

File No. 220879

Committee Item No. 4

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date Sept. 12, 2022

Board of Supervisors Meeting

Date _____

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OTHER (Use back side if additional space is needed)

- Charter Amendment _____
- _____
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Completed by: Victor Young

Date Sept 8, 2022

Completed by: _____

Date _____

1 [Administrative Code - Workforce Development - Re-Establishing the Committee on City
2 Workforce Alignment]

3 **Ordinance amending the Administrative Code to re-establish the Committee on City**
4 **Workforce Alignment; to give the Committee responsibility for planning and**
5 **coordinating the City’s Workforce Development programs; and to make other changes**
6 **to the procedures governing the planning and implementation of Workforce**
7 **Development programs.**

8 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
9 **Additions to Codes** are in *single-underline italics Times New Roman font*.
10 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
11 **Board amendment additions** are in double-underlined Arial font.
12 **Board amendment deletions** are in ~~strikethrough Arial font~~.
13 **Asterisks (* * * *)** indicate the omission of unchanged Code
14 subsections or parts of tables.

15 Be it ordained by the People of the City and County of San Francisco:

16 Section 1. Chapter 30, Article I, of the Administrative Code is hereby amended by
17 revising Sections 30.1-30.4, adding new Sections 30.5 and 30.6, and re-designating former
18 Section 30.5 as Section 30.7, to read as follows:

19 **SEC. 30.1. FINDINGS.**

20 The Board of Supervisors finds and declares the following:

- 21 (a) In order to create jobs in the City, assist employers to find and keep skilled
22 workers, and assist the unemployed and underemployed to become economically self-
23 sufficient, the City provides workforce development programs that are administered by many
24 City departments.

25

1 (b) Local, state, ~~and~~ federal, and private funds support the City's workforce development
2 programs. In order to obtain federal funds, state governors must create local areas and the
3 chief elected official of the local area must form a local workforce investment board.
4 (Workforce ~~Investment~~ Innovation and Opportunity Act of ~~1998~~ 2014, 29 U.S.C. sections ~~2801~~ 3101
5 *et seq.*) The California Legislature has adopted a statute implementing the federal workforce
6 development program. (California Unemployment Insurance Code sections ~~14299~~ 14000 *et*
7 *seq.*) The local workforce investment board must develop and submit to the governor a
8 four~~five~~-year plan to administer WIOA funds for local workforce investment programs (the "Local
9 Plan"). The local workforce investment board in San Francisco is Workforce Investment San
10 Francisco, commonly referred to as WISF.

11 (c) In November 2004, the voters adopted Proposition ~~I~~ which created an Office of
12 Economic Analysis under the Controller to report on pending City legislation that may impact
13 the City economically. Proposition I also requires the ~~Department~~ Office of Economic and
14 Workforce Development to prepare for the Board of Supervisors' approval the Strategic Plan
15 for Economic Development, a three-year plan, with periodic updates, that reports on
16 workforce development opportunities in the City.

17 (d) The Human Rights Commission and the Office of Racial Equity, created by Ordinance No
18 188-19, developed a Citywide Racial Equity Framework, which identified workforce development
19 priorities, including collection of race, ethnicity, and other demographic data from participants in City-
20 funded programs in order to develop, implement, and evaluate strategies to advance the City's racial
21 equity objectives.

22 (e) The San Francisco Economic Recovery Task Force developed 41 policy recommendations
23 through extensive stakeholder engagement during the COVID-19 pandemic response, including
24 recommendations to centralize the City's workforce development programs, establish program-level
25

1 monitoring, and coordinate service to the City's most economically vulnerable populations, including
2 Black, Indigenous, and communities of color.

3 (f) Audits from the Budget and Legislative Analyst's Office conducted in FY 2019-20 and FY
4 2020-21 identified the need for citywide coordination of workforce development programs, improved
5 mechanisms for workforce program monitoring and reporting, and mechanisms for citywide workforce
6 planning and management.

7 ~~(d)g~~ An oversight committee comprised of City officers, ~~and employees,~~ and workforce
8 community representatives is needed to undertake long- and short-term planning for the City's
9 workforce development programs, to set goals and priorities for these programs, to coordinate
10 workforce development activities among City departments, and to monitor their effectiveness.

11 ~~(e) A committee comprised of nonprofit organizations that provide services to low-income San~~
12 ~~Francisco residents and those with barriers to employment is needed to advise the WISF and the~~
13 ~~oversight committee on client needs and workforce system priorities.~~

14
15 **SEC. 30.2. DEFINITIONS.**

16 For the purposes of this Chapter 30, the following definitions shall apply to the terms
17 used herein:

18 "Alignment Committee" shall mean the Committee on City Workforce Alignment established in
19 Section 30.5.

20 "Director of Workforce Development" shall mean the employee designated by the
21 Director of the Office of Economic and Workforce Development to assist Workforce
22 Investment San Francisco (WISF) and the Alignment Committee with planning and coordination
23 of Workforce Development Services in the City.

24 "Nonprofit Corporation" shall mean a non-profit corporation, duly organized, validly
25 existing and in good standing under the laws of the jurisdiction of its incorporation and (if a

1 foreign corporation) in good standing under the laws of the State of California, which
2 corporation has established and maintains valid nonprofit status under Section 501(c)(3) of
3 the United States Internal Revenue Code of 1986, as amended, and all rules and regulations
4 promulgated under such Section.

5 “Workforce Development Services” shall mean job readiness, preparation and other
6 ~~pre-employment~~~~employment~~ services provided to unemployed and ~~under-employed~~~~under-~~
7 ~~employed~~ individuals, as well as job training, placement, retention, and career advancement
8 services.

9 “Workforce Development Service Providers” shall mean all entities and organizations
10 that provide Workforce Development Services funded through or by the City with federal,
11 state, and/or local funds.

12 “Workforce ~~Investment~~Innovation and Opportunity Act” shall mean the federal law
13 governing federally-funded workforce development programs codified at 29 U.S.C. sections
14 ~~28013101~~ et seq., or any successor federal programs.

15 “Workforce Investment San Francisco” or “WISF” shall mean the Local Workforce
16 Investment Board required by the federal Workforce ~~Investment~~ Innovation and Opportunity Act
17 and defined at 29 U.S.C. sec. ~~28323122~~.

18
19 **SEC. 30.3. RESPONSIBILITIES OF THE OFFICE OF ECONOMIC AND**
20 **WORKFORCE DEVELOPMENT.**

21 The Office of Economic and Workforce ~~Development~~~~Devel-opment~~ shall:

22 (a) Support the work of the WISF and assist the WISF with planning and coordination
23 of all Workforce Development Services in the City. It shall perform additional duties as
24 directed by the Mayor in order to promote more effective and efficient provision of Workforce
25 Development Services; and

1 (b) Manage the First Source Hiring Program under Chapter 83 and, to the extent
2 consistent with the Charter, administer all funds ~~appropriated~~^{appropriated} by the City to fund
3 the First Source Hiring Program.
4

5 **SEC. 30.4. LOCAL WORKFORCE INVESTMENT BOARD.**

6 (a) Prior to making any appointments to the WISF, as set forth in the federal Workforce
7 ~~Investment~~Innovation and Opportunity Act, the Mayor shall submit the name of each nominee
8 to the Board of Supervisors. Unless the Board of Supervisors disapproves a nominee within
9 ~~thirty~~³⁰ days after receipt of the Notice of Appointment, the appointment shall become final.
10 The Mayor need not submit WISF nominees to the Board of Supervisors for approval, if the
11 Mayor appoints two ~~(2)~~ members of the Board of Supervisors to the WISF.

12 (b) Pursuant to the relevant provisions of the federal Workforce ~~Investment~~Innovation
13 and Opportunity Act, the Mayor may include individuals on the WISF as ~~he or she~~ the Mayor
14 determines to be appropriate. As a matter of policy, the Board of Supervisors strongly urges
15 the Mayor to appoint a member of the Board of Supervisors to the WISF.

16 (c) The Director of Workforce Development shall submit the Local Plan developed by
17 the WISF to the Board of Supervisors for review and comment not less than 30 days prior to
18 submitting it to the Governor.
19

20 **SEC. 30.5. COMMITTEE ON CITY WORKFORCE ALIGNMENT.**

21 (a) The City hereby establishes a Committee on City Workforce Alignment ("Alignment
22 Committee") comprised of City employees and community representatives as provided below. The
23 Alignment Committee shall coordinate Workforce Development Services across City departments in
24 order to increase their effectiveness through methods such as program evaluation and deduplication of
25 client data. The Alignment Committee also shall establish a definition of the term "workforce

1 development” that shall be uniformly adopted across City departments, as well as a shared approach
2 to Workforce Development Services that leads to measurable system success.

3 (b) The Alignment Committee shall be comprised of 17 members:

4 _____ (1) one member of the Board of Supervisors or a City employee designated by the
5 Board (with the department head's approval);

6 _____ (2) 10 City department representatives (either the department head or their designee),
7 from each of the following City departments: Office of Economic and Workforce Development, Human
8 Rights Commission, Human Services Agency, Department of Children, Youth and Their Families,
9 Public Utilities Commission, Department of Human Resources, Department of Public Health, Public
10 Works, Department of Homelessness and Supportive Housing, and Adult Probation;

11 _____ (3) three public representatives appointed by the Mayor to serve for a three-year term;
12 and

13 _____ (4) three public representatives appointed by the Board of Supervisors to serve for a
14 three-year term.

15 Additional requirements for the six public representatives are set forth below in subsection (c)

16 (c) The appointment of public representatives is intended to ensure adequate representation of
17 the priority sectors of the local economy as designated in the Local Plan, and of persons with expertise
18 in racial equity and in serving transitional age youth, homeless individuals, and re-entry populations.

19 At least two of the public representatives appointed by the Mayor and at least two of the public
20 representatives appointed by the Board of Supervisors shall, at the time of their appointments, be
21 employed by Nonprofit Corporations that provide Workforce Development Services to low-income San
22 Francisco residents and those with barriers to employment. Further, at least one of the public
23 representatives appointed by the Mayor and at least one of the public representatives appointed by the
24 Board of Supervisors shall be affiliated with a labor organization and shall have leadership experience

1 and demonstrated expertise in workforce development systems, policies, and programs, including
2 registered apprenticeship programs.

3 (d) The Director of Workforce Development shall convene and chair the Alignment Committee.
4 The Mayor may annually appoint one or more members of the Alignment Committee to serve as co-
5 chairs with the Director of Workforce Development. The Mayor or Director of Workforce Development
6 may invite additional City departments that administer Workforce Development programs to present to
7 the Alignment Committee as needed for short-term City strategic planning needs.

8 (e) The Alignment Committee shall establish an appropriate organizational structure and
9 resourcing mechanisms to advance its work, including staffing and funding for special projects as
10 recommended by the Economic Recovery Task Force.

11 (f) To the extent allowable by the Charter, local, state, and federal law:

12 (1) The Alignment Committee, by March 15, 2023, and every five years thereafter, shall
13 submit to the WISF for its review and comment a Citywide Workforce Development Plan, which shall
14 include an assessment of existing workforce development services, the City's anticipated workforce
15 development needs from the Office of Economic Analysis, benchmarks for system efficacy,
16 documentation of partnerships and mission alignment across the entire workforce development system,
17 and measurable progress towards identified benchmarks. The Citywide Workforce Development Plan
18 shall include goals and strategies for all Workforce Development Services in San Francisco and a
19 projection of the funding needed to achieve the goals, consistent with the Strategic Plan for Economic
20 Development approved by the Board of Supervisors, the October 2020 COVID-19 Economic Recovery
21 Task Force Report, the San Francisco Racial Equity Framework developed by the Office of Racial
22 Equity, and the current Local Plan approved by WISF.

23 (2) The Alignment Committee, by March 15, 2024, and every year thereafter, shall
24 submit to the WISF for review and comment updates to the Citywide Workforce Development Plan that
25 include (A) a summary of the City's implementation of the plan, including data detailing departmental

1 performance metrics solicited through the annual Citywide Workforce Services Inventory due in
2 December of each year, (B) a summary of changes to federal and state funding, (C) a summary of
3 current fiscal year programs and expenditures for Workforce Development Services, (D) recommended
4 funding levels for new and existing collaborative programs and initiatives in furtherance of workforce
5 system alignment for the next fiscal year, (E) a statement of priorities to guide the allocation of
6 unanticipated funding that becomes available for Citywide Workforce Development Services during the
7 annual budget process or during the fiscal year, and (F) progress towards benchmarks identified in the
8 Five-Year Plan.

9 (g) The Director of Workforce Development shall submit the five-year Citywide Workforce
10 Development Plan, and each plan update, to the Board of Supervisors.

11 (h) The Alignment Committee may provide guidance to City departments on the meaning of the
12 terms used in the definition of Workforce Development Services in this Chapter 30, either in the
13 Citywide Workforce Development Plan or through other policy guidance.

14
15 **SEC. 30.6. CITY DEPARTMENT RESPONSIBILITIES.**

16 All City departments engaged in Workforce Development Services shall provide information
17 regarding the Workforce Development Services and an accounting of all federal, state, local, and
18 private Workforce Development funds received by the departments to the Alignment Committee in the
19 format and within the timeline that the Alignment Committee requests.

20
21 **SEC. ~~30.5~~30.7. SEVERABILITY.**

22 If any section, subsection, clause, phrase, or portion of this Chapter 30 is for any
23 reason held invalid or unconstitutional by any court or Federal or State agency of competent
24 jurisdiction, such portion shall be deemed a separate, distinct and independent provision and
25 such holding shall not affect the validity of the remaining portions thereof.

LEGISLATIVE DIGEST

[Administrative Code - Workforce Development - Re-Establishing the Committee on City Workforce Alignment]

Ordinance amending the Administrative Code to re-establish the Committee on City Workforce Alignment; to give the Committee responsibility for planning and coordinating the City's Workforce Development programs; and to make other changes to the procedures governing the planning and implementation of Workforce Development programs.

Existing Law

The City develops the local workforce through various programs and services such as job readiness, pre-employment services, job training, placement, and career advancement services. The Office of Workforce and Economic Development administers these workforce development programs. The City's local workforce investment board, known as Workplace Investment San Francisco ("WISF"), sets City policy for workforce development, and submits workforce investment plans to the Governor pursuant to state law.

Amendments to Current Law

The ordinance would establish a Committee on Workforce Alignment (the "Alignment Committee"), a 17-member body comprised of one member of the Board of Supervisors, ten members from specified City departments, and six public representatives. The Alignment Committee would be responsible for coordinating workforce development services across City departments to increase their effectiveness, and for submitting to the WISF for its review and comment a Citywide workforce development plan, which would include a 5-year assessment of existing workforce development services and an assessment of anticipated needs. City departments engaged in workforce development services would periodically be required to provide information to the Alignment Committee.

Background Information

The City first established the Alignment Committee in 2014 for a three-year period that expired in 2017 (Ordinance No. 084-14). In 2019, the City re-authorized the Alignment Committee (Ordinance No. 004-19), but then dissolved it (Ordinance No. 296-19).

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BOARD of SUPERVISORS



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MEMORANDUM

TO: Kate Sofis, Director, Economic and Workforce Development

FROM: Victor Young, Assistant Clerk *Victor Young*

DATE: August 4, 2022

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee received the following proposed legislation:

File No. 220879 Administrative Code - Workforce Development - Re-Establishing the Committee on City Workforce Alignment

Ordinance amending the Administrative Code to re-establish the Committee on City Workforce Alignment; to give the Committee responsibility for planning and coordinating the City's Workforce Development programs; and to make other changes to the procedures governing the planning and implementation of Workforce Development programs.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: victor.young@sfgov.org.

cc: Monica Cruz, OEWD
Anne Taupier, OEWD
Lisa Pagan, OEWD

BOARD of SUPERVISORS




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MEMORANDUM

Date: September 1, 2022

To: The Honorable Members, Board of Supervisors

From:  Angela Calvillo, Clerk of the Board

Subject: Administrative Code - Workforce Development - Re-Establishing the Committee on City Workforce Alignment

(File No. 220879) Committee on City Workforce Alignment

Board of Supervisors Rules of Order 2.21 establishes certain criteria that must be included in legislation creating and establishing, or reauthorizing, new bodies (boards/commissions/task forces/advisory bodies) and requires the Clerk of the Board to advise the Board on certain matters. In order to fulfill these requirements, the following is provided:

File No. 220879 Ordinance amending the Administrative Code to re-establish the Committee on City Workforce Alignment; to give the Committee responsibility for planning and coordinating the City's Workforce Development programs; and to make other changes to the procedures governing the planning and implementation of Workforce Development programs.

- Does a current body address the same or similar subject matter?

No. The Ordinance re-establishes the Committee on City Workforce Alignment to give the Committee responsibility for planning and coordinating the City's Workforce Development programs.



- Language requiring the body to meet at least once every four months

No. It is suggested that the following be added to the Ordinance “the Committee shall meet at least four times each calendar year.”

- Language indicating members serve at the pleasure of the appointing authority

Yes. Section 86.3 (c) states “Members of the Committee appointed to Seat 3 and 5 through 9 shall serve at the pleasure of the Board of supervisors.”

- Language establishing attendance requirements

No. It is suggested that the following be added to the Ordinance “Any member of the Committee who fails to attend at least half of the meetings held in a calendar year shall be deemed to have resigned from the commission.”

- Number of seats and qualifications

The Committee shall be comprised of seventeen (17) members as follows:

- *One (1) member of the Board of Supervisors or a City employee designated by the Board (with the department head's approval);*
- *Ten (10) city department representatives (either the department head or their designee), from each of the following City departments: Office of Economic and Workforce Development, Human Rights Commission, Human Services Agency, Department of Children, Youth and Their Families, Public Utilities Commission, Department of Human Resources, Department of Public Health, Public Works, Department of Homelessness and Supportive Housing, and Adult Probation;*
- *Three (3) public representatives appointed by the Mayor to serve for a three-year term; and*
- *Three (3) public representatives appointed by the Board of Supervisors to serve for a three-year term.*

Additional requirements for the six public representatives:

The appointment of public representatives is intended to ensure adequate representation of the priority sectors of the local economy as designated in the Local Plan, and of persons with expertise in racial equity and in serving transitional age youth, homeless individuals, and re-entry populations.

- *At least two of the public representatives appointed by the Mayor and at least two of the public representatives appointed by the Board of Supervisors shall, at the time of their appointments, be employed by Nonprofit Corporations that provide Workforce Development Services to low-income San Francisco residents and those with barriers to employment.*



- *At least one of the public representatives appointed by the Mayor and at least one of the public representatives appointed by the Board of Supervisors shall be affiliated with a labor organization and shall have leadership experience and demonstrated expertise in workforce development systems, policies, and programs, including registered apprenticeship programs.*

- Term limits (i.e., commencement date? staggered terms?)

Appointments by the Mayor and the Board of Supervisors shall serve for a three-year term.

- Administering department

No. It is suggested that the Office of Economic and Workforce Development be listed as the administering department.

- Reporting requirements

The Committee, by March 15, 2024, and every year thereafter, shall submit to the Workforce Investment San Francisco (WISF) for review and comment updates to the Citywide Workforce Development Plan that include (A) a summary of the City's implementation of the plan, including data detailing departmental performance metrics solicited through the annual Citywide Workforce Services Inventory due in December of each year, (B) a summary of changes to federal and state funding, (C) a summary of current fiscal year programs and expenditures for Workforce Development Services, (D) recommended funding levels for new and existing collaborative programs and initiatives in furtherance of workforce system alignment for the next fiscal year, (E) a statement of priorities to guide the allocation of unanticipated funding that becomes available for Citywide Workforce Development Services during the annual budget process or during the fiscal year, and (F) progress towards benchmarks identified in the Five-Year Plan.

- Sunset date

No. It is suggested that a sunset date be added or to clarify that it is the intent to waive Rule 2.21 of the Board of Supervisors Rules of Order, which provides that advisory bodies created by the Board should sunset within three years, the Board intends the Committee to exist indefinitely unless terminated by ordinance.