§ 835. Definitions. For the purposes of this article, the following terms shall have the following meanings:

1. "Additional dislocated workers" means a displaced homemaker who is an individual who:

(a) was a full-time homemaker for a substantial number of years; and

(b) derived the substantial share of his or her support from:

(i) a spouse and no longer receives such support due to the death, divorce, permanent separation from the spouse, or

(ii) public assistance on account of dependents in the home and no longer receives such support.

2. "Administrative entity" means the entity designated to administer a job training plan pursuant to section one hundred three (b) (1) (B) of the federal Job Training Partnership Act (P.L. 97-300).

3. "Basic readjustment services" means services including, but not limited to:

(a) development of individual readjustment plans for participants in programs under this article;

(b) outreach and intake;

(c) early readjustment assistance;

(d) job or career counseling;

(e) testing;

(f) orientation;

(g) assessment, including evaluation of educational attainment and participant interests and aptitudes;

(h) determination of occupational skills;

(i) provision of future world-of-work and occupational information;

(j) job placement assistance;

(k) labor market information;

(l) job clubs;

(m) job search;

(n) job development;

(o) supportive services, including child care, commuting assistance, and financial and personal counseling which shall terminate not later than the ninetieth day after the participant has completed other

services under this subdivision, except that counseling necessary to assist participants to retain employment shall terminate not later than six months following the completion of training;

(p) prelayoff assistance;

(q) relocation assistance; and

(r) programs conducted in cooperation with employers or labor organizations to provide early intervention in the event of closures of plants or facilities.

4. "Dislocated workers" means individuals who:

(a) have been terminated or laid off or who have received a notice of termination or layoff from employment, are eligible for or have exhausted their entitlement to unemployment compensation, and are unlikely to return to their previous industry or occupation;

(b) have been terminated or have received a notice of termination of employment, as a result of any permanent closure of or any substantial layoff at a plant, facility, or enterprise;

(c) are long-term unemployed and have limited opportunities for employment or reemployment in the same or a similar occupation in the area in which such individuals reside, including older individuals who may have substantial barriers to employment by reason of age; or

(d) were self-employed (including farmers and ranchers) and are unemployed as a result of general economic conditions in the community in which they reside or because of natural disasters, subject to regulations prescribed by the federal Secretary of Labor.

5. "Employer specific skill training" shall mean programs administered by the state education department designed to support, supplement and contribute to the economic development activities of the department of economic development and regional and local efforts to maintain the economy of the state by providing skills training programs for companies which want to locate or expand in the state, including support to small business and cottage industries, special training for new and expanding industries in urban and rural areas and other training programs to meet the needs of dislocated workers and the state's business and industry.

6. "Grant recipient" means the entity chosen within a service delivery

area to receive funds from the state pursuant to section one hundred four (b) (2) of the federal Job Training Partnership Act (P.L. 97-300).

7. "Labor-management committees" means committees voluntarily established to respond to actual or prospective worker dislocation, which ordinarily include, but are not limited to, the following:

(a) shared and equal participation by workers and management;

(b) shared financial participation between the company and the state, using funds provided under this article, in paying for the operating expenses of the committee;

(c) a chairperson, to oversee and guide the activities of the committee, (i) who shall be jointly selected by the labor and management members of the committee, (ii) who is not employed by or under contract with labor or management at the site, and (iii) who shall provide advice and leadership to the committee and prepare a report on its activities;

(d) the ability to respond flexibly to the needs of affected workers by devising and implementing a strategy for assessing the employment and training needs of each dislocated worker and for obtaining the services and assistance necessary to meet those needs;

(e) a formal agreement, terminable at will by the workers or the company management, and terminable for cause by the governor; and

(f) local job identification activities by the chairperson and members of the committee on behalf of the affected workers.

8. "Local elected official" means the chief elected executive officer of a unit of general local government in a substate area.

9. "On-the-job training" means training which is specified in an agreement between the grantee and the employer and includes both work experience and training, formalized in an outline defining each training component and outcomes of the training process.

10. "Plant closing" means the permanent or temporary shutdown of a single site of employment, or one or more facilities or operating units within a single site of employment, if the shutdown results in an employment loss at a single site of employment during any thirty day period for twenty-five or more employees excluding any part-time

employees. In addition, should the shutdown directly cause an employment loss at any additional site, all such employees at the additional site or sites shall be counted toward the twenty-five required to meet this definition.

11. "Private industry council" means local private industry council as defined in section one hundred two of the federal Job Training Partnership Act (P.L. 97-300).

12. "Region" means the economic development regions as defined by the department of economic development.

13. "Retraining services" means services which may include, but are not limited to:

(a) classroom training;

(b) occupational skill training;

(c) on-the-job training;

(d) out-of-area job search;

(e) relocation;

(f) basic and remedial education;

(g) literacy and English for non-English-speaker training;

(h) entrepreneurial training; and

(i) other appropriate training activities directly related to appropriate employment opportunities within the substate area.

14. "Service delivery area" means a local service delivery area as defined in section one hundred one of the federal Job Training Partnership Act (P.L. 97-300).

15. "Service provider" means a public agency, private nonprofit organization, or private for-profit entity that delivers educational, training, or employment services.

16. "Substantial layoff" means any reduction-in-force which is not the result of a plant closing and which results in an employment loss at a single site of employment during any thirty day period for:

(a) (i) at least thirty-three percent of the employees (excluding

employees regularly working less than twenty hours per week); and

(ii) at least fifty employees (excluding employees regularly working less than twenty hours per week); or

(b) at least five hundred employees (excluding employees regularly working less than twenty hours per week).

17. "Substate areas" means that geographic area in a state established by the governor pursuant to section three hundred twelve (a) of the federal Economic Dislocation and Worker Adjustment Assistance Act (P.L. 100-418), provided that the governor shall notify in writing the president pro tempore of the senate, speaker of the assembly, minority leader of the senate and minority leader of the assembly not less than sixty days prior to any change in the designation of such area.

18. "Substate grantees" means that agency or organization selected to administer programs pursuant to section three hundred twelve (b) of the federal Economic Dislocation and Worker Adjustment Assistance Act (P.L. 100-418) and section eight hundred thirty-six of this article.