

**ASSEMBLY BILL**

**No. 1270**

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**Introduced by Assembly Member Eduardo Garcia**

February 27, 2015

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An act to amend Sections 9600.5, 9600.7, 14000, 14002, 14003, 14004.5, 14005, 14010, 14012, 14013, 14017, 14020, 14200, 14201, 14207, 14209, 14211, 14220, 14222, 14223, 14230, 14230.5, 14231, 14232, 14235, 14500, and 14510, to amend the headings of Article 1 (commencing with Section 14010) and Article 2 (commencing with Section 14020) of Chapter 3 of, to amend the heading of Article 1 (commencing with Section 14200) of Chapter 4 of Division 7 of, to amend the heading of Division 7 (commencing with Section 14000) of, to repeal Sections 14022, 14203, 14204, 14206.1, and 14210, and to repeal and add Sections 14202, 14206, 14208, and 14221 of, the Unemployment Insurance Code, relating to workforce development.

LEGISLATIVE COUNSEL'S DIGEST

AB 1270, as introduced, Eduardo Garcia. California Workforce Innovation and Opportunity Act.

The federal Workforce Innovation and Opportunity Act of 2014 provides for workforce investment activities, including activities in which states may participate. These provisions were previously contained in the federal Workforce Investment Act of 1998. The California Workforce Investment Act contains various programs for job training and employment investment, including work incentive programs, as specified.

This bill would update statutory references to the Workforce Investment Act of 1998 to instead refer to the Workforce Innovation and Opportunity Act of 2014 and make related conforming changes.

Existing law provides that the California Workforce Investment Board is responsible for assisting the Governor in the development, oversight, and continuous improvement of California's workforce investment system. Existing law further provides that the board must assist the Governor in targeting resources to specified high-wage industry sectors and providing guidance to ensure that services reflect the needs of those sectors.

This bill would revise legislative findings with regard to the act, revise the definitions of terms used within the act, and rename the California Workforce Investment Board the California Workforce Development Board. With regard to the board, the bill would require the board to assist the Governor in the development of a State Plan and would provide that the State Plan serve as a comprehensive framework and coordinated plan for the aligned investment of all federal and state workforce training and employment service funding streams and programs. The bill would revise the membership of the board and task the board with, among other things, developing and continuously improving the statewide workforce investment system.

The federal Workforce Investment Act of 1998 requires the local chief elected officials in a local workforce development area to form, pursuant to specified guidelines, a local workforce investment board to, among other things, plan and oversee the workforce investment system and develop a comprehensive 5-year local plan. Existing law requires the Governor to establish, through the California Workforce Investment Board, standards for certification of high-performance local workforce investment boards, in accordance with specified criteria. Existing law requires a youth council be established within each local board and specified the duties of the council. Existing law also requires local workforce investment boards to spend a certain percentage of available federal funds for in a manner consistent with federal law, as prescribed.

This bill would rename the local boards as local workforce development boards, would revise the timeline for certifications of high-performance local workforce development boards, revise the guidelines used to appoint members of the local boards, and revise the duties of the local board consistent with the federal Workforce Innovation and Opportunity Act of 2014. The bill would, with regard to the provision of services to youth, instead authorize a local board to establish a standing committee on the provision of youth services, as provided. This bill would require the local boards to develop a

comprehensive 4-year local plan, revise the content of the local plan, and revise the manner by which the board shares that plan with the public. This bill would impose new requirements on local boards in conformance with federal law, thereby imposing a state-mandated local program.

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 no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 9600.5 of the Unemployment Insurance  
2 Code is amended to read:  
3 9600.5. ~~The~~ (a) *Notwithstanding Section 10231.5 of the*  
4 *Government Code, the director of the Employment Development*  
5 *Department shall report annually to the Governor, the Legislature,*  
6 *and the California Workforce Investment Development Board, no*  
7 *later than November 30, regarding the training expenditures made*  
8 *by local workforce investment development boards in the prior*  
9 *fiscal year. The department shall specify what expenditures qualify*  
10 *as training expenditures, including, but not limited to, the price*  
11 *paid for classroom instruction or other training opportunities,*  
12 *contracted services for customized training and on-the-job training,*  
13 *development of training materials, and supportive services,*  
14 *including case management, that enable a participant to attend and*  
15 *complete training. expenditures using the definition of training*  
16 *provided for in Section 3174(c)(3)(D) of Title 29 of the United*  
17 *States Code. The annual report shall specify the total amount of*  
18 *federal funding provided to the state and to each of the local*  
19 *workforce investment areas for the adult and dislocated persons*  
20 *programs and the amount within each program expended for*  
21 *training services.*  
22 (b) *A report to be submitted pursuant to subdivision (a) shall*  
23 *be submitted in compliance with Section 9795 of the Government*  
24 *Code.*

1 SEC. 2. Section 9600.7 of the Unemployment Insurance Code  
2 is amended to read:

3 9600.7. (a) The department shall have the authority to  
4 administer the requirements of the federal Workforce Investment  
5 Act of 1998 *Innovation and Opportunity Act* including, but not  
6 limited to, establishing accounting, monitoring, auditing, and  
7 reporting procedures and criteria in order to ensure state compliance  
8 with the objectives and requirements of the federal Workforce  
9 Investment *Innovation and Opportunity Act*.

10 (b) The department shall adopt, amend, or repeal any rules and  
11 regulations as necessary to implement Division 7 (commencing  
12 with Section 14000).

13 SEC. 3. The heading of Division 7 (commencing with Section  
14 14000) of the Unemployment Insurance Code is amended to read:

15  
16 DIVISION 7. CALIFORNIA WORKFORCE INVESTMENT  
17 *INNOVATION AND OPPORTUNITY ACT*  
18

19 SEC. 4. Section 14000 of the Unemployment Insurance Code  
20 is amended to read:

21 14000. (a) The Legislature finds and declares that, in order  
22 for California to remain prosperous and globally competitive, it  
23 needs to have a well-educated and highly skilled workforce.

24 (b) The Legislature finds and declares that the following  
25 principles shall guide the state’s workforce investment system:

26 (1) Workforce investment programs and services shall be  
27 responsive to the needs of employers, workers, and students by  
28 accomplishing the following:

29 (A) Preparing California’s students and workers with the skills  
30 necessary to successfully compete in the global economy.

31 (B) Producing greater numbers of individuals who obtain  
32 industry-recognized certificates and *career-oriented* degrees in  
33 competitive and emerging industry sectors and filling critical labor  
34 market skills gaps.

35 (C) Adapting to rapidly changing local and regional labor  
36 markets as specific workforce skill requirements change over time.

37 (D) Preparing workers for good-paying jobs that foster economic  
38 security and upward mobility.

1 (E) *Aligning employment programs, resources and planning*  
2 *efforts regionally around industry sectors that drive regional*  
3 *employment to connect services and training directly to jobs.*

4 (2) State and local workforce ~~investment~~ *development* boards  
5 are encouraged to collaborate with other public and private  
6 institutions, including businesses, unions, nonprofit organizations,  
7 kindergarten and grades 1 to 12, inclusive, career technical  
8 education programs, adult career technical education and basic  
9 skills programs, *apprenticeships*, community college career  
10 technical education and basic skills programs, entrepreneurship  
11 training programs, where appropriate, the California Community  
12 Colleges Economic and Workforce Development Program, ~~and~~  
13 the Employment Training Panel, *and county-based social and*  
14 *employment services*, to better align resources across workforce,  
15 *training*, education, and ~~training~~ *social* service delivery systems  
16 and build a well-articulated workforce investment system by  
17 accomplishing the following:

18 (A) Adopting local and regional training and education strategies  
19 that build on the strengths and fill the gaps in the education and  
20 workforce development pipeline in order to address the needs of  
21 job seekers, workers, and employers within regional labor markets  
22 by supporting sector strategies.

23 (B) Leveraging resources across education and workforce  
24 training delivery systems to build career pathways and fill critical  
25 skills gaps.

26 (3) Workforce investment programs and services shall be data  
27 driven and evidence based when setting priorities, investing  
28 resources, and adopting practices.

29 (4) Workforce investment programs and services shall develop  
30 strong partnerships with the private sector, ensuring industry  
31 involvement in needs assessment, planning, and program  
32 evaluation.

33 (A) Workforce investment programs and services shall  
34 encourage industry involvement by developing strong partnerships  
35 with an industry's employers and the unions that represent the  
36 industry's workers.

37 (B) Workforce investment programs and services may consider  
38 the needs of employers and businesses of all sizes, including large,  
39 medium, small, and microenterprises, when setting priorities,  
40 investing resources, and adopting practices.

1 (5) Workforce investment programs and services shall be  
 2 outcome oriented and accountable, measuring results for program  
 3 participants, including, but not limited to, outcomes related to  
 4 program completion, employment, and earnings.

5 (6) Programs and services shall be accessible to employers, the  
 6 self-employed, workers, and students who may benefit from their  
 7 operation, including individuals with employment barriers, such  
 8 as persons with economic, physical, or other barriers to  
 9 employment.

10 SEC. 5. Section 14002 of the Unemployment Insurance Code  
 11 is amended to read:

12 14002. (a) The Legislature finds and declares that screening  
 13 designed to detect unidentified disabilities, including learning  
 14 disabilities, improves workforce preparation and enhances the use  
 15 of employment and training resources.

16 (b) Section ~~134(d)(2)~~ 134(c)(2) of the federal Workforce  
 17 ~~Investment Innovation and Opportunity Act (29 U.S.C. Sec.~~  
 18 ~~2864(d)(2))~~ 3174(c)(2)) allows for the use of funds for initial  
 19 assessment of skill levels, aptitudes, abilities and support services,  
 20 ~~and Section 134(d)(3) of that act (29 U.S.C. Sec. 2864(d)(3)) allows~~  
 21 ~~for including, when appropriate,~~ comprehensive and specialized  
 22 assessments of skill levels and service needs, including, but not  
 23 limited to, diagnostic testing and the use of other assessment tools  
 24 and in-depth interviewing and evaluation to identify employment  
 25 barriers and appropriate employment goals.

26 (c) The Legislature encourages one-stop career centers to  
 27 maximize the use of Workforce ~~Investment Innovation and~~  
 28 ~~Opportunity Act~~ resources and other federal and state workforce  
 29 development resources for screening designed to detect unidentified  
 30 disabilities, and if indicated, appropriate diagnostic assessment.

31 SEC. 6. Section 14003 of the Unemployment Insurance Code  
 32 is amended to read:

33 14003. (a) Grants or contracts awarded under the federal  
 34 Workforce ~~Investment Innovation and Opportunity Act~~, codified  
 35 in Chapter ~~30~~ 32 (commencing with Section ~~2801~~) 3101) of Title  
 36 29 of the United States Code, or any other state or federally funded  
 37 workforce development program, may not be awarded to  
 38 organizations that are owned or operated as pervasively sectarian  
 39 organizations.

1 (b) Grants or contracts awarded under the federal Workforce  
2 ~~Investment~~ *Innovation and Opportunity Act*, codified in Chapter  
3 ~~30 32~~ (commencing with Section ~~2804~~ *3101*) of Title 29 of the  
4 United States Code, or any other state or federally funded  
5 workforce development program, shall comply with Section 4 of  
6 Article I and Section 5 of Article XVI of the California  
7 Constitution, state and federal civil rights laws, and the First  
8 Amendment to the United States Constitution in regard to  
9 pervasively sectarian organizations. These legal constraints include  
10 prohibitions on the discrimination against beneficiaries and staff  
11 based on protected categories and on the promoting of religious  
12 doctrine to advance sectarian beliefs.

13 SEC. 7. Section 14004.5 of the Unemployment Insurance Code  
14 is amended to read:

15 14004.5. The Consolidated Work Program Fund is hereby  
16 created in the State Treasury, for the receipt of all moneys  
17 deposited pursuant to the federal Workforce ~~Investment~~ *Innovation*  
18 *and Opportunity Act*. The Employment Development Department  
19 shall be the entity responsible for administering this section.  
20 Moneys in the fund shall be made available, upon appropriation  
21 by the Legislature, to the department, for expenditure consistent  
22 with the purposes of the federal Workforce ~~Investment Act~~  
23 *Innovation and Opportunity Act and the State Plan required by*  
24 *the federal Workforce Innovation and Opportunity Act*.

25 SEC. 8. Section 14005 of the Unemployment Insurance Code  
26 is amended to read:

27 14005. For purposes of this division:

28 (a) “Board” means the California Workforce ~~Investment~~  
29 *Development Board*.

30 (b) “Agency” means the Labor and Workforce Development  
31 Agency.

32 (c) “Career pathways,” “career ladders,” or “career lattices”  
33 ~~mean~~ *are* an identified series of positions, work experiences, or  
34 educational benchmarks or credentials with multiple access points  
35 that offer occupational and financial advancement within a  
36 specified career field or related fields over time. “*Career*  
37 *pathways,*” “*career ladders,*” and “*career lattices*” *offer combined*  
38 *programs of rigorous and high-quality education, training, and*  
39 *other services that do all of the following:*

- 1     (1) *Align with the skill needs of industries in the economy of the*  
2 *state or regional economy involved.*
- 3     (2) *Prepare an individual to be successful in any of a full range*  
4 *of secondary or postsecondary education options, including*  
5 *apprenticeships registered under the National Apprenticeship Act*  
6 *of 1937 (29 U.S.C.A. 50 et seq.), except as in section 3226 of Title*  
7 *29 of the United States Code.*
- 8     (3) *Include counseling to support an individual in achieving the*  
9 *individual's education and career goals.*
- 10    (4) *Include, as appropriate, education offered concurrently with*  
11 *and in the same context as workforce preparation activities and*  
12 *training for a specific occupation or occupational cluster.*
- 13    (5) *Organize education, training, and other services to meet the*  
14 *particular needs of an individual in a manner that accelerates the*  
15 *educational and career advancement of the individual to the extent*  
16 *practicable.*
- 17    (6) *Enable an individual to attain a secondary school diploma*  
18 *or its recognized equivalent, and at least one recognized*  
19 *postsecondary credential.*
- 20    (7) *Help an individual enter or advance within a specific*  
21 *occupation or occupational cluster.*
- 22    (d) “Cluster-based sector strategies” means methods of focusing  
23 workforce and economic development on those sectors that have  
24 demonstrated a capacity for economic growth and job creation in  
25 a particular geographic area.
- 26    (e) “Data driven” means a process of making decisions about  
27 investments and policies based on systematic analysis of data,  
28 which may include data pertaining to labor markets.
- 29    (f) “Economic security” means, with respect to a worker, earning  
30 a wage sufficient to support a family adequately, and, over time,  
31 to save for emergency expenses and adequate retirement income,  
32 based on factors such as household size, the cost of living in the  
33 worker’s community, and other factors that may vary by region.
- 34    (g) “Evidence-based” means making use of policy research as  
35 a basis for determining best policy practices. Evidence-based  
36 policymakers adopt policies that research has shown to produce  
37 positive outcomes, in a variety of settings, for a variety of  
38 populations over time. Successful, evidence-based programs deliver  
39 quantifiable and sustainable results. Evidence-based practices

1 differ from approaches that are based on tradition, belief,  
2 convention, or anecdotal evidence.

3 (h) “High-priority occupations” mean occupations that have a  
4 significant presence in a targeted industry sector or industry cluster,  
5 are in demand, *or projected to be in demand*, by employers, and  
6 pay or lead to payment of a wage that provides economic security.

7 (i) (1) *“In-demand industry sector or occupation” means either*  
8 *of the following:*

9 (A) *An industry sector that has a substantial current or potential*  
10 *impact, including through jobs that lead to economic*  
11 *self-sufficiency and opportunities for advancement, on the state,*  
12 *regional, or local economy, as appropriate, and that contributes*  
13 *to the growth or stability of other supporting businesses, or the*  
14 *growth of other industry sectors.*

15 (B) *An occupation that currently has or is projected to have a*  
16 *number of positions, including positions that lead to economic*  
17 *self-sufficiency and opportunities for advancement, in an industry*  
18 *sector so as to have a significant impact on the State, regional, or*  
19 *local economy, as appropriate.*

20 (2) *The determination of whether an industry sector or*  
21 *occupation is “in-demand” under this subdivision shall be made*  
22 *by the board or local board, or through the regional planning*  
23 *process in which local boards participate under the Workforce*  
24 *Innovation and Opportunity Act, as appropriate, using state and*  
25 *regional business and labor market projections, including the use*  
26 *of labor market information.*

27 (i)

28 (j) “Individual with employment barriers” means an individual  
29 with any characteristic that substantially limits an individual’s  
30 ability to obtain employment, including indicators of poor work  
31 history, lack of work experience, or access to employment in  
32 nontraditional occupations, long-term unemployment, lack of  
33 educational or occupational skills attainment, dislocation from  
34 high-wage and high-benefit employment, low levels of literacy or  
35 English proficiency, disability status, or welfare ~~dependency~~  
36 *dependency, including members of all of the following groups:*

37 (1) *Displaced homemakers.*

38 (2) *Low-income individuals.*

- 1 (3) *Indians, Alaska Natives, and Native Hawaiians, as those*  
2 *terms are defined in Section 3221 of Title 29 of the United States*  
3 *Code.*
- 4 (4) *Individuals with disabilities, including youths who are*  
5 *individuals with disabilities.*
- 6 (5) *Older individuals.*
- 7 (6) *Ex-offenders.*
- 8 (7) *Homeless individuals, as defined in Section 14043e-2(6) of*  
9 *Title 42 of the United States Code, or homeless children and*  
10 *youths, as defined in Section 11434a(2) of Title 42 of the United*  
11 *States Code.*
- 12 (8) *Youth who are in, or have aged out of, the foster care system.*
- 13 (9) *Individuals who are English language learners, individuals*  
14 *who have low levels of literacy, and individuals facing substantial*  
15 *cultural barriers.*
- 16 (10) *Eligible migrant and seasonal farmworkers, as defined in*  
17 *Section 3322(i) of Title 29 of the United States Code.*
- 18 (11) *Individuals within two years of exhausting lifetime*  
19 *eligibility under Part A of Title IV of the Social Security Act (42*  
20 *U.S.C.A. 601 et. seq.).*
- 21 (12) *Single parents, including single, pregnant women.*
- 22 (13) *Long-term unemployed individuals.*
- 23 (14) *Any other groups as the Governor determines to have*  
24 *barriers to employment.*
- 25 (j)
- 26 (k) “Industry cluster” means a geographic concentration or  
27 emerging concentration of interdependent industries with direct  
28 service, supplier, and research relationships, or independent  
29 industries that share common resources in a given regional  
30 economy or labor market. An industry cluster is a group of  
31 employers closely linked by common product or services,  
32 workforce needs, similar technologies, and supply chains in a given  
33 regional economy or labor market.
- 34 ~~(k) (1)~~
- 35 (l) “Industry or sector partnership” means a workforce  
36 ~~collaborative that organizes key stakeholders in a targeted industry~~  
37 ~~cluster into a working group that focuses on the workforce needs~~  
38 ~~of the targeted industry cluster. An industry or sector partnership~~  
39 ~~organizes the stakeholders connected with a specific local or~~  
40 ~~regional industry—multiple firms, labor groups, education and~~

1 training providers, and workforce and education systems—to  
2 develop workforce development strategies within the industry.  
3 Successful sector partnerships leverage partner resources to address  
4 both short-term and long-term human capital needs of a particular  
5 sector, including by analyzing current labor markets and identifying  
6 barriers to employment within the industry, developing cross-firm  
7 skill standards, curricula, and training programs, and developing  
8 occupational career ladders to ensure workers of all skill levels  
9 can advance within the industry. *collaborative, convened or acting*  
10 *in partnership with the board or a local board, that does the*  
11 *following:*

12 (2) Industry or sector partnerships include, at the appropriate  
13 stage of development of the partnership, all of the following:

14 (A) Representatives of multiple firms or employers in the  
15 targeted industry cluster, including small-sized and medium-sized  
16 employers when practicable.

17 (B) One or more representatives of state labor organizations,  
18 central labor coalitions, or other labor organizations, except in  
19 instances where no labor representations exists.

20 (C) One or more representatives of local workforce investment  
21 boards.

22 (D) One or more representatives of kindergarten and grades 1  
23 to 12, inclusive, and postsecondary educational institutions or other  
24 training providers, including, but not limited to, career technical  
25 educators.

26 (E) One or more representatives of state workforce agencies or  
27 other entities providing employment services.

28 (3) An industry or sector partnership may also include  
29 representatives from the following:

30 (A) State or local government.

31 (B) State or local economic development agencies.

32 (C) Other state or local agencies.

33 (D) Chambers of commerce.

34 (E) Nonprofit organizations.

35 (F) Philanthropic organizations.

36 (G) Economic development organizations.

37 (H) Industry associations.

38 (I) Other organizations, as determined necessary by the members  
39 comprising the industry or sector partnership.

- 1     *(I) Organizes key stakeholders in an industry cluster into a*
- 2     *working group that focuses on the shared goals and human*
- 3     *resources needs of the industry cluster and that includes, at the*
- 4     *appropriate stage of development of the partnership:*
- 5     *(A) Representatives of multiple businesses or other employers*
- 6     *in the industry cluster, including small and medium-sized*
- 7     *employers when practicable.*
- 8     *(B) One or more representatives of a recognized state labor*
- 9     *organization or central labor council, or another labor*
- 10    *representative, as appropriate.*
- 11    *(C) One or more representatives of an institution of higher*
- 12    *education with, or another provider of, education or training*
- 13    *programs that support the industry cluster.*
- 14    *(2) The workforce collaborative may include representatives of*
- 15    *any of the following:*
- 16    *(A) State or local government.*
- 17    *(B) State or local economic development agencies.*
- 18    *(C) State boards or local boards, as appropriate.*
- 19    *(D) A state workforce agency or other entity providing*
- 20    *employment services.*
- 21    *(E) Other state or local agencies.*
- 22    *(F) Business or trade associations.*
- 23    *(G) Economic development organizations.*
- 24    *(H) Nonprofit organizations, community-based organizations,*
- 25    *or intermediaries.*
- 26    *(I) Philanthropic associations.*
- 27    *(J) Industry associations*
- 28    *(K) Other organizations, as determined to be necessary by the*
- 29    *members comprising the industry sector or partnership.*
- 30    ~~(l)~~
- 31    *(m) “Industry sector” means those firms that produce similar*
- 32    *products or provide similar services using somewhat similar*
- 33    *business processes, and are closely linked by workforce needs,*
- 34    *within a regional labor market.*
- 35    ~~(n)~~
- 36    *(n) “Local labor federation” means a central labor council that*
- 37    *is an organization of local unions affiliated with the California*
- 38    *Labor Federation or a local building and construction trades council*
- 39    *affiliated with the State Building and Construction Trades Council.*
- 40    ~~(n)~~

1 (o) “Sector strategies” means methods of prioritizing  
2 investments in competitive and emerging industry sectors and  
3 industry clusters on the basis of labor market and other economic  
4 data indicating strategic growth potential, especially with regard  
5 to jobs and income, and exhibit the following characteristics:

6 (1) Focus workforce investment in education and workforce  
7 training programs that are likely to lead to jobs providing economic  
8 security or to an entry-level job with a well-articulated career  
9 pathway into a job providing economic security.

10 (2) Effectively boost labor productivity or reduce business  
11 barriers to growth and expansion stemming from workforce supply  
12 problems, including skills gaps and occupational shortages by  
13 directing resources and making investments to plug skills gaps  
14 and provide education and training programs for high-priority  
15 occupations.

16 (3) May be implemented using articulated career pathways or  
17 lattices and a system of stackable credentials.

18 (4) May target underserved communities, disconnected youths,  
19 incumbent workers, and recently separated military veterans.

20 (5) Frequently are implemented using industry or sector  
21 partnerships.

22 (6) Typically are implemented at the regional level where sector  
23 firms, those employers described in subdivisions (j) and (l), often  
24 share a common labor market and supply chains. However, sector  
25 strategies may also be implemented at the state or local level  
26 depending on sector needs and labor market conditions.

27 (⊖)

28 (p) “~~Workforce Investment Act of 1998~~” *Innovation and*  
29 *Opportunity Act of 2014*” means the federal act enacted as Public  
30 Law ~~105-220~~ 113-128.

31 SEC. 9. The heading of Article 1 (commencing with Section  
32 14010) of Chapter 3 of Division 7 of the Unemployment Insurance  
33 Code is amended to read:

34

35 Article 1. California ~~Workforce Investment~~ *Development* Board

36

37 SEC. 10. Section 14010 of the Unemployment Insurance Code  
38 is amended to read:

39 14010. The California ~~Workforce Investment~~ *Development*  
40 Board is the body responsible for assisting the Governor in the

1 development, oversight, and continuous improvement of  
2 California's workforce investment system and the alignment of  
3 the education and workforce investment systems to the needs of  
4 the 21st century economy and workforce.

5 SEC. 11. Section 14012 of the Unemployment Insurance Code  
6 is amended to read:

7 14012. The board shall be appointed by the Governor to assist  
8 in the development of the State ~~Workforce Investment~~ Plan and  
9 to carry out other functions, as described in Section 14103. The  
10 board shall be comprised of the Governor and representatives from  
11 the following categories:

12 (a) Two members of each house of the Legislature, appointed  
13 by the appropriate presiding officer of each house.

14 (b) A majority of board members shall be representatives of  
15 business who:

16 (1) Are owners of ~~small and large~~ businesses, chief executives  
17 or operating officers of ~~small and large~~ businesses, and other ~~small~~  
18 ~~and large~~ business executives or employers with optimum  
19 policymaking or hiring authority, ~~including members of local~~  
20 ~~workforce investment boards~~ *who, in addition, may be members*  
21 *of a local board described in Section 3122(b)(2)(A)(i) of Title 29*  
22 *of the United States Code.*

23 (2) ~~Represent businesses with employment opportunities that~~  
24 ~~reflect the employment opportunities of the state~~ *businesses,*  
25 *including small businesses, or organizations representing*  
26 *businesses that include high-quality, work-relevant training and*  
27 *development in in-demand industry sectors or occupations in the*  
28 *state.*

29 (3) Are appointed from a group of individuals nominated by  
30 state business organizations and business trade associations.

31 ~~(e) Chief elected officials representing both cities and counties,~~  
32 ~~where appropriate.~~

33 ~~(d) Representatives of labor organizations that are appointed to~~  
34 ~~the board by the Governor shall have been nominated by state~~  
35 ~~labor federations. At~~

36 ~~(c) (1) At least 15~~ 20 percent of board members shall be  
37 representatives of ~~labor organizations.~~ *the workforce within the*  
38 *state, and shall include:*

39 ~~(e) Representatives of individuals and organizations that have~~  
40 ~~experience with regard to youth activities.~~

1 ~~(f) Representatives of individuals and organizations that have~~  
2 ~~experience and expertise in the delivery of workforce investment~~  
3 ~~activities, including the Chancellor of the California Community~~  
4 ~~Colleges, representatives of school districts, and representatives~~  
5 ~~of community-based organizations within the state.~~

6 ~~(g) The lead state agency officials with responsibility for the~~  
7 ~~programs, services, or activities that are mandatory participants in~~  
8 ~~the one-stop system, or, where there are no lead state agency~~  
9 ~~officials responsible for those programs, services, or activities, a~~  
10 ~~representative with expertise relating to those programs, services,~~  
11 ~~or activities.~~

12 ~~(h) Any other representatives and state agency officials as the~~  
13 ~~Governor may designate, such as the state agency officials~~  
14 ~~responsible for economic development and juvenile justice~~  
15 ~~programs in the state.~~

16 ~~(i) Members of the board that represent organizations, agencies,~~  
17 ~~or other entities shall be individuals with optimum policymaking~~  
18 ~~authority within those organizations, agencies, or entities.~~

19 ~~(j) In making appointments to the board, the Governor shall~~  
20 ~~consider the ethnic, race, gender, and geographic distribution of~~  
21 ~~the state's population, and members of the board shall represent~~  
22 ~~diverse regions of the state, including urban, rural, and suburban~~  
23 ~~areas.~~

24 ~~(k) The Governor may appoint a single member to the board to~~  
25 ~~represent multiple constituencies on the board.~~

26 ~~(l) The Governor shall select a chairperson for the board from~~  
27 ~~the business representatives.~~

28 *(A) Representatives of labor organizations, who have been*  
29 *nominated by state labor federations, amounting to not less than*  
30 *15 percent of state board membership.*

31 *(B) A representative, who shall be a member of a labor*  
32 *organization or a training director, from a joint labor-management*  
33 *apprenticeship program, or if no such joint program exists in the*  
34 *state, such a representative of an apprenticeship program in the*  
35 *state.*

36 *(2) Representatives appointed pursuant to this subdivision may*  
37 *include:*

38 *(A) Representatives of community-based organizations that*  
39 *have demonstrated experience and expertise in addressing the*  
40 *employment, training, or education needs of individuals with*

1 *barriers to employment, including organizations that serve veterans*  
 2 *or that provide or support competitive, integrated employment for*  
 3 *individuals with disabilities.*

4 *(B) Representatives of organizations that have demonstrated*  
 5 *experience and expertise in addressing the employment, training,*  
 6 *or education needs of eligible youth, including representatives of*  
 7 *organizations that serve out-of-school youth.*

8 *(d) The balance of board members:*

9 *(1) Shall include representatives of government that are lead*  
 10 *state officials with primary responsibility for the core programs*  
 11 *and shall include chief elected officials, collectively representing*  
 12 *cities, counties, and cities and counties where appropriate.*

13 *(2) May include other representatives and officials as the*  
 14 *Governor may designate, like any of the following:*

15 *(A) State agency officials from agencies that are one-stop*  
 16 *partners, not specified in paragraph (1), including additional*  
 17 *one-stop partners whose programs are covered by the State Plan,*  
 18 *if any.*

19 *(B) State agency officials responsible for economic development*  
 20 *or juvenile justice programs in the state.*

21 *(C) Individuals who represent an Indian tribe or tribal*  
 22 *organization, as those terms are defined in Section 3221(b) of Title*  
 23 *29 of the United States Code.*

24 *(D) State agency officials responsible for education programs*  
 25 *in the state, including chief executive officers of community colleges*  
 26 *and other institutions of higher education.*

27 SEC. 12. Section 14013 of the Unemployment Insurance Code  
 28 is amended to read:

29 14013. The board shall assist the Governor in the following:

30 (a) Promoting the development of a well-educated and highly  
 31 skilled 21st century workforce.

32 (b) Developing, *implementing, and modifying the State*  
 33 ~~Workforce Investment~~ *Plan. The State Plan shall serve as the*  
 34 *comprehensive framework and coordinated plan for the aligned*  
 35 *investment of all federal and state workforce training and*  
 36 *employment services funding streams and programs. To the extent*  
 37 *feasible and when appropriate, the state plan should reinforce and*  
 38 *work with adult education and career technical education efforts*  
 39 *that are responsive to labor market trends.*

- 1 ~~(e) Developing guidelines for the continuous improvement and~~  
2 ~~operation of the workforce investment system, including:~~  
3 ~~(1) Developing policies to guide the one-stop system.~~  
4 ~~(2) Providing technical assistance for the continuous~~  
5 ~~improvement of the one-stop system.~~  
6 ~~(3) Recommending state investments in the one-stop system.~~  
7 ~~(4) Targeting resources to competitive and emerging industry~~  
8 ~~sectors and industry clusters that provide economic security and~~  
9 ~~are either high-growth sectors or critical to California's economy,~~  
10 ~~or both. These industry sectors and clusters shall have significant~~  
11 ~~economic impacts on the state and its regional and workforce~~  
12 ~~development needs and have documented career opportunities.~~  
13 ~~(5) To the extent permissible under state and federal laws,~~  
14 ~~recommending youth policies and strategies that support linkages~~  
15 ~~between kindergarten and grades 1 to 12, inclusive, and community~~  
16 ~~college educational systems and youth training opportunities in~~  
17 ~~order to help youth secure educational and career advancement.~~  
18 ~~These policies and strategies may be implemented using a sector~~  
19 ~~strategies framework and should ultimately lead to placement in~~  
20 ~~a job providing economic security or job placement in an~~  
21 ~~entry-level job that has a well-articulated career pathway or career~~  
22 ~~ladder to a job providing economic security.~~  
23 ~~(6) To the extent permissible under state and federal law,~~  
24 ~~recommending adult and dislocated worker training policies and~~  
25 ~~investments that offer a variety of career opportunities while~~  
26 ~~upgrading the skills of California's workforce. These may include~~  
27 ~~training policies and investments pertaining to any of the following:~~  
28 ~~(A) Occupational skills training, including training for~~  
29 ~~nontraditional employment.~~  
30 ~~(B) On-the-job training.~~  
31 ~~(C) Programs that combine workplace training with related~~  
32 ~~instruction, which may include cooperative education programs.~~  
33 ~~(D) Training programs operated by the private sector.~~  
34 ~~(E) Skill upgrading and retraining.~~  
35 ~~(F) Entrepreneurial training.~~  
36 ~~(G) Job readiness training.~~  
37 ~~(H) Adult education and literacy activities provided in~~  
38 ~~combination with any of the services described in this paragraph.~~

1 ~~(f) Customized training conducted with a commitment by an~~  
2 ~~employer or group of employers to employ an individual upon~~  
3 ~~successful completion of the training.~~

4 ~~(c) The review of statewide policies, of statewide programs, and~~  
5 ~~of recommendations on actions that should be taken by the state~~  
6 ~~to align workforce, education, training, and employment funding~~  
7 ~~programs in the state in a manner that supports a comprehensive~~  
8 ~~and streamlined workforce development system in the state,~~  
9 ~~including the review and provision of comments on the State Plan,~~  
10 ~~if any, for programs and activities of one-stop partners that are~~  
11 ~~not core programs.~~

12 ~~(d) Developing and continuously improving the statewide~~  
13 ~~workforce investment system as delivered via the one-stop delivery~~  
14 ~~system and via other programs and services supported by funding~~  
15 ~~from the federal Workforce Investment Act of 1998, system,~~  
16 ~~including:~~

17 ~~(1) Developing linkages in order to ensure coordination and~~  
18 ~~nonduplication among workforce programs and activities.~~

19 ~~(2) Reviewing local workforce investment plans.~~

20 ~~(3) Leveraging state and federal funds to ensure that resources~~  
21 ~~are invested in activities that meet the needs of the state's~~  
22 ~~competitive and emerging industry sectors and advance the~~  
23 ~~education and employment needs of students and workers so they~~  
24 ~~can keep pace with the education and skill needs of the state, its~~  
25 ~~regional economies, and leading industry sectors.~~

26 ~~(e) Commenting, at least once annually, on the measures taken~~  
27 ~~pursuant to the Carl D. Perkins Vocational and Applied Technology~~  
28 ~~Education Act Amendments of 1990 (Public Law 101-392; 20~~  
29 ~~U.S.C. Sec. 2301 et seq.).~~

30 ~~(f) Designating local workforce investment areas within the~~  
31 ~~state based on information derived from all of the following:~~

32 ~~(1) Consultations with the Governor.~~

33 ~~(2) Consultations with the chief local elected officials.~~

34 ~~(3) Consideration of comments received through the public~~  
35 ~~comment process, as described in Section 112(b)(9) of the federal~~  
36 ~~Workforce Investment Act of 1998.~~

37 ~~(g) Developing and modifying allocation formulas, as necessary,~~  
38 ~~for the distribution of funds for adult employment and training~~  
39 ~~activities, for youth activities to local workforce investment areas,~~

1 ~~and dislocated worker employment and training activities, as~~  
2 ~~permitted by federal law.~~

3 *(1) The identification of barriers and means for removing*  
4 *barriers to better coordinate, align, and avoid duplication among*  
5 *the programs and activities carried out through the system.*

6 *(2) The development of strategies to support the use of career*  
7 *pathways for the purpose of providing individuals, including*  
8 *low-skilled adults, youth, and individuals with barriers to*  
9 *employment, including individuals with disabilities, with workforce*  
10 *investment activities, education, and supportive services to enter*  
11 *or retain employment. To the extent permissible under state and*  
12 *federal laws, these policies and strategies should support linkages*  
13 *between kindergarten and grades 1 to 12, inclusive, and community*  
14 *college educational systems in order to help secure educational*  
15 *and career advancement. These policies and strategies may be*  
16 *implemented using a sector strategies framework and should*  
17 *ultimately lead to placement in a job providing economic security*  
18 *or job placement in an entry-level job that has a well-articulated*  
19 *career pathway or career ladder to a job providing economic*  
20 *security.*

21 *(3) The development of strategies for providing effective*  
22 *outreach to and improved access for individuals and employers*  
23 *who could benefit from services provided through the workforce*  
24 *development system.*

25 *(4) The development and expansion of strategies for meeting*  
26 *the needs of employers, workers, and jobseekers, particularly*  
27 *through industry or sector partnerships related to in-demand*  
28 *industry sectors and occupations, including policies targeting*  
29 *resources to competitive and emerging industry sectors and*  
30 *industry clusters that provide economic security and are either*  
31 *high-growth sectors or critical to California's economy, or both.*  
32 *These industry sectors and clusters shall have significant economic*  
33 *impacts on the state and its regional and workforce development*  
34 *needs and have documented career opportunities.*

35 *(5) Recommending adult and dislocated worker training policies*  
36 *and investments that offer a variety of career opportunities while*  
37 *upgrading the skills of California's workforce. These may include*  
38 *training policies and investments pertaining to any of the following:*

39 *(A) Occupational skills training, including training for*  
40 *nontraditional employment.*

- 1 (B) *On-the-job training.*
- 2 (C) *Incumbent worker training in accordance with Section*
- 3 *3174(d)(4) of Title 29 of the United States Code.*
- 4 (D) *Programs that combine workplace training with related*
- 5 *instruction, which may include cooperative education programs.*
- 6 (E) *Training programs operated by the private sector.*
- 7 (F) *Skill upgrading and retraining.*
- 8 (G) *Entrepreneurial training.*
- 9 (H) *Transitional jobs in accordance with Section 3174 (d)(5)*
- 10 *of Title 29 of the United States Code.*
- 11 (I) *Job readiness training provided in combination with any of*
- 12 *the services described in subparagraphs (A) to (H), inclusive.*
- 13 (J) *Adult education and literacy activities provided in*
- 14 *combination with any of the services described subparagraphs (A)*
- 15 *to (G), inclusive.*
- 16 (K) *Customized training conducted with a commitment by an*
- 17 *employer or group of employers to employ an individual upon*
- 18 *successful completion of the training.*
- 19 (e) *The identification of regions, including planning regions,*
- 20 *for the purposes of Section 3121(a) of Title 29 of the United States*
- 21 *Code, and the designation of local areas under Section 3121 of*
- 22 *Title 29 of the United States Code, after consultation with local*
- 23 *boards and chief elected officials.*
- 24 ~~(h) Coordinating the~~
- 25 (f) *The development and continuous improvement of*
- 26 ~~comprehensive state performance measures, including state~~
- 27 ~~adjusted levels of performance, to assess the effectiveness of the~~
- 28 ~~workforce investment activities in the state~~ *the one-stop delivery*
- 29 *system in local areas, including providing assistance to local*
- 30 *boards, one-stop operators, one-stop partners, and providers with*
- 31 *planning and delivering services, including training services and*
- 32 *supportive services, to support effective delivery of services to*
- 33 *workers, job seekers, and employers.*
- 34 (i) ~~Preparing the annual report to the United States Secretary of~~
- 35 ~~Labor.~~
- 36 (j) ~~Recommending policy for the development of the statewide~~
- 37 ~~employment statistics system, including workforce and economic~~
- 38 ~~data, as described in Section 491-2 of Title 29 of the United States~~
- 39 ~~Code, and using, to the fullest extent possible, the Employment~~

1 ~~Development Department's existing labor market information~~  
2 ~~systems.~~

3 ~~(k)~~

4 ~~(g) Recommending strategies to the Governor for strategic~~  
5 ~~training investments of the Governor's 15-percent discretionary~~  
6 ~~funds.~~

7 ~~(t)~~

8 ~~(h) Developing and recommending waivers, in conjunction with~~  
9 ~~local workforce investment boards, to the Governor as provided~~  
10 ~~for in the federal Workforce Investment Act of 1998 strategies to~~  
11 ~~support staff training and awareness across programs supported~~  
12 ~~under the workforce development system.~~

13 ~~(m) Recommending policy to the Governor for the use of the~~  
14 ~~25-percent rapid response funds, as authorized under the federal~~  
15 ~~Workforce Investment Act of 1998.~~

16 ~~(n) Developing an application to the United States Department~~  
17 ~~of Labor for an incentive grant under Section 9273 of Title 20 of~~  
18 ~~the United States Code.~~

19 ~~(i) The development and updating of comprehensive state~~  
20 ~~performance accountability measures, including state adjusted~~  
21 ~~levels of performance, to assess the effectiveness of the core~~  
22 ~~programs in the state as required under Section 3141(b) of Title~~  
23 ~~29 of the United States Code. As part of this process the board~~  
24 ~~shall do all of the following:~~

25 ~~(e) (1) Developing~~

26 ~~(1) Develop a workforce metrics dashboard, to be updated~~  
27 ~~annually, that measures the state's human capital investments in~~  
28 ~~workforce development to better understand the collective impact~~  
29 ~~of these investments on the labor market. The workforce metrics~~  
30 ~~dashboard shall be produced using existing available data and~~  
31 ~~resources that are currently collected and accessible to state~~  
32 ~~agencies. The board shall convene workforce program partners to~~  
33 ~~develop a standardized set of inputs and outputs for the workforce~~  
34 ~~metrics dashboard. The workforce metrics dashboard shall do all~~  
35 ~~of the following:~~

36 ~~(A) Provide a status report on credential attainment, training~~  
37 ~~completion, degree attainment, and participant earnings from~~  
38 ~~workforce education and training programs. The board shall publish~~  
39 ~~and distribute the final report.~~

1 (B) Provide demographic breakdowns, including, to the extent  
 2 possible, race, ethnicity, age, gender, veteran status, wage and  
 3 credential or degree outcomes, and information on workforce  
 4 outcomes in different industry sectors.

5 (C) Measure, at a minimum and to the extent feasible with  
 6 existing resources, the performance of the following workforce  
 7 programs: community college career technical education, the  
 8 Employment Training Panel, Title I and Title II of the federal  
 9 Workforce Investment Act of 1998, Trade Adjustment Assistance,  
 10 and state apprenticeship programs.

11 (D) Measure participant earnings in California, and to the extent  
 12 feasible, in other states. The Employment Development Department  
 13 shall assist the board by calculating aggregated participant earnings  
 14 using unemployment insurance wage records, without violating  
 15 any applicable confidentiality requirements.

16 (2) The State Department of Education is hereby authorized to  
 17 collect the social security numbers of adults participating in adult  
 18 education programs so that accurate participation in those programs  
 19 can be represented in the report card. However, an individual shall  
 20 not be denied program participation if he or she refuses to provide  
 21 a social security number. The State Department of Education shall  
 22 keep this information confidential and shall only use this  
 23 information for tracking purposes, in compliance with all applicable  
 24 state and federal law.

25 (3) (A) Participating workforce programs, as specified in clause  
 26 subparagraph (C) of paragraph (1), shall provide participant data  
 27 in a standardized format to the Employment Development  
 28 Department.

29 (B) The Employment Development Department shall aggregate  
 30 data provided by participating workforce programs and shall report  
 31 the data, organized by demographics, earnings, and industry of  
 32 employment, to the board to assist the board in producing the  
 33 annual workforce metrics dashboard.

34 (j) *The identification and dissemination of information on best  
 35 practices, including best practices for all of the following:*

36 (1) *The effective operation of one-stop centers, relating to the  
 37 use of business outreach, partnerships, and service delivery  
 38 strategies, including strategies for serving individuals with barriers  
 39 to employment.*

1 (2) *The development of effective local boards, which may include*  
2 *information on factors that contribute to enabling local boards to*  
3 *exceed negotiated local levels of performance, sustain fiscal*  
4 *integrity, and achieve other measures of effectiveness.*

5 (3) *Effective training programs that respond to real-time labor*  
6 *market analysis, that effectively use direct assessment and prior*  
7 *learning assessment to measure an individual's prior knowledge,*  
8 *skills, competencies, and experiences, and that evaluate such skills,*  
9 *and competencies for adaptability, to support efficient placement*  
10 *into employment or career pathways.*

11 (k) *The development and review of statewide policies affecting*  
12 *the coordinated provision of services through the state's one-stop*  
13 *delivery system described in Section 3151(e) of Title 29 of the*  
14 *United States Code, including the development of all of the*  
15 *following:*

16 (1) *Objective criteria and procedures for use by local boards*  
17 *in assessing the effectiveness and continuous improvement of*  
18 *one-stop centers described in Section 3151(e) of Title 29 of the*  
19 *United States Code.*

20 (2) *Guidance for the allocation of one-stop center infrastructure*  
21 *funds under Section 3151(h) of Title 29 of the United States Code.*

22 (3) *Policies relating to the appropriate roles and contributions*  
23 *of entities carrying out one-stop partner programs within the*  
24 *one-stop delivery system, including approaches to facilitating*  
25 *equitable and efficient cost allocation in such system.*

26 (l) *The development of strategies for technological improvements*  
27 *to facilitate access to, and improve the quality of, services and*  
28 *activities provided through the one-stop delivery system, including*  
29 *such improvements to all of the following:*

30 (1) *Enhance digital literacy skills, as defined in Section 9101*  
31 *of Title 20 of the United States Code, referred to in this division*  
32 *as "digital literacy skills."*

33 (2) *Accelerate the acquisition of skills and recognized*  
34 *postsecondary credentials by participants.*

35 (3) *Strengthen the professional development of providers and*  
36 *workforce professionals.*

37 (4) *Ensure the technology is accessible to individuals with*  
38 *disabilities and individuals residing in remote areas.*

39 (m) *The development of strategies for aligning technology and*  
40 *data systems across one-stop partner programs to enhance service*

1 *delivery and improve efficiencies in reporting on performance*  
 2 *accountability measures, including the design and implementation*  
 3 *of common intake, data collection, case management information,*  
 4 *and performance accountability measurement and reporting*  
 5 *processes and the incorporation of local input into such design*  
 6 *and implementation, to improve coordination of services across*  
 7 *one-stop partner programs.*

8 (n) *The development of allocation formulas for the distribution*  
 9 *of funds for employment and training activities for adults, and*  
 10 *youth workforce investment activities, to local areas as permitted*  
 11 *under Sections 3163(b)(3) and 3173(b)(3) of Title 29 of the United*  
 12 *States Code.*

13 (o) *The preparation of the annual reports described in*  
 14 *paragraphs (1) and (2) of Section 3141(d) of Title 29 of the United*  
 15 *States Code.*

16 (p) *The development of the statewide workforce and labor*  
 17 *market information system described in Section 491–2(e) of Title*  
 18 *29 of the United States Code.*

19 (q) *The development of such other policies as may promote*  
 20 *statewide objectives for, and enhance the performance of, the*  
 21 *workforce development system in the state.*

22 SEC. 13. Section 14017 of the Unemployment Insurance Code  
 23 is amended to read:

24 14017. (a) In efforts to expand job training and employment  
 25 for allied health professions, the California Workforce Investment  
 26 Development Board, in consultation with the Division of  
 27 Apprenticeship Standards, shall do the following:

28 (1) Identify opportunities for “earn and learn” job training  
 29 opportunities that meet the industry’s workforce demands and that  
 30 are in high-wage, high-demand jobs.

31 (2) Identify and develop specific requirements and qualifications  
 32 for entry into “earn and learn” job training models.

33 (3) Establish standards for “earn and learn” job training  
 34 programs that are outcome oriented and accountable. The standards  
 35 shall measure the results from program participation, including a  
 36 measurement of how many complete the program with an  
 37 industry-recognized credential that certifies that the individual is  
 38 ready to enter the specific allied health profession for which he or  
 39 she has been trained.

1 (4) Develop means to identify, assess, and prepare a pool of  
2 qualified candidates seeking to enter “earn and learn” job training  
3 models.

4 (b) (1) The board, on or before December 1, 2015, shall prepare  
5 and submit to the appropriate policy committees of the Legislature  
6 a report on the findings and recommendations of the board.

7 (2) The requirement for submitting a report imposed pursuant  
8 to this subdivision is inoperative on January 1, 2019, pursuant to  
9 Section 10231.5 of the Government Code.

10 SEC. 14. The heading of Article 2 (commencing with Section  
11 14020) of Chapter 3 of Division 7 of the Unemployment Insurance  
12 Code is amended to read:

13  
14 Article 2. State Planning *and Sectors*

15  
16 SEC. 15. Section 14020 of the Unemployment Insurance Code  
17 is amended to read:

18 14020. (a) The California Workforce ~~Investment Development~~  
19 Board, in collaboration with state and local partners, including the  
20 Chancellor of the California Community Colleges, the State  
21 Department of Education, other appropriate state agencies, and  
22 local workforce ~~investment development~~ boards, shall develop a  
23 ~~strategic workforce plan~~ *the State Plan* to serve as a framework  
24 for the development of public policy, *employment services*, fiscal  
25 investment, and operation of all state labor exchange, workforce  
26 education, and training programs to address the state’s economic,  
27 demographic, and workforce needs. The strategic workforce plan  
28 shall also serve as the framework for the single state plan required  
29 by the federal Workforce Investment Act of 1998. ~~The plan shall~~  
30 ~~be updated at least every five years~~ *be prepared in a manner*  
31 *consistent with the requirements of the federal Workforce*  
32 *Innovation and Opportunity Act of 2014.*

33 (b) ~~The state~~ *Consistent with the federal Workforce Innovation*  
34 *and Opportunity Act, the State Plan shall develop a California*  
35 *Industry Sector Initiative that will serve as the cornerstone of the*  
36 *state plan and provide a framework for state workforce investments*  
37 ~~and support for~~ *provide a framework for state workforce policies*  
38 *and support* sector strategies.

39 (c) The California Workforce ~~Investment Development~~ Board  
40 shall work collaboratively with state and local partners to identify

1 ways to eliminate systemwide barriers and better align and leverage  
 2 federal, state, and local Workforce ~~Investment~~ *Innovation and*  
 3 *Opportunity Act* funding streams, *and other funding streams*, and  
 4 policies to develop, support, and sustain regional alliances of  
 5 employers and workforce and education professionals who are  
 6 working to improve the educational pipeline, establish  
 7 well-articulated career pathways, provide industry-recognized  
 8 ~~credentials and certificates~~, *credentials, certificates, and recognized*  
 9 *postsecondary credentials*, and address the career advancement  
 10 needs of current and future workers in competitive and emergent  
 11 industry sectors and clusters. The California Workforce ~~Investment~~  
 12 *Development* Board and its partners shall work collaboratively to  
 13 maximize state and local investments and pursue other resources  
 14 to address the skills-gap needs identified pursuant to paragraph  
 15 (3) of subdivision (d).

16 (d) In order to support the requirement of the plans in  
 17 subdivision (a), the California Workforce ~~Investment~~ *Development*  
 18 Board shall do the following:

19 (1) ~~Annually identify~~ *Identify* industry sectors and industry  
 20 clusters that have a competitive economic advantage and  
 21 demonstrated economic importance to the state and its regional  
 22 economies. In developing this analysis, the California Workforce  
 23 ~~Investment Development~~ Board shall consider the expertise of  
 24 local workforce ~~investment development~~ boards in the state's  
 25 respective regional economies and shall encourage the local  
 26 workforce ~~investment development~~ boards to identify industry  
 27 sectors and industry clusters that have a competitive economic  
 28 advantage and demonstrated economic importance in their  
 29 respective local workforce ~~investment development~~ areas.

30 (2) ~~Annually identify~~ *Identify* new dynamic emergent industry  
 31 sectors and industry clusters with substantial potential to generate  
 32 new jobs and income growth for the state and its regional  
 33 economies. In developing this analysis, the California Workforce  
 34 ~~Investment Development~~ Board shall consider the expertise of  
 35 local workforce ~~investment development~~ boards in the state's  
 36 respective regional economies and shall encourage the local  
 37 workforce ~~investment development~~ boards to identify new dynamic  
 38 emergent industry sectors and industry clusters with substantial  
 39 potential to generate new jobs and income growth in their  
 40 respective local workforce ~~investment development~~ areas.

1 (3) Provide ~~an annual~~ a skills-gap analysis enumerating  
2 occupational and skills shortages in the industry sectors and  
3 industry clusters identified as having strategic importance to the  
4 state's economy and its regional economies. In developing this  
5 analysis, the California Workforce ~~Investment~~ *Development* Board  
6 shall consider the expertise of local workforce ~~investment~~  
7 *development* boards in the state's respective regional economies  
8 and shall encourage the local workforce ~~investment~~ *development*  
9 boards to conduct skills-gap analysis for their respective local  
10 workforce ~~investment~~ *development* areas. Skills-gap analysis for  
11 the state and its regional economies shall use labor market data to  
12 specify a list of high-priority, in-demand occupations for the state  
13 and its regional economies. This list shall be used to inform  
14 investment decisions and eligible training provider policies.

15 (4) Establish, with input from local workforce ~~investment~~  
16 *development* boards and other stakeholders, initial and subsequent  
17 eligibility criteria for the federal Workforce ~~Investment Act of~~  
18 ~~1998~~ *Innovation and Opportunity Act of 2014* eligible training  
19 provider list that effectively directs training resources into training  
20 programs leading to employment in high-demand, high-priority,  
21 and occupations that provide economic security, particularly those  
22 facing a shortage of skilled workers. The subsequent eligibility  
23 criteria, to the extent feasible, shall use performance and outcome  
24 measures to determine whether a provider is qualified to remain  
25 on the list. At a minimum, initial and subsequent eligibility criteria  
26 shall consider the following:

27 (A) The relevance of the training program to the workforce  
28 needs of the state's strategic industry sectors and industry clusters.

29 (B) The need to plug skills gaps and skills shortages in the  
30 economy, including skills gaps and skills shortages at the state and  
31 regional level.

32 (C) The need to plug skills gaps and skills shortages in local  
33 workforce ~~investment~~ *development* areas.

34 (D) The likelihood that the training program will lead to job  
35 placement in a job providing economic security or job placement  
36 in an entry-level job that has a well-articulated career pathway or  
37 career ladder to a job providing economic security.

38 (E) The need for basic skills ~~and bridge training in combination~~  
39 *with* programs that provide access to occupational skills training

1 for individuals with barriers to employment and those who would  
 2 otherwise be unable to enter occupational skills training.

3 (F) To the extent feasible, utilize criteria that measure training  
 4 and education provider performance, including, but not limited to,  
 5 the following:

6 (i) Measures of skills or competency attainment.

7 (ii) Measures relevant to program completion, including  
 8 measures of course, certificate, degree, licensure, and program of  
 9 study rate of completion.

10 (iii) For those entering the labor market, measures of  
 11 employment placement and retention.

12 (iv) For those continuing in training or education, measures of  
 13 educational or training progression.

14 (v) For those who have entered the labor market, measures of  
 15 income, including wage measures.

16 (G) The division of labor for making initial and subsequent  
 17 eligibility determinations under this division shall be modeled on  
 18 the division of labor envisioned in the federal Workforce  
 19 Investment Act of 1998 ~~in that the state board shall establish, with~~  
 20 ~~input from local workforce investment boards and other~~  
 21 ~~stakeholders, the initial and subsequent eligibility procedures and~~  
 22 ~~criteria utilized by local workforce investment boards to assess~~  
 23 ~~training provider performance. The local boards shall have the~~  
 24 ~~authority to place and retain training providers on the list, and shall~~  
 25 ~~provide relevant performance data pertaining to the training~~  
 26 ~~provider criteria established pursuant to this division to a state~~  
 27 ~~agency designated by the Governor. The relevant state agency~~  
 28 ~~shall also have the authority to remove training providers for~~  
 29 ~~nonperformance, provided they do not meet the performance~~  
 30 ~~criteria established pursuant to this division~~ *Innovation and*  
 31 *Opportunity Act of 2014.*

32 (H) If the state receives a waiver from the federal subsequent  
 33 eligibility provisions specified in the federal Workforce Investment  
 34 Act of 1998, *Innovation and Opportunity Act of 2014*, the state  
 35 workforce investment *development* board shall establish its own  
 36 subsequent eligibility criteria that take into account all of the  
 37 criteria specified in subparagraphs (A) to (G), inclusive.

38 SEC. 16. Section 14022 of the Unemployment Insurance Code  
 39 is repealed.

1 14022. ~~(a) The California Workforce Investment Board, in~~  
2 ~~coordination with the department, shall participate in the~~  
3 ~~development of Request for Proposal (RFP) language and the~~  
4 ~~evaluation of proposals for determining grant allocations of the~~  
5 ~~funds, as identified in Item 7100-001-0869, Schedule (4) 61.60 -~~  
6 ~~WIA Removing Barriers for Special Needs Populations for Green~~  
7 ~~Technology/Green Collar Jobs, and Schedule (2) 61.40 - WIA~~  
8 ~~Growth Industries for Green Technology/Green Collar Jobs, of~~  
9 ~~Section 2.00 of the Budget Act of 2009 (Chapter 1 of the Statutes~~  
10 ~~of the 2009 Third Extraordinary Session), and future budget acts,~~  
11 ~~to ensure consistency with the green collar strategic initiative~~  
12 ~~required to be developed by the Green Collar Jobs Council pursuant~~  
13 ~~to Section 15002.~~

14 (b) ~~The board shall also annually prepare and submit to the~~  
15 ~~Legislature a report containing all of the following information:~~

16 (1) ~~A list of any funds allocated, or not allocated for the purposes~~  
17 ~~of subdivision (a), including a statement of the reasons for any~~  
18 ~~such action.~~

19 (2) ~~The name of each grant recipient, and the amount allocated~~  
20 ~~to the recipient.~~

21 SEC. 17. The heading of Article 1 (commencing with Section  
22 14200) of Chapter 4 of Division 7 of the Unemployment Insurance  
23 Code is amended to read:

24  
25 Article 1. Local Workforce ~~Investment~~ *Development* Board

26  
27 SEC. 18. Section 14200 of the Unemployment Insurance Code  
28 is amended to read:

29 14200. (a) The local chief elected officials in a local workforce  
30 development area shall form, pursuant to guidelines established  
31 by the Governor and the board, a local workforce ~~investment~~  
32 *development* board to plan and oversee the workforce investment  
33 system.

34 (b) The Governor shall *periodically* certify one local board for  
35 each local area in the state ~~once every two years, state~~, following  
36 the requirements of the federal Workforce ~~Investment Act of 1998~~  
37 *Innovation and Opportunity Act of 2014*.

38 (c) The Governor shall establish, through the California  
39 Workforce ~~Investment~~ *Development* Board, standards for  
40 certification of high-performance local workforce ~~investment~~

1 *development* boards. The California Workforce—~~Investment~~  
2 *Development* Board shall, in consultation with representatives  
3 from local workforce—~~investment~~ *development* boards, initiate a  
4 stakeholder process to determine the appropriate measurable  
5 metrics and standards for high-performance certification. These  
6 standards shall be implemented on or before January 1, 2013, and  
7 the first certification of high-performance boards shall occur on  
8 or before July 1, 2013. Certification and recertification of each  
9 high-performance local workforce—~~investment~~ *development* board  
10 shall occur thereafter ~~at least once every two years~~ *midway through*  
11 *the implementation of the local and regional plans required by the*  
12 *Workforce Innovation and Opportunity Act*. In order to meet the  
13 standards for certification, a high-performance local workforce  
14 ~~investment~~ *development* board shall do all of the following:

15 (1) Consistently meet or exceed negotiated performance goals  
16 for all of the measures in each of the three federal Workforce  
17 ~~Investment Act of 1998~~ *Innovation and Opportunity Act of 2014*  
18 customer groups, which consist of adults, dislocated workers, and  
19 youth.

20 (2) Consistently meet the statutory requirements of this division.

21 (3) Develop and implement local policies and a local strategic  
22 plan that meets all of the following requirements:

23 (A) ~~Is separate and apart from the local plan required~~ *Meets all*  
24 *local and regional planning requirements specified under the*  
25 ~~federal Workforce—Investment Act of 1998~~ *Innovation and*  
26 *Development Act of 2014*.

27 (B) Is consistent with the California Workforce—~~Investment~~  
28 *Development* Board ~~strategic plan~~ *State Plan*.

29 (C) Describes the actions that the board shall take to implement  
30 local policies in furtherance of its goals.

31 (D) Serves as a written account of intended future courses of  
32 action aimed at achieving the specific goals of the local and state  
33 board within a specific timeframe.

34 (E) Explains what needs to be done, by whom, and when each  
35 action is required to occur in order to meet those goals.

36 (4) Demonstrate that the local planning process involves key  
37 stakeholders, including the major employers and industry groups  
38 in the relevant regional economy and organized labor.

39 (5) Demonstrate that the local planning process takes into  
40 account the entire workforce training pipeline for the relevant

1 regional economy, including partners in K-12 education, career  
2 technical education, the community college system, other  
3 postsecondary institutions, and other local workforce ~~investment~~  
4 *development* areas operating in relevant regional economy.

5 (6) Demonstrate that the local planning process and plan are  
6 data driven, and that policy decisions at the local level are evidence  
7 based. Each high-performance local workforce ~~investment~~  
8 *development* board shall use labor market data to develop and  
9 implement the local plan, taking care to steer resources into  
10 programs and services that are relevant to the needs of each  
11 workforce ~~investment~~ *development* area's relevant regional labor  
12 market and high-wage industry sectors. Local workforce ~~investment~~  
13 *development* areas shall demonstrate an evidence-based approach  
14 to policymaking by establishing performance benchmarks and  
15 targets to measure progress toward local goals and objectives.

16 (7) Demonstrate investment in workforce initiatives, and,  
17 specifically, training programs that promote skills development  
18 and career ladders relevant to the needs of each workforce  
19 investment area's regional labor market and high-wage industry  
20 sectors.

21 (8) Establish a youth strategy aligned with the needs of each  
22 workforce investment area's regional labor market and high-wage  
23 industry sectors.

24 (9) Establish a business service plan that integrates local  
25 business involvement with workforce initiatives. This plan at a  
26 minimum shall include all of the following:

27 (A) Efforts to partner with businesses to identify the workforce  
28 training and educational barriers to attract jobs in the relevant  
29 regional economy, existing skill gaps reducing the competitiveness  
30 of local businesses in the relevant regional economies, and potential  
31 emerging industries that would likely contribute to job growth in  
32 the relevant regional economy if investments were made for  
33 training and educational programs.

34 (B) An electronic system for both businesses and job seekers  
35 to communicate about job opportunities.

36 (C) A subcommittee of the local workforce ~~investment~~  
37 *development* board that further develops and makes  
38 recommendations for the business service plan for each local  
39 workforce ~~investment~~ *development* board in an effort to increase  
40 employer involvement in the activities of the local workforce

1 ~~investment~~ *development* board. The subcommittee members should  
2 be comprised of business representatives on the local workforce  
3 ~~investment~~ *development* board who represent both the leading  
4 industries and employers in the relevant regional economy and  
5 potential emerging sectors that have significant potential to  
6 contribute to job growth in the relevant regional economy if  
7 investments were made for training and educational programs.

8 (d) ~~Beginning in the 2013–14 fiscal year, the~~ *The* Governor and  
9 the Legislature, as part of the annual budget process, in consultation  
10 with the California Workforce ~~Investment~~ *Development* Board,  
11 shall annually reserve a portion of the 15-percent discretionary  
12 fund made available pursuant to the federal Workforce ~~Investment~~  
13 ~~Act of 1998~~ *Innovation and Opportunity Act of 2014* for the  
14 purpose of providing performance incentives to high-performance  
15 local workforce ~~investment~~ *development* boards. The remaining  
16 discretionary funds shall continue to be available for other  
17 discretionary purposes as provided for in the federal Workforce  
18 ~~Investment Act of 1998~~ *Innovation and Opportunity Act of 2014*.

19 (e) Only a workforce ~~investment~~ *development* board that is  
20 certified as a high-performance local workforce ~~investment~~  
21 *development* board by the California Workforce ~~Investment~~  
22 *Development* Board shall be eligible to receive any incentive  
23 money reserved for high-performance local workforce ~~investment~~  
24 *development* boards, as described in subdivision (d). A board that  
25 is not certified as a high-performance local workforce ~~investment~~  
26 *development* board shall not receive any portion of the money  
27 reserved for high-performance local workforce ~~investment~~  
28 *development* boards, as described in subdivision (d) ~~or any portion~~  
29 ~~of the state's 15-percent discretionary fund.~~

30 (f) The California Workforce ~~Investment~~ *Development* Board  
31 shall establish a policy for the allocation of incentive moneys to  
32 high-performance local workforce ~~investment~~ *development* boards.

33 (g) ~~The~~ *To the extent permitted by the Workforce Innovation*  
34 *and Opportunity Act of 2014, the* California Workforce ~~Investment~~  
35 *Development* Board may consider the utilization of incentive ~~grants~~  
36 ~~pursuant to the federal Workforce Investment Act of 1998 (29~~  
37 ~~U.S.C. Sec. 2864(a)(2)(B)(iii)), grants, or direct assistance, or~~  
38 *both, to local workforce development boards* for the purposes of  
39 this section.

1 (h) There shall not be a requirement to set aside federal  
2 Workforce Investment Act of 1998 *Innovation and Opportunity*  
3 *Act of 2014* funds for the purposes of subdivisions (d), (e), (f), or  
4 (g) in years when the federal government significantly reduces the  
5 share of federal Workforce Investment Act of 1998 *Innovation*  
6 *and Opportunity Act of 2014* funds appropriated to the state for  
7 statewide discretionary purposes below the federal statutory amount  
8 of 15 percent.

9 SEC. 19. Section 14201 of the Unemployment Insurance Code  
10 is amended to read:

11 14201. Local workforce ~~investment~~ *development* boards shall  
12 be established in each local workforce ~~investment~~ *development*  
13 area of the state to assist the local chief elected official in planning,  
14 oversight, and evaluation of local workforce investment. The local  
15 board shall promote effective outcomes consistent with statewide  
16 goals, objectives, and negotiated local performance standards.

17 SEC. 20. Section 14202 of the Unemployment Insurance Code  
18 is repealed.

19 ~~14202. Membership of the local board shall be appointed by~~  
20 ~~the local chief elected official using criteria established by the~~  
21 ~~Governor and the board, and shall include:~~

22 ~~(a) Representatives of business in the local area appointed from~~  
23 ~~among individuals nominated by local business organizations and~~  
24 ~~business trade associations and that reflect employment~~  
25 ~~opportunities of the local area. Business representatives shall be~~  
26 ~~owners of businesses, chief executives, or operating officers of~~  
27 ~~businesses or other business executives, including human resources~~  
28 ~~executives, or employers with optimum policymaking or hiring~~  
29 ~~authority.~~

30 ~~(b) Representatives of local educational entities, including~~  
31 ~~representatives of local educational agencies, local school boards,~~  
32 ~~entities providing adult education and literacy activities, public~~  
33 ~~and private postsecondary educational institutions, including~~  
34 ~~representatives of community colleges, selected from among~~  
35 ~~individuals nominated by regional or local educational agencies,~~  
36 ~~institutions, or organizations representing local educational entities.~~

37 ~~(c) Representatives of labor organizations nominated by local~~  
38 ~~labor federations, including a representative of an apprenticeship~~  
39 ~~program. At least 15 percent of local board members shall be~~  
40 ~~representatives of labor organizations unless the local labor~~

1 federation fails to nominate enough members. If this occurs, then  
2 at least 10 percent of the local board members shall be  
3 representatives of labor organizations:

4 ~~(d) Representatives of local community-based organizations,~~  
5 ~~including organizations representing individuals with disabilities~~  
6 ~~and veterans, and organizations that serve populations with barriers~~  
7 ~~to employment, such as the economically disadvantaged, youth,~~  
8 ~~farmworkers, homeless, and immigrants.~~

9 ~~(e) Representatives of economic development agencies,~~  
10 ~~including private sector economic development entities.~~

11 ~~(f) Representatives of each of the one-stop partners.~~

12 ~~(g) Members of the local board that represent organizations,~~  
13 ~~agencies, or other entities shall be individuals with optimum~~  
14 ~~policymaking authority within those organizations, agencies, or~~  
15 ~~entities.~~

16 SEC. 21. Section 14202 is added to the Unemployment  
17 Insurance Code, to read:

18 14202. The Governor, in partnership with the board, shall  
19 establish criteria for use by chief elected officials in the local areas  
20 for appointment of members of the local boards. Such criteria shall  
21 require that, at a minimum, all of the following:

22 (a) A majority of the members of each local board shall be  
23 representatives of business in the local area, who:

24 (1) Are owners of businesses, chief executives or operating  
25 officers of businesses, or other business executives or employers  
26 with optimum policymaking or hiring authority.

27 (2) Represent businesses, including small businesses, or  
28 organizations representing businesses described in this subdivision,  
29 that provide employment opportunities that, at a minimum, include  
30 high-quality, work-relevant training and development in in-demand  
31 industry sectors or occupations in the local area.

32 (3) Are appointed from among individuals nominated by local  
33 business organizations and business trade associations.

34 (b) Not less than 20 percent of the members of each local board  
35 shall be representatives of the workforce within the local area,  
36 who:

37 (1) Shall include representatives of labor organizations, for a  
38 local area in which employees are represented by labor  
39 organizations, who have been nominated by local labor federations  
40 and these representatives shall amount to not less than 15 percent

1 of local board membership. For a local area in which no employees  
2 are represented by such organizations other representatives of  
3 employees shall be appointed to the board but any local board that  
4 appoints representatives of employees that are not nominated by  
5 local labor federations shall demonstrate that no employees are  
6 represented by such organizations in the local area.

7 (2) Shall include a representative, who shall be a member of a  
8 labor organization or a training director, from a joint  
9 labor-management apprenticeship program, or if no such joint  
10 program exists in the area, such a representative of a state-approved  
11 apprenticeship program in the area, if such a program exists.

12 (3) May include representatives of community-based  
13 organizations that have demonstrated experience and expertise in  
14 addressing the employment needs of individuals with barriers to  
15 employment, including organizations that serve veterans or that  
16 provide or support competitive integrated employment for  
17 individuals with disabilities.

18 (4) May include representatives of organizations that have  
19 demonstrated experience and expertise in addressing the  
20 employment, training, or education needs of eligible youth,  
21 including representatives of organizations that serve out-of-school  
22 youth.

23 (c) Each local board shall include representatives of entities  
24 administering education and training activities in the local area,  
25 who:

26 (1) Shall include a representative of eligible providers  
27 administering adult education and literacy activities under Title II  
28 of the Workforce Innovation and Opportunity Act.

29 (2) Shall include a representative of institutions of higher  
30 education providing workforce investment activities, including  
31 community colleges.

32 (3) May include representatives of local educational agencies,  
33 and of community-based organizations with demonstrated  
34 experience and expertise in addressing the education or training  
35 needs of individuals with barriers to employment.

36 (d) Each local board shall include representatives of  
37 governmental and economic and community development entities  
38 serving the local area, who:

39 (1) Shall include a representative of economic and community  
40 development entities.

1 (2) Shall include an appropriate representative from the state  
2 employment service office under the Wagner-Peyser Act (29 U.S.C.  
3 49 et seq.) serving the local area.

4 (3) Shall include an appropriate representative of the programs  
5 carried out under Title I of the Rehabilitation Act of 1973 (29  
6 U.S.C. 720 et seq.), other than Section 112 or Part C of that Title  
7 (29 U.S.C. 732, 741), serving the local area.

8 (4) Shall include an appropriate representative of the programs  
9 carried out under Title I of the Rehabilitation Act of 1973 (29  
10 U.S.C. 720 et seq.), other than Section 112 or Part C of that Title  
11 (29 U.S.C. 732, 741), serving the local area.

12 (5) May include representatives of philanthropic organizations  
13 serving the local area.

14 (e) Each local board may include such other individuals or  
15 representatives of entities as the chief elected official in the local  
16 area may determine to be appropriate.

17 SEC. 22. Section 14203 of the Unemployment Insurance Code  
18 is repealed.

19 ~~14203. Membership of local boards may include other  
20 individuals or representatives of entities as the local elected official  
21 in the local area may determine to be appropriate. A single member  
22 of the local board may be appointed to represent multiple  
23 constituencies on the local board.~~

24 SEC. 23. Section 14204 of the Unemployment Insurance Code  
25 is repealed.

26 ~~14204. A majority of the members of the local board shall be  
27 representatives of businesses in the local area.~~

28 SEC. 24. Section 14206 of the Unemployment Insurance Code  
29 is repealed.

30 ~~14206. It shall be the duty of the local board to do all of the  
31 following:~~

32 ~~(a) Coordinate workforce investment activities in the local area  
33 with economic development strategies.~~

34 ~~(b) Promote participation of private sector employers in the  
35 local workforce investment system.~~

36 ~~(c) Develop and submit a local workforce investment plan to  
37 the Governor.~~

38 ~~(d) Select one-stop operators, with the agreement of the local  
39 chief elected official, annually review their operations, and  
40 terminate for cause the eligibility of such operators.~~

1 ~~(e) Award grants or contracts to eligible providers of youth~~  
2 ~~activities in the local area on a competitive basis, consistent with~~  
3 ~~the Workforce Investment Act of 1998, based upon the~~  
4 ~~recommendations of the youth council.~~

5 ~~(f) Identify, consistent with the Workforce Investment Act of~~  
6 ~~1998, eligible providers of training services.~~

7 ~~(g) Identify eligible providers of intensive services and, when~~  
8 ~~the one-stop operator does not provide intensive services to the~~  
9 ~~local area, award contracts to those providers.~~

10 ~~(h) Develop local policy on the amount and duration of~~  
11 ~~individual training accounts based upon the market rate for local~~  
12 ~~training programs.~~

13 ~~(i) Conduct program oversight over workforce investment~~  
14 ~~activities in the local area.~~

15 ~~(j) Negotiate with the local chief elected official in the local~~  
16 ~~area and the Governor on local performance measures for the local~~  
17 ~~area.~~

18 ~~(k) Assist in the development of a statewide employment~~  
19 ~~statistics system, which shall be developed in conjunction with~~  
20 ~~and shall utilize to the fullest extent possible, the Employment~~  
21 ~~Development Department's labor market information system.~~

22 SEC. 25. Section 14206 is added to the Unemployment  
23 Insurance Code, to read:

24 14206. Consistent with the requirements of the Workforce  
25 Innovation and Opportunity Act, the local board shall do all of the  
26 following:

27 (a) In partnership with the chief elected official for the local  
28 area involved, develop and submit a local plan to the Governor  
29 that meets the requirements of the Workforce Innovation and  
30 Opportunity Act. If the local area is part of a planning region that  
31 includes other local areas, the local board shall collaborate with  
32 the other local boards and chief elected officials from such other  
33 local areas in the preparation and submission of a regional plan as  
34 described in the Workforce and Innovation and Opportunity Act.

35 (b) In order to assist in the development and implementation of  
36 the local plan, the local board shall do all of the following:

37 (1) Carry out analyses of the economic conditions in the region,  
38 the needed knowledge and skills for the region, the workforce in  
39 the region, and workforce development activities, including  
40 education and training, in the region described in Section

1 3123(b)(1)(D) of Title 29 of the United States Code, and regularly  
2 update such information.

3 (2) Assist the Governor in developing the statewide workforce  
4 and labor market information system described in Section 15(e)  
5 of the Wagner-Peyser Act (29 U.S.C. 491–2(e)), specifically in the  
6 collection, analysis, and utilization of workforce and labor market  
7 information for the region.

8 (3) Conduct such other research, data collection, and analysis  
9 related to the workforce needs of the regional economy as the  
10 board, after receiving input from a wide array of stakeholders,  
11 determines to be necessary to carry out its functions.

12 (c) Convene local workforce development system stakeholders  
13 to assist in the development of the local plan under Section 3123  
14 of Title 29 of the United States Code and in identifying nonfederal  
15 expertise and resources to leverage support for workforce  
16 development activities. The local board, including standing  
17 committees, may engage such stakeholders in carrying out the  
18 functions described in this subdivision.

19 (d) Lead efforts to engage with a diverse range of employers  
20 and with entities in the region involved to do all of the following:

21 (1) Promote business representation, particularly representatives  
22 with optimal policymaking or hiring authority from employers  
23 whose employment opportunities reflect existing and emerging  
24 employment opportunities in the region, on the local board.

25 (2) Develop effective linkages, including the use of  
26 intermediaries, with employers in the region to support employer  
27 utilization of the local workforce development system and to  
28 support local workforce investment activities.

29 (3) Ensure that workforce investment activities meet the needs  
30 of employers and support economic growth in the region, by  
31 enhancing communication, coordination, and collaboration among  
32 employers, economic development entities, and service providers.

33 (4) Develop and implement proven or promising strategies for  
34 meeting the employment and skill needs of workers and employers,  
35 like the establishment of industry and sector partnerships, that  
36 provide the skilled workforce needed by employers in the region,  
37 and that expand employment and career advancement opportunities  
38 for workforce development system participants in in-demand  
39 industry sectors or occupations.

1 (e) With representatives of secondary and postsecondary  
2 education programs, lead efforts in the local area to develop and  
3 implement career pathways within the local area by aligning the  
4 employment, training, education, and supportive services that are  
5 needed by adults and youth, particularly individuals with barriers  
6 to employment.

7 (f) Lead efforts in the local area to accomplish both of the  
8 following:

9 (1) Identify and promote proven and promising strategies and  
10 initiatives for meeting the needs of employers, and workers and  
11 jobseekers, including individuals with barriers to employment, in  
12 the local workforce development system, including providing  
13 physical and programmatic accessibility, in accordance with  
14 Section 3248 of Title 29 of the United States Code, if applicable,  
15 and applicable provisions of the Americans with Disabilities Act  
16 of 1990 (42 U.S.C. 12101 et seq.), to the one-stop delivery system.

17 (2) Identify and disseminate information on proven and  
18 promising practices carried out in other local areas for meeting  
19 these needs.

20 (g) Develop strategies for using technology to maximize the  
21 accessibility and effectiveness of the local workforce development  
22 system for employers, and workers and jobseekers, by doing all  
23 of the following:

24 (1) Facilitating connections among the intake and case  
25 management information systems of the one-stop partner programs  
26 to support a comprehensive workforce development system in the  
27 local area.

28 (2) Facilitating access to services provided through the one-stop  
29 delivery system involved, including facilitating the access in remote  
30 areas.

31 (3) Identifying strategies for better meeting the needs of  
32 individuals with barriers to employment, including strategies that  
33 augment traditional service delivery, and increase access to services  
34 and programs of the one-stop delivery system, such as improving  
35 digital literacy skills.

36 (4) Leveraging resources and capacity within the local workforce  
37 development system, including resources and capacity for services  
38 for individuals with barriers to employment.

39 (h) In partnership with the chief elected official for the local  
40 area, shall conduct oversight for local youth workforce investment

1 activities as required under the federal Workforce Innovation and  
 2 Opportunity Act, ensure the appropriate use and management of  
 3 the funds as required under the Workforce Innovation and  
 4 Opportunity Act, and, for workforce development activities, ensure  
 5 the appropriate use, management, and investment of funds to  
 6 maximize performance outcomes as required under the federal  
 7 Workforce Innovation and Opportunity Act.

8 (i) Negotiate and reach agreement on local performance  
 9 accountability measures, as described in Section 3141(c) of Title  
 10 29 of the United States Code, with the chief elected official and  
 11 the Governor.

12 (j) Select and provide access to system operators, service  
 13 providers, trainers, and educators, in a manner consistent with the  
 14 requirements of the Workforce Innovation and Opportunity Act  
 15 and applicable state laws, including all of the following:

16 (1) Consistent with Section 3151(d) of Title 29 of the United  
 17 States Code, and with the agreement of the chief elected official  
 18 for the local area, designate or certify one-stop operators as  
 19 described in Section 3151(d)(2)(A) of Title 29 of the United States  
 20 Code and terminate for cause the eligibility of these operators.

21 (2) Consistent with Section 3153 of Title 29 of the United States  
 22 Code, identify eligible providers of youth workforce investment  
 23 activities in the local area by awarding grants or contracts on a  
 24 competitive basis, except as provided in Section 3153(b) of Title  
 25 29 of the United States Code, based on the recommendations of  
 26 the youth standing committee, if such a committee is established  
 27 for the local area and terminate for cause the eligibility of these  
 28 providers.

29 (3) Consistent with Section 3152 of Title 29 of the United States  
 30 Code and paragraph (4) of subdivision (d) of Section 14020,  
 31 identify eligible providers of training services in the local area.

32 (4) If the one-stop operator does not provide career services  
 33 described in Section 3174(c)(2) of Title 29 of the United States  
 34 Code in a local area, identify eligible providers of those career  
 35 services in the local area by awarding contracts.

36 (5) Consistent with Section 3152 of Title 29 of the United States  
 37 Code and paragraphs (2) and (3) of Section 3174(c) of Title 29 of  
 38 the United States Code, work with the state to ensure there are  
 39 sufficient numbers and types of providers of career services and  
 40 training services, including eligible providers with expertise in

1 assisting individuals with disabilities and eligible providers with  
2 expertise in assisting adults in need of adult education and literacy  
3 activities, serving the local area and providing the services involved  
4 in a manner that maximizes consumer choice, as well as providing  
5 opportunities that lead to competitive integrated employment for  
6 individuals with disabilities.

7 (k) Consistent with the requirements of the Workforce  
8 Innovation and Opportunity Act, coordinate activities with  
9 education and training providers in the local area, including  
10 providers of workforce development activities, providers of adult  
11 education and literacy activities under Title II of the Workforce  
12 Innovation and Opportunity Act, providers of career and technical  
13 education, as defined in Section 2302 of Title 20 of the United  
14 States Code, and local agencies administering plans under Title I  
15 of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other  
16 than Section 112 or Part C of that Title (29 U.S.C. 732, 741).

17 SEC. 26. Section 14206.1 of the Unemployment Insurance  
18 Code is repealed.

19 ~~14206.1. For purposes of disbursing economic recovery funds~~  
20 ~~made available as part of the federal American Recovery and~~  
21 ~~Reinvestment Act of 2009 (Public Law 111-5) to workforce~~  
22 ~~development programs, local workforce investment boards may~~  
23 ~~work directly with institutions of higher education and other~~  
24 ~~training providers approved by state or federal government~~  
25 ~~agencies, including private postsecondary institutions that~~  
26 ~~participate in the federal student financial aid programs under Title~~  
27 ~~IV of the Higher Education Act of 1965 and comply with~~  
28 ~~applicable regulations pursuant to the federal act, to quickly design~~  
29 ~~education and training to fit the needs of the job-seekers and~~  
30 ~~employers they are serving.~~

31 SEC. 27. Section 14207 of the Unemployment Insurance Code  
32 is amended to read:

33 14207. The local board, in order to carry out its functions:

34 (a) Shall prepare a budget for the purpose of carrying out the  
35 duties of the local board as specified under this section, subject to  
36 the approval of the local chief elected official.

37 (b) Shall direct the activities of the local board's executive  
38 director.

39 (c) May employ additional staff to carry out the activities as  
40 described in the local board's strategic plan.

1 (d) May solicit and accept contributions and grant funds from  
2 other sources.

3 (e) Shall not provide training services unless the Governor grants  
4 a written waiver of this provision *in accordance with the process*  
5 *outlined in the Workforce Innovation and Opportunity Act.*

6 ~~(f) Shall not provide other workforce investment services or be~~  
7 ~~designated as a one-stop operator without the agreement of the~~  
8 ~~local chief elected official and the Governor.~~

9 (f) *May provide career services described in Section 3174(c)(2)*  
10 *of Title 29 of the United States Code through a one-stop delivery*  
11 *system or be designated or certified as a one-stop operator only*  
12 *with the agreement of the chief elected official in the local area*  
13 *and the Governor.*

14 SEC. 28. Section 14208 of the Unemployment Insurance Code  
15 is repealed.

16 ~~14208. A youth council shall be established as a subgroup~~  
17 ~~within each local board, appointed by the local board in cooperation~~  
18 ~~with the local chief elected official. Youth council membership~~  
19 ~~shall conform with the requirements of the Workforce Investment~~  
20 ~~Act of 1998.~~

21 SEC. 29. Section 14208 is added to the Unemployment  
22 Insurance Code, to read:

23 14208. A local workforce development board may establish  
24 as a standing committee to provide information and to assist with  
25 planning, operational, and other issues relating to the provision of  
26 services to youth, which shall include community-based  
27 organizations with a demonstrated record of success in serving  
28 eligible youth. Members of this committee shall be appointed in  
29 conformity with the requirements of the federal Workforce  
30 Innovation and Opportunity Act.

31 SEC. 30. Section 14209 of the Unemployment Insurance Code  
32 is amended to read:

33 14209. It is the intent of the Legislature that when appointing  
34 members to ~~the youth council~~, *any standing committee on the*  
35 *provision of youth services*, the local workforce investment board  
36 and the local chief elected official *shall endeavor to* appoint:

37 (a) Representatives of youth who are enrolled in school, and  
38 out of school youth.

39 (b) Representatives from the private sector.

40 (c) Representatives of local educational agencies serving youth.

1 (d) Representatives of private nonprofit agencies serving youth.

2 (e) Representatives of apprenticeship training programs serving  
3 youth.

4 SEC. 31. Section 14210 of the Unemployment Insurance Code  
5 is repealed.

6 ~~14210. The youth council shall do all of the following:~~

7 ~~(a) Develop the portions of the local plan relating to youth.~~

8 ~~(b) Make recommendations of eligible providers of youth~~  
9 ~~activities for the award of grants or contracts on a competitive~~  
10 ~~basis by the local board to carry out youth activities.~~

11 ~~(c) Leverage other youth program funds in the local area for the~~  
12 ~~purpose of improving the effectiveness of local youth programs~~  
13 ~~through collaborative planning, funding, and service delivery.~~

14 ~~(d) Conduct oversight of eligible youth activities in the local~~  
15 ~~area.~~

16 ~~(e) Make recommendations to the local board for connecting~~  
17 ~~youth program activities, including those provided by local~~  
18 ~~educational entities to the one-stop delivery system.~~

19 ~~(f) Make recommendations to the local board for including~~  
20 ~~training in nontraditional occupations for women and girls and~~  
21 ~~preapprenticeship training in youth program activities.~~

22 SEC. 32. Section 14211 of the Unemployment Insurance Code  
23 is amended to read:

24 14211. (a) (1) Beginning program year 2012, an amount equal  
25 to at least 25 percent of funds available under Title I of the federal  
26 ~~Workforce Investment Act of 1998 (Public Law 105-220)~~  
27 ~~*Innovation and Opportunity Act of 2014 (Public Law 113-128)*~~  
28 provided to local workforce investment boards for adults and  
29 dislocated workers shall be spent on workforce training programs.  
30 This minimum may be met either by spending 25 percent of those  
31 base formula funds on training or by combining a portion of those  
32 base formula funds with leveraged funds as specified in subdivision  
33 (b).

34 (2) Beginning program year 2016, an amount equal to at least  
35 30 percent of funds available under Title I of the federal Workforce  
36 ~~Investment Act of 1998 (Public Law 105-220)~~ ~~*Innovation and*~~  
37 ~~*Opportunity Act of 2014 (Public Law 113-128)*~~ provided to local  
38 workforce ~~investment~~ *development* boards for adults and dislocated  
39 workers shall be spent on workforce training programs. This  
40 minimum may be met either by spending 30 percent of those base

1 formula funds on training or by combining a portion of those base  
 2 formula funds with leveraged funds as specified in subdivision  
 3 (b).

4 (3) Expenditures that shall count toward the minimum  
 5 percentage of funds shall include only training services as defined  
 6 in Section ~~2864(d)(4)(D)~~ 3174(c)(3)(D) of Title 29 of the United  
 7 States Code and ~~Sections 663.300 and 663.508~~ of Title 20 *the*  
 8 *corresponding sections* of the Code of Federal Regulations,  
 9 including all of the following:

10 (A) Occupational skills training, including training for  
 11 nontraditional employment.

12 (B) On-the-job training.

13 (C) Programs that combine workplace training with related  
 14 instruction, which may include cooperative education programs.

15 (D) Training programs operated by the private sector.

16 (E) Skill upgrading and retraining.

17 (F) Entrepreneurial training.

18 (G) *Incumbent worker training in accordance with Section*  
 19 *3174(d)(4) of Title 29 of the United States Code.*

20 (H) *Transitional jobs in accordance with Section 3174(d)(5) of*  
 21 *Title 29 of the United States Code.*

22 ~~(G)~~

23 (I) *Job readiness training provided in combination with any of*  
 24 *the services described in subparagraphs (A) to (H), inclusive..*

25 ~~(H)~~

26 (J) *Adult education and literacy activities provided in*  
 27 *combination with services described in any of subparagraphs (A)*  
 28 *to (G), inclusive.*

29 ~~(I)~~

30 (K) *Customized training conducted with a commitment by an*  
 31 *employer or group of employers to employ an individual upon*  
 32 *successful completion of the training.*

33 (b) (1) ~~Local workforce investment development~~ *boards* may  
 34 receive a credit of up to 10 percent of their adult and dislocated  
 35 worker formula fund base allocations for public education and  
 36 training funds and private resources from industry and from joint  
 37 labor-management trusts that are leveraged by a local workforce  
 38 ~~investment development~~ *board* for training services described in  
 39 paragraph (3) of subdivision (a). This credit may be applied toward

1 the minimum training requirements in paragraphs (1) and (2) of  
2 subdivision (a).

3 (A) Leveraged funds that may be applied toward the credit  
4 allowed by this subdivision shall only include the following:

5 (i) Federal Pell Grants established under Title IV of the federal  
6 Higher Education Act of 1965 (20 U.S.C. Sec. 1070 et seq.).

7 (ii) Programs authorized by the federal Workforce ~~Investment~~  
8 ~~Act of 1998 (Public Law 105-220)~~ *Innovation and Opportunity*  
9 *Act of 2014 (Public Law 113-128)*.

10 (iii) Trade adjustment assistance.

11 (iv) Department of Labor National Emergency Grants.

12 (v) Match funds from employers, industry, and industry  
13 associations.

14 (vi) Match funds from joint labor-management trusts.

15 (vii) Employment training panel grants.

16 (B) Credit for leveraged funds shall only be given if the local  
17 workforce ~~investment~~ *development* board keeps records of all  
18 training expenditures it chooses to apply to the credit. Training  
19 expenditures may only be applied to the credit if the relevant  
20 training costs can be independently verified by the Employment  
21 Development Department and training participants must be  
22 coenrolled in the federal Workforce ~~Investment Act of 1998~~  
23 *Innovation and Opportunity Act of 2014* performance monitoring  
24 system.

25 (2) The use of leveraged funds to partially meet the training  
26 requirements specified in paragraphs (1) and (2) of subdivision  
27 (a) is the prerogative of a local workforce ~~investment~~ *development*  
28 board. Costs arising from the recordkeeping required to  
29 demonstrate compliance with the leveraging requirements of this  
30 subdivision are the responsibility of the *local* board.

31 (c) Beginning program year 2012, the Employment Development  
32 Department shall calculate for each local workforce ~~investment~~  
33 *development* board, within six months after the end of the second  
34 program year of the two-year period of availability for expenditure  
35 of federal Workforce ~~Investment Act of 1998~~ *Innovation and*  
36 *Opportunity Act of 2014* funds, whether the local workforce  
37 ~~investment~~ *development* board met the requirements of subdivision  
38 (a). The Employment Development Department shall provide to  
39 each local workforce ~~investment~~ *development* board its individual

1 calculations with respect to the expenditure requirements of  
 2 subdivision (a).

3 (d) A local workforce-~~investment~~ *development* area that does  
 4 not meet the requirements of subdivision (a) shall submit a  
 5 corrective action plan to the Employment Development Department  
 6 that provides reasons for not meeting the requirements and  
 7 describes actions taken to address the identified expenditure  
 8 deficiencies. A local workforce-~~investment~~ *development* area shall  
 9 provide a corrective action plan to the Employment Development  
 10 Department pursuant to this section within 90 days of receiving  
 11 the calculations described in subdivision (c).

12 (e) For the purpose of this section, “program year” has the same  
 13 meaning as provided in Section 667.100 of Title 20 of the Code  
 14 of Federal Regulations.

15 SEC. 33. Section 14220 of the Unemployment Insurance Code  
 16 is amended to read:

17 14220. Each local board shall develop and submit to the  
 18 Governor a comprehensive-~~five-year~~ *four-year* local plan in  
 19 partnership with the appropriate chief local elected official. The  
 20 *local* plan shall be consistent with the ~~state workforce investment~~  
 21 ~~plan~~ *State Plan*. *If the local area is part of a planning region, the*  
 22 *local board shall comply with Section 3121(c) of Title 29 of the*  
 23 *United States Code in the preparation and submission of a regional*  
 24 *plan. At the end of the first two-year period of the four-year local*  
 25 *plan, each local board shall review the local plan and the local*  
 26 *board, in partnership with the chief elected official, shall prepare*  
 27 *and submit modifications to the local plan to reflect changes in*  
 28 *labor market and economic conditions or in other factors affecting*  
 29 *the implementation of the local plan.*

30 SEC. 34. Section 14221 of the Unemployment Insurance Code  
 31 is repealed.

32 14221. ~~The local plan shall include all of the following:~~

33 (a) ~~A local labor market assessment which contains an~~  
 34 ~~identification of local and regional workforce investment needs~~  
 35 ~~of key industry sectors, businesses, jobseekers, and incumbent~~  
 36 ~~workers in the local area, the current and projected employment~~  
 37 ~~opportunities and the job skills necessary to obtain that~~  
 38 ~~employment.~~

39 (b) ~~A description of the local one-stop delivery system, including~~  
 40 ~~all of the following:~~

- 1     ~~(1) A description of how the local board will achieve system~~  
2 ~~integration that will improve services to employers, incumbent~~  
3 ~~workers, and jobseekers, and a description of local funding sources.~~  
4     ~~(2) A copy of each memorandum of understanding between the~~  
5 ~~local board and each of the one-stop partners concerning the~~  
6 ~~operation of the one-stop delivery system in the local area.~~  
7     ~~(e) A description of the local levels of performance negotiated~~  
8 ~~with the Governor and chief local elected official to be used to~~  
9 ~~measure the performance of the local area and the performance of~~  
10 ~~the local fiscal agent, eligible providers, and the one-stop delivery~~  
11 ~~system in the local area. Performance standards shall not create~~  
12 ~~disincentives for serving clients for whom it is more difficult to~~  
13 ~~provide service.~~  
14     ~~(d) A description and assessment of the type and availability of~~  
15 ~~adult and dislocated worker employment and training activities in~~  
16 ~~the local area.~~  
17     ~~(e) A description of how the local board will provide services~~  
18 ~~to the business community, including, but not limited to,~~  
19 ~~recruitment and staffing services, training, and development,~~  
20 ~~information and resources, and outplacement and business retention~~  
21 ~~services.~~  
22     ~~(f) A description of how the local board will coordinate~~  
23 ~~workforce investment activities carried out in the local area with~~  
24 ~~statewide rapid response activities, as appropriate.~~  
25     ~~(g) A description and assessment of the type and availability of~~  
26 ~~youth activities in the local area, including an identification of~~  
27 ~~successful providers of those activities.~~  
28     ~~(h) A description of the process used by the local board,~~  
29 ~~consistent with Section 14223, to provide an opportunity for public~~  
30 ~~comment, including comment by representatives of businesses,~~  
31 ~~labor organizations, and community-based organizations, and input~~  
32 ~~into the development of the local plan, prior to submission of the~~  
33 ~~plan.~~  
34     ~~(i) An identification of the entity, as prescribed in the Workforce~~  
35 ~~Investment Act of 1998, responsible for the disbursement of funds~~  
36 ~~under the Workforce Investment Act of 1998.~~  
37     ~~(j) A description of the competitive process to be used to award~~  
38 ~~the grants and contracts in the local area for activities carried out~~  
39 ~~under the Workforce Investment Act of 1998.~~

1 SEC. 35. Section 14221 is added to the Unemployment  
2 Insurance Code, to read:  
3 14221. The local plan shall include all of the following:  
4 (a) A description of the strategic planning elements consisting  
5 of each of the following:  
6 (1) An analysis of the regional economic conditions, including,  
7 existing and emerging in-demand industry sectors and occupations  
8 and the employment needs of employers in those industry sectors  
9 and occupations.  
10 (2) An analysis of the knowledge and skills needed to meet the  
11 employment needs of the employers in the region, including  
12 employment needs in in-demand industry sectors and occupations.  
13 (3) An analysis of the workforce in the region, including current  
14 labor force employment and unemployment data, and information  
15 on labor market trends, and the educational and skill levels of the  
16 workforce in the region, including individuals with barriers to  
17 employment.  
18 (4) An analysis of the workforce development activities,  
19 including education and training, in the region, including an  
20 analysis of the strengths and weaknesses of such services, and the  
21 capacity to provide such services, to address the identified  
22 education and skill needs of the workforce and the employment  
23 needs of employers in the region.  
24 (5) A description of the local board's strategic vision and goals  
25 for preparing an educated and skilled workforce, including youth  
26 and individuals with barriers to employment, including goals  
27 relating to the performance accountability measures based on  
28 primary indicators of performance described in Section  
29 3141(b)(2)(A) of Title 29 of the United States Code in order to  
30 support regional economic growth and economic self-sufficiency.  
31 (6) Taking into account analyses described in paragraphs (1) to  
32 (4), inclusive, a strategy to work with the entities that carry out  
33 the core programs to align resources available to the local area, to  
34 achieve the strategic vision and goals described in paragraph (5).  
35 (b) A description of the workforce development system in the  
36 local area that identifies the programs that are included in that  
37 system and how the local board will work with the entities carrying  
38 out core programs and other workforce development programs to  
39 support alignment to provide services, including programs of study  
40 authorized under the Carl D. Perkins Career and Technical

1 Education Act of 2006 (20 U.S.C. 2301 et seq.), that support the  
2 strategy identified in the State Plan under Section 3112(b)(1)(E)  
3 of the Title 29 of the United States Code.

4 (c) A description of how the local board, working with the  
5 entities carrying out core programs, will expand access to  
6 employment, training, education, and supportive services for  
7 eligible individuals, particularly eligible individuals with barriers  
8 to employment, including how the local board will facilitate the  
9 development of career pathways and co-enrollment, as appropriate,  
10 in core programs, and improve access to activities leading to a  
11 recognized postsecondary credential, including a credential that  
12 is an industry-recognized certificate or certification, portable, and  
13 stackable.

14 (d) A description of the strategies and services that will be used  
15 in the local area in order to facilitate engagement of employers,  
16 including small employers and employers in in-demand industry  
17 sectors and occupations, in workforce development programs,  
18 support a local workforce development system that meets the needs  
19 of businesses in the local area, better coordinate workforce  
20 development programs and economic development, and strengthen  
21 linkages between the one-stop delivery system and unemployment  
22 insurance programs. This may include the implementation of  
23 initiatives such as incumbent worker training programs, on-the-job  
24 training programs, customized training programs, industry and  
25 sector strategies, career pathways initiatives, utilization of effective  
26 business intermediaries, and other business services and strategies,  
27 designed to meet the needs of employers in the corresponding  
28 region in support of the strategy described in paragraph (5) of  
29 subdivision (a).

30 (e) A description of how the local board will coordinate  
31 workforce investment activities carried out in the local area with  
32 economic development activities carried out in the region in which  
33 the local area is located, or planning region, and promote  
34 entrepreneurial skills training and microenterprise services.

35 (f) A description of the one-stop delivery system in the local  
36 area, including all of the following:

37 (1) A description of how the local board will ensure the  
38 continuous improvement of eligible providers of services through  
39 the system and ensure that such providers meet the employment  
40 needs of local employers, and workers and jobseekers.

1 (2) A description of how the local board will facilitate access  
2 to services provided through the one-stop delivery system,  
3 including in remote areas, through the use of technology and  
4 through other means.

5 (3) A description of how entities within the one-stop delivery  
6 system, including one-stop operators and the one-stop partners,  
7 will comply with Section 3248 of Title 29 of the United States  
8 Code, if applicable, and applicable provisions of the Americans  
9 with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding  
10 the physical and programmatic accessibility of facilities, programs  
11 and services, technology, and materials for individuals with  
12 disabilities, including providing staff training and support for  
13 addressing the needs of individuals with disabilities.

14 (4) A description of the roles and resource contributions of the  
15 one-stop partners.

16 (g) A description and assessment of the type and availability of  
17 adult and dislocated worker employment and training activities in  
18 the local area.

19 (h) A description of how the local board will coordinate  
20 workforce investment activities carried out in the local area with  
21 statewide rapid response activities, as described in Section  
22 3174(a)(2)(A) of this Title 29 of the United States Code.

23 (i) A description and assessment of the type and availability of  
24 youth workforce investment activities in the local area, including  
25 activities for youth who are individuals with disabilities, which  
26 description and assessment shall include an identification of  
27 successful models of such youth workforce investment activities.

28 (j) A description of how the local board will coordinate  
29 education and workforce investment activities carried out in the  
30 local area with relevant secondary and postsecondary education  
31 programs and activities to coordinate strategies, enhance services,  
32 and avoid duplication of services.

33 (k) A description of how the local board will coordinate  
34 workforce investment activities carried out under this article in  
35 the local area with the provision of transportation, including public  
36 transportation, and other appropriate supportive services in the  
37 local area.

38 (l) A description of plans and strategies for, and assurances  
39 concerning, maximizing coordination of services provided by the  
40 state employment service under the Wagner-Peyser Act (29 U.S.C.

1 49 et seq.) and services provided in the local area through the  
2 one-stop delivery system, to improve service delivery and avoid  
3 duplication of services.

4 (m) A description of how the local board will coordinate  
5 workforce investment activities carried out in the local area with  
6 the provision of adult education and literacy activities in the local  
7 area, including a description of how the local board will carry out,  
8 consistent with subparagraphs (A) and (B)(i) of Section  
9 3122(d)(11) of Title 29 of the United States Code and Section  
10 3322 of Title 29 of the United States Code, the review of local  
11 applications.

12 (n) A description of the replicated cooperative agreements, as  
13 defined in Section 3122(d)(11) of Title 29 of the United States  
14 Code between the local board or other local entities described in  
15 section 101(a)(11)(B) of the Rehabilitation Act of 1973 (29 U.S.C.  
16 721(a)(11)(B)) and the local office of a designated state agency  
17 or designated state unit administering programs carried out under  
18 Title I of that act, other than Section 112 or Part C of that Title (29  
19 U.S.C. 732, 741) and subject to Section 3151(f) of Title 29 of the  
20 United States Code, in accordance with Section 101(a)(11) of the  
21 Rehabilitation Act of 1973 (29 U.S.C. 721(a)(11)) with respect to  
22 efforts that will enhance the provision of services to individuals  
23 with disabilities and to other individuals, such as cross training of  
24 staff, technical assistance, use and sharing of information,  
25 cooperative efforts with employers, and other efforts at cooperation,  
26 collaboration, and coordination.

27 (o) An identification of the entity responsible for the disbursal  
28 of grant funds described in Section 3122(d)(12)(B)(i)(III) of Title  
29 29 of the United States Code, as determined by the chief elected  
30 official or the Governor under Section 3122(d)(12)(B)(i) of Title  
31 29 of the United States Code.

32 (p) A description of the competitive process to be used to award  
33 the subgrants and contracts in the local area for activities carried  
34 out pursuant to this act.

35 (q) A description of the local levels of performance negotiated  
36 with the Governor and chief elected official pursuant to Section  
37 3141(c) of Title 29 of the United States Code, to be used to measure  
38 the performance of the local area and to be used by the local board  
39 for measuring the performance of the local fiscal agent, where

1 appropriate, eligible providers, and the one-stop delivery system,  
2 in the local area.

3 (r) A description of the actions the local board will take toward  
4 becoming or remaining a high-performing board, consistent with  
5 the factors developed by the board pursuant to Section 3111(d)(6)  
6 of Title 29 of the United States Code. This federal requirement is  
7 separate and apart from state standards pertaining to the  
8 certification of high-performance local workforce development  
9 boards.

10 (s) A description of how training services will be provided in  
11 accordance with Section 3174(c)(3)(G) of Title 29 of the United  
12 States Code, including, if contracts for the training services will  
13 be used, how the use of such contracts will be coordinated with  
14 the use of individual training accounts and how the local board  
15 will ensure informed customer choice in the selection of training  
16 programs regardless of how the training services are to be provided.

17 (t) A description of the process used by the local board,  
18 consistent with subsection (d), to provide an opportunity for public  
19 comment, including comment by representatives of businesses and  
20 comment by representatives of labor organizations, and input into  
21 the development of the local plan, prior to submission of the plan.

22 (u) A description of how one-stop centers are implementing and  
23 transitioning to an integrated, technology-enabled intake and case  
24 management information system for programs carried out under  
25 this act and programs carried out by one-stop partners.

26 (v) Any other information as the Governor may require.

27 SEC. 36. Section 14222 of the Unemployment Insurance Code  
28 is amended to read:

29 14222. ~~The~~*To the extent permitted under the federal Workforce*  
30 *Innovation and Opportunity Act, the* local board may submit a  
31 local unified plan that includes or integrates the local workforce  
32 investment and other local workforce plans such as:

33 (a) An instructional and job training plan required by Section  
34 10200 of the Education Code.

35 (b) A plan for community college curriculum development or  
36 redesign required pursuant to Section 79202 of the Education Code.

37 (c) A county plan for CalWORKs required by Section 10531  
38 of the Welfare and Institutions Code.

39 (d) A local welfare-to-work plan required by Section 5063, to  
40 the extent permitted under federal law.

1 SEC. 37. Section 14223 of the Unemployment Insurance Code  
2 is amended to read:

3 14223. ~~The~~ *Prior to the date upon which the local board*  
4 *submits a local plan, the local board shall make available copies*  
5 *of a proposed local plan, plan to the public through electronic and*  
6 *other means, like public hearings and local news media, allow*  
7 *members of the local board and members of the public public,*  
8 *including representatives of business, representatives of labor*  
9 *organizations, and representatives of education to submit*  
10 *comments on the proposed local plan to the local board not later*  
11 *than the end of the 30-day period beginning on the date on which*  
12 *the proposed local plan is made available and submit the plan to*  
13 *the Governor along with any comments that were in disagreement*  
14 *with the plan.*

15 SEC. 38. Section 14230 of the Unemployment Insurance Code  
16 is amended to read:

17 14230. (a) It is the intent of the Legislature that:

18 (1) California deliver comprehensive workforce services to  
19 jobseekers, students, and employers through a system of one-stop  
20 career centers.

21 (2) Services and resources target high-wage industry sectors  
22 with career advancement opportunities.

23 (3) Universal access to ~~core~~ *career* services shall be available  
24 to adult residents regardless of income, education, employment  
25 barriers, or other eligibility requirements. ~~Core~~ *Career* services  
26 shall include, but not be limited to:

27 (A) Outreach, intake, and orientation to services available  
28 through the one-stop delivery system.

29 (B) Initial assessment of skill levels, aptitudes, abilities, and  
30 supportive service needs.

31 (C) Job search and placement assistance.

32 (D) Career counseling, where appropriate.

33 (E) Provision of labor market information.

34 (F) Provision of program performance and cost information on  
35 eligible providers of training services and local area performance  
36 measures.

37 (G) Provision of information on supportive services in the local  
38 area.

1 (H) Provision of information on the filing of claims for  
2 unemployment compensation benefits and unemployment  
3 compensation disability benefits.

4 (I) Assistance in establishing eligibility for welfare-to-work  
5 activities pursuant to Section 11325.8 of the Welfare and  
6 Institutions Code, and financial aid assistance.

7 (J) *Comprehensive and specialized assessments of skill levels  
8 and service needs, including learning disability screening.*

9 (K) *Development of individual employment plans.*

10 (L) *Counseling.*

11 (M) *Career planning.*

12 (N) *Short-term prevocational services to prepare an individual  
13 for training or employment.*

14 (4) State and federally funded workforce education, training,  
15 and employment programs shall be integrated in the one-stop  
16 delivery system to achieve universal access to the ~~core~~ *career*  
17 services described in paragraph (3).

18 ~~(5) Intensive services shall be available to individuals who have  
19 completed at least one core service, have been unable to obtain  
20 employment, and who have been determined, by the one-stop  
21 operator, as being in need of more intensive services, or who are  
22 employed but in need of intensive services to obtain or retain  
23 employment to achieve self-sufficiency. Intensive services may  
24 include comprehensive and specialized assessments of skill levels  
25 and service needs, including learning disability screening, the  
26 development of individual employment plans, counseling, career  
27 planning, and short-term prevocational services to prepare an  
28 individual for training and employment.~~

29 ~~(6)~~

30 (5) Training services shall be made available to individuals who  
31 have met the requirements for intensive services, have been unable  
32 to obtain or retain employment through these *career* services, ~~and  
33 who, after an interview, evaluation, or assessment, are determined  
34 to be in need of training, are in need of training services to obtain  
35 or retain employment that leads to economic self-sufficiency or  
36 wages comparable to, or higher than, wages from previous  
37 employment, have the skills and qualifications to successfully  
38 participate in the training, and have selected a program of services  
39 directly linked to occupations in demand in the local or regional  
40 area. Training services may include:~~

- 1 (A) Occupational skill training including training for
- 2 nontraditional employment.
- 3 (B) On-the-job training.
- 4 (C) Programs that combine workplace training with related
- 5 instruction.
- 6 (D) Training programs operated by the private sector.
- 7 (E) Skill upgrading and retraining.
- 8 (F) Entrepreneurial training.
- 9 (G) *Incumbent worker training, in accordance with Section*
- 10 *134(d)(4) of the Workforce Innovation and Opportunity Act.*
- 11 (H) *Transitional jobs, in accordance with Section 134(d)(5) of*
- 12 *the Workforce Innovation and Opportunity Act.*
- 13 ~~(G)~~
- 14 (I) Job readiness training, *provided in combination with any*
- 15 *service under subparagraphs (A) to (H), inclusive.*
- 16 ~~(H)~~
- 17 (J) Adult education and literacy activities, including vocational
- 18 English as a second language, provided in combination with
- 19 subparagraphs (A) through (G), inclusive.
- 20 ~~(I)~~
- 21 (K) Customized training conducted by an employer or a group
- 22 of employers or a labor-management training partnership with a
- 23 commitment to employ an individual upon completion of the
- 24 training.
- 25 ~~(7)~~
- 26 (6) ~~As prescribed in the Workforce Investment Act of 1998,~~
- 27 ~~when funds are limited, priority for intensive services and training~~
- 28 ~~services shall be given to adult recipients of public assistance and~~
- 29 ~~other low-income adults, such as CalWORKs participants~~
- 30 *Innovation and Opportunity Act, adult recipients of public*
- 31 *assistance, other low-income adults, and individuals who are basic*
- 32 *skills deficient shall be given priority for training services and*
- 33 *career services described in Section 134(d)(2)(A)(xii) of the*
- 34 *Workforce Innovation and Opportunity Act.*
- 35 (b) Each local workforce ~~investment~~ *development* board shall
- 36 establish at least one full service one-stop career center in the local
- 37 workforce ~~investment~~ *development* area. Each full service one-stop
- 38 career center shall have all entities ~~specified in Section 14231~~
- 39 *required to be partners in Section 3151 of Title 29 of the United*
- 40 *States Code* as partners and shall provide jobseekers with integrated

1 employment, education, training, and job search services.  
2 Additionally, employers will be provided with access to  
3 comprehensive career and labor market information, job placement,  
4 economic development information, performance and program  
5 information on service providers, and other such services as the  
6 businesses in the community may require.

7 (c) Local boards may also establish affiliated and specialized  
8 centers, as defined in the Workforce ~~Investment Act of 1998~~,  
9 *Innovation and Opportunity Act of 2014*, which shall act as portals  
10 into the larger local one-stop system, but are not required to have  
11 all of the partners specified for full service one-stop centers.

12 (d) Each local board shall develop a policy for identifying  
13 individuals who, because of their skills or experience, should be  
14 referred immediately to training services. ~~This~~ *To the extent*  
15 *permitted under the Workforce Innovation and Opportunity Act*  
16 *of 2014*, this policy, along with the methods for referral of  
17 individuals between the one-stop operators and the one-stop  
18 partners for appropriate services and activities, shall be contained  
19 in the memorandum of understanding between the local board and  
20 the one-stop partners.

21 (e) The California Workforce ~~Investment~~ *Development* Board  
22 and each local board shall ensure that programs and services funded  
23 by the Workforce ~~Investment Act of 1998~~ *Innovation and*  
24 *Opportunity Act of 2014* and directed to apprenticeable  
25 occupations, including preapprenticeship training, are conducted,  
26 to the maximum extent feasible, in coordination with one or more  
27 apprenticeship programs approved by the Division of  
28 Apprenticeship Standards for the occupation and geographic area.  
29 The California Workforce ~~Investment~~ *Development* Board and  
30 each local board shall also develop a policy of fostering  
31 collaboration between community colleges and approved  
32 apprenticeship programs in the geographic area to provide  
33 preapprenticeship training, apprenticeship training, and continuing  
34 education in apprenticeable occupations through the approved  
35 apprenticeship programs.

36 (f) In light of California's diverse population, each one-stop  
37 career center should have the capacity to provide the appropriate  
38 services to the full range of languages and cultures represented in  
39 the community served by the one-stop career center.

1 SEC. 39. Section 14230.5 of the Unemployment Insurance  
2 Code is amended to read:

3 14230.5. For purposes of this division and any laws governing  
4 workforce development ~~programs provided for under the federal~~  
5 ~~American Recovery and Reinvestment Act of 2009 (Public Law~~  
6 ~~111-5)~~, *programs, and to the extent permitted under Chapter 32*  
7 *of Title 29 of the United States Code and any related regulations,*  
8 entrance into a registered apprenticeship program shall be  
9 considered placement into a job.

10 SEC. 40. Section 14231 of the Unemployment Insurance Code  
11 is amended to read:

12 14231. (a) The local providers of the following programs or  
13 activities shall be required partners in the local one-stop system:

14 (1) Programs authorized under Title I of the Workforce  
15 ~~Investment Act of 1998~~ *Innovation and Opportunity Act.*

16 (2) Programs authorized under the Wagner-Peyser Act (29  
17 U.S.C. Sec. 49 et seq.).

18 (3) Adult education and literacy activities authorized under Title  
19 II of the ~~Workforce Investment Act of 1998~~ *Innovation and*  
20 *Opportunity Act.*

21 (4) Programs authorized under Title I of the Rehabilitation Act  
22 of 1973 (29 U.S.C. Sec. 720 et seq.) *other than Section 112 or*  
23 *Part C of the act (29 U.S.C. 732, 741).*

24 ~~(5) Programs authorized under Section 403(a)(5) of the Social~~  
25 ~~Security Act (42 U.S.C. Sec. 603(a)(5) as added by Section 5001~~  
26 ~~of the Balanced Budget Act of 1997):~~

27 ~~(6)~~

28 (5) Activities authorized under Title V of the Older Americans  
29 Act of 1965 (42 U.S.C. Sec. 3056 et seq.).

30 (6) *Career and technical education programs at the*  
31 *postsecondary level authorized under the Carl D. Perkins Career*  
32 *and Technical Education Act of 2006 (20 U.S.C. Sec. 2301 et seq.).*

33 ~~(7) Postsecondary vocational education activities authorized~~  
34 ~~under the Carl D. Perkins Vocational and Applied Technology~~  
35 ~~Education Act (20 U.S.C. Sec. 2301 et seq.), including community~~  
36 ~~colleges and regional occupational centers and programs.~~

37 ~~(8)~~

38 (7) Activities authorized under Chapter 2 of Title II of the Trade  
39 Act of 1974 (19 U.S.C. Sec. 2271 et seq.).

40 ~~(9)~~

1 (8) Activities authorized under Chapter 41 (commencing with  
 2 Section 4100) of Title 38 of the United States Code.  
 3 ~~(10)~~  
 4 (9) Employment and training activities carried out under the  
 5 Community Services Block Grant Act (42 U.S.C. Sec. 9901 et  
 6 seq.).  
 7 ~~(11)~~  
 8 (10) Employment and training activities carried out by the  
 9 Department of Housing and Urban Development.  
 10 ~~(12)~~  
 11 (11) Programs authorized by this code, in accordance with  
 12 applicable federal law.  
 13 ~~(13) Small business development centers, as defined in Section~~  
 14 ~~15382 of the Government Code, where they exist.~~  
 15 (12) *Programs authorized under section 212 of the Second*  
 16 *Chance Act of 2007 (42 U.S.C. 17532).*  
 17 (13) *Programs authorized under part A of title IV of the Social*  
 18 *Security Act (42 U.S.C. 601 et seq.)*  
 19 (b) Community-based organizations that provide intensive  
 20 services as described in ~~paragraph (4) of subdivision (a)~~  
 21 ~~subparagraphs (J) to (N), inclusive, of paragraph (1) of subdivision~~  
 22 ~~(a) of Section 14230, shall be encouraged to be one-stop partners.~~  
 23 SEC. 41. Section 14232 of the Unemployment Insurance Code  
 24 is amended to read:  
 25 14232. ~~The~~*In conformity with the requirements of Section*  
 26 *3151 of Title 29 of the United States Code, and all applicable state*  
 27 *and federal laws and regulations, the local board, with the*  
 28 *agreement of the chief local elected official for the local area, shall*  
 29 *develop and enter into a memorandum of understanding with the*  
 30 *local one-stop partners, ~~designate or certify~~ designate, certify, and*  
 31 *terminate* one-stop operators, and conduct oversight over the local  
 32 one-stop delivery system.  
 33 SEC. 42. Section 14235 of the Unemployment Insurance Code  
 34 is amended to read:  
 35 14235. To the full extent permitted by federal law, *required*  
 36 *by federal law, or both, the Employment Development Department*  
 37 *shall utilize its Wagner-Peyser funded activities and programs to*  
 38 *support local one-stop career centers.*  
 39 SEC. 43. Section 14500 of the Unemployment Insurance Code  
 40 is amended to read:

1 14500. Notwithstanding any other provision of law, when a  
2 person using his or her Workforce ~~Investment~~ *Innovation and*  
3 *Opportunity* Act individual training account enrolls in an adult  
4 education program, a noncredit curricula program at a community  
5 college, or a regional occupational center or program, for which  
6 state funds are allocated, all of the following shall apply:

7 (a) The entities administering the program may use Workforce  
8 ~~Investment~~ *Innovation and Opportunity* Act individual training  
9 account funds only to increase the number of hours of services  
10 provided above their adult block entitlement pursuant to Section  
11 52616 of the Education Code and funding limit for regional  
12 occupational center programs for the purpose of enhancing services  
13 already supported with state funds. Any state funds provided to  
14 these entities above their adult block entitlements and funding  
15 limit for regional occupational center programs shall be subject to  
16 an appropriation in the annual Budget Act.

17 (b) Any state funds allocated to the entity administering the  
18 program shall not be offset with the Workforce ~~Investment~~  
19 *Innovation and Opportunity* Act individual training account funds.

20 (c) The entity administering the program shall use the Workforce  
21 ~~Investment~~ *Innovation and Opportunity* Act individual training  
22 account funds received for the program.

23 SEC. 44. Section 14510 of the Unemployment Insurance Code  
24 is amended to read:

25 14510. To the extent permitted by federal law, school districts  
26 and county offices of education are eligible to apply to local ~~youth~~  
27 ~~councils~~ *workforce development boards* to provide basic skills  
28 training and skills necessary for attaining a secondary school  
29 diploma.

30 SEC. 45. No reimbursement is required by this act pursuant to  
31 Section 6 of Article XIII B of the California Constitution because  
32 this act implements a federal law or regulation and results only in  
33 costs mandated by the federal government, within the meaning of  
34 Section 17556 of the Government Code.