



**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** Yes

"Wirths manufacturing grant bill signed by Gov. – Business. Manufacturers will receive preference when applying for workforce development grants, thanks to a bill sponsored by NJ Assemblyman Wirths and signed by Gove. Murphy this week."  
The Advertiser-News (Sussex County, NJ), January 9, 2020

RWH/JA

P.L. 2019, CHAPTER 278, *approved January 9, 2020*  
Senate, No. 446

1 **AN ACT** providing preferences for certain businesses applying for  
2 workforce development grants and amending P.L.1992, c.43.

3  
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7 1. Section 4 of P.L.1992, c.43 (C.34:15D-4) is amended to read  
8 as follows:

9 4. a. The Workforce Development Partnership Program is  
10 hereby established in the Department of Labor and Workforce  
11 Development and shall be administered by the Commissioner of  
12 Labor and Workforce Development. The purpose of the program is  
13 to provide qualified displaced, disadvantaged and employed  
14 workers with the employment and training services most likely to  
15 enable the individual to obtain employment providing self-  
16 sufficiency for the individual and also to provide the greatest  
17 opportunity for long-range career advancement with high levels of  
18 productivity and earning power. To implement that purpose, the  
19 program shall provide those services by means of training grants or  
20 customized training services in coordination with funding for the  
21 services from federal or other sources. The commissioner is  
22 authorized to expend moneys from the Workforce Development  
23 Partnership Fund to provide the training grants or customized  
24 training services and provide for each of the following:

25 (1) The cost of counseling required pursuant to section 7 of  
26 P.L.1992, c.43 (C.34:15D-7), to the extent that adequate funding for  
27 counseling is not available from federal or other sources;

28 (2) Reasonable administrative costs, which shall not exceed  
29 10% of the revenues collected pursuant to section 2 of P.L.1992,  
30 c.44 (C.34:15D-13) during any fiscal year ending before July 1,  
31 2001, except for additional start-up administrative costs approved  
32 by the Director of the Office of Management and Budget during the  
33 first year of the program's operation;

34 (3) Reasonable costs, which shall not exceed 0.5% of the  
35 revenues collected pursuant to section 2 of P.L.1992, c.44  
36 (C.34:15D-13) during any fiscal year ending before July 1, 2001, as  
37 required by the State Employment and Training Commission to  
38 design criteria and conduct an annual evaluation of the program;  
39 and

40 (4) The cost of reimbursement to individuals for excess  
41 contributions pursuant to section 6 of P.L.1992, c.44 (C.34:15D-  
42 17).

**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       b. Not more than 10% of the moneys received by any service  
2 provider pursuant to this act shall be expended on anything other  
3 than direct costs to the provider of providing the employment and  
4 training services, which direct costs shall not include any  
5 administrative or overhead expense of the provider.
- 6       c. Training and employment services or other workforce  
7 investment services shall be provided to a worker who receives  
8 counseling pursuant to section 7 of P.L.1992, c.43 (C.34:15D-7)  
9 only if the counselor who evaluates the worker pursuant to that  
10 section determines that the worker can reasonably be expected to  
11 successfully complete the training and instruction identified in the  
12 Employability Development Plan developed pursuant to that section  
13 for the worker.
- 14       d. All occupational training provided under this act:
- 15       (1) Shall be training which is likely to substantially enhance the  
16 individual's marketable skills and earning power; and
- 17       (2) Shall be training for a labor demand occupation, except for:
- 18       (a) Customized training provided to the present employees of a  
19 business which the commissioner deems to be in need of the  
20 training to prevent job loss caused by obsolete skills, technological  
21 change or national or global competition; or
- 22       (b) Customized training provided to employees at a facility  
23 which is being relocated from another state into New Jersey; or
- 24       (c) Entrepreneurial training and technical assistance supported  
25 by training grants provided pursuant to subsection b. of section 6 of  
26 P.L.1992, c.43 (C.34:15D-6).
- 27       e. During any fiscal year ending before July 1, 2001, not less  
28 than 25% of the total revenues dedicated to the program during any  
29 one fiscal year shall be reserved to provide employment and  
30 training services for qualified displaced workers; not less than six  
31 percent of the total revenues dedicated to the program during any  
32 one fiscal year shall be reserved to provide employment and  
33 training services for qualified disadvantaged workers; not less than  
34 45% of the total revenues dedicated to the program during any one  
35 fiscal year shall be reserved for and appropriated to the Office of  
36 Customized Training; not less than 3% of the total revenues  
37 dedicated to the program during any one fiscal year shall be  
38 reserved for occupational safety and health training; and 5% of the  
39 total revenues dedicated to the program during any one fiscal year  
40 shall be reserved for and appropriated to the Youth Transitions to  
41 Work Partnership created pursuant to P.L.1993, c.268 (C.34:15E-1  
42 et seq.).
- 43       f. Funds available under the program shall not be used for  
44 activities which induce, encourage or assist: any displacement of  
45 currently employed workers by trainees, including partial  
46 displacement by means such as reduced hours of currently  
47 employed workers; any replacement of laid off workers by trainees;

- 1 or any relocation of operations resulting in a loss of employment at  
2 a previous workplace located in the State.
- 3 g. On-the-job training shall not be funded by the program for  
4 any employment found by the commissioner to be of a level of skill  
5 and complexity too low to merit training. The duration of on-the-  
6 job training funded by the program for any worker shall not exceed  
7 the duration indicated by the Bureau of Labor Statistics'  
8 Occupational Information Network, or "O\*NET," for the  
9 occupation for which the training is provided and shall in no case  
10 exceed 26 weeks. The department shall set the duration of on-the-  
11 job training for a worker for less than the indicated maximum, when  
12 training for the maximum duration is not warranted because of the  
13 level of the individual's previous training, education or work  
14 experience. On-the-job training shall not be funded by the program  
15 unless it is accompanied, concurrently or otherwise, by whatever  
16 amount of classroom-based or equivalent occupational training,  
17 remedial instruction or both, is deemed appropriate for the worker  
18 by the commissioner. On-the-job training shall not be funded by  
19 the program unless the trainee is provided benefits, pay and  
20 working conditions at a level and extent not less than the benefits  
21 and working conditions of other trainees or employees of the  
22 trainee's employer with comparable skills, responsibilities,  
23 experience and seniority.
- 24 h. Employment and training services funded by the program  
25 shall not replace, supplant, compete with or duplicate in any way  
26 approved apprenticeship programs.
- 27 i. No activities funded by the program shall impair existing  
28 contracts for services or collective bargaining agreements, except  
29 that activities which would be inconsistent with the terms of a  
30 collective bargaining agreement may be undertaken with the written  
31 concurrence of the collective bargaining unit and employer who are  
32 parties to the agreement.
- 33 j. All staff who are hired and supported by moneys from the  
34 Workforce Development Partnership Fund, including any of those  
35 staff located at any One Stop Career Center, but not including any  
36 staff of a service provider providing employment and training  
37 services supported by a customized training grant pursuant to  
38 section 5 of P.L.1992, c.43 (C.34:15D-5) or an individual training  
39 grant pursuant to section 6 of P.L.1992, c.43 (C.34:15D-6), shall be  
40 hired and employed by the State pursuant to Title 11A, Civil  
41 Service, of the New Jersey Statutes, be hired and employed by a  
42 political subdivision of the State, or be qualified staff hired and  
43 employed by a non-profit organization which began functioning as  
44 the One Stop Career Center operator with the written consent of the  
45 chief elected official and the commissioner prior to the effective  
46 date of P.L.2004, c.39 (C.34:1A-1.2 et al.), or be qualified staff  
47 hired and employed by an approved community-based or faith-  
48 based organization to provide services at the level of staffing

1 provided in an agreement entered into by the organization before  
2 the effective date of P.L.2004, c.39 (C.34:1A-1.2 et al.).

3 k. Employers in the State who apply for grants for training and  
4 employment services or other workforce investment services for  
5 their employees in the State shall be evaluated by the commissioner  
6 and preference shall be given to those employers who:

7 (1) provide equipment, supplies, or services to military bases  
8 and installations pursuant to a procurement or military contract with  
9 the United States Department of Defense, the United States  
10 Department of Veterans Affairs, or any branch of the United States  
11 Armed Forces;

12 (2) are engaged in one or more of the following fields or  
13 industries: science, technology, engineering, mathematics, or  
14 advanced manufacturing within these fields or industries; **[or]**

15 (3) are manufacturers; or

16 (4) intend to train veterans.

17 Pursuant to this paragraph, "veteran" means a person who has  
18 served in the Army, Navy, Air Force, Marines or Coast Guard of  
19 the United States or a Reserve component thereof or the National  
20 Guard of this State as defined in section 1 of P.L.1963, c.109  
21 (C.38A:1-1), and has been honorably discharged or released under  
22 conditions other than dishonorable from that service.

23 (cf: P.L.2017, c.22, s.1)

24

25 2. Section 5 of P.L.1992, c.43 (C.34:15D-5) is amended to read  
26 as follows:

27 5. a. There is hereby established, as part of the Workforce  
28 Development Partnership Program, the Office of Customized  
29 Training. Moneys allocated to the office from the fund shall be used  
30 to provide employment and training services to eligible applicants  
31 approved by the commissioner.

32 b. An applicant shall be eligible for customized training  
33 services if it is one of the following:

34 (1) An individual employer that seeks the customized training  
35 services to create, upgrade or retain jobs in a labor demand  
36 occupation;

37 (2) An individual employer that seeks customized training  
38 services to upgrade or retain jobs in an occupation which is not a  
39 labor demand occupation, if the commissioner determines that the  
40 services are necessary to prevent the likely loss of the jobs or that  
41 the services are being provided to employees at a facility which is  
42 being relocated from another state into New Jersey;

43 (3) An employer organization, labor organization or community-  
44 based or faith-based organization seeking the customized training  
45 services to provide training in labor demand occupations in a  
46 particular industry;

47 (4) A consortium made up of one or more educational  
48 institutions and one or more eligible individual employers or labor,

1 employer or community-based or faith-based organizations that  
2 seeks the customized training services to provide training in labor  
3 demand occupations in a particular industry;

4 (5) An individual employer who provides equipment, supplies,  
5 or services to military bases and installations pursuant to a  
6 procurement or military contract with the United States Department  
7 of Defense, the United States Department of Veterans Affairs, or  
8 any branch of the United States Armed Forces;

9 (6) An individual employer who is engaged in one or more of  
10 the following fields or industries: science, technology, engineering,  
11 mathematics, or advanced manufacturing within these fields or  
12 industries; **[or]**

13 (7) An individual employer who is a manufacturer; or

14 (8) An individual employer who intends to train veterans. For  
15 the purposes of this subparagraph, a "veteran" is a person who has  
16 served in the Army, Navy, Air Force, Marines or Coast Guard of  
17 the United States or a Reserve component thereof or the National  
18 Guard of this State as defined in section 1 of P.L.1963, c.109  
19 (C.38A:1-1), and has been honorably discharged or released under  
20 conditions other than dishonorable from that service.

21 c. Each applicant seeking funding for customized training  
22 services shall submit an application to the commissioner in a form  
23 and manner prescribed in regulations adopted by the commissioner.  
24 The application shall be accompanied by a business plan of each  
25 employer which will receive customized training services if the  
26 application is approved. The business plan shall include:

27 (1) A justification of the need for the services and funding from  
28 the office, including information sufficient to demonstrate to the  
29 satisfaction of the commissioner that the applicant will provide  
30 significantly less of the services if the requested funding is not  
31 provided by the office;

32 (2) A comprehensive long-term human resource development  
33 plan which:

34 (a) Extends significantly beyond the period of time in which the  
35 services are funded by the office;

36 (b) Significantly enhances the productivity and competitiveness  
37 of the employer operations located in the State and the employment  
38 security of workers employed by the employer in the State; and

39 (c) States the number of current or newly-hired workers who  
40 will be trained under the grant and the pay levels of jobs which will  
41 be created or retained for those workers as a result of the funding  
42 and the plan.

43 (3) Evidence, if the training sought is for an occupation which is  
44 not a labor demand occupation, that the customized training  
45 services are needed to prevent job loss caused by obsolete skills,  
46 technological change or national or global competition or that the  
47 services are being provided to employees at a facility which is  
48 being relocated from another state into New Jersey;

1 (4) Information demonstrating that most of the individuals  
2 receiving the services will be trained primarily for work in the  
3 direct production of goods or services;

4 (5) A commitment to provide the information needed by the  
5 commissioner to evaluate the success of the funding and the plan in  
6 creating and retaining jobs, to assure compliance with the  
7 provisions of P.L.1992, c.43 (C.34:15D-1 et seq.); and

8 (6) Any other information or commitments which the  
9 commissioner deems appropriate to assure compliance with the  
10 provisions of P.L.1992, c.43 (C.34:15D-1 et seq.).

11 The commissioner may provide whatever assistance he deems  
12 appropriate in the preparation of the application and business plan,  
13 which may include labor market information, projections of  
14 occupational demand and information and advice on alternative  
15 training and instruction strategies.

16 d. Each employer that receives a grant for customized training  
17 services shall contribute a minimum of 50% of the total cost of the  
18 customized training services, except that the commissioner shall set  
19 a higher or lower minimum contribution by an employer, if  
20 warranted by the size and economic resources of the employer or  
21 other factors deemed appropriate by the commissioner, and except  
22 that, for individuals hired by the employer through a One Stop  
23 Career Center who receive classroom training under the grant and  
24 were recipients of benefits under the Work First New Jersey  
25 program at any time during the 12 months preceding the date of  
26 employment, the employer shall be eligible for reimbursement of up  
27 to 50% of wages paid to the individual during the classroom  
28 training in addition to reimbursement for tuition and other direct  
29 costs of the training as determined to be appropriate by the office,  
30 and provided, further, that no individual shall be hired or placed in  
31 a manner which results in a violation of the restrictions of  
32 subsection f. of section 4 of P.L.1992, c.43 (C.34:15D-4) against  
33 displacing current employees.

34 e. Each employer receiving a grant for customized training  
35 services shall hire or retain in permanent employment each worker  
36 who successfully completes the training and instruction provided  
37 under the customized training. The employer shall be entitled to  
38 select the qualified employed, disadvantaged or displaced workers  
39 who will participate in the customized training, except that if any  
40 collective bargaining unit represents a qualified employed worker,  
41 the selection shall be conducted in a manner acceptable to both the  
42 employer and the collective bargaining unit. The commissioner  
43 shall provide for the withholding, for a time period he deems  
44 appropriate, of whatever portion he deems appropriate of program  
45 funding as a final payment for customized training services,  
46 contingent upon the hiring and retention of a program completer as  
47 required pursuant to this section. If an employer receiving a grant  
48 for customized training services pursuant to this section relocates or



1 outsources any or all of the jobs out of the State for which the  
2 customized training services were provided under the grant within  
3 three years following the end date of the customized contract, the  
4 employer shall, if all of the jobs are relocated or outsourced, return  
5 all of the moneys provided to the employer by the State for  
6 customized training services, or, if only a portion of the jobs are  
7 relocated or outsourced, return a part of the moneys, deemed by the  
8 commissioner to be appropriate and proportional to the portion of  
9 the jobs relocated or outsourced, and the returned amount shall be  
10 deposited into the Workforce Development Partnership Fund.

11 f. The customized training services provided to an approved  
12 applicant may include any combination of employment and training  
13 services or any single employment and training service approved by  
14 the commissioner, including remedial instruction provided to  
15 upgrade workplace literacy. Each service may be provided by a  
16 separate approved service provider. No training or employment  
17 service shall be funded through a customized training grant, unless  
18 the service is provided directly by an employer or is provided by an  
19 approved service provider. An employer who directly provides  
20 training and employment services to his own employees shall not be  
21 regarded as a service provider and shall not be subject to any  
22 requirement to obtain approval by the State as a service provider,  
23 including the requirements of section 13 of P.L.2005, c.354  
24 (C.34:15C-10.1) to be approved as a qualifying school or the  
25 requirements of section 14 of P.L.2005, c.354 (C.34:15C-10.2) to  
26 be included on the State Eligible Training Provider List.

27 g. Customized training services shall include any remedial  
28 instruction determined necessary pursuant to section 7 of this act.  
29 Applications for customized training services shall include  
30 estimates of the total need for remedial instruction determined in a  
31 manner deemed appropriate by the commissioner.

32 h. Any business seeking customized training services shall, in  
33 the manner prescribed by the commissioner, participate in the  
34 development of a plan to provide the services. Any business  
35 seeking customized training services for workers represented by a  
36 collective bargaining unit shall notify the collective bargaining unit  
37 and permit it to participate in developing the plan. No customized  
38 training services shall be provided to a business employing workers  
39 represented by a collective bargaining unit without the written  
40 consent of both the business and the collective bargaining unit.

41 i. Any business receiving customized training services shall be  
42 responsible for providing workers' compensation coverage for any  
43 worker participating in the customized training.

44 j. The commissioner shall establish an annual goal that 15% or  
45 more of the jobs to be created or retained in connection with  
46 training supported by grants from the office shall be jobs provided  
47 to individuals who were recipients of benefits under the Work First  
48 New Jersey program at any time during the 12 months prior to

1 being placed in the jobs. The means to attain the goal shall include  
2 coordinated efforts between the office and One Stop Career Centers  
3 to prepare recipients for employment and make them available to  
4 employers, but shall not include any policy which may penalize  
5 employers or discourage employers from using customized training  
6 service provided by the office.

7 (cf: P.L.2017, c.22, s.2)

8

9 3. This act shall take effect immediately.

10

11

12

13

14 Provides preferences for certain businesses applying for  
15 workforce development grants.

# SENATE, No. 446

## STATE OF NEW JERSEY 218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

**Sponsored by:**

**Senator DAWN MARIE ADDIEGO**

**District 8 (Atlantic, Burlington and Camden)**

**Senator FRED H. MADDEN, JR.**

**District 4 (Camden and Gloucester)**

**SYNOPSIS**

Provides preferences for certain businesses applying for workforce development grants.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 5/11/2018)**

1 AN ACT providing preferences for certain businesses applying for  
2 workforce development grants and amending P.L.1992, c.43.

3

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

6

7 1. Section 4 of P.L.1992, c.43 (C.34:15D-4) is amended to read  
8 as follows:

9 4. a. The Workforce Development Partnership Program is  
10 hereby established in the Department of Labor and Workforce  
11 Development and shall be administered by the Commissioner of  
12 Labor and Workforce Development. The purpose of the program is  
13 to provide qualified displaced, disadvantaged and employed  
14 workers with the employment and training services most likely to  
15 enable the individual to obtain employment providing self-  
16 sufficiency for the individual and also to provide the greatest  
17 opportunity for long-range career advancement with high levels of  
18 productivity and earning power. To implement that purpose, the  
19 program shall provide those services by means of training grants or  
20 customized training services in coordination with funding for the  
21 services from federal or other sources. The commissioner is  
22 authorized to expend moneys from the Workforce Development  
23 Partnership Fund to provide the training grants or customized  
24 training services and provide for each of the following:

25 (1) The cost of counseling required pursuant to section 7 of  
26 P.L.1992, c.43 (C.34:15D-7), to the extent that adequate funding for  
27 counseling is not available from federal or other sources;

28 (2) Reasonable administrative costs, which shall not exceed  
29 10% of the revenues collected pursuant to section 2 of P.L.1992,  
30 c.44 (C.34:15D-13) during any fiscal year ending before July 1,  
31 2001, except for additional start-up administrative costs approved  
32 by the Director of the Office of Management and Budget during the  
33 first year of the program's operation;

34 (3) Reasonable costs, which shall not exceed 0.5% of the  
35 revenues collected pursuant to section 2 of P.L.1992, c.44  
36 (C.34:15D-13) during any fiscal year ending before July 1, 2001, as  
37 required by the State Employment and Training Commission to  
38 design criteria and conduct an annual evaluation of the program;  
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40 (4) The cost of reimbursement to individuals for excess  
41 contributions pursuant to section 6 of P.L.1992, c.44 (C.34:15D-  
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44 provider pursuant to this act shall be expended on anything other  
45 than direct costs to the provider of providing the employment and

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

- 1 training services, which direct costs shall not include any  
2 administrative or overhead expense of the provider.
- 3 c. Training and employment services or other workforce  
4 investment services shall be provided to a worker who receives  
5 counseling pursuant to section 7 of P.L.1992, c.43 (C.34:15D-7)  
6 only if the counselor who evaluates the worker pursuant to that  
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8 successfully complete the training and instruction identified in the  
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- 11 d. All occupational training provided under this act:
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13 individual's marketable skills and earning power; and
- 14 (2) Shall be training for a labor demand occupation, except for:
- 15 (a) Customized training provided to the present employees of a  
16 business which the commissioner deems to be in need of the  
17 training to prevent job loss caused by obsolete skills, technological  
18 change or national or global competition; or
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20 which is being relocated from another state into New Jersey; or
- 21 (c) Entrepreneurial training and technical assistance supported  
22 by training grants provided pursuant to subsection b. of section 6 of  
23 P.L.1992, c.43 (C.34:15D-6).
- 24 e. During any fiscal year ending before July 1, 2001, not less  
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27 training services for qualified displaced workers; not less than six  
28 percent of the total revenues dedicated to the program during any  
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31 45% of the total revenues dedicated to the program during any one  
32 fiscal year shall be reserved for and appropriated to the Office of  
33 Customized Training; not less than 3% of the total revenues  
34 dedicated to the program during any one fiscal year shall be  
35 reserved for occupational safety and health training; and 5% of the  
36 total revenues dedicated to the program during any one fiscal year  
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38 Work Partnership created pursuant to P.L.1993, c.268 (C.34:15E-1  
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1 and complexity too low to merit training. The duration of on-the-  
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4 Occupational Information Network, or "O\*NET," for the  
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9 level of the individual's previous training, education or work  
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11 unless it is accompanied, concurrently or otherwise, by whatever  
12 amount of classroom-based or equivalent occupational training,  
13 remedial instruction or both, is deemed appropriate for the worker  
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15 the program unless the trainee is provided benefits, pay and  
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27 concurrence of the collective bargaining unit and employer who are  
28 parties to the agreement.

29 j. All staff who are hired and supported by moneys from the  
30 Workforce Development Partnership Fund, including any of those  
31 staff located at any One Stop Career Center, but not including any  
32 staff of a service provider providing employment and training  
33 services supported by a customized training grant pursuant to  
34 section 5 of P.L.1992, c.43 (C.34:15D-5) or an individual training  
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37 Service, of the New Jersey Statutes, be hired and employed by a  
38 political subdivision of the State, or be qualified staff hired and  
39 employed by a non-profit organization which began functioning as  
40 the One Stop Career Center operator with the written consent of the  
41 chief elected official and the commissioner prior to the effective  
42 date of P.L.2004, c.39 (C.34:1A-1.2 et al.), or be qualified staff  
43 hired and employed by an approved community-based or faith-  
44 based organization to provide services at the level of staffing  
45 provided in an agreement entered into by the organization before  
46 the effective date of P.L.2004, c.39 (C.34:1A-1.2 et al.).

47 k. Employers who apply for grants for training and  
48 employment services or other workforce investment services shall

1 be evaluated by the commissioner and preference shall be provided  
2 to: an employer who is a manufacturer; an employer who is engaged  
3 in one or more of the following industries: science, technology,  
4 engineering, or mathematics; or, an employer who intends to train  
5 veterans.

6 Pursuant to this paragraph, "veteran" means a person who has  
7 served in the Army, Navy, Air Force, Marines or Coast Guard of  
8 the United States or a Reserve component thereof or the National  
9 Guard of this State as defined in section 1 of P.L.1963, c.109  
10 (C.38A:1-1), and has been honorably discharged or released under  
11 conditions other than dishonorable from such service.  
12 (cf: P.L.2005, c.354, s.21)

13  
14 2. Section 5 of P.L.1992, c.43 (C.34:15D-5) is amended to read  
15 as follows:

16 5. a. There is hereby established, as part of the Workforce  
17 Development Partnership Program, the Office of Customized  
18 Training. Moneys allocated to the office from the fund shall be used  
19 to provide employment and training services to eligible applicants  
20 approved by the commissioner.

21 b. An applicant shall be eligible for customized training  
22 services if it is one of the following:

23 (1) An individual employer that seeks the customized training  
24 services to create, upgrade or retain jobs in a labor demand  
25 occupation;

26 (2) An individual employer that seeks customized training  
27 services to upgrade or retain jobs in an occupation which is not a  
28 labor demand occupation, if the commissioner determines that the  
29 services are necessary to prevent the likely loss of the jobs or that  
30 the services are being provided to employees at a facility which is  
31 being relocated from another state into New Jersey;

32 (3) An employer organization, labor organization or community-  
33 based or faith-based organization seeking the customized training  
34 services to provide training in labor demand occupations in a  
35 particular industry; **【or】**

36 (4) A consortium made up of one or more educational  
37 institutions and one or more eligible individual employers or labor,  
38 employer or community-based or faith-based organizations that  
39 seeks the customized training services to provide training in labor  
40 demand occupations in a particular industry;

41 (5) An individual employer who is a manufacturer;

42 (6) An individual employer who is engaged in one or more of  
43 the following industries: science, technology, engineering, or  
44 mathematics; or

45 (7) An individual employer who intends to train veterans. For  
46 the purposes of this subparagraph, a veteran is a person who has  
47 served in the Army, Navy, Air Force, Marines or Coast Guard of  
48 the United States or a Reserve component thereof or the National

1 Guard of this State as defined in section 1 of P.L.1963, c.109  
2 (C.38A:1-1), and has been honorably discharged or released under  
3 conditions other than dishonorable from such service.

4 c. Each applicant seeking funding for customized training  
5 services shall submit an application to the commissioner in a form  
6 and manner prescribed in regulations adopted by the commissioner.  
7 The application shall be accompanied by a business plan of each  
8 employer which will receive customized training services if the  
9 application is approved. The business plan shall include:

10 (1) A justification of the need for the services and funding from  
11 the office, including information sufficient to demonstrate to the  
12 satisfaction of the commissioner that the applicant will provide  
13 significantly less of the services if the requested funding is not  
14 provided by the office;

15 (2) A comprehensive long-term human resource development  
16 plan which:

17 (a) Extends significantly beyond the period of time in which the  
18 services are funded by the office;

19 (b) Significantly enhances the productivity and competitiveness  
20 of the employer operations located in the State and the employment  
21 security of workers employed by the employer in the State; and

22 (c) States the number of current or newly-hired workers who  
23 will be trained under the grant and the pay levels of jobs which will  
24 be created or retained for those workers as a result of the funding  
25 and the plan.

26 (3) Evidence, if the training sought is for an occupation which is  
27 not a labor demand occupation, that the customized training  
28 services are needed to prevent job loss caused by obsolete skills,  
29 technological change or national or global competition or that the  
30 services are being provided to employees at a facility which is  
31 being relocated from another state into New Jersey;

32 (4) Information demonstrating that most of the individuals  
33 receiving the services will be trained primarily for work in the  
34 direct production of goods or services;

35 (5) A commitment to provide the information needed by the  
36 commissioner to evaluate the success of the funding and the plan in  
37 creating and retaining jobs, to assure compliance with the  
38 provisions of P.L.1992, c.43 (C.34:15D-1 et seq.); and

39 (6) Any other information or commitments which the  
40 commissioner deems appropriate to assure compliance with the  
41 provisions of P.L.1992, c.43 (C.34:15D-1 et seq.).

42 The commissioner may provide whatever assistance he deems  
43 appropriate in the preparation of the application and business plan,  
44 which may include labor market information, projections of  
45 occupational demand and information and advice on alternative  
46 training and instruction strategies.

47 d. Each employer that receives a grant for customized training  
48 services shall contribute a minimum of 50% of the total cost of the



1 customized training services, except that the commissioner shall set  
2 a higher or lower minimum contribution by an employer, if  
3 warranted by the size and economic resources of the employer or  
4 other factors deemed appropriate by the commissioner, and except  
5 that, for individuals hired by the employer through a One Stop  
6 Career Center who receive classroom training under the grant and  
7 were recipients of benefits under the Work First New Jersey  
8 program at any time during the 12 months preceding the date of  
9 employment, the employer shall be eligible for reimbursement of up  
10 to 50% of wages paid to the individual during the classroom  
11 training in addition to reimbursement for tuition and other direct  
12 costs of the training as determined to be appropriate by the office,  
13 and provided, further, that no individual shall be hired or placed in  
14 a manner which results in a violation of the restrictions of  
15 subsection f. of section 4 of P.L.1992, c.43 (C.34:15D-4) against  
16 displacing current employees.

17 e. Each employer receiving a grant for customized training  
18 services shall hire or retain in permanent employment each worker  
19 who successfully completes the training and instruction provided  
20 under the customized training. The employer shall be entitled to  
21 select the qualified employed, disadvantaged or displaced workers  
22 who will participate in the customized training, except that if any  
23 collective bargaining unit represents a qualified employed worker,  
24 the selection shall be conducted in a manner acceptable to both the  
25 employer and the collective bargaining unit. The commissioner  
26 shall provide for the withholding, for a time period he deems  
27 appropriate, of whatever portion he deems appropriate of program  
28 funding as a final payment for customized training services,  
29 contingent upon the hiring and retention of a program completer as  
30 required pursuant to this section. If an employer receiving a grant  
31 for customized training services pursuant to this section relocates or  
32 outsources any or all of the jobs out of the State for which the  
33 customized training services were provided under the grant within  
34 three years following the end date of the customized contract, the  
35 employer shall, if all of the jobs are relocated or outsourced, return  
36 all of the moneys provided to the employer by the State for  
37 customized training services, or, if only a portion of the jobs are  
38 relocated or outsourced, return a part of the moneys, deemed by the  
39 commissioner to be appropriate and proportional to the portion of  
40 the jobs relocated or outsourced, and the returned amount shall be  
41 deposited into the Workforce Development Partnership Fund.

42 f. The customized training services provided to an approved  
43 applicant may include any combination of employment and training  
44 services or any single employment and training service approved by  
45 the commissioner, including remedial instruction provided to  
46 upgrade workplace literacy. Each service may be provided by a  
47 separate approved service provider. No training or employment  
48 service shall be funded through a customized training grant, unless

1 the service is provided directly by an employer or is provided by an  
2 approved service provider. An employer who directly provides  
3 training and employment services to his own employees shall not be  
4 regarded as a service provider and shall not be subject to any  
5 requirement to obtain approval by the State as a service provider,  
6 including the requirements of section 13 of P.L.2005, c.354  
7 (C.34:15C-10.1) to be approved as a qualifying school or the  
8 requirements of section 14 of P.L.2005, c.354 (C.34:15C-10.2) to  
9 be included on the State Eligible Training Provider List.

10 g. Customized training services shall include any remedial  
11 instruction determined necessary pursuant to section 7 of this act.  
12 Applications for customized training services shall include  
13 estimates of the total need for remedial instruction determined in a  
14 manner deemed appropriate by the commissioner.

15 h. Any business seeking customized training services shall, in  
16 the manner prescribed by the commissioner, participate in the  
17 development of a plan to provide the services. Any business  
18 seeking customized training services for workers represented by a  
19 collective bargaining unit shall notify the collective bargaining unit  
20 and permit it to participate in developing the plan. No customized  
21 training services shall be provided to a business employing workers  
22 represented by a collective bargaining unit without the written  
23 consent of both the business and the collective bargaining unit.

24 i. Any business receiving customized training services shall be  
25 responsible for providing workers' compensation coverage for any  
26 worker participating in the customized training.

27 j. The commissioner shall establish an annual goal that 15% or  
28 more of the jobs to be created or retained in connection with  
29 training supported by grants from the office shall be jobs provided  
30 to individuals who were recipients of benefits under the Work First  
31 New Jersey program at any time during the 12 months prior to  
32 being placed in the jobs. The means to attain the goal shall include  
33 coordinated efforts between the office and One Stop Career Centers  
34 to prepare recipients for employment and make them available to  
35 employers, but shall not include any policy which may penalize  
36 employers or discourage employers from using customized training  
37 service provided by the office.

38 (cf: P.L.2005, c.354, s.22)

39  
40 3. This act shall take effect immediately.  
41  
42

43 STATEMENT  
44

45 This bill prioritizes certain employers to provide them greater  
46 access to workforce development funds. Employers who will  
47 provide training to veterans, are manufacturers, or those employers  
48 that focus on the science, technology, engineering and mathematics

**S446 ADDIEGO, MADDEN**

1 (STEM) fields will be given priority for training dollars pursuant to  
2 this bill.

3       Currently, the Department of Labor and Workforce Development  
4 provides funding for employer training programs that create,  
5 upgrade or retain jobs in a labor demand occupation. This bill will  
6 also require the department to prioritize employers who are engaged  
7 in manufacturing, a STEM field, or are providing training to  
8 veterans to retain these valuable employers in New Jersey.

ASSEMBLY COMMERCE AND ECONOMIC DEVELOPMENT  
COMMITTEE

STATEMENT TO

**SENATE, No. 446**

**STATE OF NEW JERSEY**

DATED: SEPTEMBER 13, 2018

The Assembly Commerce and Economic Development Committee reports favorably Senate Bill No. 446.

This bill adds manufacturers to the categories of employers who are given priority for access to workforce development funds.

As reported by the committee, Senate Bill No. 446 is identical to Assembly Bill No. 4023, which also was reported by the committee on this date.

SENATE LABOR COMMITTEE

STATEMENT TO

**SENATE, No. 446**

**STATE OF NEW JERSEY**

DATED: MAY 10, 2018

The Senate Labor Committee reports favorably Senate Bill No. 446.

This bill adds manufacturers to the categories of employers who are given priority for access to workforce development funds.

This bill was pre-filed for introduction in the 2018-2019 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

# ASSEMBLY, No. 4023

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MAY 24, 2018

**Sponsored by:**

**Assemblyman WAYNE P. DEANGELO**

**District 14 (Mercer and Middlesex)**

**Assemblyman ERIC HOUGHTALING**

**District 11 (Monmouth)**

**Assemblyman HAROLD "HAL" J. WIRTHS**

**District 24 (Morris, Sussex and Warren)**

**Co-Sponsored by:**

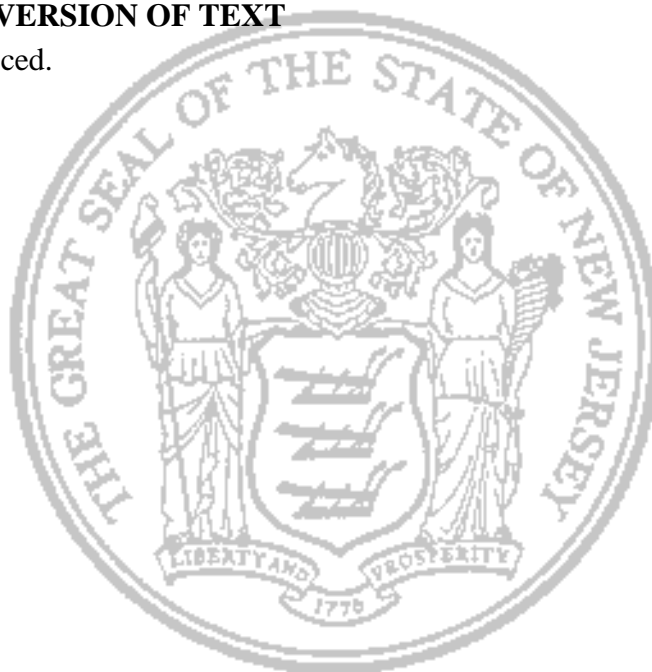
**Assemblyman A.M.Bucco, Assemblywoman Murphy, Assemblymen Space,  
Giblin and Assemblywoman Vainieri Huttie**

**SYNOPSIS**

Provides preferences for certain businesses applying for workforce development grants.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 11/26/2019)**

1 AN ACT providing preferences for certain businesses applying for  
2 workforce development grants and amending P.L.1992, c.43.

3

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

6

7 1. Section 4 of P.L.1992, c.43 (C.34:15D-4) is amended to read  
8 as follows:

9 4. a. The Workforce Development Partnership Program is  
10 hereby established in the Department of Labor and Workforce  
11 Development and shall be administered by the Commissioner of  
12 Labor and Workforce Development. The purpose of the program is  
13 to provide qualified displaced, disadvantaged and employed  
14 workers with the employment and training services most likely to  
15 enable the individual to obtain employment providing self-  
16 sufficiency for the individual and also to provide the greatest  
17 opportunity for long-range career advancement with high levels of  
18 productivity and earning power. To implement that purpose, the  
19 program shall provide those services by means of training grants or  
20 customized training services in coordination with funding for the  
21 services from federal or other sources. The commissioner is  
22 authorized to expend moneys from the Workforce Development  
23 Partnership Fund to provide the training grants or customized  
24 training services and provide for each of the following:

25 (1) The cost of counseling required pursuant to section 7 of  
26 P.L.1992, c.43 (C.34:15D-7), to the extent that adequate funding for  
27 counseling is not available from federal or other sources;

28 (2) Reasonable administrative costs, which shall not exceed  
29 10% of the revenues collected pursuant to section 2 of P.L.1992,  
30 c.44 (C.34:15D-13) during any fiscal year ending before July 1,  
31 2001, except for additional start-up administrative costs approved  
32 by the Director of the Office of Management and Budget during the  
33 first year of the program's operation;

34 (3) Reasonable costs, which shall not exceed 0.5% of the  
35 revenues collected pursuant to section 2 of P.L.1992, c.44  
36 (C.34:15D-13) during any fiscal year ending before July 1, 2001, as  
37 required by the State Employment and Training Commission to  
38 design criteria and conduct an annual evaluation of the program;  
39 and

40 (4) The cost of reimbursement to individuals for excess  
41 contributions pursuant to section 6 of P.L.1992, c.44 (C.34:15D-  
42 17).

43 b. Not more than 10% of the moneys received by any service  
44 provider pursuant to this act shall be expended on anything other  
45 than direct costs to the provider of providing the employment and

**EXPLANATION** – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 training services, which direct costs shall not include any  
2 administrative or overhead expense of the provider.

3 c. Training and employment services or other workforce  
4 investment services shall be provided to a worker who receives  
5 counseling pursuant to section 7 of P.L.1992, c.43 (C.34:15D-7)  
6 only if the counselor who evaluates the worker pursuant to that  
7 section determines that the worker can reasonably be expected to  
8 successfully complete the training and instruction identified in the  
9 Employability Development Plan developed pursuant to that section  
10 for the worker.

11 d. All occupational training provided under this act:

12 (1) Shall be training which is likely to substantially enhance the  
13 individual's marketable skills and earning power; and

14 (2) Shall be training for a labor demand occupation, except for:

15 (a) Customized training provided to the present employees of a  
16 business which the commissioner deems to be in need of the  
17 training to prevent job loss caused by obsolete skills, technological  
18 change or national or global competition; or

19 (b) Customized training provided to employees at a facility  
20 which is being relocated from another state into New Jersey; or

21 (c) Entrepreneurial training and technical assistance supported  
22 by training grants provided pursuant to subsection b. of section 6 of  
23 P.L.1992, c.43 (C.34:15D-6).

24 e. During any fiscal year ending before July 1, 2001, not less  
25 than 25% of the total revenues dedicated to the program during any  
26 one fiscal year shall be reserved to provide employment and  
27 training services for qualified displaced workers; not less than six  
28 percent of the total revenues dedicated to the program during any  
29 one fiscal year shall be reserved to provide employment and  
30 training services for qualified disadvantaged workers; not less than  
31 45% of the total revenues dedicated to the program during any one  
32 fiscal year shall be reserved for and appropriated to the Office of  
33 Customized Training; not less than 3% of the total revenues  
34 dedicated to the program during any one fiscal year shall be  
35 reserved for occupational safety and health training; and 5% of the  
36 total revenues dedicated to the program during any one fiscal year  
37 shall be reserved for and appropriated to the Youth Transitions to  
38 Work Partnership created pursuant to P.L.1993, c.268 (C.34:15E-1  
39 et seq.).

40 f. Funds available under the program shall not be used for  
41 activities which induce, encourage or assist: any displacement of  
42 currently employed workers by trainees, including partial  
43 displacement by means such as reduced hours of currently  
44 employed workers; any replacement of laid off workers by trainees;  
45 or any relocation of operations resulting in a loss of employment at  
46 a previous workplace located in the State.

47 g. On-the-job training shall not be funded by the program for  
48 any employment found by the commissioner to be of a level of skill



1 and complexity too low to merit training. The duration of on-the-  
2 job training funded by the program for any worker shall not exceed  
3 the duration indicated by the Bureau of Labor Statistics'  
4 Occupational Information Network, or "O\*NET," for the  
5 occupation for which the training is provided and shall in no case  
6 exceed 26 weeks. The department shall set the duration of on-the-  
7 job training for a worker for less than the indicated maximum, when  
8 training for the maximum duration is not warranted because of the  
9 level of the individual's previous training, education or work  
10 experience. On-the-job training shall not be funded by the program  
11 unless it is accompanied, concurrently or otherwise, by whatever  
12 amount of classroom-based or equivalent occupational training,  
13 remedial instruction or both, is deemed appropriate for the worker  
14 by the commissioner. On-the-job training shall not be funded by  
15 the program unless the trainee is provided benefits, pay and  
16 working conditions at a level and extent not less than the benefits  
17 and working conditions of other trainees or employees of the  
18 trainee's employer with comparable skills, responsibilities,  
19 experience and seniority.

20 h. Employment and training services funded by the program  
21 shall not replace, supplant, compete with or duplicate in any way  
22 approved apprenticeship programs.

23 i. No activities funded by the program shall impair existing  
24 contracts for services or collective bargaining agreements, except  
25 that activities which would be inconsistent with the terms of a  
26 collective bargaining agreement may be undertaken with the written  
27 concurrence of the collective bargaining unit and employer who are  
28 parties to the agreement.

29 j. All staff who are hired and supported by moneys from the  
30 Workforce Development Partnership Fund, including any of those  
31 staff located at any One Stop Career Center, but not including any  
32 staff of a service provider providing employment and training  
33 services supported by a customized training grant pursuant to  
34 section 5 of P.L.1992, c.43 (C.34:15D-5) or an individual training  
35 grant pursuant to section 6 of P.L.1992, c.43 (C.34:15D-6), shall be  
36 hired and employed by the State pursuant to Title 11A, Civil  
37 Service, of the New Jersey Statutes, be hired and employed by a  
38 political subdivision of the State, or be qualified staff hired and  
39 employed by a non-profit organization which began functioning as  
40 the One Stop Career Center operator with the written consent of the  
41 chief elected official and the commissioner prior to the effective  
42 date of P.L.2004, c.39 (C.34:1A-1.2 et al.), or be qualified staff  
43 hired and employed by an approved community-based or faith-  
44 based organization to provide services at the level of staffing  
45 provided in an agreement entered into by the organization before  
46 the effective date of P.L.2004, c.39 (C.34:1A-1.2 et al.).

47 k. Employers in the State who apply for grants for training and  
48 employment services or other workforce investment services for

1 their employees in the State shall be evaluated by the commissioner  
2 and preference shall be given to those employers who:

3 (1) provide equipment, supplies, or services to military bases  
4 and installations pursuant to a procurement or military contract with  
5 the United States Department of Defense, the United States  
6 Department of Veterans Affairs, or any branch of the United States  
7 Armed Forces;

8 (2) are engaged in one or more of the following fields or  
9 industries: science, technology, engineering, mathematics, or  
10 advanced manufacturing within these fields or industries; **[or]**

11 (3) are manufacturers; or

12 (4) intend to train veterans.

13 Pursuant to this paragraph, "veteran" means a person who has  
14 served in the Army, Navy, Air Force, Marines or Coast Guard of  
15 the United States or a Reserve component thereof or the National  
16 Guard of this State as defined in section 1 of P.L.1963, c.109  
17 (C.38A:1-1), and has been honorably discharged or released under  
18 conditions other than dishonorable from that service.

19 (cf: P.L.2017, c.22, s.1)

20

21 2. Section 5 of P.L.1992, c.43 (C.34:15D-5) is amended to read  
22 as follows:

23 5. a. There is hereby established, as part of the Workforce  
24 Development Partnership Program, the Office of Customized  
25 Training. Moneys allocated to the office from the fund shall be used  
26 to provide employment and training services to eligible applicants  
27 approved by the commissioner.

28 b. An applicant shall be eligible for customized training  
29 services if it is one of the following:

30 (1) An individual employer that seeks the customized training  
31 services to create, upgrade or retain jobs in a labor demand  
32 occupation;

33 (2) An individual employer that seeks customized training  
34 services to upgrade or retain jobs in an occupation which is not a  
35 labor demand occupation, if the commissioner determines that the  
36 services are necessary to prevent the likely loss of the jobs or that  
37 the services are being provided to employees at a facility which is  
38 being relocated from another state into New Jersey;

39 (3) An employer organization, labor organization or community-  
40 based or faith-based organization seeking the customized training  
41 services to provide training in labor demand occupations in a  
42 particular industry;

43 (4) A consortium made up of one or more educational  
44 institutions and one or more eligible individual employers or labor,  
45 employer or community-based or faith-based organizations that  
46 seeks the customized training services to provide training in labor  
47 demand occupations in a particular industry;

1 (5) An individual employer who provides equipment, supplies,  
2 or services to military bases and installations pursuant to a  
3 procurement or military contract with the United States Department  
4 of Defense, the United States Department of Veterans Affairs, or  
5 any branch of the United States Armed Forces;

6 (6) An individual employer who is engaged in one or more of  
7 the following fields or industries: science, technology, engineering,  
8 mathematics, or advanced manufacturing within these fields or  
9 industries; **[or]**

10 (7) An individual employer who is a manufacturer; or

11 (8) An individual employer who intends to train veterans. For  
12 the purposes of this subparagraph, a "veteran" is a person who has  
13 served in the Army, Navy, Air Force, Marines or Coast Guard of  
14 the United States or a Reserve component thereof or the National  
15 Guard of this State as defined in section 1 of P.L.1963, c.109  
16 (C.38A:1-1), and has been honorably discharged or released under  
17 conditions other than dishonorable from that service.

18 c. Each applicant seeking funding for customized training  
19 services shall submit an application to the commissioner in a form  
20 and manner prescribed in regulations adopted by the commissioner.  
21 The application shall be accompanied by a business plan of each  
22 employer which will receive customized training services if the  
23 application is approved. The business plan shall include:

24 (1) A justification of the need for the services and funding from  
25 the office, including information sufficient to demonstrate to the  
26 satisfaction of the commissioner that the applicant will provide  
27 significantly less of the services if the requested funding is not  
28 provided by the office;

29 (2) A comprehensive long-term human resource development  
30 plan which:

31 (a) Extends significantly beyond the period of time in which the  
32 services are funded by the office;

33 (b) Significantly enhances the productivity and competitiveness  
34 of the employer operations located in the State and the employment  
35 security of workers employed by the employer in the State; and

36 (c) States the number of current or newly-hired workers who  
37 will be trained under the grant and the pay levels of jobs which will  
38 be created or retained for those workers as a result of the funding  
39 and the plan.

40 (3) Evidence, if the training sought is for an occupation which is  
41 not a labor demand occupation, that the customized training  
42 services are needed to prevent job loss caused by obsolete skills,  
43 technological change or national or global competition or that the  
44 services are being provided to employees at a facility which is  
45 being relocated from another state into New Jersey;

46 (4) Information demonstrating that most of the individuals  
47 receiving the services will be trained primarily for work in the  
48 direct production of goods or services;

1 (5) A commitment to provide the information needed by the  
2 commissioner to evaluate the success of the funding and the plan in  
3 creating and retaining jobs, to assure compliance with the  
4 provisions of P.L.1992, c.43 (C.34:15D-1 et seq.); and

5 (6) Any other information or commitments which the  
6 commissioner deems appropriate to assure compliance with the  
7 provisions of P.L.1992, c.43 (C.34:15D-1 et seq.).

8 The commissioner may provide whatever assistance he deems  
9 appropriate in the preparation of the application and business plan,  
10 which may include labor market information, projections of  
11 occupational demand and information and advice on alternative  
12 training and instruction strategies.

13 d. Each employer that receives a grant for customized training  
14 services shall contribute a minimum of 50% of the total cost of the  
15 customized training services, except that the commissioner shall set  
16 a higher or lower minimum contribution by an employer, if  
17 warranted by the size and economic resources of the employer or  
18 other factors deemed appropriate by the commissioner, and except  
19 that, for individuals hired by the employer through a One Stop  
20 Career Center who receive classroom training under the grant and  
21 were recipients of benefits under the Work First New Jersey  
22 program at any time during the 12 months preceding the date of  
23 employment, the employer shall be eligible for reimbursement of up  
24 to 50% of wages paid to the individual during the classroom  
25 training in addition to reimbursement for tuition and other direct  
26 costs of the training as determined to be appropriate by the office,  
27 and provided, further, that no individual shall be hired or placed in  
28 a manner which results in a violation of the restrictions of  
29 subsection f. of section 4 of P.L.1992, c.43 (C.34:15D-4) against  
30 displacing current employees.

31 e. Each employer receiving a grant for customized training  
32 services shall hire or retain in permanent employment each worker  
33 who successfully completes the training and instruction provided  
34 under the customized training. The employer shall be entitled to  
35 select the qualified employed, disadvantaged or displaced workers  
36 who will participate in the customized training, except that if any  
37 collective bargaining unit represents a qualified employed worker,  
38 the selection shall be conducted in a manner acceptable to both the  
39 employer and the collective bargaining unit. The commissioner  
40 shall provide for the withholding, for a time period he deems  
41 appropriate, of whatever portion he deems appropriate of program  
42 funding as a final payment for customized training services,  
43 contingent upon the hiring and retention of a program completer as  
44 required pursuant to this section. If an employer receiving a grant  
45 for customized training services pursuant to this section relocates or  
46 outsources any or all of the jobs out of the State for which the  
47 customized training services were provided under the grant within  
48 three years following the end date of the customized contract, the

1 employer shall, if all of the jobs are relocated or outsourced, return  
2 all of the moneys provided to the employer by the State for  
3 customized training services, or, if only a portion of the jobs are  
4 relocated or outsourced, return a part of the moneys, deemed by the  
5 commissioner to be appropriate and proportional to the portion of  
6 the jobs relocated or outsourced, and the returned amount shall be  
7 deposited into the Workforce Development Partnership Fund.

8 f. The customized training services provided to an approved  
9 applicant may include any combination of employment and training  
10 services or any single employment and training service approved by  
11 the commissioner, including remedial instruction provided to  
12 upgrade workplace literacy. Each service may be provided by a  
13 separate approved service provider. No training or employment  
14 service shall be funded through a customized training grant, unless  
15 the service is provided directly by an employer or is provided by an  
16 approved service provider. An employer who directly provides  
17 training and employment services to his own employees shall not be  
18 regarded as a service provider and shall not be subject to any  
19 requirement to obtain approval by the State as a service provider,  
20 including the requirements of section 13 of P.L.2005, c.354  
21 (C.34:15C-10.1) to be approved as a qualifying school or the  
22 requirements of section 14 of P.L.2005, c.354 (C.34:15C-10.2) to  
23 be included on the State Eligible Training Provider List.

24 g. Customized training services shall include any remedial  
25 instruction determined necessary pursuant to section 7 of this act.  
26 Applications for customized training services shall include  
27 estimates of the total need for remedial instruction determined in a  
28 manner deemed appropriate by the commissioner.

29 h. Any business seeking customized training services shall, in  
30 the manner prescribed by the commissioner, participate in the  
31 development of a plan to provide the services. Any business  
32 seeking customized training services for workers represented by a  
33 collective bargaining unit shall notify the collective bargaining unit  
34 and permit it to participate in developing the plan. No customized  
35 training services shall be provided to a business employing workers  
36 represented by a collective bargaining unit without the written  
37 consent of both the business and the collective bargaining unit.

38 i. Any business receiving customized training services shall be  
39 responsible for providing workers' compensation coverage for any  
40 worker participating in the customized training.

41 j. The commissioner shall establish an annual goal that 15% or  
42 more of the jobs to be created or retained in connection with  
43 training supported by grants from the office shall be jobs provided  
44 to individuals who were recipients of benefits under the Work First  
45 New Jersey program at any time during the 12 months prior to  
46 being placed in the jobs. The means to attain the goal shall include  
47 coordinated efforts between the office and One Stop Career Centers  
48 to prepare recipients for employment and make them available to

1 employers, but shall not include any policy which may penalize  
2 employers or discourage employers from using customized training  
3 service provided by the office.

4 (cf: P.L.2017, c.22, s.2)

5

6 3. This act shall take effect immediately.

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STATEMENT

10

11 This bill adds manufacturers to the categories of employers who  
12 are given priority for access to workforce development funds.

ASSEMBLY COMMERCE AND ECONOMIC DEVELOPMENT  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 4023**

**STATE OF NEW JERSEY**

DATED: SEPTEMBER 13, 2018

The Assembly Commerce and Economic Development Committee reports favorably Assembly Bill No. 4023.

This bill adds manufacturers to the categories of employers who are given priority for access to workforce development funds.

As reported by the committee, Assembly Bill No. 4023 is identical to Senate Bill No. 446, which also was reported by the committee on this date.

# Governor Murphy Takes Action on Legislation

01/9/2020

**TRENTON** – Today, Governor Phil Murphy signed the following bills into law:

**S446 (Addiego, Madden/DeAngelo, Houghtaling, Wirths)** - Provides preferences for certain businesses applying for workforce development grants.

**S1242 (Turner, Greenstein/Benson, DeAngelo, Pinkin)** - Requires boil water notices be provided to municipal officials within one hour.

**S1712 (Beach, Turner/Lampitt, Chaparro, Houghtaling)** - Requires consumer notification of vehicle warranty for aftermarket and recycled parts.

**S1874 (Ruiz, Greenstein/Giblin, Webber, Wimberly, Chiaravalloti)** - Establishes special license plates to bring awareness to breast cancer.

**S2055 (Cunningham, Ruiz/Sumter, Jasey, Jones)** - Permits incarcerated persons to receive student financial aid.

**S2106 (Bucco, Bucco/Dancer, Pinkin)** - Requires Adjutant General of DMVA to issue State flag to resident enrolling in federal service academy.

**S2656 (Pou, Cruz-Perez, Ruiz/Lopez, Mejia, Chaparro)** - Establishes 35 member New Jersey Puerto Rico Commission in Department of State.

**S2905 (Singleton/Mukherji, Armato, Mazzeo)** - Prohibits certain possession, sale, trade, distribution, or offering for sale of shark fins.

**S3594 (Singer, Singleton/Quijano)** - Provides certain employment protections for National Guard members employed in New Jersey.

**SJR36 (Weinberg/Mosquera, Lampitt, Webber)** - Designates October of each year as "Pregnancy and Infant Loss Remembrance Month" in New Jersey.

**SJR59 (Doherty, Madden/Mosquera, Moriarty, Dancer)** - Designates May of each year as "Civil War Veterans Recognition Month," in honor of the Grand Army of the Republic and the Sons of Union Veterans of the Civil War.

**SJR83 (Van Drew/Armato, Mazzeo, DeAngelo)** - Expresses support for United States Air Force to base F-35 fighter jets at 177th Fighter Wing in Atlantic City.

**A5070 (Speight, Tucker, Pintor Marin/Ruiz, Rice, Cunningham)** - Authorizes certain municipalities to impose parking taxes to fund projects to improve pedestrian access to mass transit.

Governor Murphy conditionally vetoed the following bill:

**S2389 (Singleton/Quijano, Downey, Houghtaling, Moriarty)** – Requires New Jersey State Board of Pharmacy to establish prescription drug pricing disclosure website and certain pharmaceutical manufacturing companies to provide prescription drug price information.

[Copy of Statement on S2389](#)

Governor Murphy absolute vetoed the following bills:

**S2167 (Pennacchio, Pou/Webber, McKeon, Pinkin, Giblin)** - Dedicates \$500,000 annually in revenues from vessel registration and renewal fees to NJ Greenwood Lake Fund.

[Copy of Statement on S2167](#)



**S3509 (Beach, Turner/Greenwald, Murphy, Vainieri Huttle)** - Increases dedication of certain revenues to “New Jersey Wine Promotion Account.”

[Copy of Statement on S3509](#)