

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 32.
LABOR.

CHAPTER 7B.
JOB OPPORTUNITY BANK.

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CHAPTER 7B. JOB OPPORTUNITY BANK.

§ 32-751. DEFINITIONS.

For purposes of this chapter, the term:

- (1) "Director" means the Director of the Department of Employment Services.
- (2) "Grantee" means any person or entity that receives a grant from the District to provide workforce development services.
- (3) "Job skills-deficient resident" means an individual resident of the District whose employment opportunities are restricted by deficiencies in education, work experience, work training, work skills, or the loss of certain occupations or industries from the economy of the District or the Washington Metropolitan Area and whose job skills deficiencies and residence is determined and certified by the Director.
- (4) "Low-income District resident" means an individual resident of the District whose personal or family income in the previous 6 months on an annualized basis does not exceed 200% of the lower living standard income level and whose income and residence is certified by the Director.
- (5) "Workforce Investment Council" means the body created pursuant to § 32- 1603.

(June 8, 2006, D.C. Law 16-118, § 202, 53 DCR 2602.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

Law 16-118, the "Way to Work Amendment Act of 2006", was introduced in Council and assigned Bill No. 16-286 which was referred to the Committee on Government Operations. The Bill was adopted on first and second readings on February 7, 2006, and March 7, 2006, respectively. Signed by the Mayor on March 23, 2006, it was assigned Act No. 16-335 and transmitted to both Houses of Congress for its review. D.C. Law 16-118 became effective on June 8, 2006.

§ 32-752. ESTABLISHMENT AND ADMINISTRATION OF THE JOB OPPORTUNITY BANK.

- (a) There is established a Job Opportunity Bank for the purpose of providing grants and other forms of financial assistance to increase job opportunities for low-income District residents to upgrade their job skills and provide customized skills training for new and incumbent workers employed by District employers.
- (b) The Job Opportunity Bank shall be subject to the general policy guidance and direction of the Workforce Investment Council.
- (c) The Workforce Investment Council shall serve in an advisory capacity to the Mayor and the Director in matters pertaining to the operation and administration of the Job Opportunity Bank.
- (d) The Job Opportunity Bank shall be funded by annual appropriations.
- (e) The funds shall be administered by the Deputy Mayor for Planning and Economic Development.
- (f) The Deputy Mayor for Planning and Economic Development may fund applications for grants or other assistance as may be recommended by the Director under the provisions of this chapter.

(June 8, 2006, D.C. Law 16-118, § 203, 53 DCR 2602; Mar. 2, 2007, D.C. Law 16-192, § 2192, 53 DCR 6899; Mar. 25, 2009, D.C. Law 17-353, § 318(b), 56 DCR 1117.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 16-192 rewrote subsecs. (e) and (f), which had read as follows:

"(e) The funds shall be administered by Director of the Department of Employment Services.

"(f) Subject to the availability of funds, the Director of the Department of Employment Services may fund applications for grants or other assistance."

D.C. Law 17-353, in subsec. (f), substituted "The" for "Subject to the availability of funds, the".

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 2192 of Fiscal Year 2007 Budget Support Emergency Act of 2006 (D.C. Act 16-477, August 8, 2006, 53 DCR 7068).

For temporary (90 day) amendment of section, see § 2192 of Fiscal Year 2007 Budget Support Congressional Review Emergency Act of 2006 (D.C. Act 16-499, October 23, 2006, 53 DCR 8845).

For temporary (90 day) amendment of section, see § 2192 of Fiscal Year 2007 Budget Support Congressional Review Emergency Act of 2007 (D.C. Act 17-1, January 16, 2007, 54 DCR 1165).

Legislative History of Laws

For Law 16-118, see notes following § 32-751.

Law 16-192, the "Fiscal Year Budget Support Act of 2006", was introduced in Council and assigned Bill No. 16-679, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on May 9, 2006, and June 6, 2006, respectively. Signed by the Mayor on August 8, 2006, it was assigned Act No. 16-476 and transmitted to both Houses of Congress for its review. D.C. Law 16-192 became effective on March 2, 2007.

For Law 17-353, see notes following § 32-101.

Miscellaneous Notes

Short title: Section 2191 of D.C. Law 16-192 provided that subtitle P of title II of the act may be cited as the "Job Opportunity Fund Clarification Act of 2006".

§ 32-753. ELIGIBILITY FOR GRANTS.

The following individuals and groups shall be eligible to receive grants or other assistance from the Job Opportunity Bank:

- (1) Low-income District residents;
- (2) Job skills-deficient residents;
- (3) District businesses, business coalitions, or nonprofit organizations partnered with District businesses or business coalitions seeking to hire low-income District residents or job skills-deficient residents and develop a workforce from those individuals; or
- (4) District businesses, business coalitions, or nonprofit organizations partnered with District businesses or business coalitions seeking to upgrade the skills of their current workforce, composed of at least 51% District residents, in order to maintain the employment of the current workforce.

(June 8, 2006, D.C. Law 16-118, § 204, 53 DCR 2602.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For Law 16-118, see notes following § 32-751.

§ 32-754. GRANT APPLICATIONS AND PRIORITIES.

- (a) Grant applications shall be made at the time and in the manner designated by the Director.
- (b) Grant applications shall include a detailed budget, cost benefit analysis, identifiable performance benchmarks, and a general description of the employment benefits to be derived by the recipient.
- (c) The Director shall accept simplified grant applications from District residents seeking basic employment or job training skills.
- (d) Grant applications made by District businesses, business coalitions and partnered-nonprofit organizations shall also include a proposed workforce development program model demonstrating an effective approach to increasing the employability of program participants or the retention of their current workforce and which is directly linked to existing or anticipated employment opportunities. Applications made pursuant to this subsection may be utilized to significantly enhance the skill levels and career opportunities of current employees who are residents of the District.
- (e) In evaluating grant applications for decisions as to funding, the Director shall give priority to those applications which the Director determines best serve low-income District residents or job skills-deficient

residents in the following categories:

- (1) Youths between 18 and 21 years of age;
- (2) Recipients of Temporary Assistance to Needy Families;
- (3) Dislocated workers;
- (4) Ex-offenders;
- (5) Veterans; and
- (6) District residents deficient in job skills.

(f) In determining whether to fund grant applications, the Director shall consider, in addition to the criteria set forth in subsections (d) and (e) of this section, the following:

- (1) The amount of funds available in the Job Opportunity Bank;
- (2) Available and reliable information concerning the current and future labor market;
- (3) Non-duplication of funding available through section 112 of the Workforce Investment Act of 1998, approved August 7, 1998 (112 Stat. 936; 29 U.S.C. § 2822) and other federal, state, or local job development and job training programs; and
- (4) Any prior experience of the applicant with job training or workforce development programs.

(June 8, 2006, D.C. Law 16-118, § 205, 53 DCR 2602.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For Law 16-118, see notes following § 32-751.

§ 32-755. GRANT AGREEMENTS.

Each grantee shall, as a condition for the receipt of funds from the Job Opportunity Bank, enter into a grant agreement with the Director, the form and contents of which shall be specified by the Director, which shall at least contain the following:

- (1) The name, address, and telephone number of any individual grant recipient;
- (2) The name, address, telephone number, and identity of the corporate officers, principal owners, and registered agent of any incorporated grantee; and
- (3) Acknowledgment by the recipient of the right of the Director to:
 - (A) Monitor expenditure of funds;
 - (B) Require reports from recipients regarding expenditures, progress, or performance in meeting identified benchmarks, and any other financial or operational information deemed necessary by the Director,
 - (C) Inspect the recipient's records to obtain the identified information; and
 - (D) Acknowledgment by the recipient that the Director may curtail or cancel payment of funds from the Job Opportunity Bank if the recipient does not comply with the requirements of this section.

(June 8, 2006, D.C. Law 16-118, § 206, 53 DCR 2602.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For Law 16-118, see notes following § 32-751.

§ 32-756. GRANTEE PERFORMANCE EVALUATION.

(a) The Director shall monitor and evaluate the performance of grantees. The Director may terminate or modify grant agreements if the Director determines that a grantee's performance is not in accordance with the grant. Grantees that have their grants cancelled or modified may appeal the Director's action pursuant to § 2-510.

(b) The Mayor shall issue rules to implement this chapter. The rules shall be issued within 120 days of June 8, 2006.

(June 8, 2006, D.C. Law 16-118, § 207, 53 DCR 2602.)

HISTORICAL AND STATUTORY NOTES

For Law 16-118, see notes following § 32-751.