

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 911
Second Edition Engrossed 5/9/89

Short Title: Amend Employment and Training Act.

(Public)

Sponsors: Senators Hunt of Moore; Sherron, Sands, and Daniel.

Referred to: Manufacturing and Labor.

April 18, 1989

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE NORTH CAROLINA EMPLOYMENT AND TRAINING
3 ACT OF 1985.

4 The General Assembly of North Carolina enacts:

5 Section 1. Section 3 of Chapter 543 of the 1985 Session Laws reads as
6 rewritten:

7 "Sec. 3. Declaration of the State policy on employment and training. (a)
8 It is the policy of this State that all federal, State and local government
9 resources provided for employment and job training programs be coordinated to effect
10 an efficient employment and training service delivery system.

11 (b) The goals of the State employment and training programs are:

- 12 (1) to assist North Carolinians in obtaining gainful employment;
- 13 (2) to reduce dependence upon public assistance and unemployment
14 insurance programs;
- 15 (3) to develop a well trained, productive work force that meets the needs
16 of the State's changing economy; and
- 17 (4) to make maximum use of existing institutions and organizations with
18 demonstrated effectiveness in employment and training service
19 delivery.

20 (c) The State's goals shall be accomplished by:

- 21 (1) preparing economically disadvantaged unskilled youth and adults for
22 entry into the work force;

- 1 (2) retraining people who are structurally unemployed, who are jobless
2 through no fault of their own, or who must upgrade or retrain for job
3 skills in other fields;
- 4 (3) ~~providing training and services to increase the employment of the~~
5 ~~handicapped~~ removing barriers to employment and designing programs
6 that will be responsive to the special needs of offenders, the
7 handicapped, public assistance recipients, school dropouts, single
8 parents, women 35 years of age or older, and other appropriate groups;
- 9 (4) insuring that timely and accurate statewide labor market data are
10 available;
- 11 (5) linking employment and training services with economic development
12 efforts;
- 13 (6) providing employment and training opportunities to meet the needs of
14 industries utilizing advanced technology; and
- 15 (7) avoiding unnecessary duplication of employment and training services
16 by State agencies."

17 Sec. 2. Section 4 of Chapter 543 of the 1985 Session Laws reads as
18 rewritten:

19 "Sec. 4. Coordinating Council. (a) The State Job Training Coordinating
20 Council is established within the Department of Natural Resources and Community
21 Development.

22 (b) Operating funds and staff for the Council shall be supported with funds
23 from the Job Training Partnership Act.

24 (c) Adequate office space shall be provided by the Department of Natural
25 Resources and Community Development.

26 (d) The initial staffing level of the Council and the level of funding support
27 required shall be determined by the Secretary of Natural Resources and Community
28 Development. However, the ~~initial~~ staffing level shall not exceed 10 personnel as may
29 be necessary to carry out its functions under this act and the Job Training Partnership
30 Act.

31 (e) Duties and responsibilities of the Council include but shall not be limited to the
32 following:

- 33 (1) overseeing the meeting of the State's goals for employment and
34 training.
- 35 (2) ~~continuously~~ reviewing the plans and programs of agencies operating
36 federally funded programs related to employment and training and of
37 other agencies providing employment and training-related services in
38 the State that may be funded with State funds.
- 39 (3) conducting studies, preparing reports and analyses, including an
40 annual published report to the Governor and General Assembly, and
41 providing such advisory services as may be authorized or directed by
42 the Governor.

- 1 (4) recommending the allocation of Job Training Partnership Act funds
2 not subject to the seventy- eight percent (78%) that flows directly to
3 service delivery areas.
- 4 (5) recommending program goals to insure job training for unskilled youth
5 and adults is a matter of the highest priority and encouraging Service
6 Delivery Areas (SDA's) to reflect these goals in their SDA plans.
- 7 (6) developing a long term tracking system to measure the effectiveness of
8 the Job Training Partnership Act with respect to permanent job
9 placements. ~~Such a tracking system shall not be less than one year and~~
10 ~~shall be implemented by July 1, 1986.~~
- 11 (7) insuring compliance with the provisions of Sections 122(b)(7) A and B
12 and 122(b)(8) of the Job Training Partnership Act no later than May 30
13 of every year, requiring the following:
- 14 a. ~~identification of employment and training and vocational education~~
15 ~~needs throughout the State~~the identification of, in coordination
16 with the appropriate State agencies, the employment, training,
17 and vocation education needs throughout the State;
- 18 b. ~~assessing the extent to which existing programs are meeting these~~
19 ~~needs~~an assessment of the extent to which employment and
20 training, vocation education, rehabilitation services, public
21 assistance, economic development, and other federal, State, and
22 local programs and services represent a consistent, integrated,
23 and coordinated approach to meeting these needs;
- 24 c. ~~commenting—~~comments on reports required by Sections
25 105(d)(3) of the Vocational Education Act of 1963 and ~~making~~
26 appropriate recommendations to the Governor and General
27 Assembly.
- 28 (8) annually ~~measuring—~~measuring, to the extent practicable, the increase in
29 employment and earnings and the reductions in welfare dependency by
30 SDA resulting from participating in the Job Training Partnership Act
31 program and reporting those findings to the Governor and General
32 Assembly.
- 33 (9) annually reporting to the Governor and General Assembly on funds
34 expended by each SDA for job training services ~~and the reason service~~
35 ~~providers were chosen.~~
- 36 (10) providing management guidance and review of all State administered
37 employment and training programs and encouraging compliance by
38 the SDA's with the goals and purposes outlined by the General
39 Assembly, the Governor, and the State Council.
- 40 (11) ~~insuring that service delivery area plans are submitted to the General~~
41 ~~Assembly within 30 days after received by the Council as prescribed in~~
42 ~~Section 105(a)(1) A and B of Public Law 97-300.~~

- 1 (12) obtaining other information from recipients of Job Training
2 Partnership Act funds, as requested by the Governor and General
3 Assembly.
- 4 (13) overseeing the responsibilities required in the Economic Dislocation
5 and Worker Adjustment Assistance Act (EDWAAA), including the
6 following:
- 7 a. advising the Governor on designation of sub-State areas and
8 sub-State grantees and on the procedure for selecting Private
9 Industry Council (PIC) and Local Employment Organizations
10 (LEO) representatives within sub-State areas relative to grantee
11 designation;
- 12 b. advising the Governor on developing formulas for distributing
13 funds among sub-State areas and formulas for reallocating
14 unexpended funds;
- 15 c. reviewing and commenting to the Governor on State and sub-
16 State EDWAAA programs;
- 17 d. reviewing and submitting comments on the State plan prior to
18 submission to the Secretary and on each sub-State plan; and
- 19 e. advising the Governor on the establishment and application of
20 performance standards.
- 21 (f) The State Job Training Coordinating Council:
- 22 (1) shall be appointed by the Governor in a manner consistent with
23 Section 122 of Public Law 97-300.
- 24 (2) shall meet at the call of the chairman. A majority of the Council shall
25 constitute a quorum for the transaction of business. Members shall
26 receive per diem and necessary travel and subsistence expenses in
27 accordance with the provisions of G.S. 138-5, 138-6 or 120-3.1, as the
28 case may be.
- 29 (3) ~~The Council shall have a standing committee to be known as the Job~~
30 ~~Training Interagency Committee. The members of the committee shall~~
31 ~~be the Secretaries of Natural Resources and Community Development~~
32 ~~and Commerce, the President of the Department of Community~~
33 ~~Colleges, the Commissioner of Labor, and the Superintendent of~~
34 ~~Public Instruction or their designees. This Committee shall jointly~~
35 ~~develop and implement a plan to integrate the Job Training Partnership~~
36 ~~Act program and participants into the economic development efforts of~~
37 ~~the State. Such a plan shall make maximum use of customized~~
38 ~~training and on the job training efforts of existing, new, or expanding~~
39 ~~businesses. This plan shall be developed and implemented no later~~
40 ~~than February 1, 1986. A copy of the plan shall be submitted to the~~
41 ~~President of the North Carolina Senate and the Speaker of the North~~
42 ~~Carolina House of Representatives no later than December 15, 1985.~~
43 ~~In addition, the Joint Legislative Commission on Governmental~~

- 1 ~~Operations shall review the plan prior to implementation and offer~~
2 ~~suggested changes.~~
- 3 (4) the Council may create such committees as may be necessary to the
4 proper conduct of its business. The Governor may establish such
5 additional advisory bodies, in accordance with existing law, related to
6 employment and training as may be necessary and appropriate to the
7 conduct of federally supported employment and training-related
8 programs."
9 Sec. 3. This act is effective upon ratification.