



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

**SB-1294 Workforce wellness center: Santa Clara Valley Transportation Authority.** (2021-2022)

SHARE THIS:  

Date Published: 09/14/2022 09:00 PM

**Senate Bill No. 1294**

**CHAPTER 305**

An act to add Article 7 (commencing with Section 14120) to Chapter 3 of Division 7 of the Unemployment Insurance Code, relating to workforce development.

[ Approved by Governor September 13, 2022. Filed with Secretary of State September 13, 2022. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1294, Cortese. Workforce wellness center: Santa Clara Valley Transportation Authority.

(1) The federal Workforce Innovation and Opportunity Act provides for workforce development activities, including activities in which states may participate.

Existing state law provides that the California Workforce Development Board is 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.

Existing law, the State Budget Act of 2021, appropriates specified funds to the board for local assistance, including \$10,000,000 for the Santa Clara Valley Transportation Authority (VTA) for worker support and assistance, including mental health services, worker training, retraining, trauma counseling, and reasonable accommodations. Existing law additionally requires the board to allocate \$10,000,000 to the VTA for worker support and facilities improvement, and requires the VTA to first prioritize worker support and assistance, including mental health services, worker training, retraining, trauma counseling, and reasonable accommodations.

This bill would require the board, any research institution under contract with the board, the VTA, and the California Health and Human Services Agency, to perform prescribed duties, including analyzing the effectiveness of the VTA's wellness center, drafting a model plan for the development and implementation of a worker wellness center, and developing a plan to encourage the establishment of worker wellness center demonstration sites statewide in transit authorities. The bill would require the VTA to provide the board, or research institutions under contract with the board, with data and outcomes from its wellness center that are necessary for the evaluation required by this bill, as specified. The bill would require the board to consult with the Division of Occupational Safety and Health to ensure compliance with occupational safety and health laws and regulations. By imposing new duties on a local agency to report information to the board, this bill would impose a state-mandated local program. This bill would make its provisions operative only upon appropriation by the Legislature. No later than 2 years following appropriation, the bill would require the board to prepare and send to the Legislature a report on the results of its evaluation conducted and the plans developed pursuant to these provisions.

(2) This bill would make legislative related findings and declarations, including findings and declarations as to the necessity of a special statute for the VTA.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

---

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

**SECTION 1.** Article 7 (commencing with Section 14120) is added to Chapter 3 of Division 7 of the Unemployment Insurance Code, to read:

### **Article 7. Workforce Wellness Centers**

**14120.** The Legislature finds and declares all of the following:

(a) Workplace shootings, especially in high-stress industries such as transit agencies, have resulted in numerous deaths across California.

(b) On May 26, 2021, a Santa Clara Valley Transportation Authority (VTA) employee entered the Guadalupe rail yard and began a shooting rampage that killed nine of his coworkers before taking his own life. This shooting is the deadliest mass shooting in the history of the San Francisco Bay area. The shooting occurred in locations integral to the operation of the light rail service, particularly adjacent to the Operational Control Center room and the entry to the entire second floor of the administration center, resulting in a 13-week shut down of rail services.

(c) In response, the Legislature appropriated \$20,000,000 to help the VTA and workers recover from the tragedy. The VTA was required by the state to create a joint labor management committee to provide recommendations for the use of those funds, including establishing a worker wellness center where workers and their families could receive onsite support and assistance, including peer-to-peer and trauma counseling and other mental health services.

**14121.** (a) The board, or a research institution under contract with the board, the Santa Clara Valley Transportation Authority, and the California Health and Human Services Agency, shall do all of the following:

(1) Draft a model plan for the development and implementation of a worker wellness center that provides services and support to transit workers and their families.

(2) Develop a plan to encourage the establishment of worker wellness center demonstration sites statewide in transit authorities to reduce workplace violence. The plan shall include, but is not limited to:

(A) Analyzing the effectiveness of the Santa Clara Valley Transportation Authority's wellness center.

(B) Identifying interventions that promote employee wellness, prevention and early intervention, and peer-to-peer support.

(C) Examining violence prevention tactics in the workplace, including, but not limited to, developing a worker reporting structure that focuses on prevention and early intervention and ways to foster peer reporting.

(D) Identifying no less than three transit authority locations in California where the model plan could be utilized to reduce workplace violence and increase worker wellness interventions.

(E) Identifying other high-stress industries that could benefit from utilizing workplace violence prevention tactics and worker wellness interventions.

(b) In developing the plans described in paragraphs (1) and (2) of subdivision (a), the board, or a research institution under contract with the board, shall consider all of the following:

(1) Funding sustainability, including the prospects for securing federal matching funds and billing private insurers.

(2) Linkages to county behavioral health services agencies.

(3) Ways to streamline workers' compensation claims resulting from workplace violence.

(c) (1) Subject to paragraph (2), the Santa Clara Valley Transportation Authority shall provide the board, or a research institution under contract with the board, with data and outcomes from its wellness center that are necessary for the evaluation required by this section.

(2) Data and outcomes provided pursuant to paragraph (1) shall be aggregated and deidentified in a manner that prevents the identification of an individual who is a subject of that information.

(d) (1) Pursuant to Section 9795 of the Government Code, the board, or a research institution under contract with the board, shall prepare and send to the Legislature a report on the results of its evaluation conducted and plans developed pursuant to this section no later than two years following an appropriation for purposes of implementing this article.

(2) The requirement for submitting a report imposed by this subdivision is inoperative on January 1, 2028, pursuant to Section 10231.5 of the Government Code.

(e) The board shall consult with the Division of Occupational Safety and Health to ensure plans or proposals comply with and do not conflict with occupational safety and health laws and regulations.

(f) This article shall become operative only upon an appropriation by the Legislature in the Budget Act or another statute for the purposes of implementing this article.

**SEC. 2.** The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances of the Santa Clara Valley Transportation Authority described in Section 14120 of Unemployment Insurance Code proposed by this act.

**SEC. 3.** If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.