

STATE OF NEW YORK

1867

2019-2020 Regular Sessions

IN ASSEMBLY

January 17, 2019

Introduced by M. of A. SIMON, GOTTFRIED, D'URSO, SIMOTAS, JAFFEE --
Multi-Sponsored by -- M. of A. GALEF -- read once and referred to the
Committee on Social Services

AN ACT to amend the social services law, in relation to training and
education for sustainable wage jobs and traditional and nontraditional
employment in public assistance employment programs

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Subdivision 1 of section 330 of the social services law, as
2 amended by section 148 of part B of chapter 436 of the laws of 1997,
3 paragraphs a and b as amended by section 2 of part C of chapter 57 of
4 the laws of 2005, is amended to read as follows:

5 1. Whenever used in this title:

6 a. the term "commissioner" means the commissioner of the state office
7 of temporary and disability assistance; ~~and~~

8 b. the term "department" means the state office of temporary and disa-
9 bility assistance;

10 c. the term "nontraditional employment" means occupations or fields
11 of work, including careers in the skilled trades, or computer science,
12 technology and other emerging high skill occupations, for which any one
13 gender comprises less than twenty-five percent of the individuals
14 employed in each such occupation or field of work according to federal
15 department of labor statistics; and

16 d. the term "sustainable wage" means a wage that is at least one
17 hundred eighty-five percent of the poverty line and that is adjusted for
18 regional factors.

19 § 2. The second undesignated paragraph of section 333 of the social
20 services law, as amended by section 148 of part B of chapter 436 of the
21 laws of 1997, is amended to read as follows:

22 Such plan shall be developed in cooperation and coordination with
23 public and private education institutions, child care providers, child

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

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1 care resource and referral agencies if available in the district, labor
2 unions, libraries, public and private employers, employment and training
3 agencies and organizations, and private industry councils established in
4 service delivery areas defined in subdivision five of section nine
5 hundred seventy-one of the executive law.

6 Such plan shall strongly
7 consider, for individuals who have obtained a high school diploma or a
8 general equivalency diploma (GED), training for sustainable wage jobs
9 and promote nontraditional employment opportunities for such partic-
10 ipants; provided that any individual's preparation for employment shall
11 be consistent with federal and state work participation requirements.

12 § 3. Paragraph (a) of subdivision 1 of section 334 of the social
13 services law, as amended by section 148 of part B of chapter 436 of the
14 laws of 1997, is amended to read as follows:

15 (a) education, employment and training opportunities available under
16 the local plan, including: (i) education and training for sustainable
17 wage jobs and nontraditional employment opportunities; and (ii) educa-
18 tional and training opportunities available at no cost to the partic-
19 ipant as well as the responsibilities associated with the repayment of
20 student financial aid;

21 § 4. Paragraph (a) of subdivision 2 of section 335 of the social
22 services law, as amended by section 148 of part B of chapter 436 of the
23 laws of 1997, is amended to read as follows:

24 (a) Based on the assessment required by subdivision one of this
25 section, the social services official, in consultation with the partic-
26 ipant, shall develop an employability plan in writing which shall set
27 forth the services that will be provided by the social services offi-
28 cial, including but not limited to child care and other services and the
29 activities in which the participant will take part, including child care
30 and other services and shall set forth an employment goal for the
31 participant. To the extent possible, the employability plan shall
32 reflect the preferences of the participant in a manner that is consist-
33 ent with the results of the participant's assessment and the need of the
34 social services district to meet federal and state work activity partic-
35 ipation requirements, and, if such preferences cannot be accommodated,
36 the reasons shall be specified in the employability plan. The employa-
37 bility plan shall also take into account the participant's supportive
38 services needs, available program resources, local employment opportu-
39 nities, and shall strongly consider, for individuals who have obtained a
40 high school diploma or a general equivalency diploma (GED), the poten-
41 tial for available employment that pays a sustainable wage; provided
42 that any individual's preparation for employment shall be consistent
43 with federal and state work participation requirements; and where the
44 social services official is considering an educational activity assign-
45 ment for such participant, the participant's liability for student
46 loans, grants and scholarship awards. The employability plan shall be
47 explained to the participant. Any change to the participant's employa-
48 bility plan required by the social services official shall be discussed
49 with the participant and shall be documented in writing.

50 § 5. Paragraph (a) of subdivision 2 of section 335-a of the social
51 services law, as amended by section 1 of part J of chapter 58 of the
52 laws of 2014, is amended to read as follows:

53 (a) Based on the assessment required by subdivision one of this
54 section, the social services official, in consultation with the partic-
55 ipant, shall develop an employability plan in writing which shall set
56 forth the services that will be provided by the social services official
and the activities in which the participant will take part, including

1 supportive services and shall set forth an employment goal for the
2 participant. To the extent possible, the employability plan shall
3 reflect the preferences of the participant in a manner that is consist-
4 ent with the results of the participant's assessment and the need of the
5 social services district to meet federal and state work activity partic-
6 ipation requirements, and, if such preferences cannot be accommodated,
7 the reasons shall be specified in the employability plan. The employa-
8 bility plan also shall take into account the participant's supportive
9 services needs, available program resources, local employment opportu-
10 nities, and shall strongly consider, for individuals who have obtained a
11 high school diploma or a general equivalency diploma (GED), the poten-
12 tial for available employment that pays a sustainable wage; provided
13 that any individual's preparation for employment shall be consistent
14 with federal and state work participation requirements; and where the
15 social services official is considering an educational activity assign-
16 ment for such participant, the participant's liability for student
17 loans, grants and scholarship awards. The employability plan shall be
18 explained to the participant. Any change to the participant's employa-
19 bility plan required by the social services official shall be discussed
20 with the participant and shall be documented in writing.

21 § 6. This act shall take effect on the one hundred twentieth day after
22 it shall have become a law, and shall apply to employability plans made
23 or updated on and after such effective date.