



Rep. Sidney H. Mathias

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1 AMENDMENT TO HOUSE BILL 2927

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2927 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Emergency Employment Development  
5 Act is amended by changing Sections 2, 3, 6, 7, 9 and by adding  
6 Sections 11, 12, 13, 14, 17, and 18 as follows:

7 (20 ILCS 630/2) (from Ch. 48, par. 2402)

8 Sec. 2. For the purposes of this Act, the following words  
9 have the meanings ascribed to them in this Section.

10 (a) "Advisory Committee" means the 21st Century Workforce  
11 Development Fund Advisory Committee, established under the  
12 21st Century Workforce Development Fund Act.

13 (b) ~~(a)~~ "Coordinator" means the Illinois Emergency  
14 Employment Development Coordinator appointed under Section 3.

15 (c) "Department" means the Illinois Department of Commerce  
16 and Economic Opportunity.

1           (d) "Director" means the Director of Commerce and Economic  
2 Opportunity.

3           (e) ~~(b)~~ "Eligible business" means a for-profit business.

4           (f) ~~(e)~~ "Eligible employer" means an eligible nonprofit  
5 agency, or an eligible business.

6           (g) ~~(d)~~ "Eligible job applicant" means a person who (1) has

7 been a resident of this State for at least one year; and (2) is

8 unemployed; and (3) is not receiving and is not qualified to

9 receive unemployment compensation or workers' compensation;

10 and (4) is determined by the employment administrator to be

11 likely to be available for employment by an eligible employer

12 for the duration of the job. ÷

13           ~~A. (1) has been a resident of this State for at least~~

14 ~~one year; and (2) is unemployed; and (3) is not receiving~~

15 ~~and is not qualified to receive unemployment compensation~~

16 ~~or workers' compensation; and (4) is determined by the~~

17 ~~employment administrator to be likely to be available for~~

18 ~~employment by an eligible employer for the duration of the~~

19 ~~job; or~~

20           ~~B. is otherwise eligible for services under the Job~~

21 ~~Training Partnership Act (29 USCA 1501 et seq.).~~

22           ~~In addition, a farmer who resides in a county qualified~~

23 ~~under Federal Disaster Relief and who can demonstrate severe~~

24 ~~financial need may be considered unemployed under this~~

25 ~~subsection.~~

26           (h) ~~(e)~~ "Eligible nonprofit agency" means an organization

1 exempt from taxation under the Internal Revenue Code of 1954,  
2 Section 501(c)(3).

3 (i) ~~(f)~~ "Employment administrator" means the  
4 administrative entity designated by the Coordinator, and  
5 approved by the Advisory Committee, to administer the  
6 provisions of this Act in each service delivery area. With  
7 approval of the Advisory Committee, the Coordinator may  
8 designate an administrative entity authorized under the  
9 Workforce Investment Act or private, public, or non-profit  
10 entities that have proven effectiveness in providing training,  
11 workforce development, and job placement services to  
12 low-income individuals ~~Manager of the Department of Commerce~~  
13 ~~and Economic Opportunity Job Training Programs Division or his~~  
14 ~~or her designee.~~

15 (j) ~~(g)~~ "Household" means a group of persons living at the  
16 same residence consisting of, at a maximum, spouses and the  
17 minor children of each.

18 (k) ~~(h)~~ "Program" means the Illinois Emergency Employment  
19 Development Program created by this Act consisting of ~~temporary~~  
20 ~~work relief projects in nonprofit agencies and new job creation~~  
21 in the private sector.

22 ~~(i) "Service Delivery Area" means that unit or units of~~  
23 ~~local government designated by the Governor pursuant to Title~~  
24 ~~I, Part A, Section 102 of the Job Training Partnership Act (29~~  
25 ~~USCA et seq.).~~

26 ~~(j) "Excess unemployed" means the number of unemployed in~~

1 ~~excess of 6.5% of the service delivery area population.~~

2 ~~(k) "Private industry council" means governing body of each~~  
3 ~~service delivery area created pursuant to Title I, Section 102~~  
4 ~~of the Job Training Partnership Act (29 USC 1501 et seq.).~~

5 (l) "Service delivery area" means an area designated as a  
6 Local Workforce Investment Area by the State.

7 (m) "Workforce Investment Act" means the federal Workforce  
8 Investment Act of 1998, any amendments to that Act, and any  
9 other applicable federal statutes.

10 (Source: P.A. 94-793, eff. 5-19-06.)

11 (20 ILCS 630/3) (from Ch. 48, par. 2403)

12 Sec. 3. Illinois Emergency Employment Development  
13 Coordinator.

14 (a) The governor shall ~~may~~ appoint an Illinois Emergency  
15 Employment Development Coordinator to administer the  
16 provisions of this Act. The coordinator shall be within the  
17 Department of Commerce and Economic Opportunity, but shall be  
18 responsible directly to the governor. The coordinator shall  
19 have the powers necessary to carry out the purpose of the  
20 program.

21 (b) The coordinator shall:

22 (1) recommend one or more Employment Administrators  
23 for each service delivery area for approval by the Advisory  
24 Committee, with recommendations based on the demonstrated  
25 ability of the Employment Administrator to identify and

1 address local needs ~~Coordinate the Program with other State~~  
2 ~~agencies;~~

3 (2) enter into a contract with one or more Employment  
4 Administrators in each service delivery area ~~Coordinate~~  
5 ~~administration of the program with the general assistance~~  
6 ~~program;~~

7 (3) assist the Employment Administrator in developing  
8 a satisfactory plan if an Employment Administrator submits  
9 one that does not conform to program requirements ~~Set~~  
10 ~~policy regarding disbursement of program funds; and~~

11 (4) convene and provide staff support to the Advisory  
12 Committee;

13 (5) coordinate the program with other State agencies  
14 and services including public benefits and workforce  
15 programs for unemployed individuals; and ~~Perform general~~  
16 ~~program marketing and monitoring functions.~~

17 (6) perform general program marketing and monitoring  
18 functions.

19 (c) The coordinator shall administer the program within the  
20 Department of Commerce and Economic Opportunity. The Director  
21 of Commerce and Economic Opportunity shall provide  
22 administrative support services to the coordinator for the  
23 purposes of the program.

24 (d) The coordinator shall report to the Governor, the  
25 Advisory Committee, ~~Illinois Job Training Coordinating Council~~  
26 and the General Assembly on a quarterly basis concerning (1)

1 the number of persons employed under the program; (2) the  
2 number and type of employers under the program; (3) the amount  
3 of money spent in each service delivery area for wages for each  
4 type of employment and each type of other expenses; (4) the  
5 number of persons who have completed participation in the  
6 program and their current employment, educational or training  
7 status; ~~and~~ (5) any information requested by the General  
8 Assembly, the Advisory Committee, or governor or deemed  
9 pertinent by the coordinator; and (6) any identified violations  
10 of this Act and actions taken. Each report shall include  
11 cumulative information, as well as information for each  
12 quarter.

13 (e) Rules. The Director of Commerce and Economic  
14 Opportunity, with the advice of the coordinator and the  
15 Advisory Committee, shall adopt rules for the administration  
16 and enforcement of this Act.

17 (Source: P.A. 96-995, eff. 1-1-11.)

18 (20 ILCS 630/6) (from Ch. 48, par. 2406)

19 Sec. 6. Program funds; uses. ~~Funds appropriated for the~~  
20 ~~purposes of the program shall not exceed \$10 million per fiscal~~  
21 ~~year.~~

22 Funds appropriated for the purposes of the program may be  
23 used as follows:

24 (a) To provide a State contribution for wages and fringe  
25 benefits for eligible job applicants for a maximum of 1,040

1 hours over a maximum period of 52 ~~26~~ weeks per job applicant.  
2 ~~For eligible job applicants participating in a job training~~  
3 ~~program, the State contribution for wages may be used for a~~  
4 ~~maximum period of 52 weeks per job applicant. The minimum~~  
5 ~~allowable hourly wage for job applicants employed in this~~  
6 ~~program shall not be below 120% of the current State minimum~~  
7 ~~wage rate. At least 75% of the funds appropriated for the~~  
8 ~~program must be used to pay wages and fringe benefits for~~  
9 ~~eligible job applicants. State contribution amounts are as~~  
10 ~~follows:~~

11 (1) For for-profit business employers, the ~~The~~ State  
12 contribution for wages shall be 50% of the minimum  
13 allowable hourly wage ~~wages up to a maximum of \$4 per hour~~  
14 for each eligible job applicant employed. The State  
15 contribution for fringe benefits may be up to 25% of the  
16 State wage contribution ~~\$1 per hour for each eligible job~~  
17 ~~applicant employed. The employer must match wages in an~~  
18 ~~amount equal to or greater than the State contribution for~~  
19 ~~this program. Employers are responsible for the remaining~~  
20 ~~costs of any benefits provided and other employment related~~  
21 ~~costs. The ~~However, the~~ employer may use funds from other~~  
22 ~~sources to provide increased wages and benefits to the~~  
23 ~~applicants it employs. ~~During the first fiscal year in~~~~  
24 ~~~~which the program is in effect, at least 75% of the funds~~~~  
25 ~~~~appropriated for the program must be used to pay wages for~~~~  
26 ~~~~eligible job applicants. During each subsequent fiscal~~~~

1 ~~year in which the program is in effect, at least 85% of the~~  
2 ~~funds appropriated for the program must be used to pay~~  
3 ~~wages for eligible job applicants;~~

4 (2) For non-profit employers participating in this  
5 program, the State contribution for wages shall be 75% of  
6 the minimum allowable hourly wage for each eligible job  
7 applicant employed. The State contribution for fringe  
8 benefits may be up to 25% of the state wage contribution  
9 per hour for each eligible job applicant employed. The  
10 employer must match wages in an amount equal to or greater  
11 than the State contribution for this program. The State  
12 contribution may be used to provide workers' compensation  
13 coverage to applicants employed by government or  
14 non-profit agencies under this Act. Employers are  
15 responsible for the remaining costs of any benefits. The  
16 employer may use funds from other sources to provide  
17 increased wages and benefits to the applicants it employs.

18 (b) To provide child care services or subsidies or other  
19 supportive services necessary to maintain employment to  
20 applicants employed under the program;

21 (c) To provide workers' compensation coverage to  
22 applicants employed by nonprofit agencies under the program;

23 (d) To provide job search assistance, labor market  
24 orientation, job seeking and work readiness skills, and  
25 referral for other services;

26 (e) To purchase supplies and materials for projects



1 creating permanent improvements to public property in an amount  
2 not to exceed one percent of the funds appropriated; and -

3 (f) To reimburse the Department in an amount not to exceed  
4 1% of the funds appropriated for the actual cost of  
5 administering this Act, and to reimburse the Employment  
6 Administrators in an amount not to exceed 4.5% of the funds  
7 allocated to them for their actual cost of administering this  
8 Act. The Director and the Employment Administrators shall  
9 leverage funds from other sources to cover the administrative  
10 costs of this program whenever possible.

11 The Employment Administrator of each service delivery area  
12 shall submit to the Coordinator a spending plan establishing  
13 that funds allocated to the service delivery area will be used  
14 within one year after the effective date, in the manner  
15 required by this Act. Any funds allocated to a service delivery  
16 area for which there is no spending plan approved by the  
17 Coordinator shall be returned to the Department and may be  
18 reallocated by the Coordinator to other Employment  
19 Administrators.

20 (Source: P.A. 84-792.)

21 (20 ILCS 630/7) (from Ch. 48, par. 2407)

22 Sec. 7. Duties of State agencies.

23 (a) The Department of Employment Security ~~Commerce and~~  
24 ~~Economic Opportunity~~ shall post information publicizing  
25 ~~publicize~~ the program and shall provide staff assistance as

1 requested by employment administrators in ~~the screening of~~  
2 ~~businesses and~~ the collection of data about participants in the  
3 program.

4 (b) The Director of Children and Family Services shall make  
5 available ~~provide~~ to each employment administrator lists of  
6 currently licensed local day care facilities, ~~updated~~  
7 ~~quarterly, to be~~ available to ~~all~~ persons employed under the  
8 program.

9 (c) The Secretary of Human Services shall post information  
10 publicizing the program to applicants and recipients of ~~take~~  
11 ~~all steps necessary to inform each applicant for public aid of~~  
12 ~~the availability of the program.~~

13 (Source: P.A. 94-793, eff. 5-19-06.)

14 (20 ILCS 630/9) (from Ch. 48, par. 2409)

15 Sec. 9. (a) Eligible businesses. A business employer is an  
16 eligible employer if it enters into a written contract, signed  
17 and subscribed to under oath, with the employment administrator  
18 for its service delivery area containing assurances that:

19 (1) funds received by a business shall be used only as  
20 permitted under the program;

21 (2) the business has submitted a plan to the employment  
22 administrator (1) describing the duties and proposed  
23 compensation of each employee proposed to be hired under the  
24 program; and (2) demonstrating that with the funds provided  
25 under the program the business is likely to succeed and

1 continue to employ persons hired under the program;

2 (3) the business will use funds exclusively for  
3 compensation and fringe benefits of eligible job applicants and  
4 will provide employees hired with these funds with fringe  
5 benefits and other terms and conditions of employment  
6 comparable to those provided to other employees of the business  
7 who do comparable work;

8 (4) the funds are necessary to allow the business to begin,  
9 or to employ additional people, but not to fill positions which  
10 would be filled even in the absence of funds from this program;

11 (5) the business will cooperate with the coordinator in  
12 collecting data to assess the result of the program; and

13 (6) the business is in compliance with all applicable  
14 affirmative action, fair labor, health, safety, and  
15 environmental standards.

16 (b) In allocating funds among eligible businesses, the  
17 employment administrator shall give priority to businesses  
18 which best satisfy the following criteria:

19 (1) have a high potential for growth and long-term job  
20 creation;

21 (2) are labor intensive;

22 (3) make high use of local and State resources;

23 (4) are under ownership of women and minorities;

24 (4-5) meet the definition of a small business as defined in  
25 Section 5 of the Small Business Advisory Act;

26 (4-10) produce energy conserving materials or services or

1 are involved in development of renewable sources of energy;

2 (5) have their primary places of business in the State; and

3 (6) intend to continue the employment of the eligible  
4 applicant for at least 6 months of unsubsidized employment.

5 (c) (Blank). ~~If the eligible employee remains employed for~~  
6 ~~6 months of unsubsidized employment, his employer may apply for~~  
7 ~~a bonus equal to 1/6 of the subsidy provided to the employer~~  
8 ~~for that employee under this Act.~~

9 (d) A business receiving funds under this program shall  
10 repay 70% of the amount received for each eligible job  
11 applicant employed who does not continue in the employment of  
12 the business for at least 6 months beyond the subsidized period  
13 unless the employer dismisses an employee for good cause and  
14 works with the Employment Administrator to employ and train  
15 another person referred by the Employment Administrator. The  
16 Employment Administrator shall forward payments received under  
17 this subsection to the Coordinator on a monthly basis. The  
18 Coordinator shall deposit these payments into the Illinois 21st  
19 Century Workforce Development Fund.

20 (Source: P.A. 84-1399.)

21 (20 ILCS 630/11 new)

22 Sec. 11. Illinois 21st Century Workforce Development Fund  
23 Advisory Committee.

24 (a) The 21st Century Workforce Development Fund Advisory  
25 Committee, established under the 21st Century Workforce

1 Development Fund Act, shall provide oversight to the Illinois  
2 Emergency Employment Development program.

3 (b) The Advisory Committee shall meet at the call of the  
4 Coordinator to do the following:

5 (1) establish guidelines for the selection of  
6 Employment Administrators;

7 (2) review recommendations of the Coordinator and  
8 approve final selection of Employment Administrators;

9 (3) develop guidelines for the emergency employment  
10 development plans to be created by each Employment  
11 Administrator;

12 (4) review the emergency employment development plan  
13 submitted by the Employment Administrator of each service  
14 delivery area and approve satisfactory plans;

15 (5) ensure that the program is widely marketed to  
16 employers and eligible job seekers;

17 (6) set policy regarding disbursement of program  
18 funds; and

19 (7) review program quarterly reports and make  
20 recommendations for program improvements as needed.

21 (20 ILCS 630/12 new)

22 Sec. 12. Allocation of funds among service delivery areas.

23 (a) 90% of the funds available for allocation to Employment  
24 Administrators for the program must be allocated among service  
25 delivery areas as follows: each service delivery area shall be

1 eligible to receive that proportion of the funds available  
2 which equals the number of unemployed persons in the service  
3 delivery area divided by the total number of unemployed persons  
4 in the State for the 12-month period ending on the most recent  
5 March 31.

6 (b) 10% of the funds available for allocation to employment  
7 administrators under the program must be allocated at the  
8 discretion of the Advisory Committee to Employment  
9 Administrators:

10 (1) who will maximize the use of the funds through  
11 coordination with other programs and State, local, and  
12 federal agencies, through the use of matching funds, or  
13 through the involvement of low-income constituent groups;

14 (2) who have demonstrated need beyond the allocation  
15 available under subsection (a); and

16 (3) who have demonstrated outstanding performance in  
17 job creation.

18 (20 ILCS 630/13 new)

19 Sec. 13. Allocation within service delivery areas;  
20 priorities. Allocation of funds within a service delivery area  
21 shall be determined by the Employment Administrator in each  
22 service delivery area. The Employment Administrator shall give  
23 priority to job applicants who: (i) live in households with no  
24 other earned income source; (ii) have been unemployed for 6  
25 months or more; or (iii) who would otherwise be eligible to

1 receive Temporary Aid to Needy Families under Article IV of the  
2 Public Aid Code, Supplemental Nutrition Assistance Program, or  
3 general assistance under Article VI of the Illinois Public Aid  
4 Code.

5 (20 ILCS 630/14 new)

6 Sec. 14. Employment Administrators; powers and duties.

7 (a) The Employment Administrator for each service delivery  
8 area has the powers and duties given in this Section and any  
9 additional duties given by the Coordinator.

10 (b) Each Employment Administrator shall develop an  
11 emergency employment development plan for its service delivery  
12 area under guidelines developed by the Advisory Committee and  
13 submit it to the Coordinator within the period allowed by the  
14 Coordinator. To the extent feasible, the Employment  
15 Administrator shall seek input from potential eligible  
16 employers and the public. The Employment Administrator shall  
17 consult with local sources of information to identify current  
18 local needs, including, but not limited to, local Workforce  
19 Investment Boards, economic development councils, community  
20 action agencies, and local Labor Market Information from the  
21 Department of Employment Security.

22 (c) Each Employment Administrator shall publicize the  
23 program within its service delivery area to seek maximum  
24 participation by eligible job applicants and employers.

25 (d) Each Employment Administrator shall enter into

1 contracts with eligible employers setting forth the terms of  
2 their participation in the program as required by this Act.

3 (e) Each Employment Administrator shall screen job  
4 applicants and employers to achieve the best possible placement  
5 of eligible job applicants with eligible employers.

6 (f) Each Employment Administrator shall maintain a list of  
7 eligible job applicants unable to secure employment under the  
8 program at the time of application. The list shall prioritize  
9 eligible job applicants and shall be used to fill jobs with  
10 eligible employers as they become available. Each Employment  
11 Administrator shall receive and coordinate referrals from  
12 other local organizations.

13 (g) Each Employment Administrator shall cooperate with  
14 local educational and training institutions to coordinate and  
15 publicize the availability of their resources to assure that  
16 applicants may receive training needed before or while employed  
17 in jobs which are available under the program.

18 (h) Each Employment Administrator may disburse funds not to  
19 exceed 1% of the amount allocated to its service delivery area  
20 for the purchase of supplies and materials for projects  
21 creating permanent improvements to public property.

22 (20 ILCS 630/17 new)

23 Sec. 17. Work incentive demonstration project.

24 (a) In order to maximize the opportunity for recipients of  
25 Temporary Assistance to Needy Families, Earnfare, Supplemental



1 Nutrition Assistance Program, or other related public  
2 assistance to take full advantage of the jobs created by this  
3 Act, the Secretary of Human Services shall inform each  
4 applicant or recipient of benefits of the availability of this  
5 program.

6 (b) The Coordinator and members of the Advisory Committee  
7 shall explore available resources to leverage in combination  
8 with the wage subsidies in this Act to develop a Transitional  
9 Jobs program. This Transitional Jobs program would prioritize  
10 services for individuals with limited experience in the labor  
11 market and barriers to employment, including but not limited  
12 to, recipients of Temporary Assistance to Needy Families,  
13 Supplemental Nutrition Assistance Program, or other related  
14 public assistance, and people with criminal records.

15 (20 ILCS 630/18 new)

16 Sec. 18. Worker displacement.

17 (a) An eligible employer may not terminate, lay off, or  
18 reduce the working hours of an employee for the purpose of  
19 hiring an individual with funds available under this Act.

20 (b) An eligible employer may not hire an individual with  
21 funds available under this Act if any other person is on layoff  
22 from the same or substantially equivalent job.

23 (c) In order to qualify as an eligible employer, a  
24 government or non-profit agency or business must certify to the  
25 Employment Administrator that each job created and funded under

1 this Act:

2 (1) will result in an increase in employment  
3 opportunity over the level that would otherwise be  
4 available;

5 (2) will not result in the displacement of currently  
6 employed workers, including partial displacement such as  
7 reduction in hours of non-overtime work, wages, or  
8 employment benefits; and

9 (3) will not impair existing contracts for service or  
10 result in the substitution of program funds for other funds  
11 in connection with work that would otherwise be performed.

12 Section 10. The Corporate Accountability for Tax  
13 Expenditures Act is amended by changing Section 5 as follows:

14 (20 ILCS 715/5)

15 Sec. 5. Definitions. As used in this Act:

16 "Base years" means the first 2 complete calendar years  
17 following the effective date of a recipient receiving  
18 development assistance.

19 "Date of assistance" means the commencement date of the  
20 assistance agreement, which date triggers the period during  
21 which the recipient is obligated to create or retain jobs and  
22 continue operations at the specific project site.

23 "Default" means that a recipient has not achieved its job  
24 creation, job retention, or wage or benefit goals, as

1 applicable, during the prescribed period therefor.

2 "Department" means, unless otherwise noted, the Department  
3 of Commerce and Economic Opportunity or any successor agency.

4 "Development assistance" means (1) tax credits and tax  
5 exemptions (other than given under tax increment financing)  
6 given as an incentive to a recipient business organization  
7 pursuant to an initial certification or an initial designation  
8 made by the Department under the Economic Development for a  
9 Growing Economy Tax Credit Act, River Edge Redevelopment Zone  
10 Act, and the Illinois Enterprise Zone Act, including the High  
11 Impact Business program, (2) grants or loans given to a  
12 recipient as an incentive to a business organization pursuant  
13 to the River Edge Redevelopment Zone Act, Large Business  
14 Development Program, the Business Development Public  
15 Infrastructure Program, or the Industrial Training Program,  
16 (3) the State Treasurer's Economic Program Loans, (4) the  
17 Illinois Department of Transportation Economic Development  
18 Program, and (5) all successor and subsequent programs and tax  
19 credits designed to promote large business relocations and  
20 expansions. "Development assistance" does not include tax  
21 increment financing, assistance provided under the Illinois  
22 Enterprise Zone Act and River Edge Redevelopment Zone Act  
23 pursuant to local ordinance, participation loans, or financial  
24 transactions through statutorily authorized financial  
25 intermediaries in support of small business loans and  
26 investments or given in connection with the development of

1 affordable housing. "Development assistance" includes  
2 assistance under the Illinois Emergency Employment Program  
3 pursuant to the Illinois Emergency Development Act.

4 "Development assistance agreement" means any agreement  
5 executed by the State granting body and the recipient setting  
6 forth the terms and conditions of development assistance to be  
7 provided to the recipient consistent with the final application  
8 for development assistance, including but not limited to the  
9 date of assistance, submitted to and approved by the State  
10 granting body.

11 "Full-time, permanent job" means either: (1) the  
12 definition therefor in the legislation authorizing the  
13 programs described in the definition of development assistance  
14 in the Act or (2) if there is no such definition, then as  
15 defined in administrative rules implementing such legislation,  
16 provided the administrative rules were in place prior to the  
17 effective date of this Act. On and after the effective date of  
18 this Act, if there is no definition of "full-time, permanent  
19 job" in either the legislation authorizing a program that  
20 constitutes economic development assistance under this Act or  
21 in any administrative rule implementing such legislation that  
22 was in place prior to the effective date of this Act, then  
23 "full-time, permanent job" means a job in which the new  
24 employee works for the recipient at a rate of at least 35 hours  
25 per week.

26 "New employee" means either: (1) the definition therefor in

1 the legislation authorizing the programs described in the  
2 definition of development assistance in the Act or (2) if there  
3 is no such definition, then as defined in administrative rules  
4 implementing such legislation, provided the administrative  
5 rules were in place prior to the effective date of this Act. On  
6 and after the effective date of this Act, if there is no  
7 definition of "new employee" in either the legislation  
8 authorizing a program that constitutes economic development  
9 assistance under this Act nor in any administrative rule  
10 implementing such legislation that was in place prior to the  
11 effective date of this Act, then "new employee" means a  
12 full-time, permanent employee who represents a net increase in  
13 the number of the recipient's employees statewide. "New  
14 employee" includes an employee who previously filled a new  
15 employee position with the recipient who was rehired or called  
16 back from a layoff that occurs during or following the base  
17 years.

18 The term "New Employee" does not include any of the  
19 following:

20 (1) An employee of the recipient who performs a job  
21 that was previously performed by another employee in this  
22 State, if that job existed in this State for at least 6  
23 months before hiring the employee.

24 (2) A child, grandchild, parent, or spouse, other than  
25 a spouse who is legally separated from the individual, of  
26 any individual who has a direct or indirect ownership

1 interest of at least 5% in the profits, capital, or value  
2 of any member of the recipient.

3 "Part-time job" means either: (1) the definition therefor  
4 in the legislation authorizing the programs described in the  
5 definition of development assistance in the Act or (2) if there  
6 is no such definition, then as defined in administrative rules  
7 implementing such legislation, provided the administrative  
8 rules were in place prior to the effective date of this Act. On  
9 and after the effective date of this Act, if there is no  
10 definition of "part-time job" in either the legislation  
11 authorizing a program that constitutes economic development  
12 assistance under this Act or in any administrative rule  
13 implementing such legislation that was in place prior to the  
14 effective date of this Act, then "part-time job" means a job in  
15 which the new employee works for the recipient at a rate of  
16 less than 35 hours per week.

17 "Recipient" means any business that receives economic  
18 development assistance. A business is any corporation, limited  
19 liability company, partnership, joint venture, association,  
20 sole proprietorship, or other legally recognized entity.

21 "Retained employee" means either: (1) the definition  
22 therefor in the legislation authorizing the programs described  
23 in the definition of development assistance in the Act or (2)  
24 if there is no such definition, then as defined in  
25 administrative rules implementing such legislation, provided  
26 the administrative rules were in place prior to the effective

1 date of this Act. On and after the effective date of this Act,  
2 if there is no definition of "retained employee" in either the  
3 legislation authorizing a program that constitutes economic  
4 development assistance under this Act or in any administrative  
5 rule implementing such legislation that was in place prior to  
6 the effective date of this Act, then "retained employee" means  
7 any employee defined as having a full-time or full-time  
8 equivalent job preserved at a specific facility or site, the  
9 continuance of which is threatened by a specific and  
10 demonstrable threat, which shall be specified in the  
11 application for development assistance.

12 "Specific project site" means that distinct operational  
13 unit to which any development assistance is applied.

14 "State granting body" means the Department, any State  
15 department or State agency that provides development  
16 assistance that has reporting requirements under this Act, and  
17 any successor agencies to any of the preceding.

18 "Temporary job" means either: (1) the definition therefor  
19 in the legislation authorizing the programs described in the  
20 definition of development assistance in the Act or (2) if there  
21 is no such definition, then as defined in administrative rules  
22 implementing such legislation, provided the administrative  
23 rules were in place prior to the effective date of this Act. On  
24 and after the effective date of this Act, if there is no  
25 definition of "temporary job" in either the legislation  
26 authorizing a program that constitutes economic development

1 assistance under this Act or in any administrative rule  
2 implementing such legislation that was in place prior to the  
3 effective date of this Act, then "temporary job" means a job in  
4 which the new employee is hired for a specific duration of time  
5 or season.

6 "Value of assistance" means the face value of any form of  
7 development assistance.

8 (Source: P.A. 93-552, eff. 8-20-03; 94-793, eff. 5-19-06;  
9 94-1021, eff. 7-12-06.)

10 Section 15. The 21st Century Workforce Development Fund Act  
11 is amended by changing Section 15 as follows:

12 (30 ILCS 787/15)

13 Sec. 15. Use of Fund.

14 (a) Role of Fund. Subject to appropriation, resources  
15 ~~Resources~~ from the Fund are intended to be used flexibly to  
16 support innovative and locally-driven strategies, to leverage  
17 other funding sources, and to fill gaps in existing workforce  
18 development resources in Illinois. They are not intended to  
19 supplant existing workforce development resources.

20 (b) Distribution of funds. Funds shall be distributed  
21 through competitive grantmaking processes administered by the  
22 Department and overseen by the Advisory Committee. No more than  
23 6% of funds used for grants may be retained by the Department  
24 for administrative costs or for program evaluation or technical



1 assistance activities.

2 (c) Grantmaking. The Department must administer funds  
3 through competitive grantmaking in accordance with the  
4 priorities described in this Act. Grantmaking must be used to  
5 support workforce development strategies consistent with the  
6 priorities outlined in this Act. Strategies may include, but  
7 are not limited to the following:

8 (i) Expanded grantmaking for existing State workforce  
9 development strategies, including the Job Training and  
10 Economic Development Program and programs designed to  
11 increase the number of persons traditionally  
12 underrepresented in the building trades, specifically  
13 minorities and women.

14 (ii) Workforce development initiatives that help the  
15 least skilled adults access employment and education  
16 opportunities, including transitional jobs programs and  
17 educational bridge programming that integrate basic  
18 education and occupational skills training.

19 (iii) Sectoral strategies that develop  
20 industry-specific workforce education and training  
21 services that lead to existing or expected jobs with  
22 identified employers and that include services to ensure  
23 that low-income, low-skilled adults can be served.

24 (iv) Support for the development and implementation of  
25 workforce education and training programs in the energy  
26 efficiency, renewable energy, and pollution control

1 cleanup and prevention industries.

2 (v) Support for planning activities that: ensure that  
3 workforce development and education needs of low-skilled  
4 adults are integrated into industry-specific career  
5 pathways; analyze labor market data to track workforce  
6 trends in the State's energy-related initiatives; or  
7 increase the capacity of communities to provide workforce  
8 services to low-income, low-skilled adults.

9 (d) Allowable expenditures. Grant funds are limited to  
10 expenditures for the following:

11 (i) Basic skills training, adult education,  
12 occupational training, job readiness training, and  
13 soft-skills training for which financial aid is otherwise  
14 not available.

15 (ii) Workforce development-related services including  
16 mentoring, job development, support services,  
17 transportation assistance, and wage subsidies, that are  
18 tied to participation in training and employment.

19 (iii) Capacity building, program development, and  
20 technical assistance activities necessary for the  
21 development and implementation of new workforce education  
22 and training strategies.

23 No more than 5% of any grant may be used for administrative  
24 costs.

25 (e) Eligible applicants. For grants under this Section,  
26 eligible applicants include the following:

1           (i) Any private, public, and non-profit entities that  
2           provide education, training, and workforce development  
3           services to low-income individuals.

4           (ii) Educational institutions.

5           (iii) Labor and business associations.

6           (Source: P.A. 96-771, eff. 8-28-09.)

7           Section 99. Effective date. This Act takes effect July 1,  
8           2011."