

ASSEMBLY, No. 5036

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED NOVEMBER 19, 2020

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington)

SYNOPSIS

Establishes Long-term Care Workforce Development Program in DOLWD.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/19/2020)

1 AN ACT concerning long-term care workforce development program
2 and amending and supplementing P.L.1992, c.43.

3

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

6

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

9 9. a. A restricted, nonlapsing, revolving Workforce
10 Development Partnership Fund, to be managed and invested by the
11 State Treasurer, is hereby established to: provide employment and
12 training services to qualified displaced, disadvantaged and employed
13 workers by means of training grants or customized training services;
14 provide for the other costs indicated in subsection a. of section 4 of
15 P.L.1992, c.43 (C.34:15D-4); provide for the New Jersey Innovation
16 and Research Fellowship Program as provided for in section 3 of
17 P.L.2015, c.235 (C.34:15D-26); provide for the Long-term Care
18 Workforce Development Program as provided for in section 2 of
19 P.L. , c. (C.) (pending before the Legislature as this bill);
20 provide for the Talent Network Program as provided for in section 2
21 of P.L.2019, c.125 (C.34:15D-29); and facilitate the provision of
22 education and training to youth by means of grants provided by the
23 Youth Transitions to Work Partnership pursuant to the provisions of
24 P.L.1993, c.268 (C.34:15E-1 et al.). All appropriations to the fund,
25 all interest accumulated on balances in the fund and all cash received
26 for the fund from any other source shall be used solely for the
27 purposes specifically delineated by this act.

28 b. During any fiscal year beginning after June 30, 2001, of the
29 total revenues dedicated to the program during any one fiscal year:
30 25% shall be deposited in an account of the Workforce Development
31 Partnership Fund reserved to provide employment and training
32 services for qualified displaced workers, and through fiscal year
33 2023, not less than 10% of the revenues deposited in that account
34 shall be reserved to provide employment and training services to
35 qualified displaced workers in the pursuit of industry-valued
36 credentials under the pilot program established pursuant to
37 P.L.2019, c.252 (C.34:15D-30 et al.); and during any fiscal year
38 beginning after June 30, 2019, 0.5% shall be deposited in an account
39 of the Workforce Development Partnership Fund reserved for an
40 appropriated to the Department of Labor and Workforce
41 Development for the Apprenticeship Start-Up Grant Program created
42 pursuant to section 3 of P.L.2019, c.417 (C.34:15D-6.1); 6% shall be
43 deposited in an account of the Workforce Development Partnership
44 Fund reserved to provide employment and training services for
45 qualified disadvantaged workers, and through fiscal year 2023, not

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 less than 10% of the revenues deposited in that account shall be
2 reserved to provide employment and training services to qualified
3 disadvantaged workers in the pursuit of industry-valued credentials
4 under the pilot program established pursuant to P.L.2019, c.252
5 (C.34:15D-30 et al.); 37% shall be deposited in an account of the
6 Workforce Development Partnership Fund reserved for and
7 appropriated to the Office of Customized Training, except that,
8 during any fiscal year beginning after June 30, 2021, 35% shall be
9 deposited in that account and 2% shall be deposited in an account of
10 the Workforce Development Partnership Fund reserved for and
11 appropriated to the Long-term Care Workforce Development
12 Program pursuant to section 2 of P.L. , c. (C.) (pending
13 before the Legislature as this bill); 5% shall be deposited in an
14 account of the Workforce Development Partnership Fund reserved
15 for the Youth Transitions to Work Partnership created pursuant to
16 P.L.1993, c.268 (C.34:15E-1 et seq.); 3% shall be deposited in an
17 account of the Workforce Development Partnership Fund reserved
18 for occupational safety and health training; 5% shall be deposited in
19 an account of the Workforce Development Partnership Fund reserved
20 for and appropriated to the Talent Network Program established
21 pursuant to section 2 of P.L.2019, c.125 (C.34:15D-29); 3% shall be
22 deposited in an account of the Workforce Development Partnership
23 Fund reserved for the New Jersey Innovation and Research
24 Fellowship Program established pursuant to section 3 of
25 P.L.2015, c.235 (C.34:15D-26); 10% shall be deposited in an account
26 of the Workforce Development Partnership Fund reserved for
27 administrative costs as defined in section 3 of P.L.1992, c.43
28 (C.34:15D-3); 0.5% shall be deposited in an account of the
29 Workforce Development Partnership Fund reserved for the State
30 Employment and Training Commission to design criteria and conduct
31 an annual evaluation of the program; and 5% shall be deposited in an
32 account of the Workforce Development Partnership Fund to be used,
33 at the discretion of the commissioner, for any of the purposes
34 indicated in subsection a. of section 4 of P.L.1992, c.43 (C.34:15D-
35 4).

36 c. Beginning January 1, 1995, through June 30, 2002, the
37 balance in the fund as of the previous December 31, as determined in
38 accordance with generally accepted accounting principles, shall not
39 exceed 1.5 times the amount of contributions deposited for the
40 calendar year then ended. If the balance exceeds this amount, the
41 excess shall be deposited into the unemployment compensation fund
42 within seven business days of the date that the determination is made.

43 d. Beginning July 1, 2002, and for any subsequent fiscal year, if
44 the unexpended cash balance in any of the accounts indicated in
45 subsection b. of this section, except for the account reserved for the
46 Talent Network Program, less any amount awarded in grants but not
47 yet disbursed from the account, is determined to exceed 20% of the
48 amount of contributions collected for deposit in the account pursuant

1 to this **【subsection】** section during the fiscal year then ended, the
2 excess shall be regarded as an unemployment compensation
3 contribution and deposited into the unemployment compensation
4 fund within seven business days of the date that the determination is
5 made. If the unexpended cash balance in the account reserved for the
6 Talent Network Program, less any amount awarded in grants but not
7 yet disbursed from the account, is determined to exceed 20% of the
8 amount of contributions collected for deposit in the account pursuant
9 to this **【subsection】** section during the fiscal year then ended, the
10 excess shall be deposited into the Workforce Development
11 Partnership Fund account reserved for the Office of Customized
12 Training.

13 e. \$250,000 shall be allocated to the Apprentice Assistance and
14 Support Services Pilot Program established pursuant to section 1 of
15 P.L.2019, c.419 (C.34:15D-6.2) from the \$29,690,000 which was
16 appropriated pursuant to the annual appropriations act for State fiscal
17 year 2019 from the Workforce Development Partnership Fund for the
18 purpose of funding Work First New Jersey Work Activities and Work
19 First New Jersey-Training Related Expenses, and, \$1,100,000 shall
20 be allocated to the pilot program in each of fiscal years 2020, 2021,
21 2022, 2023, and 2024 from the amounts appropriated pursuant to the
22 annual appropriations act in those fiscal years from the Workforce
23 Development Partnership Fund for the purpose of funding Work First
24 New Jersey Work Activities and Work First New Jersey-Training
25 Related Expenses. Of the funds allocated to the pilot program
26 pursuant to this subsection, 90% shall be dedicated to the Child Care
27 Stipend program and 10% to transportation reimbursement.
28 (cf: P.L.2019, c.419, s.1)
29

30 2. (New section) a. Within 90 days following the date of
31 enactment of P.L. , c. (C.) (pending before the Legislature
32 as this bill), the Department of Labor and Workforce Development,
33 in consultation with the Departments of Education, Health, Human
34 Services, and Military and Veterans Affairs, shall establish the Long-
35 term Care Workforce Development Program. The purpose of the
36 program is to evaluate and improve training opportunities for jobs in
37 the long-term care industry in order to increase the number of skilled
38 workers in this State who are qualified for employment in this
39 industry. The program shall prioritize providing underrepresented
40 groups, including, but not limited to, ethnic minorities, women,
41 veterans, and socioeconomically disadvantaged individuals with
42 access to training and jobs in the long-term care industry.

43 b. To fulfill the purpose of the program, the department shall:
44 (1) assess the effectiveness of State training programs to produce
45 students and workers with the skills and technical expertise necessary
46 to fill the employment opportunities available in the long-term care
47 industry in the State;

- 1 (2) evaluate the outreach and accessibility of these programs to
- 2 underrepresented groups;
- 3 (3) identify workforce needs and common skill gaps, by region
- 4 and industry, in the long-term care industry in the State to determine
- 5 in-demand skills, abilities, and credentials;
- 6 (4) develop a workforce development strategy, formalized in a
- 7 written plan, to satisfy workforce needs, close skill gaps, and improve
- 8 access to entry-level and mid-level jobs in the long-term care
- 9 industry, with a focus on providing career pathways for
- 10 underrepresented groups;
- 11 (5) establish, publish, and maintain, in a format accessible to the
- 12 public, a clearinghouse of information and resources on training and
- 13 workforce development programs for the long-term care industry;
- 14 (6) annually award a minimum of five consortia of employers,
- 15 labor organizations, and education institutions with training grants
- 16 for the purpose of providing programs that focus on the development
- 17 of in-demand skills, abilities, or credentials in the long-term care
- 18 industry. The department shall prioritize awarding grants to consortia
- 19 that include outreach strategies to underrepresented groups. All
- 20 training grants shall be administered by the Office of Customized
- 21 Training and each grant awardee shall comply with all the
- 22 requirements of section 5 of P.L.1992, c.43 (C.34:15D-5); and
- 23 (7) prepare an annual report of the program's findings for the
- 24 Governor and the Legislature pursuant to section 2 of P.L.1991, c.164
- 25 (C.52:14-19.1).
- 26 c. The Long-term Care Workforce Development Program shall
- 27 be funded through the funds reserved for the program from the
- 28 Workforce Development Partnership Fund pursuant to section 9 of
- 29 P.L.1992, c.43 (C.34:15D-9). In addition, the department shall, to
- 30 the maximum extent permitted by State and federal law, give priority
- 31 in the use of job training funds, as defined in section 4 of
- 32 P.L.1989, c.293 (C.34:15C-1), including any available federal job
- 33 training funds and any other available State job training funds, to
- 34 provide funds to the Long-term Care Workforce Development
- 35 Program to implement the workforce development strategy required
- 36 under paragraph (4) of subsection b. of this section.
- 37 d. As used in this act:
- 38 "Long-term care industry" means a variety of services designed to
- 39 meet a person's health or personal care needs during a short or long
- 40 period of time, often when a person suffers from a serious, ongoing
- 41 health condition or disability. These services help people live as
- 42 independently and safely as possible when they can no longer
- 43 perform everyday activities on their own, and may include, but are
- 44 not limited to, assistance with activities of daily living: bathing,
- 45 dressing, grooming, using the toilet, eating, and moving around.
- 46 These services may also include community services such as meals,
- 47 adult day care, and transportation services.

1 3. This act shall take effect immediately.

2

3

4

STATEMENT

5

6 This bill establishes the Long-term Care Workforce Development
7 Program in the Department of Labor and Workforce Development
8 (DOLWD). The program will be established by DOLWD, in
9 consultation with the Departments of Education, Health, Human
10 Services, and Military and Veterans Affairs. The bill requires
11 DOLWD to establish the program within 90 days following the date
12 of enactment of the bill. The purpose of the program is to evaluate
13 and improve training opportunities for jobs in the long-term care
14 industry in order to increase the number of skilled workers in this
15 State who are qualified for employment in this industry. The
16 program will prioritize providing underrepresented groups,
17 including, but not limited to, ethnic minorities, women, veterans, and
18 socioeconomically disadvantaged individuals with access to training
19 and jobs in the long-term care industry.

20 To fulfill the purpose of the program, DOLWD will:

21 (1) assess the effectiveness of State training programs to produce
22 students and workers with the skills and technical expertise necessary
23 to fill the employment opportunities available in the long-term care
24 industry in the State;

25 (2) evaluate the outreach and accessibility of these programs to
26 underrepresented groups;

27 (3) identify workforce needs and common skill gaps, by region
28 and industry, in the long-term care industry in the State to determine
29 in-demand skills, abilities, and credentials;

30 (4) develop a workforce development strategy, formalized in a
31 written plan, to satisfy workforce needs, close skill gaps, and improve
32 access to entry-level and mid-level jobs in the long-term care
33 industry, with a focus on providing career pathways for
34 underrepresented groups;

35 (5) establish, publish, and maintain, in a format accessible to the
36 public, a clearinghouse of information and resources on training and
37 workforce development programs for the long-term care industry;

38 (6) annually award a minimum of five consortia of employers,
39 labor organizations, and education institutions with training grants
40 for the purpose of providing programs that focus on the development
41 of in-demand skills, abilities, or credentials in the long-term care
42 industry. The department will prioritize awarding grants to consortia
43 that include outreach strategies to underrepresented groups. All
44 training grants will be administered by the Office of Customized
45 Training and each grant awardee will comply with all applicable
46 requirements; and

1 (7) prepare an annual report of the program's findings for the
2 Governor and the Legislature.

3 The bill provides that two percent of the total revenues dedicated
4 to the Workforce Development Partnership Fund during any one
5 fiscal year are required to be reserved for the Long-term Care
6 Workforce Development Program. Furthermore, the bill requires
7 DOLWD, to the extent permitted by law, to give priority in the use
8 of other available State and federal job training funds, to fund the
9 program to implement the workforce development strategy plan
10 required under its provisions.