

ASSEMBLY, No. 1960

STATE OF NEW JERSEY

INTRODUCED MAY 6, 1996

By Assemblywoman FRISCIA, Assemblymen WISNIEWSKI,
Gusciora, Dalton, Zisa and Assemblywoman Buono

1 AN ACT providing training grants to certain workers notified of
2 permanent termination of employment, amending P.L.1992, c. 43
3 and making an appropriation.

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

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

10 3. As used in this act:

11 "Administrative costs" means any costs incurred by the department
12 to administer the program, including any cost required to collect
13 information and conduct evaluations of service providers pursuant to
14 section 8 of this act and conduct surveys of occupations pursuant to
15 section 12 of [this act], P.L.1992, c.43 (C.34:1A-78) to the extent that
16 funding is not available from federal or other sources.

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

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

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

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

26 "Department" means the State Department of Labor.

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

29 "Employment and training services" means:

- 30 a. Counseling provided pursuant to section 7 of this act;
31 b. Vocational training;
32 c. Remedial education; or
33 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 ac]t P.L.1992, c.43 (C.34:1A-78).

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; or

1 c. Is employed in a nonseasonal, nonconstruction job and has been
2 notified that the job is being permanently terminated, other than for
3 cause, and that no other employment is being offered by the employer
4 to the worker.

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

7 "Qualified job counselor" means a job counselor whose
8 qualifications meet standards established by the commissioner.

9 "Remedial education" means any literacy or other basic skills
10 training or education which may not be directly related to a particular
11 occupation but is needed to facilitate success in vocational training or
12 work performance.

13 "Service provider" or "provider" means a provider of employment
14 and training services including but not limited to a private or public
15 school or institution of higher education, a business, a labor
16 organization or a community-based organization.

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

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

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

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

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31 2. Section 6 of P.L.1992, c.43 (C. 34:15D-6) is amended to read
32 as follows:

33 6. a. The Workforce Development Partnership Program shall, to
34 the extent that resources available in the fund permit, provide, for each
35 qualified displaced or disadvantaged worker who undergoes
36 counseling pursuant to section 7 of this act, a training grant to pay for
37 employment and training services which are identified in the
38 Employability Development Plan developed pursuant to that section
39 for that worker. No training grant made pursuant to this subsection
40 during the first 12 months following July 1, 1992 shall exceed the
41 amount deemed reasonable by the commissioner for the particular
42 training, which amount shall not exceed \$4,000, except that the
43 commissioner may permit an additional amount, if he deems it
44 necessary to provide remedial education identified in the Employability
45 Development Plan.

46 b. The Workforce Development Partnership Program may provide,

1 for any individual who is selected to receive a self-employment
2 assistance allowance pursuant to section 4 of P.L.1995, c.394
3 (C.43:21-70), a training grant to pay for entrepreneurial training and
4 technical assistance deemed necessary and appropriate by the
5 commissioner to help the individual to become self-employed. A
6 training grant made pursuant to this subsection shall be in an amount
7 deemed reasonable by the commissioner for the particular training,
8 but, during the first 12 months following January 1, 1996, shall not be
9 in an amount which exceeds \$400, or, if the grant is for training
10 provided by any public institution of higher education indicated in
11 N.J.S.18A:62-1, shall not be in an amount which exceeds \$1,500.

12 c. The maximum amounts permitted for training grants made
13 pursuant to subsection a. or b. of this section may be adjusted annually
14 thereafter by the commissioner, taking into consideration changes in
15 the prevailing costs of services and the availability of alternative
16 sources of funding for the services. Any cost for employment and
17 training services which exceeds the amount of a training grant shall be
18 the responsibility of the worker receiving the grant. The cost of
19 counseling provided pursuant to section 7 of this act shall not be
20 charged against the training grant. No portion of a training grant may
21 be expended on wage subsidies.

22 d. If the requirements of this section and sections 4 and 7 of this
23 act are met, a qualified displaced or disadvantaged worker shall not be
24 denied a training grant for any of the following reasons: the training
25 includes remedial education needed by the worker to succeed in the
26 vocational component of the training; the training is part of a program
27 under which the worker may obtain any college degree enhancing the
28 worker's marketable skills and earning power; the length of the
29 training period under the program; or the lack of a prior guarantee of
30 employment upon completion of the training.

31 e. In cases of qualified displaced workers who are employed in
32 nonseasonal, nonconstruction jobs and have been notified that the jobs
33 are being permanently terminated, other than for cause, and that no
34 other employment is being offered by the employer, training grants
35 may be provided for training which commences prior to the
36 employment being terminated and priority shall be given to grants to
37 workers whose employers provide; matching funds for the grant; or
38 paid time to the workers to undergo counseling pursuant to section 7
39 of P.L.1992, c.43 (C.34:15D-7) or training under the grant; or both.
40 (cf: P.L.1995, c.394, s.11)

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42 3. There is appropriated from the General Fund to the Workforce
43 Development Partnership Fund established pursuant to section 9 of
44 P.L.1992, c.43 (C.34:15D-9) \$10 million during fiscal year 1997, \$10
45 million during fiscal year 1998 and \$10 million during fiscal year 1999
46 for the purpose of providing individual training grants pursuant to

1 subsection e. of section 6 of P.L.1992, c.43 (C. 34:15D-6) to qualified
2 displaced workers who are employed in nonseasonal jobs and have
3 been notified that the jobs are being permanently terminated and that
4 no other employment is being offered by the employer.

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6 4. This act shall take effect immediately.

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9 STATEMENT

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11 This bill provides that currently employed, non-seasonal,
12 nonconstruction workers who have been notified that their jobs are
13 being permanently terminated other than for cause with no offer of
14 other employment from their employers may receive individual training
15 grants from the Workforce Development Partnership Program
16 established pursuant to P.L.1992, c.43 (C.34:15D-1 et seq.), prior to
17 the termination of employment. Priority is given to workers whose
18 employers provide matching funds for the grants or paid time for the
19 workers in connection with the training. The bill finances the training
20 with annual General Fund appropriations of \$10 million during Fiscal
21 year 1997, 1998 and 1999.

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26 Provides training grants to workers notified of permanent layoff;
27 appropriates \$30 million.