

GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 532
SENATE BILL 911

AN ACT TO AMEND THE NORTH CAROLINA EMPLOYMENT AND TRAINING
ACT OF 1985.

The General Assembly of North Carolina enacts:

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

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

- (b) The goals of the State employment and training programs are:
- (1) to assist North Carolinians in obtaining gainful employment;
 - (2) to reduce dependence upon public assistance and unemployment insurance programs;
 - (3) to develop a well trained, productive work force that meets the needs of the State's changing economy; and
 - (4) to make maximum use of existing institutions and organizations with demonstrated effectiveness in employment and training service delivery.
- (c) The State's goals shall be accomplished by:
- (1) preparing economically disadvantaged unskilled youth and adults for entry into the work force;
 - (2) retraining people who are structurally unemployed, who are jobless through no fault of their own, or who must upgrade or retrain for job skills in other fields;
 - (3) providing training and services to increase the employment of the handicapped—removing barriers to employment and designing programs that will be responsive to the special needs of offenders, the handicapped, public assistance recipients, school dropouts, single parents, women 35 years of age or older, and other appropriate groups;
 - (4) insuring that timely and accurate statewide labor market data are available;
 - (5) linking employment and training services with economic development efforts;
 - (6) providing employment and training opportunities to meet the needs of industries utilizing advanced technology; and

- (7) avoiding unnecessary duplication of employment and training services by State agencies."

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

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

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

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

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

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

- (1) overseeing the meeting of the State's goals for employment and training.
- (2) ~~continuously~~ reviewing the plans and programs of agencies operating federally funded programs related to employment and training and of other agencies providing employment and training-related services in the State that may be funded with State funds.
- (3) conducting studies, preparing reports and analyses, including an annual published report to the Governor and General Assembly, and providing such advisory services as may be authorized or directed by the Governor.
- (4) recommending the allocation of Job Training Partnership Act funds not subject to the seventy- eight percent (78%) that flows directly to service delivery areas.
- (5) recommending program goals to insure job training for unskilled youth and adults is a matter of the highest priority and encouraging Service Delivery Areas (SDA's) to reflect these goals in their SDA plans.
- (6) developing a long term tracking system to measure the effectiveness of the Job Training Partnership Act with respect to permanent job placements. ~~Such a tracking system shall not be less than one year and shall be implemented by July 1, 1986.~~
- (7) insuring compliance with the provisions of Sections 122(b)(7) A and B and 122(b)(8) of the Job Training Partnership Act no later than May 30 of every year, requiring the following:
 - a. identification of employment and training and vocational education needs throughout the State the identification of, in coordination with the appropriate State agencies, the

- employment, training, and vocation education needs throughout the State;
- b. ~~assessing the extent to which existing programs are meeting these needs~~ an assessment of the extent to which employment and training, vocation education, rehabilitation services, public assistance, economic development, and other federal, State, and local programs and services represent a consistent, integrated, and coordinated approach to meeting these needs;
 - c. ~~commenting~~ comments on reports required by Sections 105(d)(3) of the Vocational Education Act of 1963 and ~~making~~ appropriate recommendations to the Governor and General Assembly.
- (8) annually ~~measuring~~ measuring, to the extent practicable, the increase in employment and earnings and the reductions in welfare dependency by SDA resulting from participating in the Job Training Partnership Act program and reporting those findings to the Governor and General Assembly.
 - (9) annually reporting to the Governor and General Assembly on funds expended by each SDA for job training services ~~and the reason service providers were chosen.~~
 - (10) providing management guidance and review of all State administered employment and training programs and encouraging compliance by the SDA's with the goals and purposes outlined by the General Assembly, the Governor, and the State Council.
 - (11) ~~insuring that service delivery area plans are submitted to the General Assembly within 30 days after received by the Council as prescribed in Section 105(a)(1) A and B of Public Law 97-300.~~
 - (12) obtaining other information from recipients of Job Training Partnership Act funds, as requested by the Governor and General Assembly.
 - (13) overseeing the responsibilities required in the Economic Dislocation and Worker Adjustment Assistance Act (EDWAAA), including the following:
 - a. advising the Governor on designation of sub-State areas and sub-State grantees and on the procedure for selecting Private Industry Council (PIC) and Local Employment Organizations (LEO) representatives within sub-State areas relative to grantee designation;
 - b. advising the Governor on developing formulas for distributing funds among sub-State areas and formulas for reallocating unexpended funds;
 - c. reviewing and commenting to the Governor on State and sub-State EDWAAA programs;
 - d. reviewing and submitting comments on the State plan prior to submission to the Secretary and on each sub-State plan; and

e. advising the Governor on the establishment and application of performance standards.

(f) The State Job Training Coordinating Council:

- (1) shall be appointed by the Governor in a manner consistent with Section 122 of Public Law 97-300.
- (2) shall meet at the call of the chairman. A majority of the Council shall constitute a quorum for the transaction of business. Members shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5, 138-6 or 120-3.1, as the case may be.
- ~~(3) The Council shall have a standing committee to be known as the Job Training Interagency Committee. The members of the committee shall be the Secretaries of Natural Resources and Community Development and Commerce, the President of the Department of Community Colleges, the Commissioner of Labor, and the Superintendent of Public Instruction or their designees. This Committee shall jointly develop and implement a plan to integrate the Job Training Partnership Act program and participants into the economic development efforts of the State. Such a plan shall make maximum use of customized training and on the job training efforts of existing, new, or expanding businesses. This plan shall be developed and implemented no later than February 1, 1986. A copy of the plan shall be submitted to the President of the North Carolina Senate and the Speaker of the North Carolina House of Representatives no later than December 15, 1985. In addition, the Joint Legislative Commission on Governmental Operations shall review the plan prior to implementation and offer suggested changes.~~
- (4) ~~the Council may create such committees as may be necessary to the proper conduct of its business. The Governor may establish such additional advisory bodies, in accordance with existing law, related to employment and training as may be necessary and appropriate to the conduct of federally supported employment and training-related programs."~~

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 30th day of June, 1989.