

Introduced by Senator Jackson

February 23, 2015

An act to amend Sections 14000 and 14013 of the Unemployment Insurance Code, relating to unemployment insurance.

LEGISLATIVE COUNSEL'S DIGEST

SB 342, as introduced, Jackson. California Workforce Investment Board: responsibilities.

Under existing law, 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 requires the board to assist the Governor in targeting resources to specified industry sectors and providing guidance to ensure that services reflect the needs of those sectors.

This bill would additionally require the board to assist the Governor in helping individuals with barriers to employment achieve economic security and upward mobility by implementing policies that encourage the attainment of marketable skills relevant to current labor market trends.

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

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

- 1 SECTION 1. Section 14000 of the Unemployment Insurance
- 2 Code is amended to read:
- 3 14000. (a) The Legislature finds and declares that, in order
- 4 for California to remain prosperous and globally competitive, it
- 5 needs to have a well-educated and highly skilled workforce.

1 (b) The Legislature finds and declares that the following
2 principles shall guide the state's workforce investment system:

3 (1) Workforce investment programs and services shall be
4 responsive to the needs of employers, workers, and students by
5 accomplishing the following:

6 (A) Preparing California's students and workers with the skills
7 necessary to successfully compete in the global economy.

8 (B) Producing greater numbers of individuals who obtain
9 industry-recognized certificates and degrees in competitive and
10 emerging industry sectors and filling critical labor market skills
11 gaps.

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

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

16 (2) State and local workforce investment boards are encouraged
17 to collaborate with other public and private institutions, including
18 businesses, unions, nonprofit organizations, kindergarten and
19 grades 1 to 12, inclusive, career technical education programs,
20 adult career technical education and basic skills programs,
21 community college career technical education and basic skills
22 programs, entrepreneurship training programs, where appropriate,
23 the California Community Colleges Economic and Workforce
24 Development Program, and the Employment Training Panel, to
25 better align resources across workforce education and training
26 service delivery systems and build a well-articulated workforce
27 investment system by accomplishing the following:

28 (A) Adopting *sector-focused* local and regional training and
29 education strategies *which include workplace-based programs* that
30 build on the strengths and fill the gaps in the education and
31 workforce development pipeline in order to address the needs of
32 job seekers, workers, and employers within regional labor markets
33 by supporting sector strategies.

34 (B) Leveraging resources across education and workforce
35 training delivery systems to build career pathways and fill critical
36 skills gaps.

37 (3) Workforce investment programs and services shall be data
38 driven and evidence based when setting priorities, investing
39 resources, and adopting practices.

1 (4) Workforce investment programs and services shall develop
2 strong partnerships with the private sector, ensuring industry
3 involvement in needs assessment, planning, and program
4 evaluation.

5 (A) Workforce investment programs and services shall
6 encourage industry involvement by developing strong partnerships
7 with an industry's employers and the unions that represent the
8 industry's workers.

9 (B) Workforce investment programs and services may consider
10 the needs of employers and businesses of all sizes, including large,
11 medium, small, and microenterprises, when setting priorities,
12 investing resources, and adopting practices.

13 (5) Workforce investment programs and services shall be
14 outcome oriented and accountable, measuring results for program
15 participants, including, but not limited to, outcomes related to
16 program completion, employment, and earnings.

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

22 SEC. 2. Section 14013 of the Unemployment Insurance Code
23 is amended to read:

24 14013. The board shall assist the Governor in the following:

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

27 (b) Developing the State Workforce Investment Plan.

28 (c) Developing guidelines for the continuous improvement and
29 operation of the workforce investment system, including:

30 (1) Developing policies to guide the one-stop system.

31 (2) Providing technical assistance for the continuous
32 improvement of the one-stop system.

33 (3) Recommending state investments in the one-stop system.

34 (4) Targeting resources to competitive and emerging industry
35 sectors and industry clusters that provide economic security and
36 are either high-growth sectors or critical to California's economy,
37 or both. These industry sectors and clusters shall have significant
38 economic impacts on the state and its regional and workforce
39 development needs and have documented career opportunities.

1 (5) To the extent permissible under state and federal laws,
2 recommending youth policies and strategies that support linkages
3 between kindergarten and grades 1 to 12, inclusive, and community
4 college educational systems and youth training opportunities in
5 order to help youth secure educational and career advancement.
6 These policies and strategies may be implemented using a sector
7 strategies framework and should ultimately lead to placement in
8 a job providing economic security or job placement in an
9 entry-level job that has a well-articulated career pathway or career
10 ladder to a job providing economic security.

11 (6) To the extent permissible under state and federal law,
12 recommending adult and dislocated worker training policies and
13 investments that offer a variety of career opportunities while
14 upgrading the skills of California's workforce. These may include
15 training policies and investments pertaining to any of the following:

16 (A) Occupational skills training, including training for
17 nontraditional employment.

18 (B) On-the-job training.

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

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

22 (E) Skill upgrading and retraining.

23 (F) Entrepreneurial training.

24 (G) Job readiness training.

25 (H) Adult education and literacy activities provided in
26 combination with any of the services described in this paragraph.

27 (I) Customized training conducted with a commitment by an
28 employer or group of employers to employ an individual upon
29 successful completion of the training.

30 (d) Developing and continuously improving the statewide
31 workforce investment system as delivered via the one-stop delivery
32 system and via other programs and services supported by funding
33 from the federal Workforce Investment Act of 1998, including:

34 (1) Developing linkages in order to ensure coordination and
35 nonduplication among workforce programs and activities.

36 (2) Reviewing local workforce investment plans.

37 (3) Leveraging state and federal funds to ensure that resources
38 are invested in activities that meet the needs of the state's
39 competitive and emerging industry sectors and advance the
40 education and employment needs of students and workers so they

1 can keep pace with the education and skill needs of the state, its
2 regional economies, and leading industry sectors.

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

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

9 (1) Consultations with the Governor.

10 (2) Consultations with the chief local elected officials.

11 (3) Consideration of comments received through the public
12 comment process, as described in Section 112(b)(9) of the federal
13 Workforce Investment Act of 1998.

14 (g) Developing and modifying allocation formulas, as necessary,
15 for the distribution of funds for adult employment and training
16 activities, for youth activities to local workforce investment areas,
17 and dislocated worker employment and training activities, as
18 permitted by federal law.

19 (h) Coordinating the development and continuous improvement
20 of comprehensive state performance measures, including state
21 adjusted levels of performance, to assess the effectiveness of the
22 workforce investment activities in the state.

23 (i) Preparing the annual report to the United States Secretary of
24 Labor.

25 (j) Recommending policy for the development of the statewide
26 employment statistics system, including workforce and economic
27 data, as described in Section 491-2 of Title 29 of the United States
28 Code, and using, to the fullest extent possible, the Employment
29 Development Department's existing labor market information
30 systems.

31 (k) Recommending strategies to the Governor for strategic
32 training investments of the Governor's 15-percent discretionary
33 funds.

34 (l) Developing and recommending waivers, in conjunction with
35 local workforce investment boards, to the Governor as provided
36 for in the federal Workforce Investment Act of 1998.

37 (m) Recommending policy to the Governor for the use of the
38 25-percent rapid response funds, as authorized under the federal
39 Workforce Investment Act of 1998.

1 (n) Developing an application to the United States Department
2 of Labor for an incentive grant under Section 9273 of Title 20 of
3 the United States Code.

4 (o) (1) Developing a workforce metrics dashboard, to be
5 updated annually, that measures the state's human capital
6 investments in workforce development to better understand the
7 collective impact of these investments on the labor market. The
8 workforce metrics dashboard shall be produced using existing
9 available data and resources that are currently collected and
10 accessible to state agencies. The board shall convene workforce
11 program partners to develop a standardized set of inputs and
12 outputs for the workforce metrics dashboard. The workforce
13 metrics dashboard shall do all of the following:

14 (A) Provide a status report on credential attainment, training
15 completion, degree attainment, and participant earnings from
16 workforce education and training programs. The board shall publish
17 and distribute the final report.

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

22 (C) Measure, at a minimum and to the extent feasible with
23 existing resources, the performance of the following workforce
24 programs: community college career technical education, the
25 Employment Training Panel, Title I and Title II of the federal
26 Workforce Investment Act of 1998, Trade Adjustment Assistance,
27 and state apprenticeship programs.

28 (D) Measure participant earnings in California, and to the extent
29 feasible, in other states. The Employment Development Department
30 shall assist the board by calculating aggregated participant earnings
31 using unemployment insurance wage records, without violating
32 any applicable confidentiality requirements.

33 (2) The State Department of Education is hereby authorized to
34 collect the social security numbers of adults participating in adult
35 education programs so that accurate participation in those programs
36 can be represented in the report card. However, an individual shall
37 not be denied program participation if he or she refuses to provide
38 a social security number. The State Department of Education shall
39 keep this information confidential and shall only use this

1 information for tracking purposes, in compliance with all applicable
2 state and federal law.

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

7 (B) The Employment Development Department shall aggregate
8 data provided by participating workforce programs and shall report
9 the data, organized by demographics, earnings, and industry of
10 employment, to the board to assist the board in producing the
11 annual workforce metrics dashboard.

12 *(p) Helping individuals with barriers to employment, including*
13 *low-skill, low-wage workers, the long-term unemployed, and*
14 *members of single-parent households, achieve economic security*
15 *and upward mobility by implementing policies that encourage the*
16 *attainment of marketable skills relevant to current labor market*
17 *trends.*