

AMENDED IN SENATE SEPTEMBER 2, 2009

AMENDED IN SENATE AUGUST 17, 2009

AMENDED IN ASSEMBLY JUNE 1, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1559

**Introduced by Committee on Labor and Employment (Monning
(Chair), Eng, Furutani, Ma, and Portantino)**

March 11, 2009

An act to amend Section 14206 of, and to add Section 14021 to, the Unemployment Insurance Code, relating to unemployment insurance.

LEGISLATIVE COUNSEL'S DIGEST

AB 1559, as amended, Committee on Labor and Employment. Workforce development: summer youth job training.

Existing law, the California Workforce Investment Act, establishes the California Workforce Investment Board (CWIB), which is the body responsible for assisting the Governor in the development, oversight, and continuous improvement of California's workforce investment system, and prescribes the functions and duties of the board.

This bill would require the CWIB, in collaboration with local workforce investment boards, to establish the California Youth at Work Program, for the purpose of providing summer job training and work experience opportunities for youth in the state, in accordance with specified requirements. *The bill would provide that the program shall only be implemented if the Director of Finance determines that there are sufficient federal funds made available to the state for the program pursuant to the American Recovery and Reinvestment Act of 2009 or other federal law, and would require that the program terminate at*

such time that the director determines that there are no longer sufficient federal funds available for the program.

Existing law requires the local chief elected officials in a local workforce development *area* to form, pursuant to specified guidelines established by the Governor and the board, a local workforce investment board, and prescribes the duties of the board with regard to the development and implementation of local workforce investment plans, as specified.

This bill would ~~additionally provide that it shall also be the duty of~~ require the local board to *also* facilitate the implementation of summer youth training programs through partnerships and effective collaboration. Because the bill imposes new duties on local workforce investment boards with respect to the implementation of these programs, it would impose 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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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 14021 is added to the Unemployment
- 2 Insurance Code, to read:
- 3 14021. (a) The California Workforce Investment Board, in
- 4 collaboration with local workforce investment boards, shall
- 5 establish the California Youth at Work Program, for the purpose
- 6 of providing summer job training and work experience
- 7 opportunities for youth in the state. The program shall be
- 8 established in accordance with the following requirements:
- 9 (1) The program shall include a work experience component
- 10 that conforms to the federal Workforce Investment Act of 1998
- 11 ~~(WIA)~~ (29 U.S.C. Sec. 2801 et seq.), and its implementing
- 12 regulations, as prescribed in 20 C.F.R. 664.460 ~~(WIA)~~.
- 13 (2) Eligible youth who participate in the program shall be
- 14 between 14 years of age and 24 years of age.

1 (3) The program shall primarily focus on providing summer job
2 training and work experience opportunities for youth in the state.
3 For purposes of this section, the period of “summer” shall be from
4 May 1 through September 30 of each year. However, program
5 start and end dates may vary within this time period.

6 (4) Program services shall target low-income youth and certain
7 youth populations facing barriers to employment, including, but
8 not limited to, youth in foster care, and youth who have aged out
9 of foster care, youth whose families are enrolled in the CalWORKs
10 (Chapter 2 (commencing with Section 11200) of Part 3 of Division
11 9 of the Welfare and Institutions Code) program and; youth who
12 themselves are enrolled in the CalWORKs program, homeless
13 youth, and youth with disabilities. Military veterans and their
14 spouses who are under 24 years of age shall also be given priority
15 for services under the program.

16 (5) The program shall, to the extent feasible and appropriate,
17 incorporate work-based learning strategies, work experience, and
18 other activities that involve exposing youth to industrial job sector
19 opportunities that are key to the economic region. Local workforce
20 investment boards may work with the board to integrate
21 kindergarten and grades 1 to 12, inclusive, and postsecondary
22 education and teaching opportunities, as are deemed appropriate.

23 (6) Wages or stipends may be provided to youth in a
24 classroom-based component of a summer employment opportunity.
25 Local workforce investment boards shall collaborate with the board
26 to develop policies guiding the payment of those classroom-based
27 wages and stipends.

28 (7) Minors under 18 years of age who are enrolled in the
29 program shall be paid at least the minimum wage and applicable
30 overtime rates established by the state’s Industrial Welfare
31 Commission (IWC).

32 (8) High school graduates or those persons holding an equivalent
33 degree shall be paid at a level commensurate with adults doing the
34 same job, when those individuals perform the same quantity,
35 quality, and classification of work.

36 (b) The board, in consultation with local workforce investment
37 boards, shall request, and, if required, obtain any necessary waivers
38 from the United States Department of Labor, to ensure effective
39 and efficient implementation of the program set forth in this
40 section.

1 (c) The program established by the section shall only be
2 implemented if the Director of Finance determines that there are
3 sufficient federal funds made available to the state for expenditure
4 for the program pursuant to the American Recovery and
5 Reinvestment Act of 2009 (Public Law 111-5) or other federal law,
6 and shall terminate at such time that the director determines that
7 there are no longer sufficient federal funds available for the
8 program.

9 SEC. 2. Section 14206 of the Unemployment Insurance Code
10 is amended to read:

11 14206. ~~It shall be the duty of the local board to~~ The local board
12 shall do all of the following:

13 (a) Coordinate workforce investment activities in the local area
14 with economic development strategies.

15 (b) Promote participation of private sector employers in the
16 local workforce investment system.

17 (c) Develop and submit a local workforce investment plan to
18 the Governor.

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

22 (e) Award grants or contracts to eligible providers of youth
23 activities in the local area on a competitive basis, consistent with
24 the Workforce Investment Act of 1998 (WIA), based upon the
25 recommendations of the youth council.

26 (f) Identify, consistent with the ~~Workforce Investment Act of~~
27 ~~1998 WIA~~, eligible providers of training services.

28 (g) Identify eligible providers of intensive services and, when
29 the one-stop operator does not provide intensive services to the
30 local area, award contracts to those providers.

31 (h) Develop local policy on the amount and duration of
32 individual training accounts based upon the market rate for local
33 training programs.

34 (i) Conduct program oversight over workforce investment
35 activities in the local area.

36 (j) Negotiate with the local chief elected official in the local
37 area and the Governor on local performance measures for the local
38 area.

39 (k) Assist in the development of a statewide employment
40 statistics system, which shall be developed in conjunction with

1 and shall utilize to the fullest extent possible, the Employment
2 Development Department's labor market information system.

3 (l) Facilitate the implementation of summer youth training
4 programs through partnerships and effective collaboration.

5 SEC. 3. If the Commission on State Mandates determines that
6 this act contains costs mandated by the state, reimbursement to
7 local agencies and school districts for those costs shall be made
8 pursuant to Part 7 (commencing with Section 17500) of Division
9 4 of Title 2 of the Government Code.

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