

ASSEMBLY BILL

No. 2622

Introduced by Assembly Member Hayashi

February 22, 2008

An act to amend Section 10214.5 of, and to add Section 14001 to, the Unemployment Insurance Code, relating to employment training.

LEGISLATIVE COUNSEL'S DIGEST

AB 2622, as introduced, Hayashi. Employment training programs: clean technology industry: funds.

Existing law provides for the establishment of an employment training program and the Employment Training Panel (ETP) in the Employment Development Department. Existing law authorizes the panel to allocate a specified percentage of annual training funds for the purpose of funding special employment training projects to improve the skills and employment security of frontline workers, as defined.

This bill would also require the panel to allocate at least 10% of the annually available training funds for the purpose of funding special employment training projects that improve the skills and employment security of workers in clean technology industries, as defined.

The federal Workforce Investment Act of 1998 provides for workforce investment activities, including activities in which states may participate, and allocates funds to states and local areas for assessment and training of employees. The California Workforce Investment Act makes specified legislative findings and declarations relating to the delivery of comprehensive workforce services to eligible participants.

This bill would require that, to the extent authorized by the federal Workforce Investment Act or any other federally funded workforce development program, at least 10% of the federal and state workforce

development and job training funds be allocated to special employment training projects that improve the skills, productivity, and employment security of workers in clean technology industries, as defined.

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 10214.5 of the Unemployment Insurance
2 Code is amended to read:

3 10214.5. (a) The panel may allocate up to 10 percent of the
4 annually available training funds for the purpose of funding special
5 employment training projects that improve the skills and
6 employment security of frontline workers, as defined in subdivision
7 (a) of Section 10200. Notwithstanding any other provision of this
8 chapter, participants in these projects are not required to meet the
9 eligibility criteria set forth in paragraph (1) of subdivision (a) of
10 Section 10200 or subdivision (c) of Section 10201.

11 *(b) The panel shall also allocate at least 10 percent of the*
12 *annually available training funds for the purpose of funding special*
13 *employment training projects that improve the skills and*
14 *employment security of workers in clean technology industries.*
15 *For purposes of this section, “clean technology” means*
16 *carbon-neutral technology.*

17 ~~(b)~~
18 (c) The panel shall, on an annual basis, identify industries and
19 occupations that shall be priorities for funding under this section.
20 Training shall be targeted to frontline workers who earn at least
21 the state average weekly wage.

22 ~~(e)~~
23 (d) The panel may waive the minimum wage provisions pursuant
24 to subdivision (f) of Section 10201 for projects in regions of the
25 state where the unemployment rate is significantly higher than the
26 state average, and may waive the employment retentions provisions
27 specified in subdivision (f) of Section 10209 and instead require
28 that the trainee has been retained in employment for a minimum
29 of 90 days out of 120 consecutive days after the end of training
30 with no more than three employers.

31 ~~(d)~~

1 (e) (1) The panel may allocate funds pursuant to subdivision
2 (a) to increase the productivity and extended employment retention
3 of workers in the state’s major seasonal industries.

4 (2) In funding special employment training projects for this
5 purpose, the panel may do all of the following:

6 (A) When the amount of the postretention wages of each trainee
7 who has completed training exceeds the amount of wages that the
8 trainee earned before and during training, waive the minimum
9 wage requirements set forth in subdivision (f) of Section 10201.

10 (B) Waive the employment retention requirements set forth in
11 subdivision (f) of Section 10209 and instead require that the trainee
12 be retained in employment for not less than 500 hours within the
13 12-month period following the completion of the training.

14 (C) When the panel finds that the training is necessary to achieve
15 the objectives of vocational training, waive the limitation on
16 job-related basic and literacy skills training set forth in subdivision
17 (a) of Section 10209.

18 (3) For purposes of this section, “major seasonal industries”
19 means eligible employers who satisfy all of the following
20 requirements:

21 (A) Have a workforce comprised of at least 50 percent of
22 workers whose employment period is necessarily cyclical,
23 including, but not limited to, businesses directly involved in the
24 harvesting, packing, or processing of goods or products.

25 (B) Have retained at least 50 percent of the same seasonal
26 employees for at least one season of not less than 500 hours for
27 the preceding 12-month period.

28 (C) Pay wages and provide benefits that exceed industry
29 averages.

30 ~~(e)~~

31 (f) The panel shall adopt minimum standards for consideration
32 of proposals to be funded pursuant to this section.

33 ~~(f)~~

34 (g) The panel may select contracts funded under this section
35 based on competitive bidding.

36 ~~(g)~~

37 (h) It is the intent of the Legislature in providing the authority
38 for these projects that the panel allocate these funds in a manner
39 consistent with the objectives of this chapter as provided in Section
40 10200.

1 SEC. 2. Section 14001 is added to the Unemployment Insurance
2 Code, to read:
3 14001. To the extent authorized by the federal Workforce
4 Investment Act (29 U.S.C. Sec. 30) or any other federally funded
5 workforce development program, at least 10 percent of the federal
6 and state workforce development and job training funds shall be
7 allocated to special employment training projects that improve the
8 skills, productivity, and employment security of workers in clean
9 technology industries. For purposes of this section, “clean
10 technology” means carbon-neutral technology.

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