

Introduced by Senator Escutia

December 7, 1998

An act to repeal and add Division 2 (commencing with Section 5000) of the Unemployment Insurance Code, relating to employment, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 88, as introduced, Escutia. Workforce Investment Act of 1998.

(1) Existing law contains various programs for job training and employment investment, including the obsolete work incentive programs for individuals receiving aid to families with dependent children (WIN).

This bill would repeal the WIN provisions.

(2) Existing federal law, the Workforce Investment Act of 1998, integrates various federal employment programs into a one-stop service delivery system to provide workers with the information, advice, job search assistance, and training they need to get and keep good jobs. The act requires states to implement the act's provisions by July 1, 2000.

This bill would enact the California Workforce Investment Act of 1999. The bill would establish the California Workforce Investment Board to advise the Governor in developing a single state plan that outlines a 5-year strategy for a statewide workforce investment system. The bill would require the Governor to submit the plan to the federal Secretary of Labor on or after July 1, 1999, and before January 1, 2000. The bill would require the Governor to designate local workforce



investment areas in accordance with the Workforce Investment Act of 1998.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. Division 2 (commencing with Section
2 5000) of the Unemployment Insurance Code is repealed.

3 SEC. 2. Division 2 (commencing with Section 5000)
4 is added to the Unemployment Insurance Code, to read:

5
6 DIVISION 2. CALIFORNIA WORKFORCE
7 INVESTMENT ACT OF 1999

8
9 CHAPTER 1. GENERAL PROVISIONS

10
11 5000. This division shall be known as and may be cited
12 as the California Workforce Investment Act of 1999.

13 5001 The Legislature finds and declares all of the
14 following:

15 (a) The current patchwork of federal job training
16 programs has taken shape over the last 60 years
17 responding to particular concerns at specific times.
18 Consequently, job training programs are splintered and
19 disorganized.

20 (b) Enactment of the federal Workforce Investment
21 Act of 1998 represents the first major reform of the
22 nation’s job training system in over 15 years.

23 (c) These federal reforms permit California to build an
24 integrated workforce system to assist businesses in filling
25 their labor force needs and to help job seekers increase
26 their skills and earnings.

27 (d) The cornerstone of the new workforce investment
28 system is “one-stop” service delivery, which will unify
29 numerous training, education, and employment
30 programs into a single, effective system.



1 (e) “One-stop” centers can provide the public with all
2 of the following:

3 (1) Access to high quality local information on
4 available jobs.

5 (2) Skill requirements.

6 (3) Training provider performance.

7 (f) Employment service plays a critical role in
8 “one-stop” service delivery as the primary job finding
9 source by providing quality information to the public
10 about all of the following:

11 (1) Jobs.

12 (2) The dynamics of the labor market.

13 (3) Available training and education opportunities.

14 (4) Links to other public and private services.

15 (g) The purpose of the California Workforce
16 Investment Act of 1999 is to fully implement the federal
17 requirement for a “one-stop” service delivery system in
18 each local workforce investment area by July 1, 2000.

19 5005. Unless the context otherwise requires, the
20 definitions in this chapter govern the construction of this
21 division.

22 5006. “Board” means the California Workforce
23 Investment Board.

24 5007. “Department” means the Employment
25 Development Department, which may also be referred
26 to as the Department of Employment Development.

27 5008. “Director” means the Director of Employment
28 Development.

29 5009. “Local area” means a local workforce
30 investment area designated by the Governor pursuant to
31 Section 5200.

32 5010. “Workforce Investment Act of 1998” means the
33 federal act enacted as Public Law 105-220.

34

35 CHAPTER 2. STATE RESPONSIBILITY

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37 5100. The California Workforce Investment Board is
38 established. The board shall assist the Governor in the
39 development of the state plan described in Section 5150.



1 5105. The board shall be independent of any existing
2 state agency and attached for administrative purposes to
3 the department. The department shall provide offices
4 and staff to assist the board.

5 5110. The board shall be comprised of the following
6 members or their designees:

7 (a) The Governor.

8 (b) Two members of the Senate appointed by the
9 Senate Committee on Rules.

10 (c) Two members of the Assembly appointed by the
11 Speaker of the Assembly.

12 (d) The director.

13 (e) The Secretary of Health and Welfare.

14 (f) The Secretary of Trade and Commerce.

15 (g) The Secretary of Business, Transportation, and
16 Housing.

17 (h) The Superintendent of Public Instruction.

18 (i) The Chancellor of the California Community
19 Colleges.

20 (j) Twenty-one members appointed by the Governor
21 who are nominated by state business organizations and
22 business trade associations, and meet either or both of the
23 following criteria:

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

28 (2) Represent businesses with employment
29 opportunities that reflect the employment opportunities
30 of the state.

31 (k) Nine members appointed by the Governor that
32 shall include all of the following:

33 (1) Chief elected officials of cities and counties.

34 (2) Representatives of labor organizations, who have
35 been nominated by state labor federations.

36 (3) Representatives of individuals and organizations
37 that have experience with respect to youth activities.

38 (4) Representatives of individuals and organizations
39 that have experience and expertise in the delivery of
40 workforce investment activities, including chief



1 executive officers of community colleges and
2 community-based organizations within the state.

3 5115. Members of the board that represent
4 organizations, agencies, or other entities shall be
5 individuals with optimum policymaking authority within
6 their respective organizations, agencies, or entities.

7 5120. The members of the board shall represent
8 diverse regions of the state, including urban, rural, and
9 suburban areas.

10 5125. The Governor shall select a chairperson for the
11 board from among the persons appointed pursuant to
12 subdivision (j) of Section 5110.

13 5130. The members of the board shall be reimbursed
14 for traveling and other expenses necessarily incurred in
15 the performance of official duties.

16 5150. The Governor shall submit to the federal
17 Secretary of Labor on or after July 1, 1999, and before
18 January 1, 2000, a single state plan that outlines a five-year
19 strategy for the statewide workforce investment system
20 of the state and meets the requirements of Section 112 of
21 the Workforce Investment Act of 1998.

22
23 CHAPTER 3. LOCAL PROVISIONS
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25 5200. The Governor shall designate local workforce
26 investment areas in accordance with Section 116 of the
27 Workforce Investment Act of 1998.

28 SEC. 3. This act is an urgency statute necessary for the
29 immediate preservation of the public peace, health, or
30 safety within the meaning of Article IV of the
31 Constitution and shall go into immediate effect. The facts
32 constituting the necessity are:

33 In order for the state to meet the requirements of the
34 federal Workforce Investment Act of 1998 it is necessary
35 that this act take effect immediately.

