

AMENDED IN ASSEMBLY MARCH 24, 2022

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 2200

Introduced by Assembly Member Arambula

February 15, 2022

An act to *amend Section 14037 of, and to add Article 9.5 7* (commencing with Section ~~12100.100~~ 14120) to Chapter 1.6 3 of Part 2 of Division 3 of Title 2 7 of the *Government Unemployment Insurance Code*, relating to economic development.

LEGISLATIVE COUNSEL'S DIGEST

AB 2200, as amended, Arambula. Online Jobs and Economic Support Resource Grant Program.

~~Existing law, the Economic Revitalization Act, establishes the Governor's Office of Business and Economic Development, also known as "GO-Biz," in state government within the Governor's office under the control of a director. The act requires GO-Biz to serve as the Governor's lead entity for economic strategy and the marketing of California on issues relating to business development, private sector investment, and economic growth.~~

~~This bill would establish the Online Jobs and Economic Support Resource Grant Program within GO-Biz to support inclusive, cross-jurisdictional, and innovative online platforms that support job and earning opportunities and economic recovery with a strong focus on underserved and economically challenged communities.~~

Existing law establishes the Breaking Barriers to Employment Initiative and specifies that 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. Existing law creates in the State Treasury the Breaking Barriers to Employment Initiative Fund, the moneys in which are available, upon appropriation by the Legislature, to carry out the Breaking Barriers to Employment Initiative. Existing law authorizes the California Workforce Development Board to develop necessary policies to ensure that grants awarded under the initiative fund are activities that are consistent with the intent of these provisions.

~~Upon appropriation of funds by the Legislature, this bill would require GO-Biz to~~

This bill would create in the Breaking Barriers to Employment Initiative Fund, the Online Jobs Account, the moneys in which would be available, upon appropriation by the Legislature, to carry out the Online Jobs and Economic Support Resource Grant Program. The bill would require the board, pursuant to the program and upon appropriation of funds by the Legislature, to award grants to eligible applicants pursuant to a prescribed process, including that eligible applicants provide ~~GO-Biz~~ the board a proposed budget. The bill would require an eligible applicant to meet specified requirements, such as demonstrated experience serving ~~underrepresented and underserved populations~~, underresourced populations and individuals with employment barriers, and the ability to ~~maintain an online platform that connects users with economic opportunities, training programs, and services.~~ maintain or construct online platforms or digital infrastructure.

The bill would require an eligible applicant to be a nonprofit, cooperative, public benefit corporation, or local ~~government.~~ government, or a for-profit entity partnering with a nonprofit, cooperative, public benefit corporation, or local government. The bill would limit the applicant’s use of grant funding for specified purposes, including supporting and training for platform users. The bill would require grant recipients to submit an annual report to ~~GO-Biz~~ the board on how those grant recipients used any issued grant funds.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 14037 of the Unemployment Insurance
- 2 Code is amended to read:

1 14037. (a) There is hereby created in the State Treasury the
 2 Breaking Barriers to Employment Initiative Fund. All moneys in
 3 the fund shall be available, upon appropriation by the Legislature,
 4 to carry out this article in support of the ~~initiative~~. *initiative, except*
 5 *as specified in subdivision (b)*. Subject to the approval of the
 6 Department of Finance, all moneys appropriated, or those collected
 7 or received from gifts, bequests, or donations, shall be deposited
 8 in the Breaking Barriers to Employment Initiative Fund in
 9 accordance with the terms of the gift or donation from which the
 10 moneys are derived and in accordance with Sections 8647, 11005,
 11 11005.1, and 16302 of the Government Code.

12 (b) *There is hereby created in the Breaking Barriers to*
 13 *Employment Initiative Fund, the Online Jobs Account. All moneys*
 14 *in the account shall be available, upon appropriation, by the*
 15 *Legislature, to carry out Article 7 (commencing with Section*
 16 *14120) in support of the Online Jobs and Economic Support*
 17 *Resource Grant Program. Subject to the approval of the*
 18 *Department of Finance, all moneys appropriated, or those collected*
 19 *or received from gifts, bequests, or donations, shall be deposited*
 20 *in the Online Jobs Account in accordance with the terms of the*
 21 *gift or donation from which the moneys are derived and in*
 22 *accordance with Sections 8647, 11005, 11005.1, and 16302 of the*
 23 *Government Code.*

24 ~~SECTION 1. Article 9.5 (commencing with Section 12100.100)~~
 25 ~~is added to Chapter 1.6 of Part 2 of Division 3 of Title 2 of the~~
 26 ~~Government Code, to read:~~

27
 28 ~~Article 9.5. Online Jobs and Economic Support Resource Grant~~
 29 ~~Program~~
 30

31 ~~12100.100. (a) There is hereby created, in the Governor's~~
 32 ~~Office of Business and Economic Development,~~

33 ~~SEC. 2. Article 7 (commencing with Section 14120) is added~~
 34 ~~to Chapter 3 of Division 7 of the Unemployment Insurance Code,~~
 35 ~~to read:~~

1 Article 7. Online Jobs and Economic Support Resource Grant
2 Program

3
4 14120. (a) Upon the appropriation of funds for the purposes
5 of this article, the board shall administer the Online Jobs and
6 Economic Support Resource Grant Program pursuant to this article
7 and shall award grants for the purpose of ~~supporting~~ funding
8 inclusive, cross-jurisdictional, and innovative online platforms
9 that support ~~job and earnings opportunities and economic recovery~~
10 employment and earning opportunities with a strong focus on
11 underserved and economically challenged communities.

12 (b) The goals of the program are to achieve all of the following:

13 ~~(1) Support Californians impacted by job loss due to COVID-19~~
14 ~~and shorten the overall average period of unemployment statewide.~~

15 ~~(2) Provide pathways to rapid redeployment of workers to~~
16 ~~needed industries and reskilling of workers to help offset the impact~~
17 ~~of worker displacement.~~

18 ~~(3) Uplift Californians and aid in the economic recovery of the~~
19 ~~state and increase the economic mobility of workers in the lower~~
20 ~~one-third of earners.~~

21 (1) Reduce digital infrastructure gaps in employment and
22 training services for individuals who face barriers to employment.

23 (2) Enhance the ability of public and nonprofit entities to meet
24 the needs of individuals who face barriers to employment by
25 funding the technologies that will allow these entities to help their
26 clients to bridge the digital divide.

27 (3) Support workforce and employment programs that provide
28 whole-person approaches to upward mobility, including the
29 provision of wraparound services to reduce barriers to employment
30 or earning opportunities.

31 (c) Before awarding grants pursuant to this article, the board
32 shall develop and adopt guidelines and policies for the program,
33 including, but not limited to:

34 (1) A competitive award process, including rating and ranking
35 criteria consistent with the requirements of subdivisions (c) and
36 (d) of Section 14121.

37 (2) An application that meets the requirements of Section 14122.

38 (3) Funds shall only be awarded to applicants that meet the
39 requirements of subdivision (a) of Section 14121.

1 (4) Conditions and requirements for drawing down grant funds
2 that shall be included in a written grant agreement between the
3 board and a selected grant recipient.

4 (5) Reporting of milestones and outcomes based upon the
5 application and discussions with the board that shall be included
6 in a written grant agreement between the board and a selected
7 grant recipient.

8 (6) A dispute resolution process.

9 (d) (1) The board shall issue a request for proposals to award
10 grant funds within 120 days after funding has been appropriated
11 for the purposes of this article.

12 (e) Grants made pursuant to this article shall be evaluated using
13 criteria consistent with the guidelines adopted by the board
14 pursuant to this article.

15 ~~12100.101. (a) An~~

16 ~~14121. An eligible applicant shall be either meet the following~~
17 ~~criteria:~~

18 (a) (1) ~~Be legally formed as a for-profit, nonprofit, cooperative,~~
19 ~~public benefit corporation, or local government, that meets the~~
20 ~~other requirements of this article. government.~~

21 (b) ~~An eligible applicant shall have all of the following:~~

22 (1) ~~A robust, targeted outreach plan to ensure amplification of,~~
23 ~~and access to, the online platform by communities hardest hit by~~
24 ~~job loss amidst the pandemic, including minorities and~~
25 ~~economically disadvantaged Californians.~~

26 (2) ~~Experience serving underrepresented and underserved~~
27 ~~populations.~~

28 (3) ~~The ability to collaborate with stakeholders and partners~~
29 ~~across California, including, but not limited to, regional workforce~~
30 ~~boards, appropriate state agencies, and statewide training providers.~~

31 (4) ~~The ability to maintain an online platform that shall, at a~~
32 ~~minimum:~~

33 (A) ~~Contain search functions to connect users with all of the~~
34 ~~following:~~

35 (i) ~~Economic opportunities, prioritizing high-road, high-quality~~
36 ~~jobs.~~

37 (ii) ~~Training programs that offer the ability to develop new skills~~
38 ~~and to expand on existing skills.~~

39 (iii) ~~Support services including free or reduced-cost services~~
40 ~~for medical care, food, shelter, and childcare.~~

- 1 ~~(B) Be capable of serving a region or the entire state.~~
- 2 ~~(C) Comply with applicable California privacy laws, as~~
- 3 ~~identified by the office.~~
- 4 ~~(D) Be provided at no charge to intended clients.~~
- 5 *(2) If the applicant is a for-profit entity, it shall apply in*
- 6 *partnership with a nonprofit, cooperative, public benefit*
- 7 *corporation, or local government.*
- 8 *(b) Individually, or in partnership with other entities that will*
- 9 *be contributing toward the implementation of the application,*
- 10 *demonstrate experience in each of the following areas:*
- 11 *(1) Serving underresourced populations and individuals with*
- 12 *employment barriers, as defined in Section 14005.*
- 13 *(2) Collaborating with stakeholders including, but not limited*
- 14 *to, regional workforce boards, appropriate state agencies, and*
- 15 *statewide training partners.*
- 16 *(3) Maintaining or constructing online platforms or digital*
- 17 *infrastructure.*
- 18 *(c) Applications shall be ranked based upon the following*
- 19 *criteria:*
- 20 *(1) Whether the application is designed to meet the goals of the*
- 21 *grant.*
- 22 *(2) The potential impact to underresourced populations and*
- 23 *individuals with employment barriers.*
- 24 *(3) The extent of collaboration with governmental and*
- 25 *nongovernmental partners.*
- 26 *(4) The responsiveness of the proposal to evolving workforce*
- 27 *and societal needs.*
- 28 *(d) Priority shall be given to applicants who demonstrate*
- 29 *existing engagement with populations identified in subdivision (d)*
- 30 *of Section 14122 either individually or with partners.*
- 31 ~~12100.102. (a) The office shall develop and implement a~~
- 32 ~~process to award competitive grants to eligible applicants that meet~~
- 33 ~~the requirements of this article. At a minimum, the process shall~~
- 34 ~~require eligible applicants to provide~~
- 35 ~~14122. The application shall include all of the following:~~
- 36 ~~(a) A proposal narrative that includes all of the following:~~
- 37 ~~(1) The specific purpose and goals of the grant.~~
- 38 ~~(2) The roles and responsibilities of the applicant and its~~
- 39 ~~partners, if any.~~

1 (3) *The outreach strategy that will be used to connect with*
2 *underresourced populations and individuals with employment*
3 *barriers.*

4 ~~(1) (b) A demonstration~~

5 *(b) An overview of the capability of the online platform and*
6 *documentation of how the platform is, or will be, integrated within*
7 *workforce or economic development activities. will achieve the*
8 *purposes identified in subdivision (a), including, but not limited*
9 *to, all of the following:*

10 ~~(2) A proposal narrative that includes how the platform is, or~~
11 ~~will be, integrated within the workforce or economic development~~
12 ~~activities of the applicant or partnering entity.~~

13 ~~(3) An explanation of the specific purpose and goals of the grant~~
14 ~~funds, the roles and responsibilities of the applicant and partners,~~
15 ~~if any, and a discussion of how funds will be used and success will~~
16 ~~be measured, the number of individuals who will be served, and~~
17 ~~the services that will be available to these individuals.~~

18 *(1) How the platform is, or will be, integrated within, or*
19 *connected to, local, regional, and statewide workforce or economic*
20 *development activities.*

21 *(2) The extent to which the mechanisms of the online platform*
22 *do each of the following:*

23 *(A) Connect users to employment, entrepreneurship, or other*
24 *economic opportunities.*

25 *(B) Help users to access training programs that offer the ability*
26 *to develop new skills and to expand on existing skills.*

27 *(C) Help users identify and access support services such as free*
28 *or reduced-cost services for medical care, food, shelter,*
29 *transportation, or childcare. These may include, but are not limited*
30 *to, connection with services provided by state or local agencies,*
31 *if any.*

32 *(D) Demonstrate the capacity to serve a region or the entire*
33 *state.*

34 *(E) Demonstrate the capacity to work across multiple technology*
35 *platforms, such as computers, telephones, and tablets.*

36 *(F) Collect socioeconomic and demographic data from users.*

37 *(G) Comply with applicable California privacy laws.*

38 ~~(4)~~

39 *(c) Documentation that each partnering entity has agreed to the*
40 *activities in the grant proposal.*

- 1 ~~(5) The~~
 2 ~~(d) (1) The designation of one or more targeted populations~~
 3 ~~populations, including underresourced communities and~~
 4 ~~individuals with employment barriers, that will be served by the~~
 5 ~~online platform and proposed methods to reduce barriers to~~
 6 ~~employment or to enhance access to the online platform.~~
 7 ~~(2) Applicants shall propose at least two methods for reducing~~
 8 ~~barriers to employment or enhancing access to the online platform.~~
 9 ~~(6)~~
 10 ~~(e) The designation of a service area, which may include one~~
 11 ~~or more regions, or be statewide. area and an estimated number~~
 12 ~~of individuals who will be served, including an estimated number~~
 13 ~~of individuals identified in the target population described in~~
 14 ~~subdivision (d) who will be served.~~
 15 ~~(f) A description of how the applicant and its partners included~~
 16 ~~in the application, if any, provide services that align with and~~
 17 ~~address service delivery or technology gaps, and enhance state,~~
 18 ~~regional, and local duplication of state digital infrastructure,~~
 19 ~~services, or community engagement. It is not the intent of the~~
 20 ~~program to duplicate resources.~~
 21 ~~(7) Evidence of demonstrated experience in working with the~~
 22 ~~proposed target populations, especially if the targeted population~~
 23 ~~has been historically disenfranchised or underserved. This~~
 24 ~~requirement may be demonstrated by the identification of partners~~
 25 ~~in the application.~~
 26 ~~(8)~~
 27 ~~(g) A proposed budget. budget, including, but not limited to,~~
 28 ~~the ability to provide access to the online platform at no cost to~~
 29 ~~the user.~~
 30 ~~(9)~~
 31 ~~(h) A proposed impact assessment and timeline, including~~
 32 ~~benchmarks, metrics, progress—reports reports, and final~~
 33 ~~deliverables.~~
 34 ~~(b) Funds awarded pursuant to this article may only be used by~~
 35 ~~a grant recipient for the following expenses:~~
 36 ~~(1) Design, build, and testing of an online platform as described~~
 37 ~~in this article.~~
 38 ~~(2) Outreach to potential providers of economic opportunity,~~
 39 ~~training, or services to ensure sufficient activity on the platform~~

1 and to create opportunities for underserved and underrepresented
2 communities.

3 ~~(3) Web hosting services for the platform, fees associated with~~
4 ~~listing support services on the platform, relevant technical~~
5 ~~personnel, and payments to external providers, including, but not~~
6 ~~limited to, messaging providers, that promote access to the~~
7 ~~platform.~~

8 ~~(4) The infrastructure necessary to operate, maintain, and~~
9 ~~improve the online platform, including, but not limited to, software~~
10 ~~and hardware.~~

11 ~~(5) Support and training for platform users, and production of~~
12 ~~instructional materials for those users.~~

13 *14123. Funds awarded pursuant to this article shall only be*
14 *used by a grant recipient for the following expenses:*

15 *(a) Design, build, and testing of an online platform as described*
16 *in this article.*

17 *(b) Web hosting services for the platform, fees associated with*
18 *listing support services on the platform, relevant technical*
19 *personnel, and payments to external providers, including, but not*
20 *limited to, messaging providers, that promote access to the*
21 *platform.*

22 *(c) The infrastructure necessary to operate, maintain, and*
23 *improve the online platform, including, but not limited to, software*
24 *and hardware.*

25 *(d) Support and training for platform users, and production of*
26 *instructional material for those users.*

27 *(e) No more than 30 percent of individual grant funds may be*
28 *used for the following:*

29 *(1) No more than 25 percent of the total shall be used for*
30 *outreach to communities identified in subdivision (d) of Section*
31 *14122 or any other outreach intended to enhance access to the*
32 *online platform.*

33 *(2) No more than 5 percent of the total grant shall be used for*
34 *outreach to potential providers of employment opportunities,*
35 *training, or services.*

36 *(f) Each individual grant awarded shall be for no less than one*
37 *hundred thousand dollars (\$100,000).*

38 ~~12100.103.—A~~

39 *14124. As a condition of receiving grant funds, a grant recipient*
40 ~~shall be required to submit an annual report to the office on how~~

1 ~~it used the issued grant funds, and this report board that shall~~
 2 include all of the following:

3 (a) *The use of the grant funds.*

4 (b) *Progress made in achieving the commitments made pursuant*
 5 *to subdivision (h) of Section 14122 and the subsequent contract*
 6 *agreement on the use of funds.*

7 ~~(a)~~

8 (c) *The number of individuals who ~~used~~ accessed the online*
 9 *platform.*

10 ~~(b)~~

11 (d) *A description of the resources ~~created~~ available to support*
 12 *job and earning opportunities, training sessions, and support*
 13 *services.*

14 ~~(e)~~

15 (e) *Aggregate demographic data on the ~~program's users amongst~~*
 16 *~~underserved and underrepresented communities, including users~~*
 17 *~~from disadvantaged and severely disadvantaged communities.~~*
 18 *users of the online platform, including users from populations*
 19 *identified in subdivision (d) of Section 14122.*

20 ~~(d) Employment and business development outcomes.~~

21 (f) *Data from partners, if any, regarding the number of*
 22 *individuals who connected with services, training, employment*
 23 *opportunities, outreach activities, or other methods of engagement.*

24 (g) *Other information related to the implementation of the grant,*
 25 *as determined by the board.*

26 ~~12100.104.~~

27 *14125. Upon appropriation of funds by the Legislature to the*
 28 *~~office~~ Online Jobs Account of the Breaking Barriers to Employment*
 29 *Initiative Fund, established pursuant to Section 14037, for the*
 30 *purpose of implementing this article, the ~~office~~ board shall make*
 31 *grants to qualified applicants consistent with ~~Section 12100.102.~~*
 32 *~~The office~~ this article. The board shall post notice of the*
 33 *appropriation on the home page of its internet website and send*
 34 *notice of that appropriation to the ~~Legislative Counsel.~~ Chief Clerk*
 35 *of the Assembly who shall distribute the notice to the Assembly*
 36 *Committee on Labor and Employment, the Assembly Committee*
 37 *on Higher Education, and the Assembly on Jobs, Economic*
 38 *Development, and the Economy, and to the Chief Clerk of the*
 39 *Senate, who shall distribute the notice to the Senate Committee*

- 1 *on Education and the Senate Committee on Labor, Public*
- 2 *Employment, and Retirement.*

O