



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3759

Introduced 1/21/2022, by Sen. Terri Bryant - Dale Fowler

SYNOPSIS AS INTRODUCED:

20 ILCS 730/5-5
20 ILCS 730/5-20
20 ILCS 730/5-25

Amends the Energy Transition Act. Provides that the Department of Commerce and Economic Opportunity shall create a network of 15 (rather than 13) Program delivery Hub Sites, including one Hub Site located in or near Nashville and Ina. Provides that the Clean Jobs Workforce Network Program and the Clean Jobs Curriculum shall include a focus on digital infrastructure, including broadband and fiber optic infrastructure jobs. Provides that quarterly reports on Program performance metrics shall include demographic data on Program applicants and the acceptance rates across these demographics. Provides that the Clean Jobs Curriculum Provides that the definition of "equity focused populations" includes spouses and significant others of displaced energy workers. Effective immediately.

LRB102 23098 SPS 32255 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Energy Transition Act is amended by
5 changing Sections 5-5, 5-20, 5-25, and 5-35 as follows:

6 (20 ILCS 730/5-5)

7 (Section scheduled to be repealed on September 15, 2045)

8 Sec. 5-5. Definitions. As used in this Act:

9 "Apprentice" means a participant in an apprenticeship
10 program approved by and registered with the United States
11 Department of Labor's Bureau of Apprenticeship and Training.

12 "Apprenticeship program" means an apprenticeship and
13 training program approved by and registered with the United
14 States Department of Labor's Bureau of Apprenticeship and
15 Training.

16 "Black, indigenous, and people of color" or "BIPOC" means
17 people who are members of the groups described in
18 subparagraphs (a) through (e) of paragraph (A) of subsection
19 (1) of Section 2 of the Business Enterprise for Minorities,
20 Women, and Persons with Disabilities Act.

21 "Community-based organizations" means an organization
22 that: (1) provides employment, skill development, or related
23 services to members of the community; (2) includes community

1 colleges, nonprofits, and local governments; (3) has at least
2 one main operating office in the community or region it
3 serves; and (4) demonstrates relationships with local
4 residents and other organizations serving the community.

5 "Department" means the Department of Commerce and Economic
6 Opportunity, unless the text solely specifies a particular
7 Department.

8 "Director" means the Director of Commerce and Economic
9 Opportunity.

10 "Equity eligible contractor" or "eligible contractor"
11 means:

12 (1) a business that is majority-owned by equity
13 investment eligible individuals or persons who are or have
14 been participants in the Clean Jobs Workforce Network
15 Program, Clean Energy Contractor Incubator Program,
16 Returning Residents Clean Jobs Training Program, Illinois
17 Climate Works Preapprenticeship Program, or Clean Energy
18 Primes Contractor Accelerator Program;

19 (2) a nonprofit or cooperative that is
20 majority-governed by equity investment eligible
21 individuals or persons who are or have been participants
22 in the Clean Jobs Workforce Network Program, Clean Energy
23 Contractor Incubator Program, Returning Residents Clean
24 Jobs Training Program, Illinois Climate Works
25 Preapprenticeship Program, or Clean Energy Primes
26 Contractor Accelerator Program; or

1 (3) an equity investment eligible person or an
2 individual who is or has been a participant in the Clean
3 Jobs Workforce Network Program, Clean Energy Contractor
4 Incubator Program, Returning Residents Clean Jobs Training
5 Program, Illinois Climate Works Preapprenticeship Program,
6 or Clean Energy Primes Contractor Accelerator Program and
7 who is offering personal services as an independent
8 contractor.

9 "Equity focused populations" means (i) low-income persons;
10 (ii) persons residing in equity investment eligible
11 communities; (iii) persons who identify as black, indigenous,
12 and people of color; (iv) formerly convicted persons; (v)
13 persons who are or were in the child welfare system; (vi)
14 energy workers; (vii) dependents of displaced energy workers;
15 (xiii) spouses and significant others of displaced energy
16 workers; (ix) ~~(viii)~~ women; (x) ~~(ix)~~ LGBTQ+, transgender, or
17 gender nonconforming persons; (xi) ~~(x)~~ persons with
18 disabilities; and (xii) ~~(xi)~~ members of any of these groups
19 who are also youth.

20 "Equity investment eligible community" and "eligible
21 community" are synonymous and mean the geographic areas
22 throughout Illinois which would most benefit from equitable
23 investments by the State designed to combat discrimination and
24 foster sustainable economic growth. Specifically, the eligible
25 community means the following areas:

26 (1) R3 Areas as established pursuant to Section 10-40

1 of the Cannabis Regulation and Tax Act, where residents
2 have historically been excluded from economic
3 opportunities, including opportunities in the energy
4 sector; and

5 (2) Environmental justice communities, as defined by
6 the Illinois Power Agency pursuant to the Illinois Power
7 Agency Act, but excluding racial and ethnic indicators,
8 where residents have historically been subject to
9 disproportionate burdens of pollution, including pollution
10 from the energy sector.

11 "Equity investment eligible person" and "eligible person"
12 are synonymous and mean the persons who would most benefit
13 from equitable investments by the State designed to combat
14 discrimination and foster sustainable economic growth.
15 Specifically, eligible persons means the following people:

16 (1) persons whose primary residence is in an equity
17 investment eligible community;

18 (2) persons who are graduates of or currently enrolled
19 in the foster care system; or

20 (3) persons who were formerly incarcerated.

21 "Climate Works Hub" means a nonprofit organization
22 selected by the Department to act as a workforce intermediary
23 and to participate in the Illinois Climate Works
24 Preapprenticeship Program. To qualify as a Climate Works Hub,
25 the organization must demonstrate the following:

26 (1) the ability to effectively serve diverse and

1 underrepresented populations, including by providing
2 employment services to such populations;

3 (2) experience with the construction and building
4 trades;

5 (3) the ability to recruit, prescreen, and provide
6 preapprenticeship training to prepare workers for
7 employment in the construction and building trades; and

8 (4) a plan to provide the following:

9 (A) preparatory classes;

10 (B) workplace readiness skills, such as resume
11 preparation and interviewing techniques;

12 (C) strategies for overcoming barriers to entry
13 and completion of an apprenticeship program; and

14 (D) any prerequisites for acceptance into an
15 apprenticeship program.

16 (Source: P.A. 102-662, eff. 9-15-21.)

17 (20 ILCS 730/5-20)

18 (Section scheduled to be repealed on September 15, 2045)

19 Sec. 5-20. Clean Jobs Workforce Network Program.

20 (a) As used in this Section, "Program" means the Clean
21 Jobs Workforce Network Program.

22 (b) Subject to appropriation, the Department shall develop
23 and, through Regional Administrators, administer the Clean
24 Jobs Workforce Network Program to create a network of 15 ~~13~~
25 Program delivery Hub Sites with program elements delivered by

1 community-based organizations and their subcontractors
2 geographically distributed across the State including at least
3 one Hub Site located in or near each of the following areas:
4 Chicago (South Side), Chicago (Southwest and West Sides),
5 Waukegan, Rockford, Aurora, Joliet, Peoria, Champaign,
6 Danville, Decatur, Carbondale, East St. Louis, ~~and~~ Alton,
7 Nashville, and Ina.

8 (c) In admitting program participants, for each workforce
9 Hub Site, the Regional Administrators shall:

10 (1) in each Hub Site where the applicant pool allows:

11 (A) dedicate at least one-third of program
12 placements to applicants who reside in a geographic
13 area that is impacted by economic and environmental
14 challenges, defined as an area that is both (i) an R3
15 Area, as defined pursuant to Section 10-40 of the
16 Cannabis Regulation and Tax Act, and (ii) an
17 environmental justice community, as defined by the
18 Illinois Power Agency, excluding any racial or ethnic
19 indicators used by the agency unless and until the
20 constitutional basis for their inclusion in
21 determining program admissions is established. Among
22 applicants that satisfy these criteria, preference
23 shall be given to applicants who face barriers to
24 employment, such as low educational attainment, prior
25 involvement with the criminal legal system, and
26 language barriers; and applicants that are graduates

1 of or currently enrolled in the foster care system;
2 and

3 (B) dedicate at least two-thirds of program
4 placements to applicants that satisfy the criteria in
5 paragraph (1) or who reside in a geographic area that
6 is impacted by economic or environmental challenges,
7 defined as an area that is either (i) an R3 Area, as
8 defined pursuant to Section 10-40 of the Cannabis
9 Regulation and Tax Act, or (ii) an environmental
10 justice community, as defined by the Illinois Power
11 Agency, excluding any racial or ethnic indicators used
12 by the agency unless and until the constitutional
13 basis for their inclusion in determining program
14 admissions is established. Among applicants that
15 satisfy these criteria, preference shall be given to
16 applicants who face barriers to employment, such as
17 low educational attainment, prior involvement with the
18 criminal legal system, and language barriers; and
19 applicants that are graduates of or currently enrolled
20 in the foster care system; and

21 (2) prioritize the remaining program placements for:
22 applicants who are displaced energy workers as defined in
23 the Energy Community Reinvestment Act; persons who face
24 barriers to employment, including low educational
25 attainment, prior involvement with the criminal legal
26 system, and language barriers; and applicants who are

1 graduates of or currently enrolled in the foster care
2 system, regardless of the applicant's area of residence.

3 The Department and Regional Administrators shall protect
4 the confidentiality of any personal information provided by
5 program applicants regarding the applicant's status as a
6 formerly incarcerated person or foster care recipient;
7 however, the Department or Regional Administrators may publish
8 aggregated data on the number of participants that were
9 formerly incarcerated or foster care recipients so long as
10 that publication protects the identities of those persons.

11 Any person who applies to the program may elect not to
12 share with the Department or Regional Administrators whether
13 he or she is a graduate or currently enrolled in the foster
14 care system or was formerly convicted.

15 (d) Program elements for each Hub Site shall be provided
16 by a community-based organization. The Department shall
17 initially select a community-based organization in each Hub
18 Site and shall subsequently select a community-based
19 organization in each Hub Site every 3 years. Community-based
20 organizations delivering program elements outlined in
21 subsection (e) may provide all elements required or may
22 subcontract to other entities for provision of portions of
23 program elements, including, but not limited to,
24 administrative soft and hard skills for program participants,
25 delivery of specific training in the core curriculum, or
26 provision of other support functions for program delivery

1 compliance.

2 (e) The Clean Jobs Workforce Hubs Network shall:

3 (1) coordinate with Energy Transition Navigators: (i)
4 to increase participation in the Clean Jobs Workforce
5 Network Program and clean energy, broadband and fiber
6 optic infrastructure, and related sector workforce and
7 training opportunities; (ii) coordinate recruitment,
8 communications, and ongoing engagement with potential
9 employers, including, but not limited to, activities such
10 as job matchmaking initiatives, hosting events such as job
11 fairs, and collaborating with other Hub Sites to identify
12 and implement best practices for employer engagement; and
13 (iii) leverage community-based organizations, educational
14 institutions, and community-based and labor-based training
15 providers to ensure program-eligible individuals across
16 the State have dedicated and sustained support to enter
17 and complete the career pipeline for clean energy,
18 broadband and fiber optic infrastructure, and related
19 sector jobs;

20 (2) develop formal partnerships, including formal
21 sector partnerships between community-based organizations
22 and entities that provide clean energy and broadband and
23 fiber optic infrastructure jobs, including businesses,
24 nonprofit organizations, and worker-owned cooperatives, to
25 ensure that Program participants have priority access to
26 employment training and hiring opportunities; and

1 (3) implement the Clean Jobs and Digital
2 Infrastructure Curriculum to provide, including, but not
3 limited to, training, certification preparation, job
4 readiness, and skill development, including soft skills,
5 math skills, technical skills, certification test
6 preparation, and other development needed, to Program
7 participants.

8 (f) Funding for the Program is subject to appropriation
9 from the Energy Transition Assistance Fund.

10 (g) The Department shall require submission of quarterly
11 reports, including program performance metrics by each Hub
12 Site to the Regional Administrator of their Program Delivery
13 Area. Program performance metrics include, but are not limited
14 to:

15 (1) demographic data, including racial, gender,
16 residency in eligible communities, and geographic
17 distribution data, on Program trainees entering and
18 graduating the Program;

19 (2) demographic data, including racial, gender,
20 residency in eligible communities, and geographic
21 distribution data, on Program trainees who are placed in
22 employment, including the percentages of trainees by race,
23 gender, and geographic categories in each individual job
24 type or category and whether employment is union,
25 nonunion, or nonunion via temporary agency;

26 (3) trainee job acquisition and retention statistics,

1 including the duration of employment (start and end dates
2 of hires) by race, gender, and geography;

3 (4) hourly wages, including hourly overtime pay rate,
4 and benefits of trainees placed into employment by race,
5 gender, and geography;

6 (5) percentage of jobs by race, gender, and geography
7 held by Program trainees or graduates that are full-time
8 equivalent positions, meaning that the position held is
9 full-time, direct, and permanent based on 2,080 hours
10 worked per year (paid directly by the employer, whose
11 activities, schedule, and manner of work the employer
12 controls, and receives pay and benefits in the same manner
13 as permanent employees); ~~and~~

14 (6) qualitative data consisting of open-ended
15 reporting on pertinent issues, including, but not limited
16 to, qualitative descriptions accompanying metrics or
17 identifying key successes and challenges; and ~~and~~

18 (7) demographic data on Program applicants and the
19 acceptance rates across these demographics.

20 (h) Within 3 years after the effective date of this Act,
21 the Department shall select an independent evaluator to review
22 and prepare a report on the performance of the Program and
23 Regional Administrators.

24 (Source: P.A. 102-662, eff. 9-15-21.)

1 (Section scheduled to be repealed on September 15, 2045)

2 Sec. 5-25. Clean Jobs and Digital Infrastructure
3 Curriculum.

4 (a) As used in this Section, "clean energy and digital
5 infrastructure jobs", subject to administrative rules, means
6 jobs in the solar energy, wind energy, energy efficiency,
7 energy storage, solar thermal, green hydrogen, geothermal,
8 electric vehicle industries, other renewable energy
9 industries, industries achieving emission reductions,
10 broadband and fiber optics industries, and other related
11 sectors including related industries that manufacture,
12 develop, build, maintain, or provide ancillary services to
13 renewable energy resources or energy efficiency products or
14 services, including the manufacture and installation of
15 healthier building materials that contain fewer hazardous
16 chemicals. "Clean energy and digital infrastructure jobs"
17 includes administrative, sales, other support functions within
18 these industries and other related sector industries.

19 (b) The Department shall convene a comprehensive
20 stakeholder process that includes representatives from the
21 State Board of Education, the Illinois Community College
22 Board, the Department of Labor, community-based organizations,
23 workforce development providers, labor unions, building
24 trades, educational institutions, residents of BIPOC and
25 low-income communities, residents of environmental justice
26 communities, clean energy businesses, nonprofit organizations,

1 worker-owned cooperatives, representatives of Connect Illinois
2 other groups that provide clean energy and digital
3 infrastructure jobs opportunities, groups that provide
4 construction and building trades job opportunities, and other
5 participants to identify the career pathways and training
6 curriculum needed for participants to be skilled, work ready,
7 and able to enter clean and digital infrastructure energy
8 jobs. The curriculum shall:

9 (1) identify the core training curricular competency
10 areas needed to prepare workers to enter clean energy and
11 related sector jobs;

12 (2) identify a set of required core cross-training
13 competencies provided in each training area for clean
14 energy and digital infrastructure jobs with the goal of
15 enabling any trainee to receive a standard set of skills
16 common to multiple training areas that would provide a
17 foundation for pursuing a career composed of multiple
18 clean energy job types;

19 (3) include approaches to integrate broad occupational
20 training to provide career entry into the general
21 construction and building trades sector and any remedial
22 education and work readiness support necessary to achieve
23 educational and professional eligibility thresholds; and

24 (4) identify on-the-job training formats, where
25 relevant, and identify suggested trainer certification
26 standards, where relevant.

1 (c) The Department shall publish a report that includes
2 the findings, recommendations, and core curriculum identified
3 by the stakeholder group and shall post a copy of the report on
4 its public website. The Department shall convene the process
5 described to update and modify the recommended curriculum
6 every 3 years to ensure the curriculum contents are current to
7 the evolving clean energy industries, practices, and
8 technologies.

9 (d) Organizations that receive funding to provide training
10 under the Clean Jobs Workforce Network Program, including, but
11 not limited to, community-based and labor-based training
12 providers, and educational institutions must use the core
13 curriculum that is developed under this Section.

14 (Source: P.A. 102-662, eff. 9-15-21.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.