
JEDE AMENDMENTS

AB 628 (E. Garcia): Amended Assembly 3/24/21
Submitted by: Toni Symonds, JEDE Committee Staff

Version 3

****Add Majority Leader Reyes as a Co-Author**

SECTION 1. Section 14031 of the Unemployment Insurance Code is amended to read:

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 but rather the initiative should~~ focus on innovative approaches **and proven practices** to addressing racial, ethnic, and socioeconomic disparities in the labor market.

(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 mobility and security.

(c) (1) The executive director of the California Workforce Development Board shall convene **a seven-member** ~~an~~ advisory group, in accordance with paragraph (3), ~~that shall be inclusive of community organizations with a proven history of leadership and partnership serving targeted populations. The advisory group shall be composed of seven members selected by the executive director,~~ as follows: [*This language is moved does to subparagraph (3).*]

(A) Two representatives from advocacy organizations.

(B) Three representatives from community-based organizations.

(C) Two workforce professionals.

(2) The members of the advisory group shall serve at the pleasure of the executive director of the California Workforce Development Board.

(3) The executive director shall consider for selection of advisory group members, experience serving the targeted populations in Section 14034, as well as local experience administering local workforce programming. **Selected members shall be inclusive of community organizations with a proven history of leadership and partnership serving targeted populations.**

(4) The advisory group shall do all the following:

(A) **Make recommendations to the California Workforce Development Board on** ~~Establish~~ grant application criteria and parameters for eligible organizations.

(B) Review and make recommendations to the California Workforce Development Board regarding grant proposals.

(C) Support identification of prospective grantees.

(D) Support technical assistance opportunities.

(E) Make recommendations to the California Workforce Development Board to strengthen implementation.

(5) The California Workforce Development Board shall consider the recommendations of the advisory group pursuant to paragraph (4).

(d) 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 and relevant relationships to targeted populations, 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, employment social enterprises, worker centers, 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 wraparound 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.

SEC. 2. Section 14032 of the Unemployment Insurance Code is amended to read:

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 advisory group established pursuant to Section 14031 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 to prepare applications, especially for small community-based organizations, organizations without a preexisting relationship to the local workforce boards, and organizations serving rural and small population areas.

(2) Grants shall be awarded on a competitive basis.

(3) Grant recipients have demonstrated experience working to ensure populations who have been historically disenfranchised from the labor market have access to quality jobs in their regions.

(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 be submitted to the California Workforce Development Board and shall, at a minimum, include all of the following:

(1) Designation of a lead workforce development board or 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 partnering entity has agreed to the activities in the grant proposal.~~ *[This sentence is moved to paragraph (4).]*

(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 and goals of the grant ~~award funds~~, the roles and responsibilities of the lead applicant and ~~partners~~ **partner entities** and a discussion of how funds will be used and success will be measured, the number of individuals who will be served, and the services provided to these individuals. **Documentation shall be included to demonstrate that each partnering entity has agreed to the activities in the grant proposal.**

(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 by a workforce development board or community-based organization or jointly by one or more community-based organizations and workforce development boards.

SEC. 3. Section 14033 of the Unemployment Insurance Code is amended to read:

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 and retain employment. Specifically, the program should strive to address racial and ethnic exclusion and inequity in the labor force and enhance racial and economic justice. Projects should create pipelines to quality jobs, upward mobility, and income security for workers historically excluded from quality jobs and economic prosperity. 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 employment and 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.

(5) Ability for program participants to inform programming on an ongoing basis and evaluate program performance and success.

(6) Ability to The degree to which program activities acknowledge and address historic racial inequity and socioeconomic barriers to labor force participation for targeted population groups. [*This is an issue the Author will continue to work with the JEDE Committee to flesh out.*]

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

(d) Grant applicants and partners 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.

SEC. 4. Section 14034 of the Unemployment Insurance Code is amended to read:

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

- (a) Youths who are at risk of disconnection or 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) 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 who are at risk of committing violence or are survivors of domestic violence or community violence.
- (p) Persons over 50 years of age who need retraining for in-demand skills.
- (q) Population groups with disproportionate numbers of people living in ZIP Codes of concentrated poverty.
- (r) Population groups that are disproportionately impacted by occupational segregation.

SEC. 5. Section 14035 of the Unemployment Insurance Code is amended to read:

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) Culturally and linguistically relevant academic enrichment, basic skills training, tutoring, 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, income, and language supports 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) Entrepreneurial training and support for small business development.
- (o) Microloans and other related activities to support microlending for small businesses. *[The author is committed to continuing to discuss with the JEDE Committee the expansion of the BBEI to include capitalizing microlending funds.]*
- (p) Wage subsidies or the application of hazard pay or a hero bonus for frontline workers.
- (q) Know-your-rights training.

(r) Mental health services, trauma-informed care, and wraparound support services.

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

SEC. 6. Section 14037 of the Unemployment Insurance Code is amended to read:

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. 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) **No more than 5% of any annual appropriation to the Breaking Barriers to Employment Fund shall be available to or used by the** ~~The California Workforce Development Board shall receive, for state operations for the period during which moneys appropriated to carry out this article in support of the initiative are available for encumbrance or expenditure, two million dollars (\$2,000,000) or 5 percent of the total allocation, whichever is greater.~~