

LEGISLATIVE HISTORY CHECKLIST

**NJSA:** 44:8-114 (General Assistance Employability Program--amendments)

**LAWS OF:** 1985 **CHAPTER:** 471

**BILL NO:** S2448

**Sponsor(s):** Lynch

**Date Introduced:** November 29, 1984

**Committee: Assembly:** -----

**Senate:** Institutions, Health and Welfare

**Amended during passage:** Yes

**Date of Passage:** **Assembly:** January 6, 1986  
**Senate:** December 12, 1985

**Date of Approval:** January 16, 1986

**Following statements are attached if available:**

**Sponsor statement:** Yes

**Committee statement:** **Assembly** No  
**Senate** Yes

**Fiscal Note:** No

**Veto Message:** No

**Message on Signing:** No

**Following were printed:**

**Reports:** No

**Hearings:** No

471 85  
1-16-86

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SENATE, No. 2448

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 29, 1984

By Senator LYNCH

Referred to Committee on Institutions, Health and Welfare

AN ACT to amend the "General Public Assistance Law," approved  
May 13, 1947 (P. L. 1947, c. 156).

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

1 1. Section 8 of P. L. 1947, c. 156 (C. 44:8-114) is amended to  
2 read as follows:

3 8. Every municipality shall provide public assistance to the  
4 persons eligible thereto, residing therein or otherwise when so  
5 provided by law, which shall be administered by a local assistance  
6 board according to law and in accordance with this act and with  
7 such rules and regulations as may be promulgated by the com-  
8 missioner.

9 As hereinafter provided, employable persons receiving public  
10 assistance shall be required, except when good cause exists, to  
11 perform such public work as shall be assigned to them by the [New  
12 Jersey] *Division of Employment [Service] Services in the Depart-*  
13 *ment of Labor* or, in the manner described herein, by the director  
14 of welfare of the municipality providing public assistance.

15 The [New Jersey Employment Service] *division* shall provide  
16 for the establishment of public work programs for the assignment  
17 of employable persons in receipt of public assistance. Public work  
18 may include the performance of work for the municipality provid-  
19 ing public assistance, or the performance of work in the operation  
20 of or in an activity of a nonprofit agency or institution pursuant to  
21 a contract with the municipality. Public work projects to which  
22 employable persons are assigned by the [New Jersey Employment

**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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

\*—Senate committee amendments adopted June 20, 1985.

23 Service] *division* may include work for other levels of government  
24 besides the municipality, and shall be approved by the Commis-  
25 sioner of the Department of Labor [and Industry]. If a recipient  
26 is injured while performing work assigned by the [New Jersey  
27 Employment Service] *division* or a municipal welfare director  
28 pursuant to this act, liability for such injury shall be assumed by  
29 the State, pursuant to the Worker's Compensation Act, R. S.  
30 34:15-1 et seq. No State agency, municipality or any governmental  
31 or nonprofit agency or institution which has contracted with the  
32 [New Jersey Employment Service] *division* or a municipality  
33 pursuant to this act, or its employees, shall be liable in a civil suit  
34 for damages for any injury sustained by a recipient while perform-  
35 ing work required by this act.

36 The director of welfare in the municipality shall notify the [New  
37 Jersey Employment Service] *division* of persons in receipt of  
38 public assistance who, in his judgment, and in accordance with the  
39 regulations established by the Commissioner of Human Services,  
40 are able to perform work. From the time that he has so notified  
41 the [New Jersey Employment Service] *division* until such time as  
42 the [New Jersey Employment Service] *division* shall assign such  
43 persons to a public work project, the director of welfare shall  
44 assign such employable persons to perform public work if such  
45 work is available, and shall notify the [New Jersey Employment  
46 Service] *division*. The [New Jersey Employment Service] *division*  
47 may approve any such employment assigned by the director of  
48 welfare without further need for assignment or reassignment or  
49 may make another assignment. In assigning public work, the di-  
50 rector of welfare or the [New Jersey Employment Service] *divi-*  
51 *sion*, as the case may be, shall be satisfied that such employable  
52 persons will not be used to replace any regular employees of any  
53 department or unit of such municipality.

54 In assigning persons to public work in a nonprofit agency or  
55 institution, the [New Jersey Employment Service] *division* or the  
56 director of welfare, as the case may be, shall also be satisfied that  
57 such assignment will not result in the displacement of regular  
58 employees of the agency or institution.

59 The Commissioner of Labor [and Industry] shall establish regu-  
60 lations concerning the appropriateness of worksite assignments.

61 Persons performing such work assigned by the [New Jersey  
62 Employment Service] *division* or the director of welfare shall work  
63 only the number of hours equal to the amount of their grant di-  
64 vided by an hourly wage rate commensurate with beginning regular

65 employees similarly employed. Performance of such work shall  
66 result in payment to the person of his public assistance grant.

67 Any person who **\*[refuses]\*** without good cause *\*fails or re-*  
68 *fuses\** to report for or to perform work to which he has been  
69 assigned by the director of welfare or the **[New Jersey Employ-**  
70 **ment Service]** *division*, shall thereupon become ineligible for public  
71 assistance **[until]** *for a period of 90 days, \*which shall commence*  
72 *at the end of the current benefit period and\* at the end of which the*  
73 *person shall again become eligible for public assistance provided*  
74 *that he reports for and performs work to which he has been*  
75 *assigned or shows his willingness to do so [according to regulations*  
76 *established by the Commissioner of Human Services in consultation*  
76A *with the Commissioner of Labor and Industry].*

77 Good cause for *\*failure or\** refusal to report for or to perform  
78 work shall include, but shall not be limited to: working conditions  
79 which are a substantial risk to health and safety; physical inability  
80 to engage in a particular type of work; or lack of a reasonable means  
81 of transportation.

82 *Willingness to report for or to perform work shall be demon-*  
83 *strated by maintaining a current registration with the division;*  
84 *by reporting to a division office upon request and providing all*  
85 *required information, by reporting for employment interviews as*  
86 *scheduled by the division; by accepting employment or better em-*  
87 *ployment when offered, whether or not the offer is made through or*  
88 *referred by the division; by accepting training for employment as*  
89 *offered when the person is unemployed; and by continuing in em-*  
90 *ployment training unless the person has good cause to \*fail or\**  
91 *refuse to report for or to perform the work to which the person has*  
92 *been assigned.*

1 2. This act shall take effect immediately.

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65 employees similarly employed. Performance of such work shall  
66 result in payment to the person of his public assistance grant.

67 Any person who refuses without good cause to report for or to  
68 perform work to which he has been assigned by the director of  
69 welfare or the **[New Jersey Employment Service]** *division*, shall  
70 thereupon become ineligible for public assistance **[until]** *for a*  
71 *period of 90 days, at the end of which the person shall again be-*  
72 *come eligible for public assistance provided that he reports for and*  
73 *performs work to which he has been assigned or shows his willing-*  
74 *ness to do so [according to regulations established by the Commis-*  
75 *sioner of Human Services in consultation with the Commissioner*  
76 *of Labor and Industry].*

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92 *assigned.*

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#### STATEMENT

This bill amends the law governing the General Assistance Em-  
ployability Program (GAEP) which requires that employable  
General Assistance recipients, except when good cause exists, per-  
form public work in return for their welfare grant. The bill speci-  
fies the period of ineligibility for a person who is penalized for  
failing to report for or to perform work to which he has been  
assigned under the GAEP. The bill also specifies the requirements  
that a person must satisfy in order to reestablish and maintain  
eligibility for public assistance benefits under the GAEP.

*52448 (1985)*

SENATE INSTITUTIONS, HEALTH AND WELFARE  
COMMITTEE

STATEMENT TO

**SENATE, No. 2448**

with Senate committee amendments

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**STATE OF NEW JERSEY**

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DATED: JUNE 20, 1985

As amended by committee, this bill amends the law governing the State's General Assistance Employability Program (GAEP).

The bill specifies that the period of ineligibility for General Assistance (GA) for a person who fails or refuses to report for or to perform work to which that person has been assigned under the GAEP, is 90 days. This ineligibility period begins at the end of the month during which the person last received GA benefits. The bill also specifies that in order to reestablish and maintain eligibility for GA benefits, a person must satisfy certain requirements which demonstrate the person's willingness to report for or perform work.

GAEP presently requires that any person financially eligible to receive GA benefits who is physically and mentally fit to perform work, that is, employable, shall, except when good cause exists, perform public work as assigned by the State Division of Employment Services in the Department of Labor or the municipal director of welfare in return for their welfare grant. The "employable" persons are required to work only the number of hours equal to the amount of their public assistance grant divided by the hourly wage received for performing the work. Effective July 1, 1985, the maximum GA monthly grant for one person will be \$133.00.

Committee amendments were recommended by the Department of Human Services. The amendments provide that failure to report for or perform work as well as refusal to do so is grounds for denying assistance. They also specify when the 90 days ineligibility period shall begin.

As amended by committee, this bill is identical to Assembly Bill No. 3118 (Schwartz) now pending before the General Assembly Corrections, Health and Human Services Committee.