

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 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.

17 (d) "Director" means the Director of Commerce and Economic  
18 Opportunity.

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

20 (f) ~~(c)~~ "Eligible employer" means an eligible nonprofit  
21 agency, or an eligible business.

22 (g) ~~(d)~~ "Eligible job applicant" means a person who (1) has  
23 been a resident of this State for at least one year; and (2) is

1 unemployed; and (3) is not receiving and is not qualified to  
2 receive unemployment compensation or workers' compensation;  
3 and (4) is determined by the employment administrator to be  
4 likely to be available for employment by an eligible employer  
5 for the duration of the job. †

6 ~~A. (1) has been a resident of this State for at least~~  
7 ~~one year; and (2) is unemployed; and (3) is not receiving~~  
8 ~~and is not qualified to receive unemployment compensation~~  
9 ~~or workers' compensation; and (4) is determined by the~~  
10 ~~employment administrator to be likely to be available for~~  
11 ~~employment by an eligible employer for the duration of the~~  
12 ~~job; or~~

13 ~~B. is otherwise eligible for services under the Job~~  
14 ~~Training Partnership Act (29 USCA 1501 et seq.).~~

15 ~~In addition, a farmer who resides in a county qualified~~  
16 ~~under Federal Disaster Relief and who can demonstrate severe~~  
17 ~~financial need may be considered unemployed under this~~  
18 ~~subsection.~~

19 (h) (e) "Eligible nonprofit agency" means an organization  
20 exempt from taxation under the Internal Revenue Code of 1954,  
21 Section 501(c)(3).

22 (i) (f) "Employment administrator" means the  
23 administrative entity designated by the Coordinator, and  
24 approved by the Advisory Committee, to administer the  
25 provisions of this Act in each service delivery area. With  
26 approval of the Advisory Committee, the Coordinator may

1 designate an administrative entity authorized under the  
2 Workforce Investment Act or private, public, or non-profit  
3 entities that have proven effectiveness in providing training,  
4 workforce development, and job placement services to  
5 low-income individuals ~~Manager of the Department of Commerce~~  
6 ~~and Economic Opportunity Job Training Programs Division or his~~  
7 ~~or her designee.~~

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

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

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

19 ~~(j) "Excess unemployed" means the number of unemployed in~~  
20 ~~excess of 6.5% of the service delivery area population.~~

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

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

26 (m) "Workforce Investment Act" means the federal Workforce

1 Investment Act of 1998, any amendments to that Act, and any  
2 other applicable federal statutes.

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

4 (20 ILCS 630/3) (from Ch. 48, par. 2403)

5 Sec. 3. Illinois Emergency Employment Development  
6 Coordinator.

7 (a) The governor shall ~~may~~ appoint an Illinois Emergency  
8 Employment Development Coordinator to administer the  
9 provisions of this Act. The coordinator shall be within the  
10 Department of Commerce and Economic Opportunity, but shall be  
11 responsible directly to the governor. The coordinator shall  
12 have the powers necessary to carry out the purpose of the  
13 program.

14 (b) The coordinator shall:

15 (1) recommend one or more Employment Administrators  
16 for each service delivery area for approval by the Advisory  
17 Committee, with recommendations based on the demonstrated  
18 ability of the Employment Administrator to identify and  
19 address local needs ~~Coordinate the Program with other State~~  
20 ~~agencies;~~

21 (2) enter into a contract with one or more Employment  
22 Administrators in each service delivery area ~~Coordinate~~  
23 ~~administration of the program with the general assistance~~  
24 ~~program;~~

25 (3) assist the Employment Administrator in developing

1 a satisfactory plan if an Employment Administrator submits  
2 one that does not conform to program requirements ~~Set~~  
3 ~~policy regarding disbursement of program funds; and~~

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

6 (5) coordinate the program with other State agencies  
7 and services including public benefits and workforce  
8 programs for unemployed individuals; and ~~Perform general~~  
9 ~~program marketing and monitoring functions.~~

10 (6) perform general program marketing and monitoring  
11 functions.

12 (c) The coordinator shall administer the program within the  
13 Department of Commerce and Economic Opportunity. The Director  
14 of Commerce and Economic Opportunity shall provide  
15 administrative support services to the coordinator for the  
16 purposes of the program.

17 (d) The coordinator shall report to the Governor, the  
18 Advisory Committee, ~~Illinois Job Training Coordinating Council~~  
19 and the General Assembly on a quarterly basis concerning (1)  
20 the number of persons employed under the program; (2) the  
21 number and type of employers under the program; (3) the amount  
22 of money spent in each service delivery area for wages for each  
23 type of employment and each type of other expenses; (4) the  
24 number of persons who have completed participation in the  
25 program and their current employment, educational or training  
26 status; ~~and~~ (5) any information requested by the General

1 Assembly, the Advisory Committee, or governor or deemed  
2 pertinent by the coordinator; and (6) any identified violations  
3 of this Act and actions taken. Each report shall include  
4 cumulative information, as well as information for each  
5 quarter.

6 (e) Rules. The Director of Commerce and Economic  
7 Opportunity, with the advice of the coordinator and the  
8 Advisory Committee, shall adopt rules for the administration  
9 and enforcement of this Act.

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

11 (20 ILCS 630/6) (from Ch. 48, par. 2406)

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

15 Funds appropriated for the purposes of the program may be  
16 used as follows:

17 (a) To provide a State contribution for wages and fringe  
18 benefits for eligible job applicants for a maximum of 1,040  
19 hours over a maximum period of 52 ~~26~~ weeks per job applicant.  
20 ~~For eligible job applicants participating in a job training~~  
21 ~~program, the State contribution for wages may be used for a~~  
22 ~~maximum period of 52 weeks per job applicant.~~ The minimum  
23 allowable hourly wage for job applicants employed in this  
24 program shall not be below 120% of the current State minimum  
25 wage rate. At least 75% of the funds appropriated for the

1 program must be used to pay wages and fringe benefits for  
2 eligible job applicants. State contribution amounts are as  
3 follows:

4 (1) For for-profit business employers, the ~~The~~ State  
5 contribution for wages shall be 50% of the minimum  
6 allowable hourly wage ~~wages up to a maximum of \$4 per hour~~  
7 for each eligible job applicant employed. The State  
8 contribution for fringe benefits may be up to 25% of the  
9 State wage contribution ~~\$1~~ per hour for each eligible job  
10 applicant employed. The employer must match wages in an  
11 amount equal to or greater than the State contribution for  
12 this program. Employers are responsible for the remaining  
13 costs of any benefits provided and other employment related  
14 costs. The ~~However, the~~ employer may use funds from other  
15 sources to provide increased wages and benefits to the  
16 applicants it employs. ~~During the first fiscal year in~~  
17 ~~which the program is in effect, at least 75% of the funds~~  
18 ~~appropriated for the program must be used to pay wages for~~  
19 ~~eligible job applicants. During each subsequent fiscal~~  
20 ~~year in which the program is in effect, at least 85% of the~~  
21 ~~funds appropriated for the program must be used to pay~~  
22 ~~wages for eligible job applicants;~~

23 (2) For non-profit employers participating in this  
24 program, the State contribution for wages shall be 75% of  
25 the minimum allowable hourly wage for each eligible job  
26 applicant employed. The State contribution for fringe

1 benefits may be up to 25% of the state wage contribution  
2 per hour for each eligible job applicant employed. The  
3 employer must match wages in an amount equal to or greater  
4 than the State contribution for this program. The State  
5 contribution may be used to provide workers' compensation  
6 coverage to applicants employed by government or  
7 non-profit agencies under this Act. Employers are  
8 responsible for the remaining costs of any benefits. The  
9 employer may use funds from other sources to provide  
10 increased wages and benefits to the applicants it employs.

11 (b) To provide child care services or subsidies or other  
12 supportive services necessary to maintain employment to  
13 applicants employed under the program;

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

16 (d) To provide job search assistance, labor market  
17 orientation, job seeking and work readiness skills, and  
18 referral for other services;

19 (e) To purchase supplies and materials for projects  
20 creating permanent improvements to public property in an amount  
21 not to exceed one percent of the funds appropriated; and -

22 (f) To reimburse the Department in an amount not to exceed  
23 1% of the funds appropriated for the actual cost of  
24 administering this Act, and to reimburse the Employment  
25 Administrators in an amount not to exceed 4.5% of the funds  
26 allocated to them for their actual cost of administering this



1 Act. The Director and the Employment Administrators shall  
2 leverage funds from other sources to cover the administrative  
3 costs of this program whenever possible.

4 The Employment Administrator of each service delivery area  
5 shall submit to the Coordinator a spending plan establishing  
6 that funds allocated to the service delivery area will be used  
7 within one year after the effective date, in the manner  
8 required by this Act. Any funds allocated to a service delivery  
9 area for which there is no spending plan approved by the  
10 Coordinator shall be returned to the Department and may be  
11 reallocated by the Coordinator to other Employment  
12 Administrators.

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

14 (20 ILCS 630/7) (from Ch. 48, par. 2407)

15 Sec. 7. Duties of State agencies.

16 (a) The Department of Employment Security ~~Commerce and~~  
17 ~~Economic Opportunity~~ shall post information publicizing  
18 ~~publicize~~ the program and shall provide staff assistance as  
19 requested by employment administrators in ~~the screening of~~  
20 ~~businesses and~~ the collection of data about participants in the  
21 program.

22 (b) The Director of Children and Family Services shall make  
23 available ~~provide~~ to each employment administrator lists of  
24 currently licensed local day care facilities, ~~updated~~  
25 ~~quarterly, to be~~ available to ~~all~~ persons employed under the

1 program.

2 (c) The Secretary of Human Services shall post information  
3 publicizing the program to applicants and recipients of ~~take~~  
4 ~~all steps necessary to inform each applicant for public aid of~~  
5 ~~the availability of the program.~~

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

7 (20 ILCS 630/9) (from Ch. 48, par. 2409)

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

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

14 (2) the business has submitted a plan to the employment  
15 administrator (1) describing the duties and proposed  
16 compensation of each employee proposed to be hired under the  
17 program; and (2) demonstrating that with the funds provided  
18 under the program the business is likely to succeed and  
19 continue to employ persons hired under the program;

20 (3) the business will use funds exclusively for  
21 compensation and fringe benefits of eligible job applicants and  
22 will provide employees hired with these funds with fringe  
23 benefits and other terms and conditions of employment  
24 comparable to those provided to other employees of the business  
25 who do comparable work;

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

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

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

9 (b) In allocating funds among eligible businesses, the  
10 employment administrator shall give priority to businesses  
11 which best satisfy the following criteria:

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

14 (2) are labor intensive;

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

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

17 (4-5) meet the definition of a small business as defined in  
18 Section 5 of the Small Business Advisory Act;

19 (4-10) produce energy conserving materials or services or  
20 are involved in development of renewable sources of energy;

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

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

24 (c) (Blank). ~~If the eligible employee remains employed for~~  
25 ~~6 months of unsubsidized employment, his employer may apply for~~  
26 ~~a bonus equal to 1/6 of the subsidy provided to the employer~~

1 ~~for that employee under this Act.~~

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

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

14 (20 ILCS 630/11 new)

15 Sec. 11. Illinois 21st Century Workforce Development Fund  
16 Advisory Committee.

17 (a) The 21st Century Workforce Development Fund Advisory  
18 Committee, established under the 21st Century Workforce  
19 Development Fund Act, shall provide oversight to the Illinois  
20 Emergency Employment Development program.

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

23 (1) establish guidelines for the selection of  
24 Employment Administrators;

25 (2) review recommendations of the Coordinator and

1 approve final selection of Employment Administrators;

2 (3) develop guidelines for the emergency employment  
3 development plans to be created by each Employment  
4 Administrator;

5 (4) review the emergency employment development plan  
6 submitted by the Employment Administrator of each service  
7 delivery area and approve satisfactory plans;

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

10 (6) set policy regarding disbursement of program  
11 funds; and

12 (7) review program quarterly reports and make  
13 recommendations for program improvements as needed.

14 (20 ILCS 630/12 new)

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

16 (a) 90% of the funds available for allocation to Employment  
17 Administrators for the program must be allocated among service  
18 delivery areas as follows: each service delivery area shall be  
19 eligible to receive that proportion of the funds available  
20 which equals the number of unemployed persons in the service  
21 delivery area divided by the total number of unemployed persons  
22 in the State for the 12-month period ending on the most recent  
23 March 31.

24 (b) 10% of the funds available for allocation to employment  
25 administrators under the program must be allocated at the

1 discretion of the Advisory Committee to Employment  
2 Administrators:

3 (1) who will maximize the use of the funds through  
4 coordination with other programs and State, local, and  
5 federal agencies, through the use of matching funds, or  
6 through the involvement of low-income constituent groups;

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

9 (3) who have demonstrated outstanding performance in  
10 job creation.

11 (20 ILCS 630/13 new)

12 Sec. 13. Allocation within service delivery areas;  
13 priorities. Allocation of funds within a service delivery area  
14 shall be determined by the Employment Administrator in each  
15 service delivery area. The Employment Administrator shall give  
16 priority to job applicants who: (i) live in households with no  
17 other earned income source; (ii) have been unemployed for 6  
18 months or more; or (iii) who would otherwise be eligible to  
19 receive Temporary Aid to Needy Families under Article IV of the  
20 Public Aid Code, Supplemental Nutrition Assistance Program, or  
21 general assistance under Article VI of the Illinois Public Aid  
22 Code.

23 (20 ILCS 630/14 new)

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

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

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

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

19       (d) Each Employment Administrator shall enter into  
20 contracts with eligible employers setting forth the terms of  
21 their participation in the program as required by this Act.

22       (e) Each Employment Administrator shall screen job  
23 applicants and employers to achieve the best possible placement  
24 of eligible job applicants with eligible employers.

25       (f) Each Employment Administrator shall maintain a list of  
26 eligible job applicants unable to secure employment under the

1 program at the time of application. The list shall prioritize  
2 eligible job applicants and shall be used to fill jobs with  
3 eligible employers as they become available. Each Employment  
4 Administrator shall receive and coordinate referrals from  
5 other local organizations.

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

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

15 (20 ILCS 630/17 new)

16 Sec. 17. Work incentive demonstration project.

17 (a) In order to maximize the opportunity for recipients of  
18 Temporary Assistance to Needy Families, Earnfare, Supplemental  
19 Nutrition Assistance Program, or other related public  
20 assistance to take full advantage of the jobs created by this  
21 Act, the Secretary of Human Services shall inform each  
22 applicant or recipient of benefits of the availability of this  
23 program.

24 (b) The Coordinator and members of the Advisory Committee  
25 shall explore available resources to leverage in combination



1 with the wage subsidies in this Act to develop a Transitional  
2 Jobs program. This Transitional Jobs program would prioritize  
3 services for individuals with limited experience in the labor  
4 market and barriers to employment, including but not limited  
5 to, recipients of Temporary Assistance to Needy Families,  
6 Supplemental Nutrition Assistance Program, or other related  
7 public assistance, and people with criminal records.

8 (20 ILCS 630/18 new)

9 Sec. 18. Worker displacement.

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

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

16 (c) In order to qualify as an eligible employer, a  
17 government or non-profit agency or business must certify to the  
18 Employment Administrator that each job created and funded under  
19 this Act:

20 (1) will result in an increase in employment  
21 opportunity over the level that would otherwise be  
22 available;

23 (2) will not result in the displacement of currently  
24 employed workers, including partial displacement such as  
25 reduction in hours of non-overtime work, wages, or

1       employment benefits; and

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

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

7               (20 ILCS 715/5)

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

9       "Base years" means the first 2 complete calendar years  
10       following the effective date of a recipient receiving  
11       development assistance.

12       "Date of assistance" means the commencement date of the  
13       assistance agreement, which date triggers the period during  
14       which the recipient is obligated to create or retain jobs and  
15       continue operations at the specific project site.

16       "Default" means that a recipient has not achieved its job  
17       creation, job retention, or wage or benefit goals, as  
18       applicable, during the prescribed period therefor.

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

21       "Development assistance" means (1) tax credits and tax  
22       exemptions (other than given under tax increment financing)  
23       given as an incentive to a recipient business organization  
24       pursuant to an initial certification or an initial designation

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

23 "Development assistance agreement" means any agreement  
24 executed by the State granting body and the recipient setting  
25 forth the terms and conditions of development assistance to be  
26 provided to the recipient consistent with the final application

1 for development assistance, including but not limited to the  
2 date of assistance, submitted to and approved by the State  
3 granting body.

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

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

1 authorizing a program that constitutes economic development  
2 assistance under this Act nor in any administrative rule  
3 implementing such legislation that was in place prior to the  
4 effective date of this Act, then "new employee" means a  
5 full-time, permanent employee who represents a net increase in  
6 the number of the recipient's employees statewide. "New  
7 employee" includes an employee who previously filled a new  
8 employee position with the recipient who was rehired or called  
9 back from a layoff that occurs during or following the base  
10 years.

11 The term "New Employee" does not include any of the  
12 following:

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

17 (2) A child, grandchild, parent, or spouse, other than  
18 a spouse who is legally separated from the individual, of  
19 any individual who has a direct or indirect ownership  
20 interest of at least 5% in the profits, capital, or value  
21 of any member of the recipient.

22 "Part-time job" means either: (1) the definition therefor  
23 in the legislation authorizing the programs described in the  
24 definition of development assistance in the Act or (2) if there  
25 is no such definition, then as defined in administrative rules  
26 implementing such legislation, provided the administrative

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

10 "Recipient" means any business that receives economic  
11 development assistance. A business is any corporation, limited  
12 liability company, partnership, joint venture, association,  
13 sole proprietorship, or other legally recognized entity.

14 "Retained employee" means either: (1) the definition  
15 therefor in the legislation authorizing the programs described  
16 in the definition of development assistance in the Act or (2)  
17 if there is no such definition, then as defined in  
18 administrative rules implementing such legislation, provided  
19 the administrative rules were in place prior to the effective  
20 date of this Act. On and after the effective date of this Act,  
21 if there is no definition of "retained employee" in either the  
22 legislation authorizing a program that constitutes economic  
23 development assistance under this Act or in any administrative  
24 rule implementing such legislation that was in place prior to  
25 the effective date of this Act, then "retained employee" means  
26 any employee defined as having a full-time or full-time

1 equivalent job preserved at a specific facility or site, the  
2 continuance of which is threatened by a specific and  
3 demonstrable threat, which shall be specified in the  
4 application for development assistance.

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

7 "State granting body" means the Department, any State  
8 department or State agency that provides development  
9 assistance that has reporting requirements under this Act, and  
10 any successor agencies to any of the preceding.

11 "Temporary job" means either: (1) the definition therefor  
12 in the legislation authorizing the programs described in the  
13 definition of development assistance in the Act or (2) if there  
14 is no such definition, then as defined in administrative rules  
15 implementing such legislation, provided the administrative  
16 rules were in place prior to the effective date of this Act. On  
17 and after the effective date of this Act, if there is no  
18 definition of "temporary job" in either the legislation  
19 authorizing a program that constitutes economic development  
20 assistance under this Act or in any administrative rule  
21 implementing such legislation that was in place prior to the  
22 effective date of this Act, then "temporary job" means a job in  
23 which the new employee is hired for a specific duration of time  
24 or season.

25 "Value of assistance" means the face value of any form of  
26 development assistance.

1 (Source: P.A. 93-552, eff. 8-20-03; 94-793, eff. 5-19-06;  
2 94-1021, eff. 7-12-06.)

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

5 (30 ILCS 787/15)

6 Sec. 15. Use of Fund.

7 (a) Role of Fund. Subject to appropriation, resources  
8 ~~Resources~~ from the Fund are intended to be used flexibly to  
9 support innovative and locally-driven strategies, to leverage  
10 other funding sources, and to fill gaps in existing workforce  
11 development resources in Illinois. They are not intended to  
12 supplant existing workforce development resources.

13 (b) Distribution of funds. Funds shall be distributed  
14 through competitive grantmaking processes administered by the  
15 Department and overseen by the Advisory Committee. No more than  
16 6% of funds used for grants may be retained by the Department  
17 for administrative costs or for program evaluation or technical  
18 assistance activities.

19 (c) Grantmaking. The Department must administer funds  
20 through competitive grantmaking in accordance with the  
21 priorities described in this Act. Grantmaking must be used to  
22 support workforce development strategies consistent with the  
23 priorities outlined in this Act. Strategies may include, but  
24 are not limited to the following:



1           (i) Expanded grantmaking for existing State workforce  
2           development strategies, including the Job Training and  
3           Economic Development Program and programs designed to  
4           increase the number of persons traditionally  
5           underrepresented in the building trades, specifically  
6           minorities and women.

7           (ii) Workforce development initiatives that help the  
8           least skilled adults access employment and education  
9           opportunities, including transitional jobs programs and  
10          educational bridge programming that integrate basic  
11          education and occupational skills training.

12          (iii) Sectoral strategies that develop  
13          industry-specific workforce education and training  
14          services that lead to existing or expected jobs with  
15          identified employers and that include services to ensure  
16          that low-income, low-skilled adults can be served.

17          (iv) Support for the development and implementation of  
18          workforce education and training programs in the energy  
19          efficiency, renewable energy, and pollution control  
20          cleanup and prevention industries.

21          (v) Support for planning activities that: ensure that  
22          workforce development and education needs of low-skilled  
23          adults are integrated into industry-specific career  
24          pathways; analyze labor market data to track workforce  
25          trends in the State's energy-related initiatives; or  
26          increase the capacity of communities to provide workforce

1 services to low-income, low-skilled adults.

2 (d) Allowable expenditures. Grant funds are limited to  
3 expenditures for the following:

4 (i) Basic skills training, adult education,  
5 occupational training, job readiness training, and  
6 soft-skills training for which financial aid is otherwise  
7 not available.

8 (ii) Workforce development-related services including  
9 mentoring, job development, support services,  
10 transportation assistance, and wage subsidies, that are  
11 tied to participation in training and employment.

12 (iii) Capacity building, program development, and  
13 technical assistance activities necessary for the  
14 development and implementation of new workforce education  
15 and training strategies.

16 No more than 5% of any grant may be used for administrative  
17 costs.

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

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

23 (ii) Educational institutions.

24 (iii) Labor and business associations.

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

26 Section 99. Effective date. This Act takes effect July 1,

1 2011.