



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB3419

Introduced 2/22/2021, by Rep. Mary E. Flowers

#### SYNOPSIS AS INTRODUCED:

New Act  
30 ILCS 105/5.935 new

Creates the State Jobs Guarantee Act. Provides that the Department of Labor shall establish a program to provide competitive grants to eligible political subdivisions that have an unemployment rate that is not less than 150% of the national unemployment rate to establish programs to ensure that any individual within the area served by the entity that applies for a job through the program will be provided with employment as provided in this Act. Provides that the grant shall have a duration of 3 years and be used to provide jobs to persons who are 18 year of age or older. Establishes wage and benefit requirements. Creates the Job Guarantee Program Fund, a special fund in the State treasury, to hold moneys appropriated to the fund and interest earned. Imposes reporting and auditing requirements. Defines terms.

LRB102 15134 JLS 20489 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning employment.

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

4 Section 1. Short title. This Act may be cited as the State  
5 Jobs Guarantee Act.

6 Section 5. Definitions. In this Act:

7 "Department" means the Department of Labor.

8 "Eligible entity" means an entity that:

9 (1) is a political subdivision of the State;

10 (2) has an unemployment rate that is not less than  
11 150% of the national unemployment rate as determined by  
12 the United States Bureau of Labor Statistics based on the  
13 most recent data available at the time the Department  
14 solicits applications for grants under this Act; and

15 (3) submits an application in accordance with Section  
16 20.

17 "Job guarantee program" means a program that meets the  
18 requirements of Section 15.

19 "Rural area" means an area that is located outside of an  
20 urban area.

21 "Urban area" means an urbanized area (a region of 50,000  
22 or more residents) and an urbanized cluster (and area  
23 encompassing between 2,500 and 50,000 residents), according to

1 the Census Bureau's urban-rural classification in the 2010  
2 census.

3 Section 10. Establishment of jobs guarantee program.

4 (a) The Department shall establish a program to provide  
5 competitive grants to eligible entities to establish programs  
6 to ensure that any individual within the area served by the  
7 entity who applies for a job through the program will be  
8 provided with employment as provided for in this Act.

9 (b) Funding for a job guarantee program established under  
10 a grant under this Act shall terminate on the earlier of:

11 (1) the end of the 3-year period beginning on the date  
12 of the grant; or

13 (2) the date of any revocation of the grantee as an  
14 eligible entity.

15 Section 15. Job guarantee program. A job guarantee program  
16 meets the requirements of this Act if the jobs provided under  
17 the program:

18 (1) are available to all individuals who:

19 (A) are 18 years of age or older; and

20 (B) reside in the area served under the program at  
21 the time the area became an eligible entity; except  
22 that participants in the program may be disciplined,  
23 released, or suspended from further participation in  
24 jobs under this program if they are found to be

1 negligent or generally disruptive to the workplace  
2 involved under procedures established by the  
3 Department that provide for an opportunity for a  
4 review of such determinations;

5 (2) are, with respect to individual participants,  
6 included as part of an established bargaining unit and  
7 covered by any applicable collective bargaining agreement  
8 in effect if similarly situated employees are part of such  
9 unit and represented by an exclusive bargaining  
10 representative;

11 (3) are available for the duration of the program;

12 (4) provide a wage of not less than the greater of:

13 (A) the hourly wage provided for under the Minimum  
14 Wage Law;

15 (B) the prevailing wage in the area involved for a  
16 similar job as required by the Prevailing Wage Act; or

17 (C) the applicable wage under an applicable  
18 collective bargaining agreement;

19 (5) provide for coverage of the worker under a health  
20 insurance program that is comparable to that offered to  
21 Federal employees under the Federal Employee Health  
22 Benefits Program; and

23 (6) provide at a minimum:

24 (A) paid family leave consistent with the  
25 provisions of the federal Healthy Families Act and  
26 applicable State law; and

1 (B) paid sick leave consistent with the provision  
2 of the Employee Sick Leave Act.

3 Section 20. Use of funds. Funds available under this Act  
4 may be used to provide workers in a job guarantee program with:

5 (1) supportive services, which can include  
6 transportation, child care, dependent care, housing, and  
7 needs-related payments, that are necessary to enable an  
8 individual to participate in activities authorized under  
9 this Act;

10 (2) access to a workplace learning advisor to support  
11 the education, skill development, job training, career  
12 panning, and credentials required to progress toward  
13 career goals of such employees in order to meet employer  
14 requirements related to job openings and career  
15 advancements that support economic self-sufficiency;

16 (3) adult education and literacy activities, including  
17 those provided by public libraries;

18 (4) activities that assist justice involved  
19 individuals, formerly incarcerated individuals, and  
20 individuals with criminal records in reentering the  
21 workforce; and

22 (5) financial literacy activities including those  
23 described in the federal Workforce Innovation and  
24 Opportunity Act.

1           Section 25. Application. An eligible entity seeking a  
2 grant under this Act shall submit an application to the  
3 Department at such time, in such manner, and containing such  
4 information as the Department may require. The application  
5 shall include:

6           (1) a description of the geographic area and  
7 population that the entity intends to serve under the job  
8 guarantee program established under the grant, including  
9 the area unemployment rate, underemployment rate,  
10 unemployment rate for individuals with disabilities,  
11 poverty rate, housing vacancy rate, crime rate, household  
12 income, home-ownership rate, labor force participation  
13 rate, and educational attainment;

14           (2) to extent practicable, a description of the jobs  
15 that will be offered under the job guarantee program,  
16 including:

17           (A) a description of supports provided to  
18 individuals with disabilities and accommodations  
19 required under the Americans with Disabilities Act of  
20 1990; and

21           (B) a description of supports and procedures to  
22 ensure job access and opportunities for individuals  
23 with criminal records, including information on  
24 physical and programmatic accessibility, in accordance  
25 with Section 188 of the federal Workforce Innovation  
26 and Opportunity Act, if applicable, and the Americans

1 with Disabilities Act of 1990, for individuals with  
2 disabilities;

3 (3) the need in the area for jobs to be performed,  
4 including for jobs designated as a high-skill, high-wage,  
5 or in-demand industry sector or occupation by the  
6 Department;

7 (4) a description of local or philanthropic funding,  
8 including through coordination and in-kind or  
9 non-financial support, if any, that will be provided to  
10 assist in carrying out the job guarantee program;

11 (5) an assurance that the eligible entity will  
12 establish:

13 (A) a public Internet website, in conjunction with  
14 the Department, to post all available jobs under the  
15 job guarantee program; and

16 (B) a process for individuals to apply for such  
17 jobs;

18 (6) a comprehensive plan to describe how the funding  
19 under the program will leverage existing or anticipated  
20 local and federal funding;

21 (7) an assurance that necessary administrative data  
22 systems and information technology infrastructure are  
23 available, or will be available, to provide for full  
24 participation in the evaluation under Section 55;

25 (8) a description of how the eligible entity will  
26 comply with the family leave and sick leave requirements

1 described in Section 15;

2 (9) an assurance that the entity will enter into an  
3 allocation agreement with the Department under Section 55;  
4 and

5 (10) an assurance that energy and infrastructure jobs  
6 provided under the program will not exacerbate the impacts  
7 of climate change.

8 Section 30. Award of grants. The Department, after  
9 reviewing applications from eligible entities, shall award  
10 grants under this Act to not more than 15 such eligible  
11 entities. In awarding such grants, the Department shall  
12 consider diversity in geographic location and urban-rural  
13 composition of the applicant.

14 Section 35. Amount of grant.

15 (a) There is created in the State treasury a special fund  
16 to be known as the Job Guarantee Program Fund consisting of  
17 amounts deposited into the fund pursuant to appropriation and  
18 any interest earned on investment of amounts in the fund.

19 (b) The Department shall use amounts in the fund to make  
20 payments to grantees under grants under this Act. The  
21 Department shall determine the annual amount of a grant under  
22 this Act based on a formula to be developed by the Department.

23 (c) The Department shall make payments to grantees under  
24 this Act in a manner determined appropriate by the Department.



1 The Department shall not make subsequent payments to a grantee  
2 after the initial payment until the grantee certifies to the  
3 Department that the grantee has expended, transferred, or  
4 obligated not less than 80% of the most recent payment made  
5 under this Act.

6 Section 40. Limitations. An eligible entity may not use  
7 amounts received under a grant under this Act to:

8 (1) employ individuals who will replace or lead to the  
9 displacement of existing employees, positions, or  
10 individuals who would otherwise perform similar  
11 employment, or disrupt existing contracts and collective  
12 bargaining agreements;

13 (2) perform functions otherwise prohibited by federal,  
14 State, or local laws; and

15 (3) carry out other prohibited activities, as  
16 determined by the Department.

17 Section 45. Provision of State jobs in jurisdiction of  
18 eligible entity.

19 (a) Not later than 30 days after the date on which the  
20 Department awards the first grant under this Act, the  
21 Department shall:

22 (1) provide guidance to the heads of appropriate State  
23 agencies to notify such agencies of job guarantee programs  
24 established under the grants; and

1           (2) request that the agencies notify the Department,  
2           within 30 days of the date on which the guidance is  
3           received under paragraph (1), of the number and types of  
4           jobs that the agency would make available through each of  
5           the programs.

6           (b) The requirements of Section 15 relating to wages and  
7           benefits provided to participants in jobs provided under job  
8           guarantee programs and the limitations in Section 40 shall  
9           apply to State agencies and jobs provided under this Act,  
10          except that a State agency shall employ each individual under  
11          this Act for up to 3 years.

12          (c) The Department shall establish procedures to ensure  
13          that jobs identified under paragraph (2) of subsection (a) are  
14          listed on the appropriate public Internet website as provided  
15          for under Section 25.

16          (d) At the end of each fiscal year, the Department shall  
17          transfer from the fund to each State agency that employs  
18          individuals under a job guarantee program under this Act, an  
19          amount necessary to reimburse the agency for the full cost of  
20          employing each such individual during +the fiscal year.

21          Section 50. Training.

22          (a) The Department shall develop procedures to support up  
23          to 8 weeks of paid training (through privately or publicly  
24          funded training programs, such as those provided by the public  
25          workforce system) to participants in order to perform duties

1 required by job guarantee programs under this Act, including a  
2 new period of training, not to exceed 8 weeks, prior to  
3 commencing any new job under the program.

4 (b) With respect to certain populations with barriers to  
5 employment, as defined in the federal Workforce Innovation and  
6 Opportunity Act, the 8-week training period may include  
7 specific job-related training and counseling and other general  
8 skills training to prepare such individuals to reenter the  
9 workforce.

10 Section 55. Priorities and audits.

11 (a) Before awarding the initial grants under this Act, the  
12 Department shall issue a list of State job priorities relating  
13 to jobs that may be carried out under job guarantee programs  
14 that shall include child care, care for seniors and  
15 individuals with disabilities, clean energy jobs, and  
16 sustainable infrastructure activities. The Department shall  
17 take suggestions into consideration when issuing such list.

18 (b) The Department in cooperation with the Auditor General  
19 shall carry out annual audits of the use of grant funds  
20 provided to eligible entities under this Act.

21 (c) An eligible entity shall enter into an allocation  
22 agreement with the Department that shall provide that the  
23 Department shall recoup any amounts paid to the entity under a  
24 grant under this Act if the results of an audit include a  
25 finding that there was an intentional or reckless misuse of

1 such funds by such entity.

2 (d) An eligible entity that is determined to have  
3 falsified or otherwise misstated data in any report submitted  
4 to the Department with the intent to deceive or mislead the  
5 Department shall be ineligible to receive additional funds  
6 under this Act.

7 Section 60. Reports. Not later than 90 days after the end  
8 of each calendar year for which an eligible entity obligates  
9 or expends any amounts made available under a grant under this  
10 Act, the eligible entity shall submit to the Department a  
11 report that:

12 (1) specifies the amount of grant funds obligated or  
13 expended for the preceding fiscal year;

14 (2) specifies any purposes for which the funds were  
15 obligated or expended; and

16 (3) includes any other information that the Department  
17 may require to more effectively administer the grant  
18 program under this Act.

19 Section 65. Evaluation. The Department shall provide for  
20 the conduct of an evaluation of the program, using a rigorous  
21 design and evaluation methods to assess the implementation of  
22 the programs and their impact on:

23 (1) overall employment, public-sector employment, and  
24 private-sector employment;

- 1 (2) private sector employment, wages, and benefits;
- 2 (3) poverty rate;
- 3 (4) public assistance spending and other State
- 4 spending in the area served by the program;
- 5 (5) child health and educational outcomes;
- 6 (6) health and well-being of those with mental,
- 7 emotional, and behavioral health needs;
- 8 (7) incarceration rates;
- 9 (8) the environment, including air quality and water
- 10 quality; and
- 11 (9) other economic development and individual outcome
- 12 indicators, as determined by the Department.

13 Section 95. The State Finance Act is amended by adding  
14 Section 5.935 as follows:

15 (30 ILCS 105/5.935 new)

16 Sec. 5.935. The Job Guarantee Program Fund.