

ASSEMBLY, No. 3027

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 20, 2020

Sponsored by:

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblywoman MILA M. JASEY

District 27 (Essex and Morris)

Assemblyman ERIC HOUGHTALING

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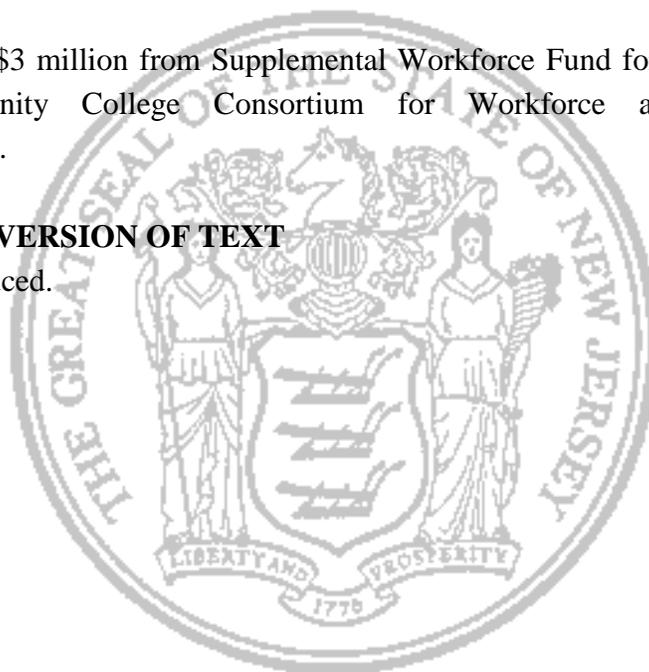
Assemblywoman Quijano, Assemblyman Wimberly, Senators Turner and Pou

SYNOPSIS

Commits \$3 million from Supplemental Workforce Fund for Basic Skill to NJ Community College Consortium for Workforce and Economic Development.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/30/2021)

A3027 LAMPITT, JASEY

2

1 AN ACT concerning funds for the New Jersey Community College
2 Consortium for Workforce and Economic Development and
3 amending P.L.2001, c.152.

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

7
8 1. Section 1 of P.L.2001, c.152 (C.34:15D-21) is amended to
9 read as follows:

10 1. a. A restricted, nonlapsing, revolving "Supplemental
11 Workforce Fund for Basic Skills," to be managed and invested by
12 the State Treasurer, is hereby established in the Department of
13 Labor and Workforce Development to provide basic skills training.
14 All moneys appropriated to the fund, all interest accumulated on
15 balances in the fund and all cash received for the fund from any
16 other source shall be allocated by the Commissioner of Labor and
17 Workforce Development as follows:

18 (1) 24% shall be deposited in an account reserved to support
19 basic skills training delivered by the State's One Stop Career
20 Centers to qualified displaced, disadvantaged and employed
21 workers pursuant to Employability Development Plans developed
22 pursuant to section 7 of P.L.1992, c.43 (C.34:15D-7);

23 (2) 28% shall be deposited in an account reserved for Workforce
24 Investment Boards to provide grants for basic skills training for
25 qualified displaced, disadvantaged and employed workers pursuant
26 to Employability Development Plans developed pursuant to section
27 7 of P.L.1992, c.43 (C.34:15D-7) and for other individuals with
28 learning disabilities or otherwise in need of vocational
29 rehabilitation services;

30 (3) 25% shall be deposited in an account reserved for grants to
31 consortia including one or more of any of the following: eligible
32 individual employers, employer organizations, labor organizations,
33 community-based organizations or educational institutions to
34 provide basic skills training to qualified displaced, disadvantaged or
35 employed workers or to other individuals seeking to enter
36 apprenticeship training;

37 (4) 13%, but not less than \$3 million, shall be deposited in an
38 account reserved for a grant to the New Jersey Community College
39 Consortium for Workforce and Economic Development, a part of
40 the New Jersey Council of County Colleges, to provide basic skills
41 training to qualified displaced, disadvantaged or employed workers.

42 **【The New Jersey Community College Consortium for Workforce**
43 **and Economic Development may request additional funds, beyond**
44 **the amount provided for in this paragraph, from the Commissioner**
45 **of Labor and Workforce Development, which funds shall be**

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

Matter underlined thus is new matter.

1 provided in connection with paragraph (3) of this subsection, at the
2 discretion of the commissioner and without any special preference
3 over any other applicant seeking funds in connection with
4 paragraph (3) of this subsection, for the purpose of providing basic
5 skills training to qualified displaced, disadvantaged or employed
6 workers. Any request for those additional funds shall only be
7 authorized after a determination by the commissioner that the funds
8 provided in connection with this paragraph have been encumbered
9 and that there is a demand for additional funds to provide basic
10 skills training] If the 13% is less than \$3 million, an additional
11 amount shall be deposited into this account either from the 87%
12 deposited pursuant to paragraphs (1), (2), (3), and (5) of this
13 subsection or from other funds as determined by the commissioner
14 until this account equals \$3 million; and

15 (5) 10% shall be deposited in an account to be used, at the
16 discretion of the commissioner, for any of the purposes indicated in
17 this subsection a. and any administrative costs incurred by the
18 Department of Labor and Workforce Development in connection
19 with the fund.

20 b. Any grant provided in connection with paragraph (3) of
21 subsection a. of this section directly to an employer or to an
22 employer through a consortium shall be regarded as a customized
23 training grant and shall be administered by the Office of
24 Customized Training and the employer and consortium shall
25 comply with all requirements of section 5 of P.L.1992, c.43
26 (C.34:15D-5), except that any grants provided directly or indirectly
27 to an employer for use in connection with any program which
28 includes apprenticeship training or activities or preparation for
29 entry into apprenticeship training shall be exempt from the
30 requirement of this subsection b. to be administered by the Office of
31 Customized Training and be subject to the requirements of section 5
32 of P.L.1992, c.43 (C.34:15D-5), if it is approved by the
33 Apprenticeship Policy Committee, as defined in section 3 of
34 P.L.1993, c.268 (C.34:15E-3), and the employer complies with the
35 provisions of subsection e. of section 5 of P.L.1993, c.268
36 (C.34:15E-5). Any grant provided in connection with paragraph (2)
37 of subsection a. of this section directly to an individual shall be
38 regarded as an individual training grant and shall be subject to the
39 requirements of subsections a., c. and d. of section 6 of P.L.1992,
40 c.43 (C.34:15D-6).

41 Also, any funds provided in connection with paragraph (4) of
42 subsection a. of this section shall be provided to the New Jersey
43 Community College Consortium for Workforce and Economic
44 Development by the Office of Customized Training, and shall
45 comply with the following requirements:

46 (1) The New Jersey Community College Consortium for
47 Workforce and Economic Development shall work with all the
48 community colleges throughout the State of New Jersey to deliver

1 basic skills training in the most effective and efficient manner
2 possible at any of their 63 campuses or at any appropriate business
3 facility;

4 (2) There shall be no charge to the employer sending employees
5 to the training, but the employer shall pay employees regular wages
6 for the hours the training takes place, except that any waiver of this
7 requirement to pay employees regular wages, for the hours of
8 training, authorized by the Commissioner of Labor and Workforce
9 Development, may, at the discretion of the commissioner, be
10 offered to the New Jersey Community College Consortium for
11 Workforce and Economic Development on the same basis as any
12 other grant recipient;

13 (3) The employers sending their employees to this training shall
14 not be asked to provide any paperwork or complete any financial
15 disclosure forms, including a tax clearance certificate as provided in
16 section 1 of P.L.2007, c.101 (C.54:50-39), except that employers
17 shall provide the employees participating in the training with the
18 information that the employees need to comply with paragraph (4)
19 of this subsection, and shall provide the New Jersey Community
20 College Consortium for Workforce and Economic Development
21 with the information the employer has regarding its participating
22 employees that the consortium needs to produce the annual report
23 required pursuant to paragraph (7) of this subsection;

24 (4) The employees being trained shall provide the Federal
25 Employer Identification Number (FEIN) of their employer and the
26 employer's contact information at the beginning of the training;

27 (5) The mean class size for training under this subsection shall
28 be 10, but the New Jersey Community College Consortium for
29 Workforce and Economic Development may aggregate employees
30 from multiple employers in a single training to reach that mean of
31 10;

32 (6) The training provided under this subsection shall be basic
33 skills training, but the apportionment of classes in the different
34 areas of basic skills as defined by subsection h. of this section may
35 be determined by the New Jersey Community College Consortium
36 for Workforce and Economic Development in consultation with
37 representatives of the business community;

38 (7) The New Jersey Community College Consortium for
39 Workforce and Economic Development shall file an annual report
40 by September 1 of each year with the New Jersey Legislature and
41 the New Jersey Department of Labor and Workforce Development
42 containing the total number of workers trained, the total funds
43 expended on training, the number of workers trained in each area of
44 basic skills training, the number of businesses with employees
45 trained, the number of classes held in each area of basic skills
46 training, the number of classes held at each community college, the
47 wage ranges of the workers trained, the job titles of the workers
48 trained and the results of the pre-training and post-training

1 assessments. The report shall also include an analysis of the
2 strengths and weaknesses of the training program and how it can be
3 improved in the following year. The report shall supplant all
4 requirements for any other reporting that the New Jersey
5 Community College Consortium for Workforce and Economic
6 Development may be asked to complete with respect to the funds it
7 receives through paragraph (4) of subsection a. of this section; and

8 (8) The New Jersey Community College Consortium for
9 Workforce and Economic Development shall work with the
10 business community to promote this program to businesses across
11 the State, including chambers of commerce and Statewide
12 associations, such as the New Jersey Business and Industry
13 Association, and shall seek out, and work with, State, regional, and
14 county organizations that are dedicated to the economic
15 empowerment of segments of society by race, ethnicity, gender,
16 age, religion, disability, or sexual orientation, including, but not
17 limited to the African American Chamber of Commerce of New
18 Jersey and the Statewide Hispanic Chamber of Commerce of New
19 Jersey, and any other appropriate business organizations.

20 c. Any employment and training services funded by the
21 Supplemental Workforce Fund for Basic Skills shall be provided in
22 a manner which complies with the provisions of subsections b., c.,
23 f., g., h. and i. of section 4 of P.L.1992, c.43 (C.34:15D-4), to the
24 extent that those subsections pertain to remedial education. Any
25 service provider receiving moneys from the Supplemental
26 Workforce Fund for Basic Skills shall be subject to the provisions
27 of section 8 of P.L.1992, c.43 (C.34:15D-8) and section 8 of
28 P.L.1992, c.44 (C.34:15D-19).

29 d. All staff located at any One Stop Career Center supported by
30 funds provided from the Supplemental Workforce Fund for Basic
31 Skills shall be hired and employed by the State pursuant to Title
32 11A, Civil Service, of the New Jersey Statutes.

33 e. Beginning July 1, 2002, and for any subsequent fiscal year,
34 if the unexpended cash balance in any of the accounts indicated in
35 subsection a. of this section, less any amount awarded in grants but
36 not yet disbursed from the account, is determined to exceed 20% of
37 the amount of contributions collected for deposit in the account
38 pursuant to this subsection during the fiscal year then ended, the
39 excess shall be regarded as an unemployment compensation
40 contribution and deposited into the unemployment compensation
41 fund within seven business days of the date that the determination is
42 made.

43 f. The Commissioner of Labor and Workforce Development
44 shall establish standards of performance for providers of basic skills
45 training pursuant to this act. The standards shall include, but not be
46 limited to, standards for the curriculum or training to be furnished,
47 qualifications for persons who will provide the training under the
48 act, and standards for establishing what constitutes successful

1 completion of the training program. The commissioner shall
2 establish means of determining the ability of enrollees to gain or
3 maintain employment following the successful completion of a
4 training program established pursuant to this section. In the event
5 that the commissioner determines that a provider has not conducted
6 its training program in accordance with the standards of
7 performance, he may take that action necessary to correct the
8 deficiencies of the provider, or terminate the contract with the
9 provider of basic skills services if the provider fails to respond to
10 remedial action.

11 g. The State Employment and Training Commission shall
12 review and evaluate the operations of programs supported by the
13 Supplemental Workforce Fund for Basic Skills established pursuant
14 to this section, with special consideration to how those programs
15 assist in the implementation of the goals of the Strategic Five-Year
16 State Plan for New Jersey's Workforce Investment System, and
17 shall consult with the Commissioner of Labor and Workforce
18 Development regarding its findings.

19 h. For the purpose of this section:

20 "Basic skills training" means basic mathematics, reading
21 comprehension, basic computer literacy including new technology
22 topics, English proficiency and work-readiness skills including
23 topics for entry level managers and shall be regarded as a form of
24 "remedial education" for the purposes of section 3 of P.L.1992, c.43
25 (C.34:15D-3);

26 "One Stop Career Center" means one of the centers established
27 in local areas to coordinate a variety of State and local programs
28 providing employment and training services, including job
29 placement services, or any other similar State or local government-
30 sponsored center providing employment and training services as
31 may be developed at any later time; and

32 "Qualified disadvantaged worker," "qualified displaced worker,"
33 "qualified employed worker," and "employment and training
34 services" have the meanings given to them by section 3 of
35 P.L.1992, c.43 (C.34:15D-3).

36 (cf: P.L.2017, c.52)

37

38 2. This act shall take effect immediately.

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STATEMENT

42

43 This bill provides for a minimum allocation of \$3 million from
44 the Supplemental Workforce Fund for Basic Skills (SWFBS) to an
45 account in that fund dedicated to the New Jersey Community
46 College Consortium for Workforce and Economic Development.
47 Currently, section 1 of P.L.2001, c.152 (C.34:15D-21) requires that
48 13 percent of all moneys appropriated to the fund, accumulated

1 interested, and cash from other sources be allocated to the account
2 for the consortium, but that 13 percent allocation has resulted in
3 less than \$3 million being available to the consortium.

4 Under the bill, if the 13 percent allocation is insufficient to raise
5 \$3 million for the consortium, an additional amount would be
6 deposited into the account for the consortium such that the total
7 available amount would be \$3 million. That additional amount
8 would be transferred to the consortium account from the four
9 accounts of the SWFBS for which 87 percent of moneys in the
10 SWFBS are otherwise allocated for the use of: (1) basic skills
11 training provided at one stop careers centers; (2) basic skills grants
12 to individuals; (3) grants to other consortia providing basic skills
13 training; and (4) expenses related to the administration of the fund
14 as well as any other basic skills training and grant costs at the
15 discretion of the Commissioner of Labor and Workforce
16 Development.

17 This bill also expands the definition of basic skills within the
18 context of the SWFBS to include new technology topics and topics
19 for entry level managers.