

## **Chapter 2 Economic Service Areas**

### **Part 1 Organization**

#### **35A-2-101 Economic service areas -- Creation.**

- (1)
  - (a) The executive director shall establish economic service areas to furnish the services described in Section 35A-2-201.
  - (b) In establishing economic service areas, the executive director shall seek input from the State Workforce Development Board.
- (2) In establishing the economic service areas, the executive director may consider:
  - (a) areas comprised of multiple counties;
  - (b) the alignment of transportation and other infrastructure or services;
  - (c) the interdependence of the economy within a geographic area;
  - (d) the ability to develop regional marketing and economic development programs;
  - (e) the labor market areas;
  - (f) the population of the area, as established in the most recent estimate by the Utah Population Committee;
  - (g) the number of individuals in the previous year receiving:
    - (i) services under Chapter 3, Employment Support Act; and
    - (ii) benefits under Chapter 4, Employment Security Act; and
  - (h) other factors that relate to the management of the programs administered or that relate to the delivery of services provided under this title.

Amended by Chapter 330, 2018 General Session

#### **35A-2-102 Directors of economic service areas -- Appointment.**

- (1) The executive director shall appoint a director to oversee each economic service area.
- (2) A director appointed under this section may be removed from that position at the will of the executive director.
- (3) A director shall be experienced in administration and possess additional qualifications as determined by the executive director, and as provided by law.
- (4) The director shall report on a regular basis to the State Workforce Development Board on the delivery of services in the economic service area.

Amended by Chapter 296, 2016 General Session

### **Part 2 Service Delivery**

#### **35A-2-201 Services provided in economic service areas.**

Economic service areas shall:

- (1) through their employment centers, be the primary provider of services and support under Chapter 3, Employment Support Act; and

- (2) provide access to and assess eligibility for services or training under Chapter 5, Training and Workforce Improvement Act.

Amended by Chapter 296, 2016 General Session

**35A-2-202 Employment counselors -- Specialization -- Employment plan.**

- (1) One or more employment counselors shall be employed at each employment center of an economic service area established under Section 35A-2-101.
- (2) A client shall be assigned one employment counselor unless a client:
  - (a) needs only limited services under this title for which expedited procedures are appropriate; or
  - (b) receives diversion assistance under Section 35A-3-303.
- (3) An employment counselor shall:
  - (a) develop an employment plan jointly with the client; and
  - (b) coordinate any services provided, brokered, or contracted for by the department to that client.
- (4) The employment counselor assigned to a client may be selected because of the employment counselor's experience or knowledge in the benefits or services available under the title that best meet the specific needs of the client and the employment counselor's skills in working with groups of clients to develop plans leading to self-sufficiency.
- (5)
  - (a) An employment counselor shall be:
    - (i) trained in the requirements of and benefits or services provided through employment centers in at least one of the following:
      - (A) Chapter 3, Employment Support Act; and
      - (B) Chapter 5, Training and Workforce Improvement Act;
    - (ii) capable of:
      - (A) conducting an effective assessment;
      - (B) negotiating an employment plan; and
      - (C) providing the necessary encouragement and support to a client; and
    - (iii) knowledgeable of:
      - (A) department policies;
      - (B) relevant law;
      - (C) current labor market conditions;
      - (D) education and training programs for adults; and
      - (E) services and supports available in the community.
  - (b) At the discretion of the director of an economic service area, an employment counselor may receive special training in the requirements of or providing services under the statutes listed in Subsection (5)(a)(i).
- (6)
  - (a) A client employment plan may include:
    - (i) services and support necessary for stabilization;
    - (ii) assessment and training; and
    - (iii) placement.
  - (b) The client employment plan shall consider the job opportunities available to the client based on the job market.
  - (c) The client employment plan shall be outcome-focused.
- (7) If a client seeks cash assistance under Chapter 3, Employment Support Act, the assignment of an employment counselor and the creation and implementation of an employment plan shall be consistent with Section 35A-3-304.

Amended by Chapter 188, 2011 General Session

**35A-2-203 Employment centers.**

- (1) In each county within an economic service area, the executive director shall:
  - (a) designate the location of one or more employment centers, as defined in Section 35A-1-102, in which the services are provided by the department; or
  - (b) coordinate with the department to establish access to the services provided by the department by means other than an employment center.
- (2) An employment center shall provide a comprehensive program of employment services including job placement, job development, stabilization, assessment, and job training through its employment counselors as part of a system of unified case management.
- (3) The department may make services that are provided through employment centers under this section accessible through electronic linkage.
- (4) The department shall develop and maintain a website dedicated to providing information regarding employment opportunities available throughout the state.
- (5)
  - (a) Except when filling a job vacancy with a current employee, a government entity shall list each public job posting on the department's website.
  - (b) Information regarding job vacancies with private contractors that have contracted with an executive branch procurement unit shall be made available to the department for posting on the department's website by the department. Posted information shall include the name and contact information for job inquiries. This information shall be available for the duration of the contract.
  - (c) Faculty related job vacancies and job vacancies for part-time wage related jobs typically filled by students at state institutions of higher education are exempt from the requirements of Subsection (5)(a).
  - (d) Subsection (5)(a) does not apply to school districts.

Amended by Chapter 179, 2014 General Session

**35A-2-204 Job opportunity portal for individuals with criminal histories.**

- (1) As used in this section, "web portal" means an Internet webpage that can be accessed by a person who enters the person's unique user information in order to access secure information.
- (2) The department shall, in consultation with the entities described in Subsection (4), design, create, and maintain a web portal through which a person may access data described in Subsection (3), as agreed upon by the entities described in Subsection (4).
- (3) The department shall ensure the web portal allows:
  - (a) a business in this state, including a state or local entity, to:
    - (i) post a job opportunity that may be available for an individual with a criminal history;
    - (ii) review a resume or profile information for a job opportunity that is submitted by an individual with a criminal history; and
    - (iii) review information regarding incentives for hiring an individual with a criminal history; and
  - (b) an individual with a criminal history in this state to:
    - (i) review a job opportunity posted within the web portal;
    - (ii) apply for a job opportunity posted within the web portal; and
    - (iii) obtain information regarding:
      - (A) resume creation;

- (B) interviewing skills; and
  - (C) other job-seeking skills.
- (4) In developing the web portal described in Subsection (2), the department shall consult with:
- (a) the Department of Corrections;
  - (b) the Division of Human Resource Management; and
  - (c) the business community that is likely to use the web portal.
- (5) The department shall ensure that the web portal described in Subsection (2) is fully operational no later than July 1, 2024.

Enacted by Chapter 58, 2023 General Session