

P.L. 2021, CHAPTER 289, *approved November 8, 2021*
 Assembly, No. 3027

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:*

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 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**

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

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

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

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

1 (1) The New Jersey Community College Consortium for
2 Workforce and Economic Development shall work with all the
3 community colleges throughout the State of New Jersey to deliver
4 basic skills training in the most effective and efficient manner
5 possible at any of their 63 campuses or at any appropriate business
6 facility;

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

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

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

30 (5) The mean class size for training under this subsection shall
31 be 10, but the New Jersey Community College Consortium for
32 Workforce and Economic Development may aggregate employees
33 from multiple employers in a single training to reach that mean of
34 10;

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

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

1 training, the number of classes held at each community college, the
2 wage ranges of the workers trained, the job titles of the workers
3 trained and the results of the pre-training and post-training
4 assessments. The report shall also include an analysis of the
5 strengths and weaknesses of the training program and how it can be
6 improved in the following year. The report shall supplant all
7 requirements for any other reporting that the New Jersey
8 Community College Consortium for Workforce and Economic
9 Development may be asked to complete with respect to the funds it
10 receives through paragraph (4) of subsection a. of this section; and

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

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

32 d. All staff located at any One Stop Career Center supported by
33 funds provided from the Supplemental Workforce Fund for Basic
34 Skills shall be hired and employed by the State pursuant to Title
35 11A, Civil Service, of the New Jersey Statutes.

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

46 f. The Commissioner of Labor and Workforce Development
47 shall establish standards of performance for providers of basic skills
48 training pursuant to this act. The standards shall include, but not be

1 limited to, standards for the curriculum or training to be furnished,
2 qualifications for persons who will provide the training under the
3 act, and standards for establishing what constitutes successful
4 completion of the training program. The commissioner shall
5 establish means of determining the ability of enrollees to gain or
6 maintain employment following the successful completion of a
7 training program established pursuant to this section. In the event
8 that the commissioner determines that a provider has not conducted
9 its training program in accordance with the standards of
10 performance, he may take that action necessary to correct the
11 deficiencies of the provider, or terminate the contract with the
12 provider of basic skills services if the provider fails to respond to
13 remedial action.

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

22 h. For the purpose of this section:

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

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

35 "Qualified disadvantaged worker," "qualified displaced worker,"
36 "qualified employed worker," and "employment and training
37 services" have the meanings given to them by section 3 of
38 P.L.1992, c.43 (C.34:15D-3).
39 (cf: P.L.2017, c.52)

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41 2. This act shall take effect immediately.
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44 STATEMENT

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46 This bill provides for a minimum allocation of \$3 million from
47 the Supplemental Workforce Fund for Basic Skills (SWFBS) to an
48 account in that fund dedicated to the New Jersey Community

1 College Consortium for Workforce and Economic Development.
2 Currently, section 1 of P.L.2001, c.152 (C.34:15D-21) requires that
3 13 percent of all moneys appropriated to the fund, accumulated
4 interested, and cash from other sources be allocated to the account
5 for the consortium, but that 13 percent allocation has resulted in
6 less than \$3 million being available to the consortium.

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

20 This bill also expands the definition of basic skills within the
21 context of the SWFBS to include new technology topics and topics
22 for entry level managers.

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