

******* JEDE DRAFT AMENDMENTS *******

**AB-2200 (Arambula) – As Amended: March 24, 2022
Submitted by: Toni Symonds, JEDE Committee Staff**

Summary of the Amendments:

- a) Switch the program administration from the CWDB to EDD.
- b) Create a separate fund rather than an account within the Breaking Barriers to Employment Fund.
- c) Remove a for-profit company as an eligible applicant, but retain the authority for an eligible applicant to apply in partnership with other entities.
- a) Clarify that the target population served by the grant has the same meaning “an individual with employment barriers” under the Workforce Innovation Opportunity Act as it is defined in the state and federal law.
- b) Make other technical changes to clarify the purposes of the bill.

SECTION 1. ~~Section 14037 of the Unemployment Insurance Code is amended to read:~~ *[A new fund is created within Article 7 (below) to receive the funds – section 9935 (a).]*

14037. ~~(a) 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, except as specified in subdivision (b). 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.~~

~~(b) There is hereby created in the Breaking Barriers to Employment Initiative Fund, the Online Jobs Account. All moneys in the account shall be available, upon appropriation, by the Legislature, to carry out Article 7 (commencing with Section 14120) in support of the Online Jobs and Economic Support Resource Grant Program. 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 Online Jobs Account 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.~~

SEC. 2. ~~Article 7 (commencing with section 9930) is added to Chapter 2 of Part 1 of Division 3 (commencing with Section 14120) is added to Chapter 3 of Division 7 of the Unemployment Insurance Code, to read:~~

Article 7. Online Jobs and Economic Support Resource Grant Program

9930 14120. (a) Upon the appropriation of funds for the purposes of this article, the ~~board~~ **department** shall administer the Online Jobs and Economic Support Resource Grant Program pursuant to this article and shall award grants for the purpose of funding inclusive, cross-jurisdictional, and innovative online

platforms that support employment and earning opportunities with a strong focus on underserved and economically challenged communities.

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

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

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

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

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

(1) A competitive award process, including rating and ranking criteria consistent with the requirements of subdivisions (c) and (d) of Section **9931** ~~14121~~.

(2) An application that meets the requirements of Section **9932** ~~14122~~.

(3) Funds shall only be awarded to applicants that meet the requirements of subdivision (a) of Section **9931** ~~14121~~. **Each individual grant awarded shall be for no less than one hundred thousand dollars (\$100,000).** *[Moved from Section 9933 – no language change]*

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

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

(6) A dispute resolution process.

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

(e) Grants made pursuant to this article shall be evaluated using criteria consistent with the guidelines adopted by the ~~board~~ **department** pursuant to this article.

9931 ~~14121~~. **(a)** An eligible applicant shall be meet the following criteria:

~~(a)~~ (1) Be legally formed as a ~~for-profit~~, nonprofit, cooperative, public benefit corporation, or local government.

~~(2) If the applicant is a for-profit entity, it shall apply in partnership with a nonprofit, cooperative, public benefit corporation, or local government.~~

(2) ~~(b)~~ Individually, or in partnership with other entities that will be contributing toward the implementation of the application, demonstrate experience in each of the following areas:

(A) ~~(1)~~ Serving underresourced populations and individuals with employment barriers, as defined in Section 14005.

(B)–(2) Collaborating with stakeholders including, but not limited to, ~~regional~~ **local** workforce boards, appropriate state agencies, and statewide training partners.

(C) (3) Maintaining or constructing online platforms or digital infrastructure.

(b) ~~(e)~~ Applications shall be ranked based upon the following criteria:

(1) Whether the application is designed to meet the goals of the grant **program**.

(2) The potential impact to **the targeted population of** ~~underresourced populations and~~ individuals with employment barriers, **as defined subdivision (j) in Section 14005, which the applicant identified pursuant to subdivision (d) of Section 9932.**

(3) The extent of collaboration with governmental and nongovernmental partners.

(4) The responsiveness of the proposal to evolving workforce and societal needs.

(c) ~~(d)~~ Priority shall be given to applicants who demonstrate existing engagement with populations identified in subdivision (d) of Section 14122 either individually or with partners.

9932 ~~14122~~. The application shall include all of the following:

(a) **Documentation that demonstrates that the applicant, its partners, and other entities that will be contributing toward the implementation of the application, meet the eligibility criteria in subdivision (a) of Section 9932.**

(b) A proposal narrative that includes all of the following:

(1) The specific purpose and goals of the grant.

(2) The roles and responsibilities of the applicant and its partners, if any.

(3) The outreach strategy that will be used to connect with ~~underresourced populations and~~ individuals with employment barriers. **Applicants shall propose at least two methods for reducing barriers to employment or enhancing access to the online platform for the targeted population of individuals who have barriers to employment.** *[Moved from (e)(2) – no language change]*

(c) ~~(b)~~ An overview of the capability of the online platform and documentation of how the platform will achieve the purposes identified in subdivision (a), including, but not limited to, all of the following:

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

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

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

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

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

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

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

(F) Collect socioeconomic and demographic data from users.

(G) Comply with applicable California privacy laws.

(d) ~~(e)~~ Documentation that each partnering entity has agreed to the activities in the grant proposal.

(e) ~~(d)~~ ~~(1)~~ The designation of one or more targeted populations, ~~including underresourced communities and~~ **of** individuals with employment barriers, **as defined in Section 14005**, that will be served by the online platform and proposed methods to reduce barriers to employment or to enhance access to the online platform.

~~(2) Applicants shall propose at least two methods for reducing barriers to employment or enhancing access to the online platform. [Moved to subdivision (b).]~~

(f) ~~(e)~~ The designation of a service area and an estimated number of individuals who will be served, including an estimated number of individuals identified in the target population described in subdivision ~~(d)~~ **(e)** who will be served.

(g) ~~(f)~~ A description of how the applicant and its partners included in the application, if any, provide services that align with and address service delivery or technology gaps, and enhance state, regional, and local ~~duplication of state digital~~ infrastructure, services, or community engagement. It is not the intent of the program to duplicate resources **in cases where there are already sufficient resources reasonably available to meeting the needs of individuals with barriers to employment.**

(h) ~~(g)~~ A proposed budget, including, but not limited to, the ability to provide access to the online platform at no cost to the user.

(i) ~~(h)~~ A proposed impact assessment and timeline, including benchmarks, metrics, progress reports, and final deliverables.

9933 14123. Funds awarded pursuant to this article shall only be used by a grant recipient for the following expenses:

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

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

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

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

(e) **Funding outreach with the limitation that** ~~No~~ **no** more than 30 percent of individual grant funds may be used for the following:

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

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

~~(f) Each individual grant awarded shall be for no less than one hundred thousand dollars (\$100,000). [Moved to 9930.]~~

9934 14124. As a condition of receiving grant funds, a grant recipient shall submit an annual report to the ~~board~~ **department** that shall include all of the following:

(a) The use of the grant funds.

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

(c) The number of individuals who accessed the online platform.

(d) A description of the resources available to support job and earning opportunities, training sessions, and support services.

(e) Aggregate demographic data on the users of the online platform, including users from **target** populations identified in subdivision ~~(d)~~ **(e)** of Section **9932 14122**.

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

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

9935 14125. (a) There is hereby created in the State Treasury the Online Job Training Fund. All moneys in the fund shall be available, upon appropriation, by the Legislature, to carry out Article 7 (commending with Section 14120) in support of the Online Jobs and Economic Support Resource Grant Program. 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 Online Jobs Account 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.

(b) Upon appropriation of funds by the Legislature to the Online Jobs **Training** ~~Account of the Breaking Barriers to Employment Initiative~~ Fund, established pursuant to **subdivision (a)** ~~Section 14037~~, for the purpose of implementing this article, the ~~board~~ **department** shall make grants to qualified applicants consistent with this article. The ~~board~~ **department** shall post notice of the appropriation on the home page of its internet website and send notice of that appropriation to the Chief Clerk of the Assembly who shall distribute the notice to the Assembly Committee on Labor and Employment, the Assembly Committee on Higher Education, and the Assembly on Jobs, Economic Development, and the Economy, and to the Chief Clerk of the Senate, who shall distribute the notice to the Senate Committee on Education and the Senate Committee on Labor, Public Employment, and Retirement.