

[First Reprint]

ASSEMBLY, No. 280

STATE OF NEW JERSEY
220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

Sponsored by:

Assemblyman BRANDON UMBA

District 8 (Atlantic, Burlington and Camden)

Assemblywoman BETH SAWYER

District 3 (Cumberland, Gloucester and Salem)

Assemblyman HAROLD "HAL" J. WIRTHS

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

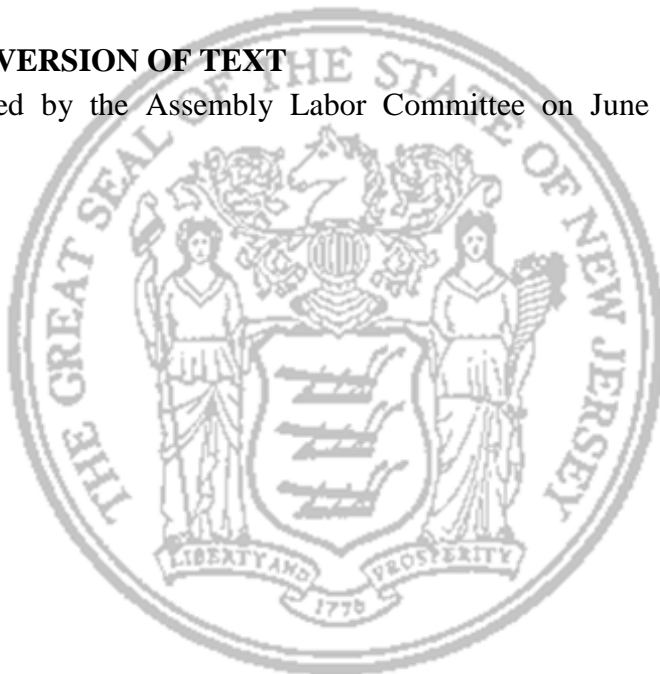
Assemblywoman McKnight, Assemblyman Sampson, Assemblywomen Jimenez, Quijano and Assemblyman Space

SYNOPSIS

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

CURRENT VERSION OF TEXT

As reported by the Assembly Labor Committee on June 9, 2022, with amendments.



(Sponsorship Updated As Of: 6/16/2022)

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

3

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

6

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

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

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

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

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:

¹Assembly ALA committee amendments adopted June 9, 2022.

1 the progression of learning experiences, and the safety instruction
2 and occupational competencies to be learned; and

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

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

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

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

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

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

33

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

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

1 P.L.1993, c.268 (C.34:15E-1 et al.). All appropriations to the fund,
2 all interest accumulated on balances in the fund and all cash
3 received for the fund from any other source shall be used solely for
4 the purposes specifically delineated by this act.

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

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

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

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

27 (4) 5% prior to July 1, 2020, and 7% after June 30, 2020 shall
28 be deposited in an account of the Workforce Development
29 Partnership Fund reserved for the Youth Transitions to Work
30 Partnership created pursuant to P.L.1993, c.268 (C.34:15E-
31 1 et seq.);

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

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

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

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

46 (9) 0.5% shall be deposited in an account of the Workforce
47 Development Partnership Fund reserved for the State Employment

1 and Training Commission to design criteria and conduct an annual
2 evaluation of the program; and

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

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

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

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

47 (cf: P.L.2019, c.252, s.3)]¹

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

3 9. a. A restricted, nonlapsing, revolving Workforce
4 Development Partnership Fund, to be managed and invested by the
5 State Treasurer, is hereby established to: provide employment and
6 training services to qualified displaced, disadvantaged and
7 employed workers by means of training grants or customized
8 training services; provide for the other costs indicated in subsection
9 a. of section 4 of P.L.1992, c.43 (C.34:15D-4); provide for the New
10 Jersey Innovation and Research Fellowship Program as provided for
11 in section 3 of P.L.2015, c.235 (C.34:15D-26); provide for the
12 Talent Network Program as provided for in section 2 of P.L.2019,
13 c.125 (C.34:15D-29); and facilitate the provision of education and
14 training to youth by means of grants provided by the Youth
15 Transitions to Work Partnership pursuant to the provisions of
16 P.L.1993, c.268 (C.34:15E-1 et al.). All appropriations to the fund,
17 all interest accumulated on balances in the fund and all cash
18 received for the fund from any other source shall be used solely for
19 the purposes specifically delineated by this act.

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

22 (1) 25% shall be deposited in an account of the Workforce
23 Development Partnership Fund reserved to provide employment and
24 training services for qualified displaced workers, and through fiscal
25 year 2023, not less than 10% of the revenues deposited in that
26 account shall be reserved to provide employment and training
27 services to qualified displaced workers in the pursuit of industry-
28 valued credentials under the pilot program established pursuant to
29 P.L.2019, c.252 (C.34:15D-30 et al.); and during any fiscal year
30 beginning after June 30, 2019, 0.5% shall be deposited in an
31 account of the Workforce Development Partnership Fund reserved
32 for an appropriated to the Department of Labor and Workforce
33 Development for the Apprenticeship Start-Up Grant Program
34 created pursuant to section 3 of P.L.2019, c.417 (C.34:15D-6.1);

35 (2) 6% shall be deposited in an account of the Workforce
36 Development Partnership Fund reserved to provide employment and
37 training services for qualified disadvantaged workers, and through
38 fiscal year 2023, not less than 10% of the revenues deposited in that
39 account shall be reserved to provide employment and training
40 services to qualified disadvantaged workers in the pursuit of
41 industry-valued credentials under the pilot program established
42 pursuant to P.L.2019, c.252 (C.34:15D-30 et al.);

43 (3) 37% prior to July 1, 2022, and 35% after June 30, 2022 shall
44 be deposited in an account of the Workforce Development
45 Partnership Fund reserved for and appropriated to the Office of
46 Customized Training;

47 (4) 5% prior to July 1, 2022, and 7% after June 30, 2022 shall
48 be deposited in an account of the Workforce Development

1 Partnership Fund reserved for the Youth Transitions to Work
2 Partnership created pursuant to P.L.1993, c.268 (C.34:15E-
3 1 et seq.);

4 (5) 3% shall be deposited in an account of the Workforce
5 Development Partnership Fund reserved for occupational safety and
6 health training;

7 (6) 5% shall be deposited in an account of the Workforce
8 Development Partnership Fund reserved for and appropriated to the
9 Talent Network Program established pursuant to section 2 of
10 P.L.2019, c.125 (C.34:15D-29);

11 (7) 3% shall be deposited in an account of the Workforce
12 Development Partnership Fund reserved for the New Jersey
13 Innovation and Research Fellowship Program established pursuant
14 to section 3 of P.L.2015, c.235 (C.34:15D-26);

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

18 (9) 0.5% shall be deposited in an account of the Workforce
19 Development Partnership Fund reserved for the State Employment
20 and Training Commission to design criteria and conduct an annual
21 evaluation of the program; and

22 (10) 5% shall be deposited in an account of the Workforce
23 Development Partnership Fund to be used, at the discretion of the
24 commissioner, for any of the purposes indicated in subsection a. of
25 section 4 of P.L.1992, c.43 (C.34:15D-4).

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

34 d. Beginning July 1, 2002, and for any subsequent fiscal year,
35 if the unexpended cash balance in any of the accounts indicated in
36 subsection b. of this section, except for the account reserved for the
37 Talent Network Program, less any amount awarded in grants but not
38 yet disbursed from the account, is determined to exceed 20% of the
39 amount of contributions collected for deposit in the account
40 pursuant to this subsection during the fiscal year then ended, the
41 excess shall be regarded as an unemployment compensation
42 contribution and deposited into the unemployment compensation
43 fund within seven business days of the date that the determination is
44 made. If the unexpended cash balance in the account reserved for
45 the Talent Network Program, less any amount awarded in grants but
46 not yet disbursed from the account, is determined to exceed 20% of
47 the amount of contributions collected for deposit in the account
48 pursuant to this subsection during the fiscal year then ended, the

1 excess shall be deposited into the Workforce Development
2 Partnership Fund account reserved for the Office of Customized
3 Training.

4 e. \$250,000 shall be allocated to the Apprentice Assistance and
5 Support Services Pilot Program established pursuant to section 1 of
6 P.L.2019, c.419 (C.34:15D-6.2) from the \$29,690,000 which was
7 appropriated pursuant to the annual appropriations act for State
8 fiscal year 2019 from the Workforce Development Partnership Fund
9 for the purpose of funding Work First New Jersey Work Activities
10 and Work First New Jersey-Training Related Expenses, and,
11 \$1,100,000 shall be allocated to the pilot program in each of fiscal
12 years 2020, 2021, 2022, 2023, and 2024 from the amounts
13 appropriated pursuant to the annual appropriations act in those
14 fiscal years from the Workforce Development Partnership Fund for
15 the purpose of funding Work First New Jersey Work Activities and
16 Work First New Jersey-Training Related Expenses. Of the funds
17 allocated to the pilot program pursuant to this subsection, 90% shall
18 be dedicated to the Child Care Stipend program and 10% to
19 transportation reimbursement.

20 f. Upon the effective date of P.L. , c. (C.) (pending the
21 Legislature as this bill) and notwithstanding the provisions of any
22 law or regulation to the contrary, in addition to the amount
23 deposited in an account of the Workforce Development Partnership
24 Fund reserved for the Youth Transitions to Work Partnership
25 pursuant to subsection b. of this section, \$1,000,000 shall be
26 allocated to the Youth Transitions to Work Partnership from the
27 \$22,500,000 which was appropriated pursuant to the annual
28 appropriations act for State fiscal year 2022 from the Workforce
29 Development Partnership Fund for the purpose of funding the NJ
30 Apprenticeship Network, the Career Accelerator Internship
31 Program, the Workforce Development Policy and Evaluation Lab,
32 the NJ Career Network, and such other priority workforce
33 initiatives recommended by the Commissioner of Labor and
34 Workforce Development.¹

35 (cf: P.L.2019, c.419, s.2)

36

37 3. This act shall take effect immediately.