§ 4607. Bridge to employment, work tryout and education program. 1. The commissioner is hereby authorized and directed to make grants within the limits of the appropriation available for such purpose, to major education providers, as defined in the Vocational Education Act of 1963, service delivery area administrative entities and private industry councils as established by the Job Training Partnership Act (JTPA) of 1982 in accordance with the provisions of this section, to encourage the establishment of a bridge to employment, work tryout and education program for certain targeted populations with businesses with no more than two hundred fifty employees in any facility and no more than an aggregate of one thousand employees in the state of New York. Priority shall be accorded to jointly developed proposals from major education providers, as defined in the Vocational Education Act, and service delivery area administrative entities. For the purposes of a statewide program, the commissioner is hereby authorized to develop regulations, and to consult with the commissioner of labor, to establish administrative, program, and expenditure guidelines and standards for the work tryout experience and the bridge to employment programs pursuant to this chapter. Such regulations and guidelines shall include provisions for educational services to meet additional job skill requirements for youth or adults to continue such employment placements.

2. Any agency or organization, eligible for a grant or contract under the provisions of subdivision one of this section, which plans to establish a bridge to employment, work tryout and education program shall submit an application to the commissioner on or before the first day of July of each year in which such program is conducted provided, however, that such application for the nineteen hundred eighty-seven--eighty-eight pilot program shall be filed by September first, nineteen hundred eighty-seven. Priority shall be accorded to jointly developed proposals from major education providers and service delivery area administrative entities. Such application shall include but not be limited to, at least a statement of the purpose of the program, a detailed estimate of the cost of such program, a complete description of the manner in which the program will operate and how the program will improve and expand education and placement services currently offered by the applicant, and such other information as the

commissioner shall require.

3. For the purposes of a statewide program, the commissioner in the consultation with the commissioner of labor shall evaluate such applications, using as criteria the merit and value of the various programs submitted and prior experience of such agency or agencies and subcontracts in provision of placement services. The commissioner shall then promulgate a list of those programs that have been selected according to regulations established by the commissioner.

4. The commissioner shall determine the amount of the apportionment which shall be made to those programs which he deems to have merit within the amount of the appropriation therefor.

5. A person who seeks to participate under the bridge to employment, work tryout and education program must be:

a. (1) a secondary student who has completed an career sequence or
(2) a community college graduate who has completed a certificate or associate degree program in career education and
(3) unemployed three months after completion of such education; or

b. (1) an unemployed adult at least twenty-one years of age or older who has completed a career education adult and/or other training program or have the necessary capacity and past employment history to explore new job experiences and
(2) meet any of the following qualifications:
(i) single parent;
(ii) dislocated worker;
(iii) long-term unemployed;
(iv) displaced homemaker;
(v) older worker;
(vi) economically disadvantaged;
(vii) handicapped individuals; or
(viii) such other individuals as the commissioner may determine to be eligible.

c. Notwithstanding any other provision of law, the work experience under this chapter shall not affect any predetermined eligibility under the Job Training Partnership Act of 1982 or any other appropriate educational services program.

6. Any agency or organization designated by the commissioner to conduct a bridge to employment, work tryout and education program is hereby authorized and empowered to do and perform all acts necessary or convenient to enable it to carry out the provisions of this section and it is authorized to enter into a contract with any person, firm, association, partnership or corporation whereby such person, firm, association, partnership or corporation will provide work tryout experience to participants enrolled in such program, the consideration for such contract, if it otherwise meets the provisions of this section, to be a legal charge against the agency or organization. However, no placements will be made with any person, firm, association, partnership or corporation where there is an industry/labor controversy, as defined in regulations of the commissioner of labor.

7. Use of funds. a. Work tryout experiences. Agencies or organizations participating in the bridge to employment, work tryout and education program may provide to eligible participants up to one hundred hours of full-time or part-time work tryout experiences with small to medium-sized employers at no cost to those participating employers. No such experiences may last more than forty hours with any single employer. Employers who elect to retain a participant from the work tryout experience may transfer such participants to a bridge to employment placement component of the program and receive full benefit of such program. Up to fifty percent of the funds are to be used to support, administer and promote the work tryout experience program.

Notwithstanding any other provision of law to the contrary, any participants in the work tryout experience who are returned back to the program operator because of lack of skills required to retain employment shall be provided education and training in such skills as the program operator deems necessary and available from local, state or federal funded training programs.

b. Bridge to employment placement. The remaining funds are to be utilized to provide a bridge to employment placement program with small and medium employers. Eligible agencies and organizations serving as program operators may subcontract with temporary help services, employment and training agencies, or employers for placement of participants with the following support provided from these funds:

(1) Payroll administration and program promotion by the agency or organization or sub-contractor for up to two hundred eighty hours but not more than seven weeks for each person placed in employment.

(2) Appropriate share of wages and fringe benefits for such employment.

Employers will be responsible for payment of at least fifty percent of the wages and fringe benefits for such employment. After seven weeks of employment the bridge to employment and education program benefits shall cease and the employer must pay all expenses.

Employers participating in the program shall not be required to participate for any specific period of time. Participants may be hired by participating employers at any time or may be returned to the bridge to employment and education program operator at any time with a statement of circumstances and/or work related deficiencies. Continued employer participation in the program shall be determined by demonstrated transition to unsubsidized employment at levels established by the agency or organization and approved by the commissioner. However, employers who have released an excessive number of participants from the bridge to employment programs within the first six months of placement pursuant to commissioner regulations shall be prohibited from seeking further placements from the bridge to employment program.

c. Employment and training agencies or temporary help services or other organizations which may serve as subcontractors may charge overhead and promotional expenses as provided in approved contracts for work tryout experience and bridge to employment programs as specified in guidelines and/or regulations of the commissioner. Such agencies, services or organizations shall endeavor to serve at least fifty percent

of the participants in the bridge to employment program from paragraph b of subdivision five of this section.

d. Notwithstanding any provision of law to the contrary, any eligible adult who is either economically disadvantaged or handicapped shall be eligible for forty additional hours of work tryout experience benefits and one hundred twenty additional hours of bridge to employment placement benefits.

8. Notwithstanding any other provision of law to the contrary, any participants in the bridge to employment and education program who are referred back to the program operator because of lack of skills required to retain employment shall be provided education and training in such skills as the placement agency deems necessary and available from local, state or federal funded training programs.