

34:15D-4

LEGISLATIVE HISTORY CHECKLIST  
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(Workforce Development  
Partnership)

NJSA: 34:15D-4

LAWS OF: 1994 CHAPTER: 73

BILL NO: A1579

SPONSOR(S): Roma and Romano

DATE INTRODUCED: March 15, 1994

COMMITTEE: ASSEMBLY: Labor  
SENATE: women

AMENDED DURING PASSAGE: Yes Amendments during passage  
First reprint enacted denoted by superscript  
numbers

DATE OF PASSAGE: ASSEMBLY: May 9, 1994  
SENATE: June 20, 1994

DATE OF APPROVAL: July 15, 1994

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes  
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

[FIRST REPRINT]  
ASSEMBLY, No. 1579  
STATE OF NEW JERSEY

INTRODUCED MARCH 15, 1994

By Assemblymen ROMA and ROMANO

1 AN ACT concerning the Youth Transitions to Work Partnership  
2 and amending P.L.1992, c.43 and P.L.1993, c.268.

3

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

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

8 4. a. The Workforce Development Partnership Program is  
9 hereby established in the Department of Labor and shall be  
10 administered by the Commissioner of Labor. The purpose of the  
11 program is to provide qualified displaced, disadvantaged and  
12 employed workers with the employment and training services  
13 most likely to provide the greatest opportunity for long-range  
14 career advancement with high levels of productivity and earning  
15 power. To implement that purpose, the program shall provide  
16 those services by means of training grants or customized training  
17 services, to the extent that funding for the services is not  
18 available from federal or other sources. The commissioner is  
19 authorized to expend moneys from the Workforce Development  
20 Partnership Fund to provide the training grants or customized  
21 training services and provide for each of the following:

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

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

31 (3) Reasonable costs, not exceeding 0.5% of the revenues  
32 collected pursuant to section 2 of P.L.1992, c.44 (C.34:15D-13)  
33 during any one fiscal year, as required by the State Employment  
34 and Training Commission to design criteria and conduct an annual  
35 evaluation of the program; and

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

39 b. Not more than 10% of the moneys received by any service  
40 provider pursuant to this act shall be expended on anything other  
41 than direct costs to the provider of providing the employment and  
42 training services, which direct costs shall not include any  
43 administrative or overhead expense of the provider.

44 c. Training and employment services shall be provided to a

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:

<sup>1</sup> Assembly ALA committee amendments adopted March 21, 1994.

1 worker who receives counseling pursuant to section 7 of P.L.1992,  
2 c.43 (C.34:15D-7) only if the counselor who evaluates the worker  
3 pursuant to that section determines that the worker can  
4 reasonably be expected to successfully complete the training and  
5 education identified in the Employability Development Plan  
6 developed pursuant to that section for the worker.

7 d. All vocational training provided under this act:

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

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

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

15 (b) Customized training provided to employees at a facility  
16 which is being relocated from another state into New Jersey.

17 e. Not less than 27% of the total revenues dedicated to the  
18 program during any one fiscal year shall be reserved to provide  
19 employment and training services for qualified displaced  
20 workers. Eight percent of the total revenues dedicated to the  
21 program during any one fiscal year shall be reserved to provide  
22 employment and training services for qualified disadvantaged  
23 workers. Not less than 3% of the total revenues dedicated to the  
24 program during any one fiscal year shall be reserved for  
25 occupational safety and health training. Beginning July 1, 1994,  
26 5% of the total revenues dedicated to the program during any one  
27 fiscal year shall be reserved for and appropriated to the Youth  
28 Transitions to Work Partnership created pursuant to P.L.1993,  
29 c.268 (C.34:15E-1 et seq.).

30 f. Funds available under the program shall not be used for  
31 activities which induce, encourage or assist: any displacement of  
32 currently employed workers by trainees, including partial  
33 displacement by means such as reduced hours of currently  
34 employed workers; any replacement of laid off workers by  
35 trainees; or any relocation of operations resulting in a loss of  
36 employment at a previous workplace located in the State.

37 g. On-the-job training shall not be funded by the program for  
38 any employment found by the commissioner to be of a level of  
39 skill and complexity too low to merit training. The duration of  
40 on-the-job training funded by the program for any worker shall  
41 not exceed the duration indicated by the Specific Vocational  
42 Preparation Code developed by the United States Department of  
43 Labor for the occupation for which the training is provided and  
44 shall in no case exceed 26 weeks. The department shall set the  
45 duration of on-the-job training for a worker for less than the  
46 indicated maximum, when training for the maximum duration is  
47 not warranted because of the level of the individual's previous  
48 training, education or work experience. On-the-job training shall  
49 not be funded by the program unless it is accompanied,  
50 concurrently or otherwise, by whatever amount of  
51 classroom-based vocational training, remedial education or both,  
52 is deemed appropriate for the worker by the commissioner.

53 h. Employment and training services funded by the program  
54 shall not replace, supplant, compete with or duplicate in any way

1 approved apprenticeship programs.

2 i. No activities funded by the program shall impair existing  
3 contracts for services or collective bargaining agreements,  
4 except that activities which would be inconsistent with the terms  
5 of a collective bargaining agreement may be undertaken with the  
6 written concurrence of the collective bargaining unit and  
7 employer who are parties to the agreement.

8 (cf: P.L.1993, c.268, s.12)

9 2. Section 4 of P.L.1993, c.268 (C.34:15E-4) is amended to  
10 read as follows:

11 4. a. The Youth Transitions to Work Partnership is hereby  
12 established in, but not of, the Department of Labor.  
13 Notwithstanding any appropriations that are made to the Youth  
14 Transitions to Work Partnership from the revenues collected  
15 pursuant to section 2 of P.L.1992, c.44 (C.34:15D-13), the Youth  
16 Transitions to Work Partnership is separate from the Workforce  
17 Development Partnership Program and not subject to the  
18 requirements of P.L.1992, c.43 (C.34:15D-1 et al.).

19 b. The purpose of the Youth Transitions to Work Partnership is  
20 to facilitate effective transitions by youths to high-skill,  
21 high-wage employment in labor demand occupations with  
22 long-term career potential and opportunities for occupationally  
23 relevant lifelong learning, and thereby motivate youth to greater  
24 success in secondary and post-secondary education. To  
25 implement that purpose, the partnership shall provide consortia  
26 of businesses, business organizations, labor organizations and  
27 educational institutions with:

28 (1) Grants pursuant to section 5 of this act for the  
29 establishment of new apprenticeship programs in occupations or  
30 industries which do not currently have apprenticeship programs in  
31 this State; and

32 (2) Grants pursuant to sections 6 and 7 of this act to establish  
33 new programs to link education and higher education to either  
34 existing apprenticeship programs or new apprenticeship programs  
35 established pursuant to section 5 of this act.

36 c. All training, education or other services provided pursuant  
37 to this act shall be for careers in occupations which [are labor  
38 demand occupations and] <sup>1</sup>are labor demand occupations and<sup>1</sup>  
39 have an average level of pay in the State which exceeds 80% of  
40 the average level of pay for all workers in the State or shall be in  
41 connection with an apprenticeship program in which the average  
42 level of pay upon completion of the program exceeds 80% of the  
43 average level of pay for all workers in the State.

44 d. Funds available in connection with the partnership shall not  
45 be used for activities which:

46 (1) Induce, encourage or assist: any displacement of currently  
47 employed workers by trainees, including partial displacement by  
48 means such as reduced hours of currently employed workers; any  
49 replacement of laid off workers by trainees; or any relocation of  
50 operations resulting in a loss of employment at a previous  
51 workplace;

52 (2) Replace, supplant, compete with or duplicate in any way  
53 existing approved apprenticeship programs; or

54 (3) Impair existing contracts for services or collective  
55 bargaining agreements, except that activities which would be

1 inconsistent with the terms of a collective bargaining agreement  
2 may be undertaken with the written concurrence of the collective  
3 bargaining unit and employer who are parties to the agreement.

4 e. Any business which has an individual working for it under a  
5 program established under a grant provided by the partnership  
6 shall be responsible for providing workers' compensation  
7 coverage for the individual.

8 (cf: P.L.1993, c.268, s.4)

9 3. This act shall take effect immediately.

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14 Concerns Youth Transitions to Work Partnership.

1 bargaining agreements, except that activities which would be  
2 inconsistent with the terms of a collective bargaining agreement  
3 may be undertaken with the written concurrence of the collective  
4 bargaining unit and employer who are parties to the agreement.

5 e. Any business which has an individual working for it under a  
6 program established under a grant provided by the partnership  
7 shall be responsible for providing workers' compensation  
8 coverage for the individual.

9 (cf: P.L.1993, c.268, s.4)

10 3. This act shall take effect immediately.

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13 STATEMENT

14  
15 This bill eases some of the eligibility requirements for  
16 consortiums seeking grants under the Youth Transitions to Work  
17 Partnership established pursuant to P.L.1993, c.268.

18 The bill removes entirely the requirement that all training,  
19 education and other services provided under the partnership be  
20 for careers in labor demand occupations. The need for this  
21 requirement is diminished by the fact that all services provided  
22 under the partnership are connected with registered  
23 apprenticeship programs which place youths directly into  
24 employment.

25 The bill also changes the requirement that all training,  
26 education and other services funded under the partnership be for  
27 careers in occupations which have an average level of pay in the  
28 State that exceeds the average level of pay for all workers in the  
29 State. The bill instead requires that the services be for  
30 occupations which have an average pay level in the State that  
31 exceeds 80% of the State's average pay level or be in connection  
32 with apprenticeship programs in which the average pay level upon  
33 completion of apprenticeship exceeds 80% of the State's average  
34 pay level.

35 Finally, the bill sets the funding level of the Youth Transitions  
36 to Work Partnership at 5% of the total revenues dedicated to the  
37 Workforce Development Partnership Program (WDPP) during any  
38 one fiscal year. While this represents an amount estimated to be  
39 almost identical to the \$2.5 million which was appropriated from  
40 WDPP during fiscal year 1994, the bill will sustain funding for the  
41 Youth Transitions to Work Partnership at a level proportionate to  
42 overall WDPP funding, which comes from a payroll assessment  
43 based on the annually adjusted unemployment insurance tax base.

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47  
48 Concerns Youth Transitions to Work Partnership.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1579**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MARCH 21, 1994

The Assembly Labor Committee reports favorably and with committee amendments Assembly, No. 1579.

This bill eases some of the eligibility requirements for consortiums seeking grants under the Youth Transitions to Work Partnership established pursuant to P.L.1993, c.268.

The bill changes the requirement that all partnership-funded training services be in occupations which have an average pay level in the State that exceeds the average pay level for all workers. The bill instead requires that the services be for occupations which have an average pay level in the State that exceeds 80% of the State's average pay level or be in connection with apprenticeship programs in which the average pay level upon completion of apprenticeship exceeds 80% of the State's average pay level.

The bill also sets the funding level of the Youth Transitions to Work Partnership at 5% of the total revenues dedicated to the Workforce Development Partnership Program (WDPP) during any one fiscal year. While this represents an amount estimated to be almost identical to the \$2.5 million which was appropriated from WDPP during fiscal year 1994, the bill will sustain funding for the Youth Transitions to Work Partnership at a level proportionate to overall WDPP funding, which comes from a payroll assessment based on the annually adjusted unemployment insurance tax base.

Unamended, the bill removed the current requirement that partnership-funded training services be for careers in labor demand occupations. As amended, the bill retains that requirement.

SENATE WOMEN'S ISSUES, CHILDREN  
AND FAMILY SERVICES COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 1579

STATE OF NEW JERSEY

DATED: MAY 19, 1994

The Senate Women's Issues, Children and Family Services Committee favorably reports Assembly Bill No. 1579 [1R].

This bill eases some of the eligibility requirements for consortiums seeking grants under the Youth Transitions to Work Partnership established pursuant to P.L. 1993, c. 268.

The bill requires that all partnership-funded training services be for careers in labor demand occupations which have an average pay level in the State that exceeds the average pay level for all workers. The bill also requires that the services be for occupations which have an average pay level in the State that exceeds 80% of the State's average pay level or be in connection with apprenticeship programs in which the average pay level upon completion of apprenticeship exceeds 80% of the State's average pay level.

The bill also sets the funding level of the Youth Transitions to Work Partnership at 5% of the total revenues dedicated to the Workforce Development Partnership Program (WDPP) during any one fiscal year. While this represents an amount estimated to be almost identical to the \$2.5 million which was appropriated from WDPP during fiscal year 1994, the bill will sustain funding for the Youth Transitions to Work Partnership at a level proportionate to overall WDPP funding, which comes from a payroll assessment based on the annually adjusted unemployment insurance tax base.

This bill is identical to Senate Bill No. 898 (Connors) which the committee also favorably reported on this date.



SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 1579

STATE OF NEW JERSEY

DATED: JUNE 2, 1994

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The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 1579 (1R).

Assembly Bill No. 1579 (1R) eases some of the eligibility requirements for consortiums seeking grants under the Youth Transitions to Work Partnership established pursuant to P.L.1993, c.268 (C.34:15E-1 et seq.).

The bill changes the requirement that all partnership-funded training services be in occupations that have an average pay level in the State that exceeds the average pay level for all workers in the State. The bill requires that the services be for occupations which have an average pay level in the State that exceeds 80% of the State's average pay level or be in connection with apprenticeship programs in which the average pay level upon completion of apprenticeship exceeds 80% of the State's average pay level.

The bill also sets the funding level of the Youth Transitions to Work Partnership at 5% of the total revenues dedicated to the Workforce Development Partnership Program (WDPP) during any one fiscal year. This percentage represents an amount almost identical to the \$2.5 million appropriation this program received from the WDPP in Fiscal Year 1994. In this way, the bill provides for sustained or stable program funding at a level proportionate to overall WDPP funding. The WDPP, which is allocated approximately \$50 million annually, is supported from a payroll assessment based on the unemployment insurance tax base.

As reported, this bill is identical to Senate Bill 898 of 1994.

FISCAL IMPACT

A fiscal estimate prepared by the Office of Legislative Services states that the enactment of the bill will have no fiscal impact on State appropriations or on the Youth Transitions to Work Partnership program's WDPP allocation level.