

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 688

STATE OF NEW JERSEY
219th LEGISLATURE

ADOPTED JANUARY 27, 2020

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

Senator TROY SINGLETON

District 7 (Burlington)

Co-Sponsored by:

Senators Greenstein and Pou

SYNOPSIS

Enhances, and allocates funds for, pre-apprenticeship programs.

CURRENT VERSION OF TEXT

Substitute as adopted by the Senate Labor Committee.



(Sponsorship Updated As Of: 3/5/2020)

1 **AN ACT** concerning pre-apprenticeship programs and amending
2 P.L.1992, c.43 and P.L.1993, c.268.

3

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

6

7 1. Section 6 of P.L.1993, c.268 (C.34:15E-6) is amended to
8 read as follows:

9 6. a. Each consortium which is awarded a grant from the
10 partnership shall establish a pre-apprenticeship, or school-to-
11 apprenticeship linkage program, for high school students, which
12 shall include the development of the curriculum which will best
13 prepare students to qualify for apprenticeships established under the
14 grant, thus encouraging high school completion and increasing
15 graduation rates. Grants may also be provided to a consortium
16 pursuant to this section to create new pre-apprenticeship, or linkage,
17 programs for existing apprenticeship programs. The pre-
18 apprenticeship, or linkage program may include workplace
19 experience, but not in violation of applicable child labor standards,
20 and shall not involve any reduction of the classroom time of a
21 participating student or of academic standards, other than
22 reductions in classroom time mutually agreed to by all of the
23 entities participating in the consortium pursuant to subsection a. of
24 section 5 of P.L.1993, c.268 (C.34:15E-5). The provisions of this
25 section shall not be construed as prohibiting nontraditional
26 scheduling of classroom time. If the pre-apprenticeship, or school-
27 to-apprenticeship linkage, program includes a workplace experience
28 component:

29 (1) The student shall be regarded as a student learner **【and**
30 subject to the provisions of section 1 of P.L.1993, c. (C.)
31 (pending before the Legislature as Assembly Bill, No. 2619)**】**
32 entitled to all of the benefits and services provided to student
33 learners pursuant to P.L.1993, c.268 (C.34:15E-1 et seq.);

34 (2) The workplace experience component of the student learner
35 shall be regarded as a cooperative vocational **【education and** subject
36 to the provisions of section 1 of P.L.1993, c. (C.) (pending
37 before the Legislature as Assembly Bill, No. 2619)**】** experience
38 subject to all applicable standards promulgated by the State
39 Department of Education and the State Department of Labor and
40 Workforce Development for cooperative vocational experiences,
41 including requirements that work is under the direct supervision of
42 a qualified person, and that the student learner be provided an
43 individualized training plan outlining the tasks to be performed and
44 the progression of learning experiences, and the safety instruction
45 and occupational competencies to be learned; and

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 (3) Employers participating in the consortium who hire student
2 learners shall do so based on recommendations of the students'
3 educational institutions which give consideration to the overall
4 academic achievement of the students.

5 To the greatest extent permitted by federal law, a participating
6 employer shall also consider the overall academic achievement of
7 students when selecting apprentices under the grant.

8 b. Each pre-apprenticeship, or school-to-apprenticeship,
9 linkage program shall include counseling, recruitment, training in
10 life skills, including communication, working in teams, and meeting
11 employer expectations, training in needed basic math and literacy
12 skills, including one-to-one tutoring, and supportive services,
13 including child care for student learners who are parents and
14 transportation assistance, and other services as are needed to
15 maximize program participation by women, **[and]** minority-group
16 members, and individuals with disabilities, who are economically
17 disadvantaged individuals, have barriers to employment, or both.
18 The objectives of these services shall include increasing the success
19 of women in nontraditional employment and encouraging greater
20 academic achievement among at-risk and other students.

21 c. Employers and other participants in a consortium, when
22 selecting applicants to participate in their apprenticeship programs,
23 shall give first priority to applicants who have successfully
24 completed the pre-apprenticeship programs and have met all other
25 requirements for entering the apprenticeship programs.

26 d. Each grant awarded to a consortium shall provide that not
27 less than 25% of the grant funds be used for a pre-apprenticeship, or
28 school-to-apprenticeship, linkage program established pursuant to
29 this section.

30 (cf: P.L.1993, c.268, s.6)

31
32 2. Section 9 of P.L.1992, c.43 (C.34:15D-9) is amended to read
33 as follows:

34 9. a. A restricted, nonlapsing, revolving Workforce
35 Development Partnership Fund, to be managed and invested by the
36 State Treasurer, is hereby established to: provide employment and
37 training services to qualified displaced, disadvantaged and
38 employed workers by means of training grants or customized
39 training services; provide for the other costs indicated in subsection
40 a. of section 4 of P.L.1992, c.43 (C.34:15D-4); provide for the New
41 Jersey Innovation and Research Fellowship Program as provided for
42 in section 3 of P.L.2015, c.235 (C.34:15D-26); provide for the
43 Talent Network Program as provided for in section 2 of P.L.2019,
44 c.125 (C.34:15D-29); and facilitate the provision of education and
45 training to youth by means of grants provided by the Youth
46 Transitions to Work Partnership pursuant to the provisions of
47 P.L.1993, c.268 (C.34:15E-1 et al.). All appropriations to the fund,
48 all interest accumulated on balances in the fund and all cash

1 received for the fund from any other source shall be used solely for
2 the purposes specifically delineated by this act.

3 b. During any fiscal year beginning after June 30, 2001, of the
4 total revenues dedicated to the program during any one fiscal year:

5 (1) 25% shall be deposited in an account of the Workforce
6 Development Partnership Fund reserved to provide employment and
7 training services for qualified displaced workers, and through fiscal
8 year 2023, not less than 10% of the revenues deposited in that
9 account shall be reserved to provide employment and training
10 services to qualified displaced workers in the pursuit of industry-
11 valued credentials under the pilot program established pursuant to
12 P.L.2019, c.252 (C.34:15D-30 et al.);

13 (2) 6% shall be deposited in an account of the Workforce
14 Development Partnership Fund reserved to provide employment and
15 training services for qualified disadvantaged workers, and through
16 fiscal year 2023, not less than 10% of the revenues deposited in that
17 account shall be reserved to provide employment and training
18 services to qualified disadvantaged workers in the pursuit of
19 industry-valued credentials under the pilot program established
20 pursuant to P.L.2019, c.252 (C.34:15D-30 et al.);

21 (3) 37% prior to July 1, 2020, and 35% after June 30, 2020 shall
22 be deposited in an account of the Workforce Development
23 Partnership Fund reserved for and appropriated to the Office of
24 Customized Training;

25 (4) 5% prior to July 1, 2020, and 7% after June 30, 2020 shall
26 be deposited in an account of the Workforce Development
27 Partnership Fund reserved for the Youth Transitions to Work
28 Partnership created pursuant to P.L.1993, c.268 (C.34:15E-
29 1 et seq.);

30 (5) 3% shall be deposited in an account of the Workforce
31 Development Partnership Fund reserved for occupational safety and
32 health training;

33 (6) 5% shall be deposited in an account of the Workforce
34 Development Partnership Fund reserved for and appropriated to the
35 Talent Network Program established pursuant to section 2 of
36 P.L.2019, c.125 (C.34:15D-29);

37 (7) 3% shall be deposited in an account of the Workforce
38 Development Partnership Fund reserved for the New Jersey
39 Innovation and Research Fellowship Program established pursuant
40 to section 3 of P.L.2015, c.235 (C.34:15D-26);

41 (8) 10% shall be deposited in an account of the Workforce
42 Development Partnership Fund reserved for administrative costs as
43 defined in section 3 of P.L.1992, c.43 (C.34:15D-3);

44 (9) 0.5% shall be deposited in an account of the Workforce
45 Development Partnership Fund reserved for the State Employment
46 and Training Commission to design criteria and conduct an annual
47 evaluation of the program; and

1 (10) 5.5% shall be deposited in an account of the Workforce
2 Development Partnership Fund to be used, at the discretion of the
3 commissioner, for any of the purposes indicated in subsection a. of
4 section 4 of P.L.1992, c.43 (C.34:15D-4).

5 c. Beginning January 1, 1995, through June 30, 2002, the
6 balance in the fund as of the previous December 31, as determined
7 in accordance with generally accepted accounting principles, shall
8 not exceed 1.5 times the amount of contributions deposited for the
9 calendar year then ended. If the balance exceeds this amount, the
10 excess shall be deposited into the unemployment compensation
11 fund within seven business days of the date that the determination is
12 made.

13 d. Beginning July 1, 2002, and for any subsequent fiscal year,
14 if the unexpended cash balance in any of the accounts indicated in
15 subsection b. of this section, except for the account reserved for the
16 Talent Network Program, less any amount awarded in grants but not
17 yet disbursed from the account, is determined to exceed 20% of the
18 amount of contributions collected for deposit in the account
19 pursuant to this subsection during the fiscal year then ended, the
20 excess shall be regarded as an unemployment compensation
21 contribution and deposited into the unemployment compensation
22 fund within seven business days of the date that the determination is
23 made. If the unexpended cash balance in the account reserved for
24 the Talent Network Program, less any amount awarded in grants but
25 not yet disbursed from the account, is determined to exceed 20% of
26 the amount of contributions collected for deposit in the account
27 pursuant to this subsection during the fiscal year then ended, the
28 excess shall be deposited into the Workforce Development
29 Partnership Fund account reserved for the Office of Customized
30 Training.

31 e. Upon the effective date of P.L. , c. (pending before the
32 Legislature as this bill), in addition to the amount deposited in an
33 account of the Workforce Development Partnership Fund reserved
34 for the Youth Transitions to Work Partnership pursuant to
35 subsection b. of this section, \$1,000,000 shall be allocated to the
36 Youth Transitions to Work Partnership from the \$34,500,000 which
37 was appropriated pursuant to the annual appropriations act for State
38 fiscal year 2020 from the Workforce Development Partnership Fund
39 for the purpose of funding the NJ Apprenticeship Network, the
40 Career Accelerator Internship Program, the Workforce
41 Development Policy and Evaluation Lab, the NJ Career Network,
42 and such other priority additional workforce initiatives
43 recommended by the Commissioner of Labor and Workforce
44 Development.

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

46
47 3. This act shall take effect immediately.