

SENATE, No. 793

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator SANDRA B. CUNNINGHAM

District 31 (Hudson)

Senator TROY SINGLETON

District 7 (Burlington)

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

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 6/10/2021)

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**
46 **provided in connection with paragraph (3) of this subsection, at the**
47 **discretion of the commissioner and without any special preference**

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 over any other applicant seeking funds in connection with
2 paragraph (3) of this subsection, for the purpose of providing basic
3 skills training to qualified displaced, disadvantaged or employed
4 workers. Any request for those additional funds shall only be
5 authorized after a determination by the commissioner that the funds
6 provided in connection with this paragraph have been encumbered
7 and that there is a demand for additional funds to provide basic
8 skills training] If the 13% is less than \$3 million, an additional
9 amount shall be deposited into this account either from the 87%
10 deposited pursuant to paragraphs (1), (2), (3), and (5) of this
11 subsection or from other funds as determined by the commissioner
12 until this account equals \$3 million; and

13 (5) 10% shall be deposited in an account to be used, at the
14 discretion of the commissioner, for any of the purposes indicated in
15 this subsection a. and any administrative costs incurred by the
16 Department of Labor and Workforce Development in connection
17 with the fund.

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

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

44 (1) The New Jersey Community College Consortium for
45 Workforce and Economic Development shall work with all the
46 community colleges throughout the State of New Jersey to deliver
47 basic skills training in the most effective and efficient manner

1 possible at any of their 63 campuses or at any appropriate business
2 facility;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 h. For the purpose of this section:

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

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

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

36
37 2. This act shall take effect immediately.
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40 STATEMENT

41
42 This bill provides for a minimum allocation of \$3 million from
43 the Supplemental Workforce Fund for Basic Skills (SWFBS) to an
44 account in that fund dedicated to the New Jersey Community
45 College Consortium for Workforce and Economic Development.
46 Currently, section 1 of P.L.2001, c.152 (C.34:15D-21) requires that
47 13 percent of all moneys appropriated to the fund, accumulated
48 interested, and cash from other sources be allocated to the account

1 for the consortium, but that 13 percent allocation has resulted in
2 less than \$3 million being available to the consortium.

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

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