S T A T E O F N E W Y O R K

2853

2009-2010 Regular Sessions

I N A S S E M B L Y

January 21, 2009

Introduced by M. of A. SCHIMMINGER, KOON, GUNTHER -- Multi-Sponsored by -- M. of A. COOK, DelMONTE, DESTITO, KOLB, MORELLE, TOWNS -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry

AN ACT to amend the urban development corporation act and the labor law, in relation to eliminating the department of labor from the management of the strategic training alliance program

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 16-j of section 1 of chapter 174 of the laws of 1968, constituting the urban development corporation act, as amended by chapter 624 of the laws of 1999, is amended to read as follows:

S 16-j. Strategic training alliance program. 1. Program created. Pursuant to this section [and article 24-A of the labor law] there is hereby established within the corporation [and the department of labor] a strategic training alliance program to identify and address employer demands for skilled workers. The corporation [and the department of labor] may cooperate with the department of economic development, the state university of New York, the city university of New York, THE DEPARTMENT OF LABOR, and the state education department, in providing support within amounts available for the program for training activities by an eligible applicant which is defined as an employer or an employer in conjunction with a labor organization, a strategic alliance or network or association of employers with common problems or concerns, a private industry council established pursuant to the federal job training partnership act (P.L. 97-300) [or], one or more local workforce investment boards established pursuant to the federal workforce investment act (P.L. 105-300) OR AN ELIGIBLE TRAINING PROVIDER representing a strategic alliance.

2. Project plans. (a) Project plans shall be submitted to the corporation [or the department of labor] by applicants. The corporation [and

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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the department of labor] shall, upon receipt of project plans, [jointly] review such plans in order to assure that they are approved or disapproved within the time limits set forth in paragraph (c) of this subdivision.

(b) Plans submitted pursuant to this article shall include:

(i) documentation of the need for such training;

(ii) the type of training and the number of individuals to be trained;

(iii) a commitment of a cash or in-kind contribution to the cost of the project;

(iv) a commitment to first consider individuals who are unemployed, dislocated, or economically disadvantaged for employment in positions created as a result of training;

(v) the identification of an eligible training provider which is defined as a community college, agricultural and technical college, an institution of higher education, a local education agency, a community based organization [or]; a strategic alliance PROVIDING TRAINING IN COOPERATION WITH ANOTHER TRAINING PROVIDER;

(vi) the identification of specific projects to be assisted; and,

(vii) a description of technologies to be used to disseminate the training to participating employers.

(c) The corporation [and the department of labor] shall [jointly] approve or disapprove project plans within thirty days of receipt of such plans.

3. Assistance. (a) Assistance provided by the corporation to eligible applicants pursuant to [the joint approval involving the department of labor set forth in] this article shall be used for the costs of classroom training, curriculum development, and training materials associated with on the job training, skills upgrading, skills retraining, THE ADMINISTRATIVE COSTS WHICH SHALL NOT EXCEED FIVE PERCENT OF THE TOTAL OF THE APPROVED PROJECT BUDGET WHERE THE ELIGIBLE APPLICANT IS A STRATEGIC ALLIANCE OR NETWORK OR ASSOCIATION OF EMPLOYEES WITH COMMON CONCERNS OR AN ELIGIBLE TRAINING PROVIDER REPRESENTING A STRATEGIC ALLIANCE, and basic skills training; and

(b) The corporation [and the department of labor] shall ensure that:

(i) not less than twenty percent of the program funds are used in support of projects that assist small businesses as defined in section one hundred thirty-one of the economic development law; and

(ii) not less than twenty percent of program funds are used in support of projects that assist strategic alliances or networks or associations of employers with common problems or concerns.

(c) The corporation [and the department of labor] may within amounts available for the program provide additional funds for regional and statewide initiatives that lead to the development and implementation of an electronically supported training and workforce education system.

4. Report and evaluation. (a) The corporation [and the department of labor] shall report to the legislature annually identifying the employers or alliances receiving training assistance, the type of training provided, and the number of individuals trained and newly hired including those who were previously unemployed or economically disadvantaged.

(b) The corporation [and the department of labor] shall also provide for an independent evaluation of the program on or before June 1, 2002, and every three years after. The cost of such evaluation shall be deemed to be an eligible expense of the New York state strategic training alliance program.

S 2. Section 850 of the labor law, as added by chapter 624 of the laws of 1999, is amended to read as follows:

S 850. Legislative findings and objectives. The federal Workforce Investment Act of 1998 (P.L. 105-220), establishes a flexible state framework for a national workforce preparation and employment system designed to meet the needs of the state's businesses, job seekers, incumbent workers and economic development priorities. The department shall be the state's lead workforce investment and development agency. [The state strategic training alliance program has been established jointly within the department and the urban development corporation to leverage maximum federal workforce investment act resources to address businesses' demand for a skilled workforce to ensure the continued economic growth of the state and minimize duplication of services among partner agencies.]

S 3. This act shall take effect immediately.