

34:15C-1 to 34:15C-16

LEGISLATIVE HISTORY CHECKLIST
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NJSA: 34:15C-1 to 34:15C-16

UNPAID (State
Employment &
Training
Commission--establish)

LAWS OF: 1989

CHAPTER: 293

Bill No: 1989

Sponsor(s): Russo and others

Date Introduced: June 2, 1988

Committee: Assembly: Appropriations

Senate: Revenue, Finance & Appropriations; Labor Industry & Professions

Amended during passage: Yes Senate Committee Substitute (3R) enacted

Date of Passage: Assembly: December 18, 1989 Re-enacted 1-8-90

Senate: February 27, 1989 Re-enacted 1-8-90

Date of Approval: January 12, 1990

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes 2-6-89 & 12-8-88

Fiscal Note: No

Veto Message: Yes

Message on signing: No

Following were printed:

Reports: Yes

Hearings: No

(over)

974.90
L123
1987b

New Jersey. Task Force on Employment Policy.
New Jersey's employment challenge: developing a
productive work force for the future. December, 1987.
Trenton, 1987.

(see especially pp 3-18, 41-42)

KBG/SLJ

[THIRD REPRINT]

SENATE COMMITTEE SUBSTITUTE FOR

SENATE, No. 2627

STATE OF NEW JERSEY

ADOPTED DECEMBER 8, 1988

Sponsored by Senator RUSSO

1 AN ACT creating a State Employment and Training Commission,
2 amending P.L.1966, c.129 and P.L.1987, c.457, supplementing
3 Title 34 of the Revised Statutes and making an appropriation.
4

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

7 1. Section 5 of P.L.1966, c.129 (C.52:18A-129) is amended to
8 read as follows:

9 5. The Office of Economic Policy shall:

10 (a) Assist the Governor and the executive departments with
11 the establishment of statistical standards and procedures.

12 (b) Make reports and undertake, at the request of the
13 Governor, the Economic Policy Council, and the Legislature such
14 studies as may be pertinent for the accomplishment of legislative
15 and executive purposes.

16 (c) Cooperate with and make its resources available to other
17 public and private agencies having related responsibilities and
18 interests.

19 (d) Gather and serve as a clearing house for timely and
20 authoritative information concerning the economic growth and
21 development of the State.

22 (e) Analyze and assess the various laws, programs, and
23 activities of the State as to the effect on the economy.

24 (f) Evaluate the impact of international, federal, and other
25 State programs in terms of their effect on the economy of this
26 State.

27 (g) Recommend policies consistent with the intent and
28 purposes of this act.

29 (h) Report to the Governor annually and at such other times as
30 it may deem in the public interest with respect to its findings 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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SRF committee amendments adopted February 6, 1989.

² Assembly AAP committee amendments adopted December 7, 1989.

³ Senate amendments adopted in accordance with Governor's
recommendations January 8, 1990.

1 conclusions.

2 (i) Assist the State Employment and Training Commission in
3 preparing the State employment and training plan pursuant to
4 section 10 of P.L. , c. (C.) (now pending before the
5 Legislature as this bill).

6 The office shall have access to all files and records of other
7 State agencies and may require any officer or employee therein
8 to provide such information as it may deem necessary in the
9 performance of its functions.

10 (cf: P.L.1966, c.129, s.5)

11 2. Section 1 of P.L.1987, c.457 (C.34:1A-76) is amended to
12 read as follows:

13 1. There is established in, but not of, the Department of Labor
14 the New Jersey Occupational Information Coordinating
15 Committee which shall:

16 a. Design and implement a comprehensive occupational
17 information system to meet the common informational needs for
18 the planning for, and the operation of, all public training and job
19 placement programs and which is responsive to the economic
20 demand and education and training supply support needs of the
21 State and of areas within the State, as designated by the
22 Commissioner of Labor.

23 b. Coordinate the standardization of available federal and
24 State multi-agency administrative records and occupational
25 survey data sources as needed by the committee to produce an
26 employment, education and economic analysis that includes an
27 identification of occupational areas of potential growth or
28 decline and a discussion of the implications of these trends for
29 employment, education and training policy and for economic
30 development in the State. In preparing the analysis the
31 committee shall also utilize a set of occupational projections for
32 the State and areas within the State designated by the
33 Commissioner of Labor, which shall be published by the
34 Department of Labor.

35 c. Assure, to the greatest possible extent, that, with respect
36 to the State's occupational supply and demand reporting system:

- 37 (1) automated technology is used by the State;
38 (2) administrative records are designed to reduce paperwork;
39 (3) available administrative data and surveys are consolidated

1 to reduce duplication of recordkeeping by State and local
2 agencies, including secondary and postsecondary educational
3 institutions; and

4 (4) multiple survey burdens on employers in the State are
5 reduced.

6 d. Publish and disseminate occupational labor market supply
7 and demand information, including the results of the surveys
8 conducted pursuant to subsection h. of this section²[or section 15
9 of P.L. , c. (C.) (now pending before the Legislature as the
10 Senate Committee Substitute for Senate No. 2626 of 1988)]², and
11 individualized career information to State agencies, public
12 libraries, and private not-for-profit users, and individuals who
13 are in the process of making career decisions.

14 e. Conduct and encourage research and demonstration projects
15 designed to improve any aspect of the statewide information
16 system.

17 f. Publish, at least annually, a report which analyzes and
18 summarizes the relationship between occupational supply and
19 demand to serve as a guide for the State's job training and
20 education programs.

21 g. Use the occupational information system to implement a
22 career information delivery system which will provide students
23 and other career decisionmakers with accurate, timely and
24 locally relevant information on the careers available in the New
25 Jersey labor market.

26 h. From time to time, conduct, on a Statewide basis, a
27 comprehensive survey of occupations in the State comparing the
28 total need or anticipated need for trained workers in each
29 occupation with the total number being trained and designate as a
30 labor demand occupation each occupation which it determines to
31 be an occupation which has or is likely to have a significant
32 excess of demand over supply for adequately trained workers. In
33 cases where a private industry council established pursuant to
34 section 18 of P.L. , c. (C.) (now pending before the
35 Legislature as this bill) submits information to the New Jersey
36 Occupational Information Coordinating Committee that there is
37 or is likely to be, in the region for which the council is
38 responsible, a significant excess of demand over supply of
39 adequately trained workers for an occupation, the committee

1 may conduct a survey of the need or anticipated need in that
2 region for trained workers in that occupation and, whether or not
3 it conducts that survey, shall, in conjunction with the council,
4 determine whether to designate the occupation to be a labor
5 demand occupation in that region. The committee may utilize
6 survey data obtained by other agencies or from other sources to
7 fulfill its responsibilities under this subsection.

8 i. Assist the State Employment and Training Commission in
9 preparing the State employment and training plan pursuant to
10 section 10 of P.L. , c. (C.) (now pending before the
11 Legislature as this bill) by providing information requested by the
12 commission, including the information needed to estimate the
13 numbers of individuals in the State who are in need of different
14 types of training and employment services, and the percentage of
15 them who currently receive each type of service from either the
16 public or private sectors.

17 (cf: P.L.1987, c.457, s.1)

18 3. Section 2 of P.L.1987, c.457 (C.34:1A-77) is amended to
19 read as follows:

20 2. The committee shall:

21 a. Include the Commissioner of Commerce, Energy and
22 Economic Development, as the representative of the State
23 economic development agency; the Commissioner of Education,
24 as the representative of the State board for vocational education;
25 the Chancellor of Higher Education; the Commissioner of Labor,
26 as the representative of the State employment security agency
27 and the agency administering the vocational rehabilitation
28 program; and the Chairman of the [New Jersey State Job Training
29 Coordinating Council] State Employment and Training
30 Commission.

31 b. Implement an interagency agreement among all of its
32 statutory members detailing the operating procedures to be
33 followed to fulfill the purposes of this act.

34 (cf: P.L.1987, c.457, s.2)

35 4. (New section) As used in this act:

36 a. "At-risk youth" means a teenage high school dropout or a
37 teenage parent or other teenager whose pattern of behavior is
38 likely to result in becoming a high school dropout.

39 b. "Commission" means the State Employment and Training

1 Commission established pursuant to section 5 of this act.

2 c. "Employment and training programs" means programs and
3 services which are State or federally funded and designed to
4 develop or maintain the productivity and earning power of
5 workers and job seekers.

6 d. "Labor demand occupation" means an occupation which:

7 (1) The New Jersey Occupational Information Coordinating
8 Committee has, pursuant to subsection h. of section 1 of
9 P.L.1987, c.457 (C.34:1A-76), determined is or will be, on a
10 Statewide basis, subject to a significant excess of demand over
11 supply for trained workers, based on a comparison of the total
12 need or anticipated need for trained workers with the total
13 number being trained: or

14 (2) The New Jersey Occupational Information Coordinating
15 Committee, in conjunction with a private industry council, has,
16 pursuant to subsection h. of section 1 of P.L.1987, c.457
17 (C.34:1A-76), determined is or will be, in the region for which the
18 council is responsible, subject to a significant excess of demand
19 over supply for adequately trained workers, based on a
20 comparison of total need or anticipated need for trained workers
21 with the total number being trained.

22 e. "Private industry council" means a private industry council
23 established pursuant to section 18 this act.

24 5. (New section) There is created in the Executive Branch of
25 the State Government a commission which shall be known as the
26 State Employment and Training Commission. For the purposes of
27 complying with the provisions of Article V, Section IV, paragraph
28 1 of the New Jersey Constitution, the commission is allocated
29 within the Department of Labor, but notwithstanding this
30 allocation, the commission shall be independent of any
31 supervision or control by the department or by any board or
32 officer thereof.

33 6. (New section) The commission shall consist of the following
34 members: the Commissioners of Commerce, Energy and
35 Economic Development, Community Affairs, Education, Human
36 Services, and Labor and the Chancellor of Higher Education, all
37 of whom shall serve ex officio; one member of the Senate
38 appointed by the Governor to serve during the two-year
39 legislative session in which the appointment is made; one member

1 of the General Assembly appointed by the Governor to serve
2 during the two-year legislative session in which the appointment
3 is made; and a number of public members as determined by the
4 Governor pursuant to section 122 of the "Job Training
5 Partnership Act," Pub.L.97-300 (29 U.S.C. § 1532). The public
6 members shall be appointed by the Governor with the advice and
7 consent of the Senate for terms of three years, except that of the
8 public members first appointed by the Governor, not less than
9 30% shall be appointed for three years, not less than 30% shall be
10 appointed for two years, and the others shall be appointed for one
11 year. Not more than half of the members appointed by the
12 Governor shall be of the same political party. The composition of
13 the commission shall be consistent with the composition required
14 for a State job training coordinating council pursuant to section
15 122(a)(3) of the "Job Training Partnership Act," Pub.L.97-300 (29
16 U.S.C. § 1532). Each member shall hold office for the term of
17 appointment and until his successor is appointed and qualified. A
18 member appointed to fill a vacancy occurring in the membership
19 of the board for any reason other than the expiration of the term
20 shall have a term of appointment for the unexpired term only.
21 All vacancies shall be filled in the same manner as the original
22 appointment. A member may be appointed for any number of
23 successive terms. Any member appointed by the Governor may
24 be removed from office by the Governor, for cause, after a
25 hearing and may be suspended by the Governor pending the
26 completion of the hearing. Members of the board shall serve
27 without compensation, but shall be reimbursed for necessary
28 expenses incurred in the performance of their duties as
29 members. Action may be taken and motions and resolutions may
30 be adopted by the board at a board meeting by an affirmative
31 vote of a majority of the members. The Governor shall select a
32 chairperson who shall be a nongovernmental member of the
33 commission. Advanced notification for, and copies of the
34 minutes of, each meeting of the commission shall be filed with
35 the Governor, the President of the Senate and the Speaker of the
36 General Assembly.

37 7. (New section) The commission shall appoint an executive
38 director. The executive director shall report to the chairperson
39 of the commission and be responsible for administering the daily

1 operations of the commission², and may appoint not more than
2 four administrators². The executive director ²[is authorized to
3 hire and organize into appropriate work units] and the
4 administrators shall serve in the State unclassified service. The
5 commission may also hire and employ, pursuant to Title 11A,
6 Civil Service, of the New Jersey Statutes,² other professional,
7 technical, and clerical staff as may be necessary to perform the
8 functions assigned to the commission. ²[All professional,
9 technical and clerical staff shall be hired and employed pursuant
10 to the Title 11A, Civil Service, of the New Jersey Statutes.]²
11 The commission may call to its assistance and avail itself of the
12 services of the employees of any other units of State government
13 as it may require and as may be available to it for that purpose.

14 8. (New section) The purpose of the commission shall be to
15 develop and assist in the implementation of a State employment
16 and training policy with the goal of creating a coherent,
17 integrated system of employment and training programs and
18 services which, in concert with the efforts of the private sector,
19 will provide each citizen of the State with equal access to the
20 learning opportunities needed to attain and maintain high levels
21 of productivity and earning power. The principal emphasis of the
22 employment and training policy shall be developing a strategy to
23 fill significant gaps in New Jersey's training and employment
24 efforts, with special attention to finding ways to mobilize and
25 channel public and private resources to individuals who would
26 otherwise be denied access to the training and education they
27 need to make their fullest contribution to the economic well
28 being of the State. To the extent practicable, the strategy shall
29 emphasize types of training and education which foster the
30 communication and critical thinking skills in workers and job
31 seekers which will be of greatest benefit for long term career
32 advancement.

33 9. (New section) The ²[duties of the]² commission shall
34 ²[include]²:

35 a. ²[Issuing] Issue² the annual State employment and training
36 plan pursuant to the provisions of section 10 of this act;

37 b. ²[Establishing] Establish² performance standards for
38 training and employment programs pursuant to section 11 of this
39 act;

1 c. ²[Conducting] Conduct² its responsibilities in relationship to
2 the New Jersey Institute for Employment and Training Staff
3 Development as required pursuant to section 12 of this act;

4 d. ²[Fostering] Foster² and ²[coordinating] coordinate²
5 initiatives of the Departments of Education and Higher Education
6 to enhance the contributions of public schools and institutions of
7 higher education to the implementation of the State employment
8 and training policy;

9 e. ²[Examining] Examine² federal and State laws and
10 regulations to assess whether those laws and regulations present
11 barriers to achieving any of the goals of this act ²[or of P.L. ,
12 c. (C.) (now pending before the Legislature as the Senate
13 Committee Substitute for Senate Bill No. 2626 of 1988)]². The
14 commission shall, from time to time as it deems appropriate,
15 issue to Governor and the Legislature reports on its findings,
16 including recommendations for changes in State or federal laws
17 or regulations concerning employment and training programs or
18 services, including, when appropriate, recommendations to merge
19 other State advisory structures and functions into the
20 commission; ²[and]²

21 f. ²[Any] Perform the² duties assigned to a state job training
22 coordinating council pursuant to Section 122 of Title I of the "Job
23 Training Partnership Act," Pub.L.97-300 (29 U.S.C. § 1532) and
24 Title III of that act (29 U.S.C. § 1651 et seq.)²;

25 g. Have the authority to enter into agreements with the
26 commissioner or chancellor, as the case may be, of each State
27 department which administers or funds employment or training
28 programs, including, but not limited to, the Departments of
29 Labor, Community Affairs, Education, Higher Education, and
30 Human Services, which agreements are for the purpose of
31 assigning planning, policy guidance and oversight functions to
32 each private industry council with respect to any employment or
33 training program funded or administered by the State department
34 within the private industry council's respective labor market
35 area or service delivery area, as the case may be; and

36 h. Establish guidelines to be used by the private industry
37 councils in performing the planning, policy guidance, and
38 oversight functions assigned to the councils under any agreement
39 reached by the commission with a department pursuant to

1 subsection g. of this section².

2 The commission shall have access to all files and records of
3 other State agencies and may require any officer or employee
4 therein to provide such information as it may deem necessary in
5 the performance of its functions.

6 10. (New section) The commission shall annually issue a State
7 employment and training plan. The plan shall include:

8 a. A description of the State employment and training policy
9 developed pursuant to section 8 of this act;

10 b. An assessment and an evaluation of the demand for various
11 kinds of trained workers in New Jersey and recommendations on
12 how to direct the State's employment and training efforts to be
13 most effective in using that demand to increase the productivity
14 and earning power of the work force;

15 c. Estimates of the numbers of individuals who are eligible for
16 or in need of different types of training and employment services,
17 the percentage of them who currently receive each type of
18 service from either the public or private sectors, and
19 comprehensive proposals for increasing the percentage of eligible
20 individuals who receive each type of service, with priority given
21 to those individuals who are confronted with the most serious
22 difficulties in obtaining the education and training they need to
23 attain their full productive and earning potentials²[. The portion
24 of the report indicated in this subsection shall include:

25 (1) Information regarding the number of dislocated workers
26 receiving assistance from the Dislocated Worker Trainee
27 Financial Assistance Program established pursuant to section 10
28 of P.L. , c. (C.) (now pending before the Legislature as the
29 Senate Committee Substitute for Senate Bill No. 2626 of 1988),
30 the number eligible to receive that assistance and estimates of
31 the portion of those eligible who would benefit significantly from
32 the assistance, in terms of greater employability, earning power
33 and productivity;

34 (2) Estimates of the number of individuals, other than
35 dislocated workers, who are economically disadvantaged or
36 subject to barriers to employment and what portion of them
37 would benefit significantly, in terms of greater employability,
38 earning power and productivity, from a program of income
39 support during job training;

1 (3) Any recommendations the commission deems appropriate
2 regarding the expansion of the Dislocated Worker Trainee
3 Financial Assistance Program or the establishment of similar
4 programs to provide income support for disadvantaged trainees
5 other than dislocated workers; and

6 (4) Information regarding the number of workers who are over
7 55 years of age, estimates of how many of them are in need of
8 training and employment services, what portion of those in need
9 receive the services, and what, if any, portion of the funds
10 allocated to the Worker Self Investment Program established
11 pursuant to section 8 of P.L. , c. (C.) (now pending before
12 the Legislature as the Senate Committee Substitute for Senate
13 Bill No. 2626 of 1988) would be needed to guarantee that they
14 receive the services]²;

15 d. A description of any performance standards established
16 pursuant to section 11 of this act and remedial education
17 standards established pursuant to section 14 of this act and any
18 evaluation of an employment and training program based on those
19 standards;

20 e. Evaluations of other existing employment and training
21 programs, their goals and structures, and the consistency of each
22 program with the State employment and training policy developed
23 by the commission;

24 ²f. (1) Evaluations of the organizational structures, functions
25 and activities of governmental agencies performing advisory
26 functions or activities in relation to employment and training
27 programs or services, including advisory functions and activities
28 performed in connection with vocational education, adult
29 education, apprenticeship, vocational rehabilitation and human
30 services programs; and

31 (2) Recommendations to the Governor about coordination of
32 the State's efforts in these program areas, including, if the
33 commission deems appropriate, a recommendation to the
34 Governor for the transfer of these advisory functions and
35 activities to the jurisdiction of the commission;² and

36 ²[f.] ²g.² Recommendations for any ²other² changes the
37 commission deems appropriate in the overall structure of the
38 State's employment and training system, including the
39 consolidation of duplicative programs and services and the

1 reallocation of State and federal funds to the agencies able to
2 make the best use of those funds.

3 Each report shall be submitted to the Governor, the Legislature
4 and each department charged with the operation of any program
5 or service which is evaluated by the commission or the subject of
6 a recommendation in the report.

7 The commission may, at any other time as it deems
8 appropriate, issue additional reports to the Governor and the
9 Legislature concerning any of the subjects addressed in the
10 annual State employment and training plan.

11 11. (New section) a. The commission shall establish
12 quantifiable performance standards for evaluating each
13 employment and training program, and guidelines for procedures
14 to encourage and enforce compliance with those standards. The
15 commission shall establish the standards and procedures in
16 conjunction with the Department of Labor and any other
17 department which funds or administers the program.

18 The standards shall be designed to measure the success of each
19 program in assisting the individuals it serves to attain and
20 maintain high levels of productivity and earning power, through
21 preparation for employment in occupations with significant
22 opportunities for career advancement. The standards shall take
23 into account the specific needs and characteristics of the target
24 populations which the programs serve.

25 b. Each employment and training program, including any
26 program funded ²[under the New Jersey Job Training Program]
27 or² established pursuant to ²[section 5 of]² P.L.1983, c.328
28 ²[(C.34:15B-15), under] (C.34:15B-11 et al.), P.L.1987, c.71 (C.
29 34:15B-27 et seq.),² the "Job Training Partnership Act,"
30 Pub.L.97-300 (29 U.S.C. § 1501 et seq.), or ²[under] Title VI of²
31 the "Omnibus Trade and Competitiveness Act of 1988,"
32 Pub.L.100-418 ²[(U.S.C. §)] (20 U.S.C. §5001 et al),² is
33 hereby deemed to be subject to the performance standards and
34 guidelines established pursuant to subsection a. of this section.
35 The performance standards for the program shall be based on
36 factors including, but not limited to:

37 (1) The percentage of trainees who are placed, following
38 completion of the program, in employment in the occupation for

1 which they are trained or who are enrolled for further education
2 or training, if those enrollments are a goal of the program;

3 (2) The success of the program in sustaining or increasing the
4 trainees' levels of earnings, based on wage levels upon placement
5 in employment, and the trainees' potential for further
6 advancement. The factors indicated in this paragraph shall be
7 given a weight of not less than 20% in the evaluation of the
8 program, unless enrollment for further education or training is a
9 goal of the program;

10 (3) The percentage of trainees served by the program who are
11 designated under the performance standards as having the
12 greatest need for the services provided by the program, based on
13 criteria appropriate to the program; and

14 (4) The success of the program in facilitating the remedial
15 education which the program is required to make available to
16 trainees under standards established pursuant to section 14 of this
17 act.

18 In establishing performance standards, the commission shall not
19 use criteria which may adversely affect the assessment of a
20 program because of any emphasis the program may have on
21 long-term vocational training and education.

22 The commission shall establish dates by which each department
23 administering employment and training programs shall adopt the
24 standards and guidelines for use in the planning, budgeting and
25 administration of those programs.

26 The standards shall apply to a program which is federally
27 funded except to the extent that application of the standards
28 would prevent the program from receiving the federal funding.

29 12. (New section) a. There is created, within the commission,
30 a New Jersey Institute for Employment and Training Staff
31 Development. The institute shall be headed by a director who
32 shall be appointed by and under the supervision of the Executive
33 Director of the commission. The Director of the Institute for
34 Employment and Training Staff Development shall:

35 (1) Continuously evaluate the need for upgrading the
36 professional and technical competence of employees of State and
37 local employment and training agencies;

38 (2) Develop curricula, seminars, conferences, advanced
39 training courses and similar activities to improve the level of

1 competence of employment and training staff; and

2 (3) Be authorized to enter into contracts with providers of
3 staff development services in accordance with an annual plan and
4 budget approved by the commission. The contracts shall be
5 issued in accordance with established State procedures.

6 ³[b. There is established within the institute the Dislocated
7 Worker Peer Counselor Training Program, the purpose of which
8 shall be to train dislocated workers to provide other dislocated
9 workers with counseling services ²[, including counseling services
10 provided under the Dislocated Worker Employment and Training
11 Program established pursuant to section 9 of P.L. , c. (C.)
12 (now pending before the Legislature as the Senate Committee
13 Substitute for Senate Bill No. 2626 of 1988)]². For the period
14 which ends July 1, 1991, the director shall enter into a contract
15 with the Worker Resource Center, Inc., for the center to operate
16 the Dislocated Worker Peer Counselor Training Program. After
17 that date, the director may, in accordance with established State
18 procedures and with the annual plan and budget approved by the
19 commission, enter into such contracts as the director deems
20 appropriate for the operation of the Dislocated Worker Peer
21 Counselor Training Program.]³

22 ³[²c.] b.³ Nothing in this act shall be construed to affect the
23 authority of the Commissioner of Personnel to review and
24 approve training programs for State employees pursuant to
25 N.J.S.11A:6-25.²

26 13. (New section) The commission shall establish such
27 requirements as it deems appropriate for each employment and
28 training program to utilize: the New Jersey Career Information
29 Delivery System for the delivery of individual career
30 decision-making information; and the comprehensive
31 occupational information system designed and implemented by
32 the New Jersey Occupational Information Coordinating
33 Committee pursuant to P.L.1987, c.457 (C.34:1A-76 et seq.) for
34 program planning. The New Jersey Career Information Delivery
35 System shall be used by entities administrating job training
36 programs within service delivery areas established pursuant to
37 the provisions of the "Job Training Partnership Act,"
38 Pub.L.97-300 (29 U.S.C. § 1501 et seq.), unless it is demonstrated
39 that alternative services are more effective for the delivery of

1 individual career decision-making information.

2 14. (New section) a. The commission shall foster and
3 coordinate initiatives of the Department of Education and the
4 Department of Higher Education to maximize the contributions
5 of the State's public schools and institutions of higher education
6 in implementing the State employment and training policy
7 developed by the commission. The commission shall foster and
8 coordinate initiatives of the Department of Education and the
9 Department of Higher Education which will enhance the State's
10 efforts to assist at-risk youths in achieving educational success
11 and making successful transitions to work. The commission shall
12 foster initiatives of the Department of Higher Education among
13 institutions of higher education which will enhance the State's
14 employment and training efforts, including: the coordination of
15 vocational programs between institutions; more use of facilities
16 at institutions which provide education at or above the level of
17 county colleges, including, but not limited to, the Advanced
18 Technology Centers established pursuant to P.L.1985, c.102
19 (C.52:9X-1 et seq.), P.L.1985, c.103 (C.18A:64J-1 seq.), P.L.1985,
20 c.104 (C.18A:64J-8 et seq.), P.L.1985, c.105 (C.18A:64J-15 et
21 seq.), and P.L.1985, c.106 (C.18A:64J-22 et seq.); developing
22 more programs to offer four year degrees for working students
23 who attend only at nights and on weekends; and expanding
24 programs which provide college credit for training and
25 educational experiences outside of traditional academic contexts.

26 b. The commission shall have the responsibility, jointly with
27 the Department of Education, the Department of Labor and the
28 Department of Higher Education, to: (1) establish standards
29 regarding the minimum levels of remedial education which shall
30 be made available to a trainee under any employment and
31 training program, including ²[the New Jersey Job Training
32 Program] any program funded or² established pursuant to
33 ²[section 5 of]² P.L.1983, c.328 ²[(C.34:15B-15), under]
34 (C.34:15B-11 et seq.), P.L.1987, c.71 (C. 34:15B-27 et al),² the
35 "Job Training Partnership Act," Pub.L.97-300 (29 U.S.C. § 1501
36 et seq.), or ²[under] Title VI of² the "Omnibus Trade and
37 Competitiveness Act of 1988," Pub.L.100-418 ²[(U.S.C. §)] 20
38 U.S.C. §5001 et al)²; and (2) coordinate the development of
39 appropriate intake and assessment instruments and procedures for

1 the assessment of persons seeking access to employment and
2 training programs. The remedial education standards shall take
3 into account the differing needs and characteristics of the
4 various target populations which the programs serve. ²[The
5 minimum level of remedial education which shall be made
6 available to a dislocated worker who participates in the
7 Dislocated Worker Trainee Financial Assistance Program
8 established pursuant to section 10 of P.L. , c. (C.) (now
9 pending before the Legislature as the Senate Committee
10 Substitute for Senate Bill No. 2626 of 1988) and who has not
11 attained a secondary diploma or its equivalent and the level of
12 basic skills required to attain a secondary diploma at the time the
13 training occurs shall be a program of remedial education which
14 has the goal of providing a secondary diploma or its equivalent
15 and that level of basic skills.]²

16 15. (New section) The chairperson of the commission shall
17 prepare an annual budget for the commission.

18 16. (New section) The commission shall adopt rules and
19 regulations pursuant to the "Administrative Procedure Act,"
20 P.L.1968, c.410 (C.52:14B-1 et seq.) necessary to effectuate the
21 provisions of this act.

22 17. (New section) a. Not more than 25% of the funds
23 expended in the State under Title III of the "Job Training
24 Partnership Act," Pub.L.97-300, (29 U.S.C. § 1651 et seq.) shall
25 be used to provide needs-related payments as defined in section
26 314 of that act (U.S.C. §). Each individual who applies to
27 receive or is otherwise given consideration to receive training
28 under Title III of the "Job Training Partnership Act,"
29 Pub.L.97-300, (29 U.S.C. § 1651 et seq.) shall be notified of the
30 availability of the needs-related payments.

31 b. In providing the needs-related payments, priority shall be
32 given to any individual who:

33 (1) Is eligible to receive needs-related payments under that
34 act; and

35 (2) Is qualified to receive a trade readjustment allowance
36 pursuant to section 231 of Title II of Pub.L.93-618, (19 U.S.C.
37 §2291), but is not receiving the allowance because moneys are not
38 available under that act.

39 If an individual receives needs-related payments for a given

1 period of time pursuant to this subsection, and a trade
2 readjustment allowance later becomes retroactively available for
3 the same time period, a portion of the allowance not greater than
4 the amount given to the individual in needs-related payments
5 may be reimbursed to the State, if permitted by law.

6 c. A provision of this section shall not apply to the extent that
7 it results in any reduction of the total amount of federal funds
8 received by the State.

9 18. (New section) a. There shall be a private industry council
10 for each service delivery area. Each service delivery area
11 established by the Governor shall have the same boundaries as the
12 labor market area of which it is a part, except in cases where the
13 boundaries are different because the Governor is required,
14 pursuant to section 101 of Pub.L.97-300 (29 U.S.C. § 1511), to
15 approve a request to be a service delivery area made by a unit of
16 general local government with a population of 200,000 or more,
17 or a consortium of contiguous units of general local government
18 with an aggregate population of 200,000 or more which serves a
19 substantial part, but not all, of the labor market area.

20 b. Each private industry council shall be in conformity with
21 section 102 of Pub.L.97-300 (29 U.S.C. § 1512) and shall consist
22 of:

23 (1) Representatives of the private sector, who shall constitute
24 a majority of the membership of the council and who shall be
25 owners of business concerns, chief executives or chief operating
26 officers of nongovernmental employers, or other private sector
27 executives who have substantial management or policy
28 responsibility; and

29 (2) Representatives of organized labor, rehabilitation agencies,
30 community-based organizations, economic development agencies,
31 the public employment service and educational agencies which
32 are representative of all educational agencies in the service
33 delivery area.

34 The chairman of the council shall be selected from among
35 members of the council who are representative of the private
36 sector.

37 c. Members of the council shall be appointed from among
38 individuals nominated by appropriate organizations in accordance
39 with section 102 of Pub.L.97-300 (29 U.S.C. § 1512). If there is

1 only one unit of general local government in the service delivery
2 area with experience in administering job training programs, the
3 chief elected official of that unit shall determine the initial
4 number of members on the council and shall appoint the
5 members. If there are two or more units in the service delivery
6 area with experience in administering job training programs, the
7 chief elected officials of those units shall, in accordance with an
8 agreement entered into by all of those units, determine the initial
9 number of members on the council and appoint the members. In
10 the absence of an agreement by all of the units, the Governor
11 shall determine the initial number of members on the council and
12 appoint the members. Members shall be appointed for fixed and
13 staggered terms and may serve until their successors are
14 appointed. A vacancy in the membership of the council shall be
15 filled in the same manner as the original appointment. A member
16 of the council may be removed for cause in accordance with
17 procedures established by the council.

18 d. The Governor shall certify a private industry council if he
19 determines that its composition and appointments are consistent
20 with the provisions of this section and Pub.L.97-300 (29 U.S.C. §
21 1501 et seq.). The certification shall be made or denied not later
22 than 30 days after the date on which a list of members and
23 necessary supporting documentation are submitted to the
24 Governor. The council shall, within 30 days after its certification
25 by the Governor, be convened by the official or officials who
26 made the appointments to the council under subsection c. of this
27 section. The council shall meet at least four times per year, with
28 meetings open to attendance by interested persons pursuant to
29 the "Open Public Meetings Act," P.L.1975, c.231 (C.10:4-6 et
30 seq.).

31 e. Each private industry council established pursuant to this
32 act shall:

33 (1) Provide policy guidance for, and exercise oversight with
34 respect to, all employment and training programs within its labor
35 market area in partnership with the unit or units of general local
36 government within the area. To provide the policy guidance and
37 oversight, the council shall review and evaluate the programs
38 and, as appropriate, make recommendations to the Governor, the

1 Legislature, or any State agency or local governing entity
2 involved in the funding or administration of the programs. The
3 recommendations shall be based primarily on how effective each
4 program is in meeting relevant performance standards, including
5 standards regarding the cost and quality of training and the
6 characteristics of participants. ²The council shall provide any
7 planning, policy guidance or oversight with respect to
8 employment and training programs in accordance with any
9 agreement entered into pursuant to subsection g. of section 9 of
10 this act by the commission and the department administering or
11 funding the programs.²

12 (2) Establish skill level and competency guidelines consistent
13 with the provisions of this act to be used as a basis for the
14 selection of skill training programs and competency curriculum in
15 its service delivery area;

16 (3) Assist in the development, approval and submission of the
17 state employment services operating plan for its labor market
18 area;

19 (4) Prepare and approve a budget for itself in accordance with
20 the job training plan adopted pursuant to Pub.L.97-300 (29 U.S.C.
21 § 1501 et seq.);

22 (5) Submit to the State Employment and Training Commission,
23 by September 1 of each year, an annual report covering the
24 immediately preceding program period of July 1 to June 30. The
25 report shall contain:

26 (a) An account of activities during the program period,
27 including all coordination activities undertaken by the council to
28 eliminate unnecessary duplication of services and foster a unified
29 delivery system;

30 (b) Information describing the extent to which the activities
31 failed or succeeded in meeting relevant performance standards;
32 and

33 (c) The skill level and competency guidelines to be used in the
34 upcoming year;

35 (6) Fulfill any other role or function of a private industry
36 council required pursuant to Pub.L.97-300 (29 U.S.C. § 1501 et
37 seq.); and

38 (7) Assume any additional responsibilities assigned to it by the
39 Governor in consultation with the State Employment and Training

1 Commission.

2 f. In order to carry out its functions under this act, a private
3 industry council may:

4 (1) Hire staff;

5 (2) Incorporate as a non-profit or other entity;

6 (3) Act, under agreement with the chief elected official or
7 officials, as the administrative entity for employment and
8 training programs funded within the labor market area; and

9 (4) Seek, obtain and expend additional funding for the
10 programs from public and private sources.

11 g. Funds provided or administered by a private industry council
12 shall not be used to duplicate facilities or services available in
13 the council's service delivery area, with or without
14 reimbursement, from federal, State or local sources, unless it is
15 demonstrated that alternative services or facilities would be
16 more effective or more likely to achieve the service delivery
17 area's performance goals. Appropriate educational agencies and
18 services available for participants living in the service delivery
19 area shall be utilized unless the administrative entity
20 demonstrates that alternative agencies or services would be more
21 effective and have greater potential to enhance the
22 participants' continued occupational and career growth.

23 h. No member of a private industry council established
24 pursuant to this act shall cast a vote on the provision of services
25 by that member or any organization which that member directly
26 represents or vote on any matter which would provide direct
27 financial benefit to that member. Private industry councils shall
28 be subject to policies concerning conflict of interest and
29 nepotism prescribed by the Commissioner of Labor.

30 i. The Commissioner of Labor, in conjunction with the State
31 Employment and Training Commission, shall establish criteria for
32 awarding pilot grants to private industry councils to assist them
33 in implementing the purposes of this section. The commissioner
34 shall expend not less than 85% of any funds appropriated to
35 effectuate the purposes of this subsection for the pilot grants and
36 not more than 15% of the funds for the costs of contracting,
37 monitoring, evaluating and auditing the pilot grants. The
38 commissioner shall report to the Governor and the Legislature
39 and to the State Employment and Training Commission on the

1 results of the evaluation of the pilot grants.

2 19. (New section) The Commissioner of Education, in
3 consultation with the Commissioners of Labor and Community
4 Affairs, the Chancellor of Higher Education and the Chairperson
5 of the State Employment and Training Commission shall convene
6 a Youth 2000 Leadership Conference. The conference shall:

7 a. Address the future needs of the State's youth, with
8 particular emphasis on at-risk youth;

9 b. Develop a broad outline for future steps to be taken
10 cooperatively among the departments and the State Employment
11 and Training Commission to deal with at-risk youth and the need
12 for alternative learning systems; and

13 c. Develop proposals for innovative pilot programs to assist
14 youth in becoming better prepared for employment.

15 20. There is appropriated from the General Fund to the State
16 Employment and Training Commission ¹[\$350,000.00 to
17 effectuate the purposes of sections 4 through 16 of this act,]
18 ²[\$250,000¹] ³[\$325,000² from which ¹the¹ commission shall
19 provide]³ ²[:

20 a.)² ³[\$125,000 to the Dislocated Worker Peer Counselor
21 Training Program established pursuant to section 12 of this act]
22 ³\$200,000³ ²;

23 b. \$25,000 to ¹be distributed among¹ entities administrating
24 job training programs within service delivery areas established
25 pursuant to the provisions of the "Job Training Partnership Act,"
26 Pub.L.97-300 (29 U.S.C. § 1501 et seq.) to enable the entities to
27 comply with requirements established pursuant to section 13 of
28 this act; and

29 c.)² ¹[Not less than]¹ ²[\$100,000 to effectuate the purposes of
30 section 14 of this act]².

31 21. This act shall take effect immediately ²[but shall remain
32 inoperative until the date of enactment of P.L. , c. (C.)
33 (now pending before the Legislature as the Senate Committee
34 Substitute for Senate Bill No. 2626 of 1988)]².

35

36

LABOR AND EMPLOYMENT

37

Economic Development

38

39 Establishes a State Employment and Training Commission;
40 appropriates \$200,000.

SENATE, No. 2627

STATE OF NEW JERSEY

INTRODUCED JUNE 2, 1988

By Senators RUSSO, VAN WAGNER, O'CONNOR,
COWAN and PALLONE

LAW LIBRARY COPY
DO NOT REMOVE

1 AN ACT creating a State Employment and Training Commission,
amending P.L. 1966 c. 129 and P.L. 1987, c. 457, supplementing
3 Title 34 of the Revised Statutes and making an appropriation.

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

7 1. Section 5 of P.L. 1966, c. 129 (C. 52:18A-129) is amended to
read as follows:

9 5. The Office of Economic Policy shall:

(a) Assist the Governor and the executive departments with
11 the establishment of statistical standards and procedures.

(b) Make reports and undertake, at the request of the
13 Governor, the Economic Policy Council, and the Legislature such
studies as may be pertinent for the accomplishment of legislative
15 and executive purposes.

(c) Co-operate with and make its resources available to other
17 public and private agencies having related responsibilities and
interests.

(d) Gather and serve as a clearing house for timely and
19 authoritative information concerning the economic growth and
development of the State.

(e) Analyze and assess the various laws, programs, and
23 activities of the State as to the effect on the economy.

(f) Evaluate the impact of international, federal, and other
25 State programs in terms of their effect on the economy of this
State.

(g) Recommend policies consistent with the intent and
27 purposes of this act.

(h) Report to the Governor annually and at such other times as
29 it may deem in the public interest with respect to its findings and
conclusions.

(i) Assist the State Employment and Training Commission in
33 preparing the State employment and training plan pursuant to

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 section 10 of P.L. , c. (C.) (now pending before the
2 Legislature as this bill).

3 The office shall have access to all files and records of other
4 State agencies and may require any officer or employee therein
5 to provide such information as it may deem necessary in the
6 performance of its functions.

7 (cf: P.L. 1966, c. 129, s. 5)

8 2. Section 1 of P.L. 1987, c. 457 (34:1A-76) is amended to read
9 as follows:

10 1. There is established in, but not of, the Department of Labor
11 the New Jersey Occupational Information Coordinating
12 Committee which shall:

13 a. Design and implement a comprehensive occupational
14 information system to meet the common informational needs for
15 the planning for, and the operation of, all public training and job
16 placement programs and which is responsive to the economic
17 demand and education and training supply support needs of the
18 State and of areas within the State, as designated by the
19 Commissioner of Labor.

20 b. Coordinate the standardization of available federal and
21 State multi-agency administrative records and occupational
22 survey data sources as needed by the committee to produce an
23 employment, education and economic analysis that includes an
24 identification of occupational areas of potential growth or
25 decline and a discussion of the implications of these trends for
26 employment, education and training policy and for economic
27 development in the State. In preparing the analysis the
28 committee shall also utilize a set of occupational projections for
29 the State and areas within the State designated by the
30 Commissioner of Labor, which shall be published by the
31 Department of Labor.

32 c. Assure, to the greatest possible extent, that, with respect
33 to the State's occupational supply and demand reporting system:

- 34 (1) automated technology is used by the State;
35 (2) administrative records are designed to reduce paperwork;
36 (3) available administrative data and surveys are consolidated
37 to reduce duplication of recordkeeping by State and local
38 agencies, including secondary and postsecondary educational
39 institutions; and

1 (4) multiple survey burdens on employers in the State are
reduced.

3 d. Publish and disseminate occupational labor market supply
and demand information, including the results of the surveys
5 conducted pursuant to subsections h. and i. of this section, and
individualized career information to State agencies, public
7 libraries, and private not-for-profit users, and individuals who
are in the process of making career decisions.

9 e. Conduct and encourage research and demonstration projects
designed to improve any aspect of the statewide information
11 system.

f. Publish, at least annually, a report which analyzes and
13 summarizes the relationship between occupational supply and
demand to serve as a guide for the State's job training and
15 education programs.

g. Use the occupational information system to implement a
17 career information delivery system which will provide students
and other career decisionmakers with accurate, timely and
19 locally relevant information on the careers available in the New
Jersey labor market.

21 h. From time to time, conduct a comprehensive survey of
occupations in the State comparing the need or anticipated need
23 for trained workers in each occupation with the number being
trained and designate as a labor demand occupation each
25 occupation which it determines to be an occupation which has or
is likely to have a significant shortage of adequately trained
27 workers.

i. Conduct an annual comprehensive survey, on a regional
29 basis, of the average weekly pay level for each occupation in the
State. For the purposes of that survey, the State shall be divided
31 into not less than two regions. The results of the first annual
survey conducted pursuant to this subsection shall be made
33 available not more than 90 days following the effective date of
this 1988 amendatory and supplementary act.

35 j. Assist the State Employment and Training Commission in
preparing the State employment and training plan pursuant to
37 section 10 of P.L. , c. (C.) (now pending before the
Legislature as this bill) by providing information requested by the
39 commission, including the information needed to estimate the

1 numbers of individuals in the State who are in need of different
2 types of training and employment services, and what percentage
3 of them receive which services from either the public or private
4 sectors.

5 (cf: P.L. 1987, c. 457, s. 1)

6 3. Section 2 of P.L. 1987, c. 457 (C. 34:1A-77) is amended to
7 read as follows:

8 2. The committee shall:

9 a. Include the Commissioner of Commerce, Energy and
10 Economic Development, as the representative of the State
11 economic development agency; the Commissioner of Education,
12 as the representative of the State board for vocational education;
13 the Chancellor of Higher Education; the Commissioner of Labor,
14 as the representative of the State employment security agency
15 and the agency administering the vocational rehabilitation
16 program; and the [Chairman of the New Jersey State Job Training
17 Coordinating Council] Executive Director of the State
18 Employment and Training Commission.

19 b. Implement an interagency agreement among all of its
20 statutory members detailing the operating procedures to be
21 followed to fulfill the purposes of this act.

(cf: P.L. 1987, c. 457, s. 2)

22 4. (New section) As used in this act:

23 a. "Commission" means the State Employment and Training
24 Commission established pursuant to section 5 of this act.

25 b. "Employment and training programs and services" means
26 programs and services which are State or federally funded and
27 designed to develop or maintain the productivity and earning
28 power of workers and job seekers.

29 c. "Designated employment and training programs and
30 services" means employment and training programs which are
31 designated by law to be subject to performance standards
32 established by the commission.

33 d. "Labor demand occupation" means an occupation which the
34 New Jersey Occupational Coordinating Committee has, pursuant
35 to section 1 of P.L. 1987, c. 457 (C. 34:1A-76), determined is or
36 will be subject to a significant shortage of adequately trained
37 workers, based on a comparison of need or anticipated need for
38 trained workers with the number being trained.
39

1 5. (New section) There is created in the Executive Branch of
the State Government a commission which shall be known as the
3 State Employment and Training Commission. For the purposes of
complying with the provisions of Article V, Section IV, paragraph
5 1 of the New Jersey Constitution, the commission is allocated
within the Department of Labor, but notwithstanding this
7 allocation, the commission shall be independent of any
supervision or control by the department or by any board or
9 officer thereof.

6. (New section) The commission shall consist of 30 members
11 as follows: the Commissioners of Commerce, Energy and
Economic Development, Education, Human Services, and Labor,
13 the Chancellor of Higher Education, and the Chairman of the
Economic Policy Council, all of whom shall serve ex officio; one
15 member of the Senate appointed by the Governor to serve during
the two-year legislative session in which the appointment is
17 made; one member of the General Assembly appointed by the
Governor to serve during the two-year legislative session in
19 which the appointment is made; and 22 public members appointed
by the Governor with the advice and consent of the Senate for
21 terms of three years, except that of the 22 public members first
appointed by the Governor, eight shall be appointed for three
23 years, eight shall be appointed for two years, and six shall be
appointed for one year. Not more than 12 of the members
25 appointed by the Governor shall be of the same political party.
The public members appointed by the Governor shall include: 10
27 representatives of business and industry in the State, including
not less than six representatives of industries with average pay
29 levels not less than the State average and significant demand for
workers in labor demand occupations; six representatives of
31 counties or municipalities which have had significant numbers of
displaced or economically disadvantaged workers or job seekers
33 during the three years prior to the appointment; four
representatives of labor unions which have had significant
35 numbers of members or former members who were displaced or
economically disadvantaged workers or job seekers during the
37 three years prior to the appointment; and two representatives of
local educational agencies or community organizations in
39 communities which have had significant numbers of displaced or

1 economically disadvantaged workers or job seekers during the
three years prior to the appointment. Each member shall hold
3 office for the term of appointment and until his successor is
appointed and qualified. A member appointed to fill a vacancy
5 occurring in the membership of the board for any reason other
than the expiration of the term shall have a term of appointment
7 for the unexpired term only. All vacancies shall be filled in the
same manner as the original appointment. A member may be
9 appointed for any number of successive terms. Any member may
be removed from office by the Governor, for cause, after a
11 hearing and may be suspended by the Governor pending the
completion of the hearing. Members of the board shall serve
13 without compensation, but shall be reimbursed for necessary
expenses incurred in the performance of their duties as
15 members. Action may be taken and motions and resolutions may
be adopted by the board at a board meeting by an affirmative
17 vote of not less than 16 members. The commission shall select a
chairperson who shall be a member of the commission. Advanced
19 notification for, and copies of the minutes of, each meeting of
the commission shall be filed with the Governor, the President of
21 the Senate and the Speaker of the Assembly.

7. (New section) The commission shall appoint an executive
23 director. The executive director shall report to the chairperson
of the commission and be responsible for administering the daily
25 operations of the commission. The executive director is
authorized to hire and organize into appropriate work units other
27 professional, technical, and clerical staff as may be necessary to
perform the functions assigned to the commission. All
29 professional staff shall be in the unclassified service and together
with the technical and clerical staff shall be hired and employed
31 pursuant to the Title 11A, Civil Service, of the New Jersey
Statutes. The commission may call to its assistance and avail
33 itself of the services of the employees of any other units of State
government as it may require and as may be available to it for
35 that purpose.

8. (New section) The purpose of the commission shall be to
37 develop and assist in the implementation of a State employment
and training policy with the goal of creating a coherent,
39 integrated system of employment and training programs and

1 services which, in concert with the efforts of the private sector,
will provide each citizen of the State with equal access to the
3 learning opportunities needed to attain and maintain high levels
of productivity and earning power. The principal emphasis of the
5 employment and training policy shall be developing a strategy to
fill in significant gaps in New Jersey's training and employment
7 efforts, with special attention to finding ways to mobilize and
channel public and private resources to individuals who would
9 otherwise be denied access to the training and education they
need to make their fullest contribution to the economic well
11 being of the State. To the extent practicable, the strategy shall
emphasize types of training and education which foster the
13 communication and critical thinking skills in workers and job
seekers which will be of greatest benefit for long term career
15 advancement.

9. (New section) The duties of the commission shall include:

- 17 a. Issuing the annual State employment and training plan
pursuant to the provisions of section 10 of this act;
- 19 b. Establishing performance standards for designated training
and employment programs and services pursuant to section 11 of
21 this act;
- 23 c. Overseeing the New Jersey Institute for Employment and
Training Staff Development established pursuant to section 12 of
this act;
- 25 d. Administering the New Jersey Occupational Information
Coordinating Committee pursuant to section 13 of this act;
- 27 e. Developing programs jointly with the Departments of
Education and Higher Education to enhance the contributions of
29 public schools and institutions of higher education to the
implementation of the State employment and training policy;
- 31 f. Examining federal and State laws and regulations to assess
whether those laws and regulations present barriers to achieving
33 any of the goals of this act or of P.L. __, c.__(C.__) (now pending
before the Legislature as Senate Bill No. 2626 of 1988). The
35 commission shall, from time to time as it deems appropriate,
issue to Governor and the Legislature reports on its findings,
37 including recommendations for changes in State or federal laws
or regulations concerning employment and training programs or
39 services, including, when appropriate, recommendations to merge

1 other State advisory structures and functions into the
commission; and

3 g. Any duties assigned to a state job training coordinating
council pursuant to Section 122 of Title I of the "Job Training
5 Partnership Act," Pub.L. 97-300 (29 U.S.C. §1532).

The commission shall have access to all files and records of
7 other State agencies and may require any officer or employee
therein to provide such information as it may deem necessary in
9 the performance of its functions.

10. (New section) The commission shall, with the assistance of
11 the Office of Economic Policy, the research and planning staffs
of the departments which are represented on the commission, and
13 the New Jersey Occupational Information Coordinating
Committee, annually issue a State employment and training plan.
15 The plan shall include:

a. A description of the State employment and training policy
17 developed pursuant to section 8 of this act;

b. An assessment and an evaluation of the demand for various
19 kinds of trained workers in New Jersey and recommendations on
how to direct the State's employment and training efforts to be
21 most effective in using that demand to increase the productivity
and earning power of the work force;

c. Estimates of the numbers of individuals who are in need of
23 different types of training and employment services, the
percentage of them who currently receive various services from
25 either the public or private sectors, and comprehensive proposals
27 for increasing the percentage of eligible individuals who receive
the services, with priority given to those who are confronted with
29 the most serious difficulties in obtaining the education and
training they need to attain their full productive and earning
31 potentials;

d. An evaluation of existing employment and training programs
33 and services, their goals and structures, and the consistency of
each program or service with the State employment and training
35 policy developed by the commission; and

e. Recommendations for any changes the commission deems
37 appropriate in the overall structure of the State's employment
and training system, including the consolidation of duplicative
39 programs and services, the reallocation of State and federal funds

1 to the agencies able to make the best use of them, and the
designating of which training and employment programs are to be
3 subject to performance standards established by the commission.

Each report shall be submitted to the Governor, the Legislature
5 and each department charged with the operation of any program
or service which is evaluated by the commission or the subject of
7 a recommendation in the report.

The commission may, at any other time as it deems
9 appropriate, issue additional reports to the Governor and the
Legislature concerning any of the subjects addressed in the
11 annual State employment and training plan.

11. (New section) a. The commission shall establish
13 quantifiable performance standards for evaluating designated
employment and training programs and services, and guidelines
15 for procedures to encourage or enforce compliance with the
standards.

17 The standards shall be designed to measure the success of each
program or service in assisting the individuals it serves to attain
19 and maintain high levels of productivity and earning power,
through preparation for employment in occupations with
21 significant opportunities for career advancement. The standards
shall take into account the specific needs and characteristics of
23 the target populations which the programs serve.

b. Each employment and training program funded under the
25 New Jersey Job Training Program established pursuant to section
5 of P.L. 1983, c. 328 (C. 34:15B-15) or under the "Job Training
27 Partnership Act," Pub.L. 97-300 (29 U.S.C. §1501 et seq.) are
hereby deemed to be designated employment and training
29 programs and services, and therefore subject to performance
standards and guidelines established by the commission. The
31 performance standards for those programs shall be based on
factors including, but not limited to:

33 (1) The percentage of trainees who satisfactorily complete the
program;

35 (2) The percentage of trainees who are placed, following the
completion of the program, in the employment in the occupation
37 for which they are trained;

(3) The success of the program in sustaining or increasing the
39 trainees' levels of earnings, based on wage levels upon placement

1 in employment, and the trainees' potential for further
advancement, based on the average earnings for the occupation
3 to which training pertains. The factors indicated in this
paragraph shall be given a weight of not less than 35% in the
5 evaluation of the program; and

(4) The success of the program in facilitating the remedial
7 education to which trainees are entitled pursuant to section 14 of
this act.

9 In establishing performance standards, the commission shall not
use criteria which may adversely affect the assessment of a
11 program because of any emphasis the program may have on
long-term vocational training and education the program may
13 have.

The commission shall establish dates by which the
15 Commissioner of Labor shall adopt the standards and guidelines
for use in the planning, budgeting and administration of those
17 programs and services.

The standards shall not apply to a program which is federally
19 funded if and to the extent that the application of the standards
would prevent the program from receiving the federal funding.

21 12. (New section) There is established, in the Institute of
Management and Labor Relations at Rutgers, the State
23 University, the New Jersey Institute for Employment and
Training Staff Development, which shall, to the extent that
25 available resources permit:

a. Develop uniform intake and assessment instruments and
27 procedures for the assessment of persons seeking access to
employment and training programs and services;

29 b. Provide training for staff involved in the State's
employment and training system. This staff training shall include
31 training provided by the Displaced Worker Peer Counselor
Training Program, which is hereby established in the Labor
33 Education Department in the Institute of Management and Labor
Relations. That program shall train dislocated workers to provide
35 other dislocated workers with the counseling services, including
counseling services provided under the Dislocated Worker Self
37 Investment Program established pursuant to section 9 of P.L. __,
c. __ (C. __) (now pending before the Legislature as Senate Bill
39 No. 2626 of 1988);

1 c. Coordinate and set standards for staff training activities
other than those it conducts, and evaluate existing staff training
3 programs to determine whether they meet the standards. The
commission shall establish the dates by which staff training
5 programs of the State's employment and training system shall
adopt the standards set by the institute; and

7 d. Provide any other services the commission deems
appropriate to enhance the staff development activities of the
9 State's employment and training system.

The Institute of Management and Labor Relations shall, in
11 consultation with the commission, appoint a director of the New
Jersey Institute for Employment and Training Staff
13 Development. The director shall administer and operate the New
Jersey Institute for Employment and Training Staff Development
15 and submit its annual budget request to the commission for
approval.

17 13. (New section) The New Jersey Occupational Information
Coordinating Committee in the Department of Labor established
19 pursuant to P.L. 1987, c. 457 (C. 34:1A-76 et seq.), together with
all its powers, functions and duties, is continued and transferred
21 to the State Employment and Training Commission and
established as an organizational unit in that commission pursuant
23 to the "State Agency Transfer Act," P.L. 1971, c. 375
(C. 52:14D-1 et seq.). The Staff Director of the New Jersey
25 Occupational Information Coordinating Committee shall be an
employee of the commission and report to the executive director
27 of the commission.

The commission shall establish requirements for each
29 designated employment and training program and service to
utilize the Career Information Delivery System (CIDS) and the
31 comprehensive occupational information system designed and
implemented by the New Jersey Occupational Information
33 Coordinating Committee pursuant to P.L. 1987, c. 457
(C. 34:1A-76 et seq.).

35 14. (New section) a. The commission shall have the
responsibility, jointly with the Department of Education and the
37 Department of Higher Education, to develop programs which will
maximize the contributions of the State's public schools and
39 institutions of higher education in implementing the State

1 employment and training policy developed by the commission.
The commission shall, jointly with the Department of Education,
3 foster initiatives in public schools which will enhance the State's
efforts to assist at-risk youths in achieving educational success
5 and making a successful transitions to work. The commission
shall, jointly with the Department of Higher Education, foster
7 initiatives among institutions of higher education which will
enhance the State's employment and training efforts, including:
9 the coordination of vocational programs between institutions;
more use of facilities at institutions which provide education
11 above the level of county colleges, including, but not limited to,
the Advanced Technology Centers established pursuant the P.L.
13 1985, c. 102 (C. 52:9X-1 et seq.), P.L. 1985, c. 103 (C. 18A:64J-1
seq.), P.L. 1985, c. 104 (C. 18A:64J-8 et seq.), P.L. 1985, c. 105
15 (C. 18A:64J-15 et seq.), and P.L. 1985, c. 106 (C. 18A:64J-22 et
seq.); developing more programs to offer four year degrees for
17 working students who attend only at nights and on weekends; and
expanding programs which provide college credit for training and
19 educational experiences outside of traditional academic contexts.

b. The commission shall have the responsibility, jointly with
21 the Department of Education and the Department of Higher
Education, to establish standards regarding the minimum levels of
23 remedial education to which a trainee shall be entitled under the
New Jersey Job Training Program established pursuant to section
25 5 of P.L. 1983, c. 328 (C. 34:15B-15) or under the "Job Training
Partnership Act," Pub.L. 97-300 (29 U.S.C. §1501 et seq.). Each
27 dislocated worker who participates in the Dislocated Worker
Trainee Financial Assistance Program established pursuant to
29 section 10 of P.L.____, c.____(C.____) (now pending before the
Legislature as Senate Bill No. 2626 of 1988) and who does not
31 have a secondary diploma or its equivalent or has not attained a
12th grade level of basic skills shall be required to enroll in a
33 program of remedial education with the goal of attaining a
secondary diploma or its equivalent and a 12th grade level of
35 basic skills. The commission may also, jointly with the
Department of Education and the Department of Higher
37 Education, establish standards regarding the minimum levels of
remedial education to which a trainee shall be entitled under any
39 other training or employment program or service.

1 The duties of the commission include:

3 1. Issuing the annual State employment and training plan which
5 includes estimates of the numbers of individuals who are in need
7 of different types of training and employment services, the
9 percentage who receive services from either the public or private
11 sectors, and comprehensive proposals for increasing the
13 percentage of eligible individuals who receive the services,
including recommendations for changes in the structure of the
State's employment and training system, the reallocation of
State and federal funds to the agencies able to make the best use
of them, and the designating which training and employment
programs are to be subject to performance standards established
by the commission;

15 2. Establishing performance standards for designated training
17 and employment programs and services designed to measure the
19 success of each program or service in assisting trainees to attain
and maintain high levels of productivity and earning power,
through preparation for employment in occupations with
significant opportunities for career advancement. The bill
directs the commission to set standards for programs funded
21 under the New Jersey Job Training Program established pursuant
to P.L. 1983, c. 328 (C. 34:15B-15) and the federal Job Training
23 Partnership Act, including standards regarding remedial
education and program success in sustaining or increasing the
25 trainees' levels of earnings;

27 3. Overseeing the New Jersey Institute for Employment and
Training Staff Development established under the bill;

29 4. Administering the New Jersey Occupational Information
Coordinating Committee;

31 5. Reviewing federal and State laws and regulations and
33 making appropriate recommendations for changes in those laws or
regulations to improve the operations of the State's system of
employment and training programs or services; and

35 6. Develop programs jointly with the Departments of
37 Education and Higher Education to maximize the contributions of
public schools and institutions of higher education in the State to
the implementation of the State employment and training policy
developed by the commission.

39 The bill appropriates \$550,000.00 to the commission.

1

LABOR AND EMPLOYMENT

Economic Development

3

Establishes a State Employment and Training Commission;

5

appropriates \$550,000.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[FIRST REPRINT]
SENATE COMMITTEE SUBSTITUTE

SENATE, No. 2627

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 7, 1989

The Assembly Appropriations Committee reports favorably Senate No. 2627 SCS [1R] with committee amendments.

Senate Bill No. 2627 SCS [1R], as amended, establishes a State Employment and Training Commission in but not of the Department of Labor and appropriates \$325,000 for the purposes of the bill.

The purpose of the commission is to develop and assist in the implementation of a State employment and training policy to create a coherent, integrated system of employment and training programs and services which, in concert with the efforts of the private sector, will provide equal access for all citizens of the State to the learning opportunities needed to attain and maintain high levels of productivity and earning power. The principal emphasis of the employment and training policy is to develop a strategy to fill significant gaps in New Jersey's training and employment efforts, with special attention to finding ways to direct public and private resources to individuals who would otherwise be denied access to needed training and education. The bill does not limit the authority of the Commissioner of Personnel to initiate or establish training and education programs for public employees pursuant to Title 11A of the New Jersey Statutes.

The bill provides that standards for remedial education for job training programs are to be established jointly by the Departments of Education, Higher Education and Labor and that not more than 25% of the funds expended in this State under Title III of the "Job Training Partnership Act" may be used to provide needs-related payments.

The bill further provides for the establishment, regulation, oversight and administrative responsibilities of private industry councils for each service delivery area in the State. These private industry councils were established under the federal "Job Training Partnership Act" to provide for the delivery of job training and services in their respective service delivery areas.

The bill provides for the convening of a Youth 2000 Leadership Conference by the Commissioner of Education, in consultation with the Commissioners of Labor and Community Affairs, the Chancellor of Higher Education and the Chairperson of the State Employment and Training Commission, to address the future needs of the State's youth, with particular emphasis on at-risk youth; to develop future steps to deal with at-risk youth and the need for alternative learning systems; and to develop pilot programs to assist youth in becoming better prepared for employment. This bill is identical to the ACS for Assembly Bill No. 4211 (1R).

FISCAL IMPACT

The bill appropriates \$325,000 from the General Fund to the State Employment and Training Commission, of which \$125,000 is allotted to the Dislocated Worker Peer Counselor Training Program.

COMMITTEE AMENDMENTS

The committee amendments clarify the commission staff hiring procedures, enhance the duties of the commission, remove any operative conditions pending the enactment of of Senate Bill No. 2626, increase the appropriation from \$250,000 to \$325,000, and make certain technical amendments.

SENATE REVENUE, FINANCE AND
APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 2627

with Senate committee amendments

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STATE OF NEW JERSEY

DATED: FEBRUARY 6, 1989

The Senate Revenue, Finance and Appropriations Committee reported Senate Bill No. 2627 SCS favorably with committee amendments.

As amended, Senate Bill No. 2627 SCS establishes a State Employment and Training Commission in but not of the Department of Labor and appropriates \$250,000 for the purposes of the bill.

The purpose of the commission is to develop and assist in the implementation of a State employment and training policy to create a coherent, integrated system of employment and training programs and services which, in concert with the efforts of the private sector, will provide equal access for all citizens of the State to the learning opportunities needed to attain and maintain high levels of productivity and earning power. The principal emphasis of the employment and training policy is to develop a strategy to fill significant gaps in New Jersey's training and employment efforts, with special attention to finding ways to direct public and private resources to individuals who would otherwise be denied access to needed training and education. The bill does not limit the authority of the Commissioner of Personnel to initiate or establish training and education programs for public employees pursuant to Title 11A of the New Jersey Statutes.

The bill provides that standards for remedial education for job training programs are to be established jointly by the Departments of Education, Higher Education and Labor and that not more than 25% of the funds expended in this State under Title III of the Job Training Partnership Act may be used to provide needs-related payments.

The bill further provides for the establishment, regulation, oversight and administrative responsibilities of private industry councils for each service delivery area in the State. These private industry councils were established under the federal Job Training Partnership Act to provide for the delivery of job training and services in their respective service delivery areas.

The bill provides for the convening of a Youth 2000 Leadership Conference by the Commissioner of Education, in consultation with the Commissioners of Labor and Community Affairs, the Chancellor of Higher Education and the Chairperson of the State Employment and Training Commission, to address the future needs of the State's youth, with particular emphasis on at-risk youth; develop future steps to deal with at-risk youth and the need for alternative learning systems; and develop pilot programs to assist youth in becoming better prepared for employment.

This bill takes effect upon the enactment of Senate Bill No. 2626.

COMMITTEE AMENDMENTS

The committee amendments reduce the appropriation from \$350,000 to \$250,000.

FISCAL IMPACT

The bill appropriates \$250,000 from the General Fund to the State Employment and Training Commission, of which \$125,000 is allotted to the Dislocated Worker Peer Counselor Training Program, \$25,000 is allotted to entities administrating job training programs and services in service delivery areas to use the Career Information Delivery System and the comprehensive occupational information system of the Occupational Information Coordinating Committee, and \$100,000 is for the fostering and coordination of initiatives of the Departments of Education and Higher Education in implementing the State employment and training policy.

SENATE LABOR, INDUSTRY AND PROFESSIONS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR

SENATE, No. 2627

STATE OF NEW JERSEY

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DATED: DECEMBER 8, 1988

The Senate Labor, Industry and Professions Committee reports favorably a Senate Committee Substitute for Senate Bill No. 2627.

This substitute establishes a State Employment and Training Commission, in but not of the Department of Labor, comprised of the Commissioners of Commerce, Energy and Economic Development, Community Affairs, Education, Human Services, and Labor; the Chancellor of Higher Education; two members of the Legislature; and a number of public members determined by the Governor, which members are to be appointed by the Governor with the advice and consent of the Senate. The Governor is to appoint the chairperson of the commission, who must be a nongovernmental member of the commission. The commission is to appoint an executive director.

The purpose of the commission is to develop and assist in the implementation of a State employment and training policy to create a coherent, integrated system of employment and training programs and services which, in concert with the efforts of the private sector, will provide equal access for all citizens of the State to the learning opportunities needed to attain and maintain high levels of productivity and earning power. The principal emphasis of the employment and training policy is to develop a strategy to fill significant gaps in New Jersey's training and employment efforts, with special attention to finding ways to direct public and private resources to individuals who would otherwise be denied access to needed training and education. To the extent practicable, the strategy is to emphasize types of training and education which foster those communication and critical thinking skills in trainees which will be of the greatest benefit for long term career advancement. The bill does not limit the authority of the Commissioner of Personnel to initiate or establish training and education programs for public employees pursuant to Title 11A of the New Jersey Statutes.

The duties of the commission include:

1. Issuing the annual State employment and training plan which includes a description of the State employment and training policy; estimates of the number of individuals who are in need of different

types of training and employment services, the percentage who receive services from either the public or private sectors, and comprehensive proposals for increasing the percentage of eligible individuals who receive the services; an evaluation of existing employment and training programs selected by the commission and assessment and evaluation of the demand for various kinds of trained workers and recommendations on how to direct the State's employment and training efforts to fill those needs; an evaluation of any employment and training program or service evaluated on the basis of the performance standards established by the commission; and recommendations for changes in the structure of the State's employment and training system, the reallocation of State and federal funds to the agencies able to make the best use of them, and designating which training and employment programs are to be subject to performance standards established by the commission.

2. Establishing performance standards for training and employment programs and services designed to measure the success of each program or service in assisting trainees to attain and maintain high levels of productivity and earning power through preparation for employment in occupations with significant opportunities for career advancement. The commission must establish these standards in conjunction with the Department of Labor and any other department which funds or administers the program or service.

3. Overseeing the New Jersey Institute for Employment and Training Staff Development which is established within the commission. The Institute for Employment and Training Staff Development is charged with providing for the development and training of staff involved in the State's employment and training system and administering the Dislocated Worker Peer Counselor Training Program, which is established within the institute, for training dislocated workers to provide other dislocated workers with counseling services.

4. Fostering and coordinating initiatives of the Departments of Education and Higher Education to maximize the contributions of public schools and institutions of higher education in the State to the implementation of the State employment and training policy developed by the commission.

5. Reviewing federal and State laws and regulations and making appropriate recommendations for changes in those laws or regulations to improve the operations of the State's system of

employment and training programs or services.

6. Any duties assigned to a state job training coordinating council pursuant to the federal "Job Training Partnership Act."

Standards for remedial education for job training programs are to be established jointly by the Departments of Education, Higher Education and Labor.

The bill provides that not more than 25% of the funds expended in this State under Title III of the Job Training Partnership Act may be used to provide needs-related payments.

Section 18 of the bill provides for the establishment, regulation, oversight and administrative responsibilities of private industry councils for each service delivery area in the State. These private industry councils were established under the federal Job Training Partnership Act to provide for the delivery of job training and services in their respective service delivery areas.

The bill provides for the convening of a Youth 2000 Leadership Conference by the Commissioner of Education, in consultation with the Commissioners of Labor and Community Affairs, the Chancellor of Higher Education and the Chairperson of the State Employment and Training Commission, to address the future needs of the State's youth, with particular emphasis on at-risk youth; develop future steps to deal with at-risk youth and the need for alternative learning systems; and develop pilot programs to assist youth in becoming better prepared for employment.

The bill appropriates \$350,000 to the State Employment and Training Commission, of which \$125,000 is allotted to the Dislocated Worker Peer Counselor Training Program, \$25,000 is allotted to entities administrating job training programs and services in service delivery areas to use the Career Information Delivery System and the comprehensive occupational information system of the Occupational Information Coordinating Committee, and not less than \$100,000 is to be used for the fostering and coordination of initiatives of the Departments of Education and Higher Education in implementing the State employment and training policy.

This bill will not become operative until Senate Bill No. 2626 of 1988 (the New Jersey Job Training Program) is signed into law.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

January 8, 1990

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 2627

(Second Reprint)

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I am returning the Second Reprint for the Senate Committee Substitute for Senate Bill No. 2627 with my objections for reconsideration.

This bill statutorily establishes a State Employment and Training Commission. The mandate of the Commission is to develop and assist in the implementation of a State employment and training policy with the goal of creating a coherent, integrated system of employment and training programs and services which, in concert with the efforts of the private sector, will provide each citizen of the State with equal access to the learning opportunities needed to attain and maintain high levels of productivity and earning power. The principal emphasis of the employment and training policy shall be to develop a strategy to fill significant gaps in New Jersey's training and employment efforts, with special attention to finding ways to mobilize and channel public and private resources to individuals who would otherwise be denied access to the training and education they need to make their fullest contribution to the economic well-being of the State.

This bill has reached my desk as a result of extensive efforts on the part of the Administration and the Legislature. The Department of Labor supports this bill with the exception of the creation of a Dislocated Worker Peer Counselor Training Program. The Department believes, and I concur, that this program would be duplicative of staff efforts already underway and would require funding that could be utilized more appropriately elsewhere. The Department of Labor has developed a program that responds to the needs of workers faced with layoffs and plant closings and that joins together the efforts of a combination of State and local agencies. The creation of an additional program is unneeded and could confuse workers. Accordingly, I have removed this provision from the bill and the portion of the appropriation contained in the bill for the program.

Therefore, I herewith return the Second Reprint for the Senate Committee Substitute for Senate Bill No. 2627 and recommend that it be amended as follows:

Page 13, Section 12, Lines 6-21: Delete in their entirety

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

2

Page 13, Section 12, Line 22:

Delete "c." insert "b."

Page 20, Section 20, Line 18:

Delete "\$325,000 from which the
commission shall"

Page 20, Section 20, Lines 19-21:

Delete in their entirety; insert
"\$200,000"

Respectfully,

/s/ Thomas H. Kean

GOVERNOR

[seal]

Attest:

/s/ Deborah T. Poritz

Chief Counsel