the fellowship position or positions the state agency  
93 has made or will make available;

- 94 (3) Work collaboratively with the program coordinator to review fellowship applications,  
95 conduct interviews as needed, select qualified applicants for fellowships, and complete  
96 the onboarding process for fellows;
- 97 (4) Provide meaningful and substantial opportunities for fellows to contribute to the  
98 work of the participating state agency;
- 99 (5) Consider, as appropriate, existing and recent fellows for employment opportunities  
100 with the participating state agency;
- 101 (6) Provide timely and sufficient communications with applicants and potential  
102 applicants, fellows, and the program coordinator; and
- 103 (7) Maintain records of participation in the program, including, but not limited to,  
104 fellowship application records and fellow employment and compensation records.
- 105 (h) To qualify for selection for a fellowship, an applicant shall meet the following criteria:
- 106 (1) Has 12 or more years of relevant work experience;
- 107 (2) Has had for 30 or more days prior to submitting a fellowship application an  
108 annualized income of less than 110 percent of his or her annualized income as of  
109 March 1, 2020;
- 110 (3) Has successfully completed the fellowship application;
- 111 (4) Meets the minimum qualifications for temporary employment with the participating  
112 state agency and has provided all information and documentation required by the program  
113 coordinator and the participating state agency to establish that he or she meets such  
114 minimum employment qualifications;
- 115 (5) Has successfully completed any interview requirements associated with the  
116 fellowship; and
- 117 (6) Has acknowledged in writing that the fellowship:
- 118 (A) Is temporary employment and shall not extend beyond a maximum period of six  
119 months;
- 120 (B) Is not the subject of any contract of employment;

- 121 (C) Is not the subject of any guaranteed or defined minimum duration; and  
122 (D) May be terminated, suspended, or not renewed for good cause, for no cause, or for  
123 any cause that is not an illegal cause.
- 124 (i)(1)(A) Each fellow shall receive compensation not to exceed \$20.50 per hour for  
125 temporary employment with a participating state agency pursuant to the program.
- 126 (B) Each fellow shall not be permitted to work more than 29 hours per work week. No  
127 participating state agency shall require a fellow to work more than 29 hours per work  
128 week.
- 129 (C) Each fellow may be permitted to participate in the program for a maximum of three  
130 months; provided, however, that, upon a fellow's satisfactory completion of an initial  
131 three-month fellowship, the fellowship may be renewed with the same participating  
132 state agency, under the same terms and conditions of temporary employment, for a  
133 renewal period not to exceed three months, subject to express authorization by the  
134 program coordinator and the participating state agency;
- 135 (2) Each fellow shall adhere to all policies, rules, and procedures of the participating  
136 state agency.
- 137 (j) The number of fellows participating in the program at any time shall be limited to 165.  
138 In the discretion of the department, participation in the program may be determined  
139 according to the following order of priority:
- 140 (1) Fellows who have been authorized for a renewed fellowship shall be given priority  
141 over qualified applicants who have not been selected for a fellowship; and
- 142 (2) Qualified applicants who have not previously been employed by a state agency shall  
143 be given priority over qualified applicants who have previously been employed by a state  
144 agency.
- 145 (k) The establishment and operation of this program are subject to appropriations by the  
146 General Assembly to fund the payments required and the administration of the program."

147

**SECTION 2.**

148 All laws and parts of laws in conflict with this Act are repealed.