

ASSEMBLY, No. 1831

STATE OF NEW JERSEY

218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

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SYNOPSIS

Increases reporting requirements for the NJ Basic Skills Training Program for Economic Growth.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/9/2018)

1 AN ACT concerning the basic skills training and amending
2 P.L.2001, c.152.

3

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

6

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

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

17 (1) 24% shall be deposited in an account reserved to support
18 basic skills training delivered by the State's One Stop Career
19 Centers to qualified displaced, disadvantaged and employed
20 workers pursuant to Employability Development Plans developed
21 pursuant to section 7 of P.L.1992, c.43 (C.34:15D-7);

22 (2) 28% shall be deposited in an account reserved for Workforce
23 Investment Boards to provide grants for basic skills training for
24 qualified displaced, disadvantaged and employed workers pursuant
25 to Employability Development Plans developed pursuant to section
26 7 of P.L.1992, c.43 (C.34:15D-7) and for other individuals with
27 learning disabilities or otherwise in need of vocational
28 rehabilitation services;

29 (3) 25% shall be deposited in an account reserved for grants to
30 consortia including one or more of any of the following: eligible
31 individual employers, employer organizations, labor organizations,
32 community-based organizations or educational institutions to
33 provide basic skills training to qualified displaced, disadvantaged or
34 employed workers or to other individuals seeking to enter
35 apprenticeship training;

36 (4) 13% shall be deposited in an account reserved for a grant to
37 the New Jersey Community College Consortium for Workforce and
38 Economic Development, a part of the New Jersey Council of
39 County Colleges, to provide basic skills training to qualified
40 displaced, disadvantaged or employed workers. The New Jersey
41 Community College Consortium for Workforce and Economic
42 Development may request additional funds, beyond the amount
43 provided for in this paragraph, from the Commissioner of Labor and
44 Workforce Development, which funds shall be provided in
45 connection with paragraph (3) of this subsection, at the discretion of

**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 the commissioner and without any special preference over any other
2 applicant seeking funds in connection with paragraph (3) of this
3 subsection, for the purpose of providing basic skills training to
4 qualified displaced, disadvantaged or employed workers. Any
5 request for those additional funds shall only be authorized after a
6 determination by the commissioner that the funds provided in
7 connection with this paragraph have been encumbered and that
8 there is a demand for additional funds to provide basic skills
9 training; and

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

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

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

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

47 (2) There shall be no charge to the employer sending employees
48 to the training, but the employer shall pay employees regular wages

1 for the hours the training takes place, except that any waiver of this
2 requirement to pay employees regular wages, for the hours of
3 training, authorized by the Commissioner of Labor and Workforce
4 Development, may, at the discretion of the commissioner, be
5 offered to the New Jersey Community College Consortium for
6 Workforce and Economic Development on the same basis as any
7 other grant recipient;

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

19 (4) The employees being trained shall provide the Federal
20 Employer Identification Number (FEIN) of their employer and the
21 employer's contact information at the beginning of the training and
22 shall agree to provide the information regarding their employment
23 status and wage rates that the consortium needs to produce the
24 annual report required pursuant to paragraph (7) of this section;

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

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

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

- 1 improved in the following year. The report shall also include a pre-
2 training and post-training analysis of the workers' wages and
3 employment status. The analysis shall compare the workers'
4 employment status prior to training with the workers' employment
5 status during the first fiscal year after the training ends, the second
6 fiscal year after the training ends, and the third fiscal year after the
7 training ends. The analysis shall also compare the wage rates paid
8 to the workers prior to the training to wage rates paid during the
9 first fiscal year after the training ends, the second fiscal year after
10 the training ends, and the third fiscal year after the training ends.
11 The report shall supplant all requirements for any other reporting
12 that the New Jersey Community College Consortium for Workforce
13 and Economic Development may be asked to complete with respect
14 to the funds it receives through paragraph (4) of subsection a. of
15 this section; and
- 16 (8) The New Jersey Community College Consortium for
17 Workforce and Economic Development shall work with the
18 business community to promote this program to businesses across
19 the State, including chambers of commerce, Statewide associations,
20 such as the New Jersey Business and Industry Association, and any
21 other appropriate business organizations.
- 22 c. Any employment and training services funded by the
23 Supplemental Workforce Fund for Basic Skills shall be provided in
24 a manner which complies with the provisions of subsections b., c.,
25 f., g., h. and i. of section 4 of P.L.1992, c.43 (C.34:15D-4), to the
26 extent that those subsections pertain to remedial education. Any
27 service provider receiving moneys from the Supplemental
28 Workforce Fund for Basic Skills shall be subject to the provisions
29 of section 8 of P.L.1992, c.43 (C.34:15D-8) and section 8 of
30 P.L.1992, c.44 (C.34:15D-19).
- 31 d. All staff located at any One Stop Career Center supported by
32 funds provided from the Supplemental Workforce Fund for Basic
33 Skills shall be hired and employed by the State pursuant to Title
34 11A, Civil Service, of the New Jersey Statutes.
- 35 e. Beginning July 1, 2002, and for any subsequent fiscal year,
36 if the unexpended cash balance in any of the accounts indicated in
37 subsection a. of this section, less any amount awarded in grants but
38 not yet disbursed from the account, is determined to exceed 20% of
39 the amount of contributions collected for deposit in the account
40 pursuant to this subsection during the fiscal year then ended, the
41 excess shall be regarded as an unemployment compensation
42 contribution and deposited into the unemployment compensation
43 fund within seven business days of the date that the determination is
44 made.
- 45 f. The Commissioner of Labor and Workforce Development
46 shall establish standards of performance for providers of basic skills
47 training pursuant to this act. The standards shall include, but not be
48 limited to, standards for the curriculum or training to be furnished,

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

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

21 h. For the purpose of this section:

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

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

33 "Qualified disadvantaged worker," "qualified displaced worker,"
34 "qualified employed worker," and "employment and training
35 services" have the meanings given to them by section 3 of
36 P.L.1992, c.43 (C.34:15D-3).
37 (cf: P.L.2012, c.7, s.1)

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39 2. This act shall take effect immediately.

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STATEMENT

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44 This bill amends the reporting requirements for the New Jersey
45 Basic Skills Training Program for Economic Growth to include
46 further analysis of the training.

47 Specifically, this bill requires the New Jersey Community
48 College Consortium for Workforce and Economic Development to

1 include in the annual report an analysis of the effect of the training
2 on workers' wages and employment and to determine the long term
3 effectiveness of the training.

4 Current law requires the consortium to produce an annual report
5 that contains: the total number of workers trained; the total funds
6 expended on training; the number of workers trained in each area of
7 training; the number of businesses with employees trained; the
8 number of classes held in each area of training; the number of
9 classes held at each community college; the wage range of the
10 workers trained; the job titles of the workers trained; and the results
11 of the pre-training and post-training assessments. The report must
12 also include an analysis of the strengths and weaknesses of the
13 training program and how it can be improved in the following year.

14 All of this information, currently required, is necessary and
15 useful to policy makers and the business community, but does not
16 provide sufficient information for an effective analysis of the
17 impact of the training on the worker's wages and employment
18 status. This bill facilitates the analysis of that impact by requiring
19 the collection, and reporting by the consortium, of information
20 regarding worker employment status and wage rates prior to the
21 training compared to the status and rates during the first, second and
22 third fiscal year after the training ends. The analysis will assist the
23 business community and policy makers in determining the long
24 term effectiveness of training.

25 The bill also requires employees trained under the bill to agree to
26 provide the information regarding their employment status and
27 wage rates that the consortium needs to produce the annual report
28 required by the bill.