

# ASSEMBLY, No. 751

## STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen **SULIGA** and **LANCE**

1 AN ACT concerning the qualifications of job counselors and amending  
2 P.L.1992, c.43.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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7 1. Section 3 of P.L.1992, c.43 (34:15D-3) is amended to read as  
8 follows:

9 3. As used in this act:

10 "Administrative costs" means any costs incurred by the department  
11 to administer the program, including any cost required to collect  
12 information and conduct evaluations of service providers pursuant to  
13 section 8 of this act and conduct surveys of occupations pursuant to  
14 section 12 of this act, to the extent that funding is not available from  
15 federal or other sources.

16 "Approved service provider" means a service provider approved  
17 pursuant to section 8 of this act.

18 "Commission" means the State Employment and Training  
19 Commission.

20 "Commissioner" means the Commissioner of Labor or the  
21 commissioner's designees.

22 "Customized training services" means employment and training  
23 services which are provided by the Office of Customized Training  
24 pursuant to section 5 of this act.

25 "Department" means the State Department of Labor.

26 "Employer" or "business" means any employer subject to the  
27 provisions of R.S.43:21-1 et seq.

28 "Employment and training services" means:

- 29 a. Counseling provided pursuant to section 7 of this act;  
30 b. Vocational training;  
31 c. Remedial education; or  
32 d. Occupational safety and health training.

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 "Fund" means the Workforce Development Partnership Fund  
2 established pursuant to section 9 of this act.

3 "Labor Demand Occupation" means an occupation for which there  
4 is or is likely to be an excess of demand over supply for adequately  
5 trained workers, including, but not limited to, an occupation  
6 designated as a labor demand occupation by the New Jersey  
7 Occupational Information Coordinating Committee pursuant to section  
8 12 of this act.

9 "Occupational safety and health training" means training or  
10 education which is designed to assist in the recognition and prevention  
11 of potential health and safety hazards related to an occupation which  
12 is the subject of vocational training.

13 "Office" means the Office of Customized Training established  
14 pursuant to section 5 of this act.

15 "Permanent employment" means full-time employment unsubsidized  
16 by government training funds which provides a significant opportunity  
17 for career advancement and long-term job security and is in the  
18 occupation for which a worker receives vocational training pursuant  
19 to this act.

20 "Program" means the Workforce Development Partnership Program  
21 created pursuant to this act.

22 "Qualified disadvantaged worker" means a worker who is not a  
23 qualified displaced worker or a qualified employed worker but who  
24 otherwise meets the following criteria:

25 a. Is unemployed;

26 b. Is working part-time and actively seeking full-time work or is  
27 working full-time but is earning wages substantially below the median  
28 salary for others in the labor force with similar qualifications and  
29 experience; or

30 c. Is certified by the Department of Human Services as:

31 (1) Currently receiving public assistance;

32 (2) Having been recently removed from the public assistance rolls  
33 because of gross income exceeding the grant standard for assistance;

34 or

35 (3) Being eligible for public assistance but not receiving the  
36 assistance because of a failure to apply for it.

37 "Qualified displaced worker" means a worker who:

38 a. Is unemployed, and:

39 (1) Is currently receiving unemployment benefits pursuant to  
40 R.S.43:21-1 et seq. or any federal or State unemployment benefit  
41 extension; or

42 (2) Has exhausted eligibility for the benefits or extended benefits  
43 during the preceding 52 weeks; or

44 b. Meets the criteria set by Title III of the "Job Training  
45 Partnership Act," Pub.L. 97-300 (29 U.S.C. §1651 et seq.) to be  
46 regarded as an "eligible dislocated worker" pursuant to that act.

1 "Qualified employed worker" means a worker who is employed by  
2 an employer participating in a customized training program.

3 "Qualified job counselor" means a job counselor [whose  
4 qualifications meet standards established by the commissioner] who:

5 a. Is employed by the department or an organization or agency  
6 approved by the commissioner to provide job counseling for the  
7 program; and

8 b. (1) Has a Bachelor's degree, except that substitution of  
9 experience for this educational requirement is permitted;

10 (2) Has not less than one year of professional vocational counselor  
11 experience, except that a Master's degree in psychology, education,  
12 social work or personnel administration may be substituted for one  
13 year of experience;

14 (3) Has knowledge of State and federal laws regarding education;  
15 employment and training, including, but not limited to, P.L.1992, c.43  
16 (C.34:15D-1 et seq.) and P.L.1992, c.48 (C.34:15B-35 et seq.); wages  
17 and hours of work; and temporary disability, workers' compensation  
18 and unemployment insurance; and

19 (4) Has successfully completed 15 or more semester credit hours  
20 in vocational guidance or other courses directly related to vocational  
21 counseling preparation, except that any individual who is employed as  
22 a practicing job counselor on or before the effective date of this act  
23 shall be regarded as a qualified job counselor for the purposes of this  
24 act, whether or not the individual meets the requirements of this  
25 subsection b.

26 "Remedial education" means any literacy or other basic skills  
27 training or education which may not be directly related to a particular  
28 occupation but is needed to facilitate success in vocational training or  
29 work performance.

30 "Service provider" or "provider" means a provider of employment  
31 and training services including but not limited to a private or public  
32 school or institution of higher education, a business, a labor  
33 organization or a community-based organization.

34 "Total revenues dedicated to the program during any one fiscal  
35 year" means all moneys received for the fund during any fiscal year,  
36 including moneys withdrawn from the State disability benefits fund  
37 pursuant to section 3 of P.L.1992, c.44 (C.34:15D-14), minus any  
38 repayment made during that fiscal year from the fund to the State  
39 disability benefits fund pursuant to that section.

40 "Training grant" means a grant provided to fund vocational training  
41 and any needed remedial education for a qualified displaced or  
42 disadvantaged worker pursuant to section 6 of this act.

43 "Vocational training" means training or education which is related  
44 to an occupation and is designed to enhance the marketable skills and  
45 earning power of a worker or job seeker.

46 (cf: P.L.1992, c.43, s.3)

1       2. This act shall take effect immediately.

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STATEMENT

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6       This bill establishes minimum qualifications for individuals who  
7 provide job counseling under the Workforce Development Partnership  
8 Program. The qualifications include:

9       1. A Bachelor's degree, except that experience may be substituted  
10 to meet this qualification;

11       2. Not less than one year of professional vocational counselor  
12 experience, except that certain Master's degrees may be substituted to  
13 meet this qualification;

14       3. Knowledge of State and federal laws regarding education,  
15 training and relevant workplace standards;

16       4. The completion of 15 or more semester credit hours in  
17 vocational guidance or other related courses, and

18       5. Employment by the department or an approved organization or  
19 agency.

20       The bill also provides that any individual who is or was employed  
21 as a practicing job counselor on or before the effective date of the bill  
22 will be regarded as a qualified job counselor, whether or not the  
23 individual meets these requirements.

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28       Concerns job counselor qualifications.