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AB-1111 Removing Barriers to Employment Act: Breaking Barriers to Employment Initiative. (2017-2018)

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Assembly Bill No. 1111

CHAPTER 824

An act to add Article 3 (commencing with Section 14030) to Chapter 3 of Division 7 of the Unemployment Insurance Code, relating to workforce development.

[Approved by Governor October 15, 2017. Filed with Secretary of State October 15, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1111, Eduardo Garcia. Removing Barriers to Employment Act: Breaking Barriers to Employment Initiative.

Existing law, the California Workforce Innovation and Opportunity Act, establishes the California Workforce Development Board as the body responsible for assisting the Governor in the development, oversight, and continuous improvement of California's workforce investment system and the alignment of the education and workforce investment systems to the needs of the 21st century economy and workforce. That act requires the establishment of a local workforce development board in each local workforce development area of the state to, among other things, carry out analyses of the economic conditions in the local region.

This bill would enact the Removing Barriers to Employment Act, which would establish the Breaking Barriers to Employment Initiative administered by the California Workforce Development Board. The bill would specify that the purpose of the initiative is to create a grant program to provide individuals with barriers to employment the services they need to enter, participate in, and complete broader workforce preparation, training, and education programs aligned with regional labor market needs. The bill would specify that people completing these programs should have the skills and competencies to successfully enter the labor market, retain employment, and earn wages that lead to self-sufficiency and economic security. The bill would require the board to develop criteria for the selection of grant recipients, as specified. The bill also would specify the criteria by which grants are required to be evaluated, the populations that are eligible to be served by grants, and the activities eligible for grant funding. The bill would make the funding of the initiative subject to an appropriation by the Legislature for that purpose and would make implementation of the initiative contingent on the board notifying the Department of Finance that sufficient moneys have been appropriated. The bill would create the Breaking Barriers to Employment Initiative Fund, as specified, in the State Treasury for the purpose of carrying out its provisions.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Article 3 (commencing with Section 14030) is added to Chapter 3 of Division 7 of the Unemployment Insurance Code, to read:

Article 3. Removing Barriers to Employment Act

14030. As used in this article, "Breaking Barriers to Employment Initiative" or "initiative" means the Breaking Barriers to Employment Initiative established in this article.

14031. (a) All efforts funded under this initiative are intended to supplement and be aligned with the broader workforce and education system in the State of California. The initiative is not intended to duplicate or replicate existing programs or to create new workforce and education programs, but rather to provide supplemental funding and services to ensure the success of individuals either preparing to enter or already enrolled in workforce and education programs operating under the policy vision of this division and the state plan under this division.

(b) The primary purpose of the initiative is to provide individuals with barriers to employment the services they need to enter, participate in, and complete broader workforce preparation, training, and education programs aligned with regional labor market needs. Those who complete these programs should have the skills and competencies necessary to successfully enter the labor market, retain employment, and earn wages that lead to self-sufficiency, and eventually, economic security.

(c) The distinguishing characteristic of the initiative is the manner in which services will be delivered at the local and regional level. Under the initiative, services shall be delivered principally through a collaborative partnership between mission-driven, community-based organizations with experience in providing services consistent with the objectives of this initiative and to the populations specified, which may include, but are not limited to, faith-based, business-based, labor-based, cultural-based, and services-based organizations, and local workforce development boards to strengthen the America's Job Center of California system. The role of the community-based organizations shall be to use their expertise in working with targeted populations and employers to ensure that individuals from these targeted populations receive the necessary supplemental, supportive, remedial, and wrap-around services they need to successfully enter, participate in, and complete workforce and education programs and enter, be retained, and advance in the labor market. The role of local workforce development boards is to ensure a connection between community-based organizations and the America's Job Center of California system to integrate individuals served by community-based organizations under this initiative into the education system and broader workforce for employment.

14032. (a) Funding for the initiative shall be subject to appropriation by the Legislature, but only for the purposes expressed in this article, and shall not draw from, supplant, or redirect existing state or federally funded education, workforce, or employment services programs, except that those funds may, but shall not be required to, be used as leverage with initiative funds.

(b) Implementation of the initiative shall be contingent upon the California Workforce Development Board notifying the Department of Finance that sufficient moneys have been appropriated by the Legislature for this purpose.

(c) The California Workforce Development Board shall develop criteria for the selection of grant recipients that include, but are not limited to, all of the following:

- (1) Outreach and technical assistance shall be provided to prospective applicants, especially in rural and small population areas.
- (2) Grants shall be awarded on a competitive basis.
- (3) The initiative shall include provisions to ensure that a range of targeted populations and geographic locations receive grants.
- (4) Applications shall explain the community-based organization's capacity to provide services to relevant target populations and provide evidence of this capacity.
- (5) Each grant proposal shall be consistent with the purposes of the initiative.

(d) Each application shall, at a minimum, include all of the following:

- (1) The designation of at least one lead workforce development board and one lead mission-driven, community-based organization with experience in providing services consistent with the objectives of this initiative and to the populations specified, which may include, but is not limited to, faith-based, business-based, labor-based, cultural-based, and services-based organizations. Documentation shall be included to demonstrate that each lead workforce development board and lead community-based organization has agreed to be the lead designation in the grant proposal.
- (2) The designation of one or more targeted populations that will be served by the grant.
- (3) The designation of a service area, which may include one or more neighborhoods, local jurisdictions, regions, or statewide. A grant proposal that proposes to serve clients across one or more workforce development areas shall include a commitment to notify each workforce development board in the proposed service area.

(4) An explanation of the specific purpose of the grant funds, the roles and responsibilities of each of the lead workforce development boards and community-based organizations, and a discussion of how funds will be used, the number of individuals who will be served, and the services provided to these individuals.

(5) A description of how the grant proposal is designed to complement the work of, and integrate the individuals being served with, the broader workforce, education, and employment system within the proposed service area, and evidence that the proposal incorporates innovative strategies or proven practices for service delivery that will lead to improved outcomes, sustainability, and systems improvement.

(6) A grant application may be submitted jointly by a lead workforce development board and a lead community-based organization or jointly by one or more lead workforce development boards and one or more lead community-based organizations.

14033. (a) The purpose of the initiative shall be to provide individuals with barriers to employment the services they need to enter, participate in, and complete broader workforce preparation, training and education programs, and, ultimately, to obtain employment. Special emphasis shall be given to applications that integrate individuals from target populations into career pathway programs aligned with regional labor market needs.

(b) Grants shall be evaluated using the following criteria:

(1) Ability to provide the services proposed in the grant to the number of individuals specified in the grant as evidenced by, among other things, whether the grantee completed the work proposed.

(2) Ability of individuals to successfully complete relevant programming funded under the grant as demonstrated by relevant measures directly related to the purpose of the program.

(3) Ability of individuals to transition into or be integrated into the broader workforce and education system as evidenced by enrollment in relevant programs.

(4) Ability of individuals to succeed in both the broader workforce and education system and labor market once they transition into the broader system. This shall be measured by tracking these individuals utilizing the existing performance monitoring systems and metrics governing relevant programs and outcomes once they transition into the broader system.

(c) Grant applicants shall provide all necessary information to local workforce development boards and the California Workforce Development Board to facilitate grant performance evaluation.

(d) Grant applicants may be required to participate in technical assistance activities, including, but not limited to, the convening of communities of practice to identify and help replicate evidence-based practices and to help facilitate an assessment and evaluation of grant performance and initiative success.

14034. Populations eligible to be served by grants include, but are not limited to, all of the following:

(a) Youths who are disconnected from the education system or employment.

(b) Women seeking training or education to move into nontraditional fields of employment.

(c) Displaced workers and long-term unemployed.

(d) Unskilled or underskilled, low-wage workers.

(e) Persons for whom English is not their primary language.

(f) Economically disadvantaged persons.

(g) CalWORKs participants.

(h) Persons who are incarcerated and soon to be released or formerly incarcerated.

(i) Armed services veterans.

(j) Native Americans.

(k) Migrants or seasonal farmworkers.

(l) Persons with developmental or other disabilities.

(m) Any other population with barriers to employment identified in subdivision (j) of Section 14005.

(n) Immigrants.

(o) Persons over 50 years of age who need retraining for in-demand skills.

14035. Eligible activities for initiative and grant funds shall include, but are not limited to, all of the following:

(a) English language improvement training.

(b) Basic skills and adult education.

(c) High school diploma and GED acquisition.

(d) Skills and vocational training that aligns with regional labor market needs identified as part of the California Workforce Innovation and Opportunity Act regional planning process.

(e) Work experience.

(f) On-the-job training.

(g) Stipends for trainees.

(h) Earn and learn training.

(i) Industry certifications.

(j) Preapprenticeship programming offered in a manner that is consistent with the requirements of Section 14230, regardless of whether the preapprenticeship program funding source includes California Workforce Innovation and Opportunity Act funds.

(k) Mentoring.

(l) Other remedial education and work readiness skills.

(m) Supportive services under the California Workforce Innovation and Opportunity Act.

(n) Activities undertaken pursuant to subdivision (d) of Section 14033.

14036. The California Workforce Development Board may develop necessary policies to ensure that grants awarded under the initiative fund are activities that are consistent with the intent of this article.

14037. There is hereby created in the State Treasury the Breaking Barriers to Employment Initiative Fund. All moneys in the fund shall be available, upon appropriation by the Legislature, to carry out this article in support of the initiative. Subject to the approval of the Department of Finance, all moneys appropriated, or those collected or received from gifts, bequests, or donations, shall be deposited in the Breaking Barriers to Employment Initiative Fund in accordance with the terms of the gift or donation from which the moneys are derived and in accordance with Sections 8647, 11005, 11005.1, and 16302 of the Government Code.