

# SENATE, No. 309

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## STATE OF NEW JERSEY 219th LEGISLATURE

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PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Senator RONALD L. RICE**

**District 28 (Essex)**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Co-Sponsored by:**

**Senators Singleton**

**SYNOPSIS**

Establishes Energy and Manufacturing Workforce Development Program in DOLWD.

**CURRENT VERSION OF TEXT**

As reported by the Senate Labor Committee with technical review.



**(Sponsorship Updated As Of: 2/25/2020)**

1   **AN ACT** concerning workforce development funds and amending  
2       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  
13   employed workers by means of training grants or customized  
14   training services; provide for the other costs indicated in subsection  
15   a. of section 4 of P.L.1992, c.43 (C.34:15D-4); provide for the New  
16   Jersey Innovation and Research Fellowship Program as provided for  
17   in section 3 of P.L.2015, c.235 (C.34:15D-26); provide for the  
18   Energy and Manufacturing Workforce Development Program as  
19   provided for in section 2 of P.L. , c. (C. ) (pending before  
20   the Legislature as this bill); provide for the Talent Network  
21   Program as provided for in section 2 of P.L.2019, c.125 (C.34:15D-  
22   29); and facilitate the provision of education and training to youth  
23   by means of grants provided by the Youth Transitions to Work  
24   Partnership pursuant to the provisions of P.L.1993, c.268  
25   (C.34:15E-1 et al.). All appropriations to the fund, all interest  
26   accumulated on balances in the fund and all cash received for the  
27   fund from any other source shall be used solely for the purposes  
28   specifically delineated by this act.

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

**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 (C.34:15D-30 et al.); 37% shall be deposited in an account of the  
2 Workforce Development Partnership Fund reserved for and  
3 appropriated to the Office of Customized Training, except that,  
4 during any fiscal year beginning after June 30, 2020, 32% shall be  
5 deposited in that account and 5% shall be deposited in an account of  
6 the Workforce Development Partnership Fund reserved for and  
7 appropriated to the Energy and Manufacturing Workforce  
8 Development Program established pursuant to section 2 of P.L. ,  
9 c. (C. ) (pending before the Legislature as this bill); 5% shall  
10 be deposited in an account of the Workforce Development  
11 Partnership Fund reserved for the Youth Transitions to Work  
12 Partnership created pursuant to P.L.1993, c.268 (C.34:15E-1 et  
13 seq.); 3% shall be deposited in an account of the Workforce  
14 Development Partnership Fund reserved for occupational safety and  
15 health training; 5% shall be deposited in an account of the  
16 Workforce Development Partnership Fund reserved for and  
17 appropriated to the Talent Network Program established pursuant to  
18 section 2 of P.L.2019, c.125 (C.34:15D-29); 3% shall be deposited  
19 in an account of the Workforce Development Partnership Fund  
20 reserved for the New Jersey Innovation and Research Fellowship  
21 Program established pursuant to section 3 of P.L.2015, c.235  
22 (C.34:15D-26); 10% shall be deposited in an account of the  
23 Workforce Development Partnership Fund reserved for  
24 administrative costs as defined in section 3 of P.L.1992, c.43  
25 (C.34:15D-3); 0.5% shall be deposited in an account of the  
26 Workforce Development Partnership Fund reserved for the State  
27 Employment and Training Commission to design criteria and  
28 conduct an annual evaluation of the program; and 5.5% shall be  
29 deposited in an account of the Workforce Development Partnership  
30 Fund to be used, at the discretion of the commissioner, for any of  
31 the purposes indicated in subsection a. of section 4 of P.L.1992,  
32 c.43 (C.34:15D-4).

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

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

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

11 (cf: P.L.2019, c.252, s.3)

12

13 2. (New section) a. The Department of Labor and  
14 Workforce Development, in consultation with the Department of  
15 Education, the Board of Public Utilities, and the New Jersey State  
16 Employment and Training Commission, shall establish the Energy  
17 and Manufacturing Workforce Development Program. The purpose  
18 of the program is to evaluate and improve training opportunities for  
19 jobs in energy-related industries and manufacturing industries in  
20 order to increase the number of skilled workers in this State who are  
21 qualified for employment in those industries. The program shall  
22 prioritize providing underrepresented groups, including, but not  
23 limited to, ethnic minorities, women, veterans, and  
24 socioeconomically disadvantaged individuals with access to training  
25 and jobs in energy-related industries and manufacturing industries.

26 b. To fulfill the purpose of the program, the department shall:

27 (1) assess the effectiveness of State training programs to  
28 produce students and workers with the skills and technical expertise  
29 necessary to fill the employment opportunities available in the  
30 energy-related industries and manufacturing industries in the State;

31 (2) evaluate the outreach and accessibility of these programs to  
32 underrepresented groups;

33 (3) identify workforce needs and common skill gaps, by region  
34 and industry, in the energy-related industries and manufacturing  
35 industries in the State to determine in-demand skills, abilities, and  
36 credentials;

37 (4) develop a workforce development strategy, formalized in a  
38 written plan, to satisfy workforce needs, close skill gaps, and  
39 improve access to entry-level and mid-level jobs in energy-related  
40 industries and manufacturing industries, with a focus on providing  
41 career pathways for underrepresented groups;

42 (5) establish, publish, and maintain, in a format accessible to the  
43 public, a clearinghouse of information and resources on training and  
44 workforce development programs for energy-related industries and  
45 manufacturing industries;

46 (6) annually award a minimum of five consortia of employers,  
47 labor organizations, and education institutions with training grants  
48 for the purpose of providing programs that focus on the

1 development of in-demand skills, abilities, or credentials in energy-  
2 related industries and manufacturing industries. The department  
3 shall prioritize awarding grants to consortia that include outreach  
4 strategies to underrepresented groups. All training grants shall be  
5 administered by the Office of Customized Training and each grant  
6 awardee shall comply with all the requirements of section 5 of  
7 P.L.1992, c.43 (C.34:15D-5); and

8 (7) prepare an annual report of the program's findings for the  
9 Governor and the Legislature pursuant to section 2 of P.L.1991,  
10 c.164 (C.52:14-19.1).

11 c. The Energy and Manufacturing Workforce Development  
12 Program shall be funded through the funds reserved for the program  
13 from the Workforce Development Partnership Fund pursuant to  
14 section 9 of P.L.1992, c.43 (C.34:15D-9). In addition, the  
15 department shall, to the maximum extent permitted by State and  
16 federal law, give priority in the use of job training funds, as defined  
17 in section 4 of P.L.1989, c.293 (C.34:15C-1), including any  
18 available federal job training funds and any other available State job  
19 training funds, to provide funds to the Energy and Manufacturing  
20 Workforce Development Program to implement the workforce  
21 development strategy required under paragraph (4) of subsection b.  
22 of this section.

23 d. As used in this act:

24 "Energy-related industry" means the exploration, extraction,  
25 transportation, transmission, refining, processing, generation,  
26 distribution, sale or storage of energy and includes, but is not  
27 limited to: the energy efficiency industry; the pipeline industry; the  
28 utility industry; the alternative fuels industry; the nuclear industry;  
29 the oil and gas industry; the renewable energy industry; and the coal  
30 industry.

31 "Manufacturing industry" means an industry involving the  
32 process of converting raw materials, components, or parts into  
33 finished goods and includes, but is not limited to: the chemical  
34 manufacturing industry; the pharmaceutical manufacturing industry;  
35 the computer and electronic product manufacturing industry; the  
36 fabricated metal manufacturing industry; the food manufacturing  
37 industry; and the machinery manufacturing industry.

38  
39 3. This act shall take effect immediately.